LAWS—NEW JERSEY
1966

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ACTS

OF THE

One Hundred and Ninetieth Legislature

OF THE

STATE OF NEW JERSEY

AND

Nineteenth Under the New Constitution

New Jersey State Library

1966

The following laws, passed by the One Hundred and Ninetieth Legislature and an index of the laws, are published in accordance with Title 1, chapter three, section one et seq. of the Revised Statutes.

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LAWS

ACTS

PASSED BY THE

One Hundred and Ninetieth Legislature

CHAPTER 1

AN ACT concerning leave of absence and supplementing Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:13-23.21. Absence, without loss of pay, for attendance at Legislature.

1. Any person employed by a public educational system or institution in a position which requires a certificate issued by the State Board of Examiners or employed in a professional educational capacity by a school, college, or university which is either tax-supported or operated under contract with the State Board of Education, who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from his duties as such employee, without loss of pay, during the periods of his attendance at regular or special sessions of the Legislature, and hearings or meetings of any legislative committee or commission.

2. This act shall take effect immediately.

Approved January 26, 1966.

CHAPTER 2

AN ACT to amend and supplement "An act to provide for a constitutional convention to consider proposals to revise and amend the provisions of the present State Constitution relating to the representation of the people in a Legislature to comply with the requirements of the United States Constitution applicable thereto and upon agreeing thereon to submit its proposal to the people and making an appropriation therefor," approved May 11, 1965 (P. L. 1965, c. 43).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of the act to which this act is amendatory is amended to read as follows:

Delegates to Constitutional Convention.

5. (a) A special election to elect delegates to the constitutional convention shall be held on March 1, 1966 during the same hours, at the same places, using the same records and facilities and by the officers and employees who would usually conduct the general election; provided, however, that in any county in which the total number of delegates nominated does not exceed the total number to be elected, the county board of elections, for the purposes of this special election only, may reduce the number of polling places normally used for elections in the county to such lesser number as shall be consistent with the anticipated voter participation in the county in the special election, but there shall be at least one polling place located in each municipality within the county.

(b) Any county board of elections which reduces the number of polling places in the county, pursuant to the authorization set forth in subsection (a) hereof, may authorize the election officials and personnel to permit persons to vote in the special

election without reference to the permanent registration binder and voting record and the signature comparison record and without requiring the voter to sign the signature comparison record. If a county board intends to dispense with the use of the permanent registration binder and voting record and the signature comparison record at the polling places in this special election, the board shall so notify the Secretary of State on or before February 17, 1966.

(c) The Secretary of State shall establish a uniform procedure to be followed by the election officials and personnel in any county in which the county board of elections has determined to dispense with the use of the permanent registration binder and voting record and the signature comparison record at the polling places. Such a procedure shall provide for a method whereby the county board of elections or any other appropriate election officials can determine whether any voter has voted improperly or fraudulently. The Secretary of State shall distribute copies of this uniform procedure to every county board of elections that has notified him pursuant to the provisions of subsection (b) hereof.

Section amended.

2. Section 14 of the act to which this act is amendatory is amended to read as follows:

Ballots.

14. The county clerk shall prepare and deliver to the printer complete copy for the ballots required for the election on or before January 31, 1966 and shall cause to be mailed the sample ballots, the military service ballots and the civilian absentee ballots as soon after February 7, 1966 as shall be practicable; provided, however, that the sample ballots for the special election shall not contain the provision set forth in section 19:14–23 of the Revised Statutes which requires the return of the sample ballot in cases of nondelivery.

Permission to print lesser amount of ballots.

3. The county clerk in any county not using voting machines may petition the Secretary of State, in such form as the Secretary of State may

require, for permission to print a lesser amount of official ballots for this special election than is required by the provisions of section 19:14–18 of the Revised Statutes. Upon receipt of such a petition, the Secretary of State may authorize the county clerk to have prepared such number of official ballots as he shall determine shall be necessary to insure the participation of all persons desiring to vote in the county at such special election.

Reduction in number of polling places.

4. The provisions of section 5(a) of the act to which this act is amendatory, authorizing the reduction in the number of polling places, shall not be applicable to any municipality which shall conduct an election on March 1, 1966 to fill any elective public office other than delegate to the constitutional convention or to vote on any public question. In such a municipality, the selection of polling places shall be subject to the provisions of chapter 8, Title 19 of the Revised Statutes.

Provisions supersede where inconsistent.

5. The provisions of this act and the act to which this act is a supplement shall supersede the provisions of Title 19 to the extent that such provisions are inconsistent herewith and the provisions of these acts shall be liberally construed to carry out their purposes.

6. This act shall take effect immediately.

Approved February 8, 1966.

CHAPTER 3

AN ACT concerning the taxation of certain companies transacting the business of insurance and amending chapter 132, P. L. 1945, approved April 10, 1945.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of chapter 132 of the laws of 1945 is amended to read as follows:

Section amended.

C. 54:18A-1. Annual tax; companies required to pay; date due; quarterly estimated payments.

1. (a) Every stock, mutual and assessment insurance company organized or existing under any general or special law of this State, and every stock, mutual and assessment insurance company organized or existing under the laws of another State or foreign country and transacting business in this State shall pay to the Director of the Division of Taxation an annual tax, in each calendar year on or before June 1, in the amount specified in sections 2 and 3 of this act.

(b) On or before June 1, 1966 every insurance company subject to the provisions of subsection (a) hereof shall pay to the Director of the Division of Taxation an amount equal to ¼ of the tax payable under subsection (a) hereof on the company's business done during the preceding calendar year. On or before June 1, 1967 and on or before June 1 of each year thereafter, every such insurance company shall pay to the director an amount equal to ½ of the tax payable under subsection (a) hereof on the company's business done during the preceding calendar year. Each such payment shall be in addition to the tax payable under subsection (a) hereof and shall be considered as a partial payment of the tax which will become due under subsection (a) hereof, upon the following June 1. Nothing in this subsection requiring a partial payment of tax shall be deemed to apply to premiums for fire insurance risks on properties in this State paid to an insurer which is not organized under the laws of this State or to premiums for marine insurance risks.

In the calculation of the tax due in accordance with subsection (a) hereof in the year 1967 and each year thereafter, every insurance company shall be entitled to a credit in the amount of the tax paid under this subsection as a partial payment in the preceding calendar year and shall be entitled to the return of any amount so paid which

shall be found to be in excess of the total amount payable in accordance with this section.

2. This act shall take effect immediately.

Approved February 16, 1966.

CHAPTER 4

AN ACT to amend "An act concerning the taxation of certain public utilities and amending and supplementing 'An act imposing an excise tax upon persons, copartnerships, associations or corporations, other than street railway, traction, sewerage, water, gas and electric light, heat and power corporations, municipal corporations and corporations taxable under chapter 291 of the laws of 1941, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except for the operation of autobusses or autocabs commonly called taxicabs,' passed January 23, 1940 (Chapter 4, P. L. 1940), as said title was amended by chapter 92, P. L. 1961" (P. L. 1963, c. 41), approved May 22, 1963.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 10 of the act of which this act is amendatory is amended to read as follows:

Effective date.

10. This act shall take effect July 1, 1963.

2. This act shall take effect immediately.

Approved February 16, 1966.

CHAPTER 5

AN ACT to amend "An act concerning the taxation of certain public utilities and amending and supplementing chapter 5, P. L. 1940, passed January 23, 1940, and chapter 91, P. L. 1961, approved July 18, 1961" (P. L. 1963, c. 42), approved May 22, 1963.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 12 of the act of which this act is amendatory is amended to read as follows: Section amended.

12. This act shall take effect July 1, 1963. Effective date.

2. This act shall take effect immediately.

Approved February 16, 1966.

CHAPTER 6

AN ACT to supplement "An act to facilitate vehicular traffic in the State of New Jersey by providing for the construction, maintenance, repair and operation of turnpike projects; creating the New Jersey Turnpike Authority and defining its powers and duties; providing for financing such projects by the issuance of turnpike revenue bonds of the authority, payable solely from the tolls, other revenues and proceeds of such bonds; and providing for the collection of tolls and other revenues to pay the cost of construction, maintenance, repair and operation of such projects and to pay such bonds and the interest thereon," approved October 27, 1948 (P. L. 1948, c. 454), as said title was amended by chapter 1 of the laws of 1950.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 27:23-23.2. Project addition authorized.

1. The New Jersey Turnpike Authority is authorized to construct, maintain, repair and operate a project addition to the New Jersey Turnpike consisting of a highway at the following location or such part or parts thereof as the New Jersey Turnpike Authority may determine to be suitable for a project as contemplated by this act: Beginning at or near present interchange 15 of the New Jersey Turnpike situate in the city of Newark, county of Essex, and thence in a general northeasterly direction through Hudson and Bergen counties west of the Hackensack river and through the Hackensack meadows west of the Hackensack river and, after crossing the Hackensack river, to the general vicinity of the existing turnpike at U. S. Highway No. 46 in the village of Ridgefield Park, county of Bergen.

2. This act shall take effect immediately.

Approved February 16, 1966.

CHAPTER 7

AN ACT concerning County Courts and amending section 2A:3–13 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:3–13 of the New Jersey Statutes is amended to read as follows:

Additional judges in certain counties.

2A:3–13. There shall be a judge of each County Court; and in addition, the Governor may, whenever in his judgment the public interest requires, appoint additional judges, as follows:

a. In counties now or hereafter having 900,000 or more inhabitants, 11 additional judges, making 12 in all in each of such counties.

b. In counties now or hereafter having not less than 700,000 nor more than 900,000 inhabitants, 7 additional judges, making 8 in all in each of such counties.

c. In counties now or hereafter having not less than 430,000 nor more than 700,000 inhabitants, 5 additional judges, making 6 in all in each of such counties.

d. In counties now or hereafter having 260,000 or more and less than 430,000 inhabitants, 3 additional judges, making 4 in all in each of such counties.

e. In counties now or hereafter having more than 150,000 and less than 260,000 inhabitants other than counties of the fifth class, an additional judge, making 2 in all in each of such counties.

f. In counties bordering on the Atlantic ocean and now or hereafter having not less than 50,000 nor more than 100,000 inhabitants, an additional judge, making 2 in all in each of such counties.

g. In counties of the fifth class, 3 additional judges, making 4 in all.

2. This act shall take effect immediately.

Approved February 16, 1966.

CHAPTER 8

AN ACT to supplement and amend "An act to facilitate vehicular traffic in the State of New Jersey by providing for the construction, maintenance, repair and operation of turnpike projects; creating the New Jersey Turnpike Authority and defining its powers and duties; providing for financing such projects by the issuance of turnpike revenue bonds of the authority, payable solely from the tolls, other revenues and proceeds of such bonds; and providing for the collection of tolls and other revenues to pay the cost of construction, maintenance, repair and operation of such projects and to pay such bonds and the interest thereon," approved October 27, 1948 (P. L. 1948, c. 454), as said title was amended by P. L. 1950, chapter 1.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 27:23-5.8. Additional powers.

1. The New Jersey Turnpike Authority shall have, in addition to the powers heretofore granted to it, power to pay or make any advance or contribution to the United States Government or the State of New Jersey or any agency thereof for the purpose of paying the State's share or any portion thereof under the Federal aid highway laws of the cost of construction of any highway improvement determined by the authority to be a major improvement necessary to restore or prevent physical damage to the turnpike project, for the safe or efficient operation of such project, or to prevent loss of revenues therefrom.

Section amended.

2. Section 7 of chapter 454 of the laws of 1948 is amended to read as follows:

C. 27:23-7. Bonds.

7. The authority is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of bonds of the authority for any of its corporate purposes, including the refunding of its bonds. The principal of and the interest on any issue of such bonds shall be payable solely from and may be secured by a pledge of tolls and other revenues of all or any part of the turnpike project financed in whole or in part with the proceeds of such issue or with the proceeds of bonds refunded or to be refunded by such issue; provided, that the proceeds of any such bonds may be used or pledged for the payment or security of the principal of or interest on bonds and for the establishment of any or all reserves for such payment or security or for other corporate purposes as the authority may authorize in the resolution authorizing the issuance of bonds or in the trust agreement securing the same. The bonds of each issue shall be dated, shall bear interest at such rate or rates, shall mature at such time or times not exceeding 40 years from their date or dates, as may be determined by the authority, and may be made redeemable before maturity, at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority prior to the issuance of the bonds. The authority shall determine the form of the bonds including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the State. The bonds shall be signed by the chairman of the authority or shall bear his facsimile signature and the official seal of the authority or a facsimile thereof shall be impressed, imprinted, engraved or otherwise reproduced thereon. The official seal or facsimile thereof shall be attested by the secretary and treasurer of the authority, or by such other officer or agent as the authority shall appoint and authorize and any coupons attached to such bonds shall bear the facsimile sig-

nature of the chairman of the authority. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. The bonds may be issued in coupon or in registered form, or both, as the authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The authority may sell such bonds in such manner and for such price, as it may determine to be for the best interests of the authority. Neither the members of the authority nor any person executing the bonds shall be personally liable on the bonds or be accountable by reason of the issuance thereof in accordance with the provisions of this act.

The proceeds of the bonds of each issue shall be disbursed in such manner and under such restrictions, if any, as the authority may provide in the resolution authorizing the issuance of such bonds or in the trust agreement hereinafter mentioned securing the same.

Prior to the preparation of definitive bonds, the authority may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of

this act without obtaining the consent of any department, division, commission, board, bureau or agency of the State, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

The State of New Jersey does pledge to and agree with the holders of the bonds issued pursuant to authority contained in this act, that the State will not limit or restrict the rights hereby vested in the authority to maintain, construct, reconstruct, and operate any projects as defined in this act, or to establish and collect such charges and tolls as may be convenient or necessary to produce sufficient revenue to meet the expenses of maintenance and operation thereof and to fulfill the terms of any agreements made with the holders of bonds authorized by this act or in any way impair the rights or remedies of the holders of such bonds until, the bonds, together with interest thereon, are fully paid and discharged.

3. This act shall take effect immediately.

Approved February 16, 1966.

CHAPTER 9

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All proceedings heretofore had or taken by any school district or at any school district meeting Validating Act.

or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that notices posted and published in accordance with the provisions of section 18:7–15 of the Revised Statutes contained a proposal which incorrectly stated the effect of the issuance of such bonds on the borrowing margin of any municipality comprised within the school district as required by the provisions of section 18:5–86 of the Revised Statutes; provided, however, that the consents of the State Commissioner of Education and of the Local Government Board provided for in said section 18:5–86 shall have been indorsed upon a copy of a proposal correctly disclosing the effect of the issuance of said bonds on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5–86 of the Revised Statutes prior to the date of such school district meeting or election; and provided further, that said proposal adopted by the legal voters at such meeting or election correctly disclosed the effect of the adoption thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5–86 of the Revised Statutes; and provided further, that no action, suit or other proceedings of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved February 28, 1966.

CHAPTER 10

AN ACT concerning real estate brokers and salesmen and amending section 45:15–9 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 45:15–9 of the Revised Statutes is amended to read as follows: Section amended.

45:15–9. All persons desiring to become real estate brokers or real estate salesmen shall apply to the commission for a license under the provisions of this article. Every applicant for a license as a broker shall be of the age of 21 years or over and a citizen of the United States, and in the case of an association or a corporation the directors thereof shall be of the age of 21 years or over and citizens of the United States. Application for a license, whether as a real estate broker or a real estate salesman, shall be made to the commission upon forms prescribed by it and shall be accompanied by a fee of $10.00 which shall not be refundable. Every applicant for a license as a broker shall have the equivalent of a high school education and every applicant for a license as a real estate salesman shall have the equivalent of an eighth grade school education. The applicant shall furnish evidence of good moral character, and in the case of an association or corporation, the directors thereof shall furnish evidence of good moral character. Every such application shall be on file with the commission at least 10 days prior to the granting of a license. Every applicant for a license as a broker shall have first served an apprenticeship of 2 full years as a duly licensed real estate salesman in this State immediately preceding the date of application. No license as broker shall be granted to a corporation unless at least one of the officers of

Applications for licenses; qualifications of applicants; failure to renew license.

said corporation qualifies as a broker, to transact business in the name and on behalf of said corporation; the license of said corporation shall cease if at least one officer does not hold a license as a broker at all times; and no person shall transact business in the name and behalf of a corporation duly licensed as a broker unless he shall hold a license as a broker or salesman which permits him to act for such corporation. In event that any person to whom a broker's license has been or shall have been issued shall fail to renew such license or obtain a new license for a period of 3 consecutive years or more after the expiration of such license, the commission may require such person to serve the same apprenticeship and to pass an examination and comply with the same conditions on application for a broker's license as if he had never had such a license issued to him.

2. This act shall take effect immediately.

Approved April 1, 1966.

CHAPTER 11

AN ACT concerning real estate brokers and salesmen and amending sections 45:15–12, 45:15–13, 45:15–14, 45:15–15 and 45:15–17 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 45:15–12 of the Revised Statutes is amended to read as follows:

Places of business; duplicate licenses; display of words "Licensed Real Estate Broker."

45:15–12. Every real estate broker shall maintain a place of business in this State except such nonresident brokers who qualify for licenses under the reciprocal provisions of section 45:15–20 of

this article. A real estate broker's maintained place of business shall have prominently displayed therein the license certificate of the broker and all licensed persons in his employ. In case a real estate broker maintains more than one place of business within this State, a duplicate license shall be issued to such broker for each branch office so maintained; provided, however, that the said branch office or offices are under the direct supervision of a competent licensee. Such duplicate license or licenses shall be issued upon the payment of a fee of $10.00 for each license so issued. A real estate broker's maintained places of business shall have conspicuously displayed on the exterior thereof the broker's name and the words Licensed Real Estate Broker.

Section amended.

2. Section 45:15–13 of the Revised Statutes is amended to read as follows:

Form, contents and display of licenses; notice of change of places of business.

45:15–13. All licenses shall be issued by the commission in such form as it shall prescribe. Each license shall show the name and address of the licensee and shall have imprinted thereon the seal of the commission. Notice in writing shall be given to the commission by each licensed broker of any change of business location, whereupon the commission shall issue a new license for the unexpired period, upon payment of a fee of $5.00 for each new license certificate so issued. A change of business location without notification to the commission, and without the issuance of a new broker's license, shall automatically cancel the license theretofore issued.

Section amended.

3. Section 45:15–14 of the Revised Statutes is amended to read as follows:

Custody of salesmen's licenses; return of license upon termination of employment; new license upon re-employment.

45:15–14. All licenses issued to real estate salesmen shall be kept by the broker by whom such real estate salesman is employed, and the pocket card accompanying the same shall be delivered to the licensee. When any real estate salesman is discharged, or terminates his employment with the real estate broker by whom he was employed at

the time of the issuing of such license to him, such employer shall immediately deliver, or send by registered mail, to the commission, such real estate salesman's license. Such employer shall, at the same time address a communication to such real estate salesman at his last known residence, advising him that his license has been delivered or mailed to the commission, and a copy of such communication to the real estate salesman shall accompany the license when mailed or delivered to the commission. No real estate salesman shall perform any of the acts contemplated by this article, either directly or indirectly, under the authority of such salesman's license, from and after the date of receipt of said license by the commission. A new license may be issued to such salesman, upon the payment of a fee of $5.00, upon satisfactory proof that he has obtained employment with another licensed broker. A salesman must be licensed under a broker; he cannot be licensed with more than one broker at the same time.

Section amended.

4. Section 45:15–15 of the Revised Statutes is amended to read as follows:

License fees; authority of licensees; renewals; refusal or revocation of licenses.

45:15–15. The annual fee for each real estate broker's license shall be $30.00, and the annual fee for each real estate salesman's license shall be $15.00. The annual fee for a branch office license shall be $10.00. Each license granted under this article shall entitle the licensee to perform all of the acts contemplated herein during the period for which the license is issued, as prescribed by this article. If a licensee fails to apply for a renewal of his license prior to the date of expiration of such license, the commission may refuse to issue a renewal license except upon the payment of a late renewal fee in the amount of $5.00 for a salesman and $10.00 for a broker; provided, however, the commission may, in its discretion, refuse to renew any license upon sufficient cause being shown. New licenses may be granted for each ensuing year upon request of licensees and the payment of the annual fee therefor as herein required, but the

commission, may, in its discretion, refuse to grant any new license upon sufficient cause being shown. The revocation or suspension of a broker's license shall automatically suspend every real estate salesman's license granted to employees of the broker whose license has been revoked or suspended, pending a change of employer and the issuance of a new license. The new license shall be issued without additional charge, if the same is granted during the year in which the original license was granted.

Section amended.

5. Section 45:15–17 of the Revised Statutes is amended to read as follows:

Investigation of actions of licensees; suspension or revocation of licenses and causes therefor.

45:15–17. The commission may, upon its own motion, and shall, upon the verified complaint in writing of any person, investigate the actions of any real estate broker or real estate salesman, or any person who assumes to act in either such capacity within this State; and the commission may suspend for a period less than the unexpired portion of the license period, or may revoke any license issued under the provisions of this article, or may impose, as an alternative to such revocation or suspension, a penalty of not more than $200.00 for the first violation, a penalty of not more than $500.00 for a second violation, and for any subsequent violation a penalty of $500.00, which penalty shall be sued for and recovered by and in the name of the commission and shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.), where the licensee or any person, in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

a. Making any false promises or any substantial misrepresentation; or

b. Acting for more than one party in a transaction without the knowledge of all parties thereto; or

c. Pursuing a flagrant and continued course of misrepresentation or making of false promises through agents, salesmen, advertisements or otherwise; or

any of said drugs for any unlawful purpose, is guilty of a high misdemeanor.

C. 2A:96-5.1. Penalty.

2. A person who is not addicted to the use of morphine, cocaine, heroin, opium or any derivative thereof, or marihuana, and who hires, employs or uses any child under the age of 18 years to transport, carry, sell, prepare for sale or offer for sale any of such drugs for any unlawful purpose, is guilty of a high misdemeanor and shall be punished by imprisonment for not more than 30 years except upon the affirmative recommendation of the jury of life imprisonment in which case the punishment shall be imprisonment for life.

3. This act shall take effect immediately.

Approved April 1, 1966.

CHAPTER 13

AN ACT concerning the acceptance of grants from the United States of America through the Office of Economic Opportunity or other Federal agency heretofore or hereafter created.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 44:12-1. Definitions.

1. For the purposes of this act "Federal Government" means the United States of America, acting through the Office of Economic Opportunity, established under an act of the Eighty-eighth Congress of the United States entitled "The Economic Opportunity Act of 1964" and any acts amendatory thereof or supplemental thereto, or revisions thereof, or acting through any other Federal agency established by any other act of the Congress of the United States heretofore passed or as may hereafter be passed for like or similar purposes, and "local unit" means all boards,

bodies, officers and agencies of the State and of every county, municipality and school district thereof.

C. 44:12-2. Functions.

2. In order to facilitate co-operation with the Federal Government in carrying out the programs contemplated by the Economic Opportunity Act of 1964 or related Federal legislation, every local unit is authorized:

(a) to accept from the Federal Government, subject to terms and conditions appertaining thereto, grants of funds, equipment, supplies, material and other property; and

(b) to hold, use, expend, deal with, employ, distribute and dispose of such funds, equipment, supplies, material and other property; and

(c) to appropriate money; and

(d) to enter into contracts and agreements with the Federal and State Governments, other local units or private organizations; and

(e) to engage in such activities and to do such other acts and things as may be necessary or convenient to carry out the powers given in this act.

C. 44:12-3. Rules and regulations.

3. The director of the New Jersey Office of Economic Opportunity may prescribe rules and regulations to effectuate the purposes of this act.

C. 44:12-4. Additional powers.

4. The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law, and shall not be subject to any limitation contained in any other law nor shall the limitations of this act affect the powers conferred by any other law.

C. 44:12-5. Purpose.

5. This act shall be liberally construed to effectuate its purpose.

C. 44:12-6. Acts approved, ratified and confirmed.

6. All acts and actions heretofore taken by any local unit in co-operation with the Federal Government in carrying out the programs contemplated by the aforesaid legislation and all acts and actions heretofore taken pursuant to and in furtherance of said programs are hereby approved, ratified and confirmed.

7. This act shall take effect immediately.

Approved April 1, 1966.

CHAPTER 14

AN ACT concerning assistance for the blind and amending "An act to reorganize the administration of public welfare functions within the Department of Institutions and Agencies; and for that purpose to amend sections 30:1–7, 30:4–1, 30:4–26.2 and 30:6–1 of the Revised Statutes, to amend and supplement 'An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto,' approved May 31, 1951 (P. L. 1951, c. 138), as amended, to amend 'An act relating to the reorganization of the executive and administrative offices, departments, instrumentalities of the State Government; concerning the Division of Welfare in the State Department of Institutions and Agencies, and supplementing Title 30 of the Revised Statutes,' approved June 1, 1950 (P. L. 1950, c. 166), to repeal sections 30:6–3, 30:6–4, 30:6–5, 30:6–8, 30:6–9, 30:6–10 and 30:6–14 of the Revised Statutes, to repeal 'An act relating to assistance to needy blind persons in New Jersey, supplementing chapter 6 of Title 30, and amending sections 30:6–3, 30:6–5 and 30:6–14 of the Revised Statutes,' approved April 25, 1946 (P. L. 1946, c. 168), and to supplement chapter 7 of Title 44 of the Revised Statutes," approved December 11, 1962 (P. L. 1962, c. 197).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 42 of the act of which this act is amendatory is amended to read as follows: Section amended.

42. The assistance to be extended under this act shall be known as "assistance for the blind," but shall in all other respects be governed by the conditions of eligibility and all other requirements, conditions, limitations and procedures established by and pursuant to chapter 7 of Title 44 of the Revised Statutes, excepting section 44:7–3, subsection a. of section 44:7–5, sections 44:7–14 to 44:7–16 inclusive, and section 44:7–25 of the Revised Statutes. C. 44:7-44. Law governing assistance for the blind.

Assistance for the blind shall not be granted to any person who is an inmate or resident of or in need of prolonged care in any public or private institution because of physical or mental condition, or other cause, unless

(1) the institution, if publicly owned and operated, is a medical institution, other than an institution for tuberculosis or mental disease, designated and approved as such by the Department of Institutions and Agencies, and

(2) the institution, if privately owned and operated, does not come within the definition of a hospital to which payment or distribution of funds is permitted to be made by counties or municipalities of this State pursuant to any provision of chapter 5 of Title 44 of the Revised Statutes, and is licensed or approved by the Department of Institutions and Agencies pursuant to any provision of Title 30 of the Revised Statutes, and

(3) the individual is not a patient in such institution as the result of a diagnosis of tuberculosis or psychosis.

2. This act shall take effect July 1, 1966. Note: Effective date.

Approved April 1, 1966.

CHAPTER 15

AN ACT concerning motor vehicles, and supplementing Title 39 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 39:3-70.1. Tests required.

1. Any motor vehicle which is subject to inspection by the Division of Motor Vehicles or any other duly authorized body shall, as a condition of compliance with said inspection, pass such tests as may be required to demonstrate that the motor vehicle complies with any standards and requirements for the control of air contaminants established by the Air Pollution Control Commission which are applicable to such motor vehicle.

C. 39:3-70.2. Penalty.

2. Any person who operates a motor vehicle or owns a motor vehicle which he permits to be operated, upon the public highways of this State which emits smoke and other air contaminants in excess of standards adopted by the Air Pollution Control Commission shall be liable to a penalty of not less than $25.00 nor more than $100.00 which shall be enforced in accordance with the provisions of chapter 5 of Title 39 of the Revised Statutes.

3. This act shall take effect immediately.

Approved April 7, 1966.

CHAPTER 16

AN ACT providing for air pollution control in regard to motor vehicles, supplementing the Air Pollution Control Act (1954), approved September 16, 1954 (P. L. 1954, c. 212).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 26:2C-8.1. Powers.

1. The Air Pollution Control Commission, after consultation with the Director of the Division of Motor Vehicles, shall have the power to formulate and promulgate, amend and repeal codes, rules and regulations establishing standards and requirements for the control of air contaminants from motor vehicles.

C. 26:2C-8.2. Vehicles applicable to.

2. Any code, rule or regulation establishing standards and requirements for the control of air contaminants from motor vehicles shall be applicable to such classification of motor vehicles as the Air Pollution Control Commission shall determine to be necessary to carry out the purpose of this act and shall apply to such motor vehicles not earlier than 180 days following the date of adoption.

C. 26:2C-8.3. Standards and requirements.

3. Such codes, rules and regulations shall establish standards and requirements for the control of air contaminants from motor vehicles manufactured with air pollution control devices, systems or engine modifications consistent with the requirements of the "Motor Vehicle Air Pollution Control Act" (77 Stat. 392, 42 U. S. C. 1857) and any amendments and supplements thereto.

C. 26:2C-8.4. Attainment of standards.

4. Such codes, rules and regulations shall establish standards and requirements for control of air contaminants which can reasonably be attained by properly functioning motor vehicles without the addition of any air pollution control devices, systems, or engine modifications provided such vehicles were not manufactured with pollution control devices, systems or engine modifications in accordance with the "Motor Vehicle Air Pollution Control Act" (77 Stat. 392, 42 U. S. C. 1857).

C. 26:2C-8.5. Codes, rules and regulations formulated and promulgated.

5. All codes, rules and regulations shall be formulated and promulgated in the manner provided for in section 8 of the act to which this act is a supplement.

6. This act shall take effect immediately.

Approved April 7, 1966.

CHAPTER 17

AN ACT to amend and supplement the "Law Against Discrimination," approved April 16, 1945 (P. L. 1945, c. 169).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-5. Definitions.

5. As used in this act, unless a different meaning clearly appears from the context:

a. "Person" includes one or more individuals, partnerships, associations, organizations, labor organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and fiduciaries.

b. "Employment agency" includes any person undertaking to procure employees or opportunities for others to work.

c. "Labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

d. "Unlawful employment practice" and "unlawful discrimination" includes only those unlawful practices and acts specified in section 11 of this act.

e. "Employer" does not include a club exclusively social or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized and operated for private profit, nor does it include any employer with fewer than 6 persons in his employ.

f. "Employee" does not include any individual employed by his parents, spouse or child, or in the domestic service of any person.

g. "Liability for service in the Armed Forces of the United States" means subject to being ordered as an individual or member of an organized unit into active service in the Armed Forces of the United States by reason of membership in the National Guard, naval militia or a reserve component of the Armed Forces of the United States, or subject to being inducted into such armed forces through a system of national selective service.

h. "Division" means the "Division on Civil Rights" created by this act.

i. "Attorney General" means the Attorney General of the State of New Jersey or his representative or designee.

j. "Commission" means the Commission on Civil Rights created by this act.

k. "Director" means the Director of the Division on Civil Rights.

l. "A place of public accommodation" shall include, but not be limited to: any tavern, roadhouse, hotel, motel, trailer camp, summer camp, day camp, or resort camp, whether for entertainment of transient guests or accommodation of those seeking health, recreation or rest; and producer, manufacturer, wholesaler, distributor, retail shop, store, establishment, or concession dealing with goods or services of any kind; any restaurant, eating house, or place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice and fruit preparations or their derivatives, soda water or confections, or where any beverages of any kind are retailed for consumption on the premises; any garage, any public conveyance operated on land or water, or in the air, any stations and terminals thereof; any bathhouse, boardwalk, or seashore accommodation; any auditorium, meeting place, or hall; any theatre, motion-picture house, music hall, roof garden, skating rink, swimming pool, amusement and recreation park, fair, bowling alley, gymnasium, shooting gallery, billiard and pool parlor, or other place of amusement; any comfort station; any dispensary, clinic or hospital;

any public library; any kindergarten, primary and secondary school, trade or business school, high school, academy, college and university, or any educational institution under the supervision of the State Board of Education, or the Commissioner of Education of the State of New Jersey. Nothing herein contained shall be construed to include or to apply to any institution, bona fide club, or place of accommodation, which is in its nature distinctly private; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fide religious or sectarian institution, and the right of a natural parent or one in loco parentis to direct the education and upbringing of a child under his control is hereby affirmed; nor shall anything herein contained be construed to bar any private secondary or post-secondary school from using in good faith criteria other than race, creed, color, national origin or ancestry, in the admission of students.

m. "A publicly assisted housing accommodation" shall include all housing built with public funds or public assistance pursuant to chapter 300 of the laws of 1949, chapter 213 of the laws of 1941, chapter 169 of the laws of 1944, chapter 303 of the laws of 1949, chapter 19 of the laws of 1938, chapter 20 of the laws of 1938, chapter 52 of the laws of 1946, and chapter 184 of the laws of 1949, and all housing financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the Federal Government or any agency thereof.

n. The term "real property" includes real estate, lands, tenements and hereditaments, corporeal and incorporeal, and leaseholds, provided however that, except as to publicly assisted housing accommodations, the provisions of this act shall not apply to the rental: (1) of a single apartment or flat in a 2-family dwelling, the other occupancy unit of which is occupied by the owner as his residence or the household of his family at the time of such rental; or (2) of a room or rooms to another person or

persons by the owner or occupant of a one-family dwelling occupied by him as his residence or the household of his family at the time of such rental. Nothing herein contained shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, in the sale, lease or rental of real property, from limiting admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.

o. "Real estate broker" includes a person, firm or corporation who, for a fee, commission or other valuable consideration, or by reason of promise or reasonable expectation thereof, lists for sale, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale, exchange, purchase, or rental of real estate or an interest therein, or collects or offers or attempts to collect rent for the use of real estate, or solicits for prospective purchasers or assists or directs in the procuring of prospects or the negotiation or closing of any transaction which does or is contemplated to result in the sale, exchange, leasing, renting or auctioning of any real estate, or negotiates, or offers or attempts or agrees to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any real estate for others; or any person who, for pecuniary gain or expectation of pecuniary gain conducts a public or private competitive sale of lands or any interest in lands. In the sale of lots, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and

who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange, of any such lot or parcel of real estate.

p. "Real estate salesman" includes any person who, for compensation, valuable consideration or commission, or other thing of value, or by reason of a promise or reasonable expectation thereof, is employed by and operates under the supervision of a licensed real estate broker to sell or offer to sell, buy or offer to buy or negotiate the purchase, sale or exchange of real estate, or offers or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate, or to lease or rent, or offer to lease or rent any real estate for others, or to collect rents for the use of real estate, or to solicit for prospective purchasers or lessees of real estate, or who is employed by a licensed real estate broker to sell or offer to sell lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise to sell real estate, or any parts thereof, in lots or other parcels.

Section amended.

2. Section 8 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-8. Powers and duties of Attorney General.

8. The Attorney General shall:

a. Exercise all powers of the division not vested in the commission.

b. Administer the work of the division.

c. Organize the division into sections, which shall include but not be limited to a section which shall receive, investigate, and act upon complaints alleging discrimination against persons because of race, creed, color, national origin, ancestry or age or because of their liability for service in the Armed Forces of the United States; and another which shall, in order to eliminate prejudice and to further good will among the various racial and religious and nationality groups in this State, study, recommend, prepare and implement, in co-operation with such other departments of the State Government or any other agencies, groups or entity both public and private, such educational and human relations programs as are consonant with the objec-

tives of this act; and prescribe the organization of said sections and the duties of his subordinates and assistants.

d. Appoint a Director of the Division on Civil Rights, who shall act for the Attorney General, in his place and with his powers, which appointment shall be subject to the approval of the commission and the Governor, a deputy director and such assistant directors, field representatives and assistants as may be necessary for the proper administration of the division and fix their compensation within the limits of available appropriations. The director, deputy director, assistant directors, field representatives and assistants shall not be subject to the Civil Service Act and shall be removable by the Attorney General at will.

e. Appoint such clerical force and employees as he may deem necessary and fix their duties, all of whom shall be subject to the Civil Service Act.

f. Maintain liaison with local and State officials and agencies concerned with matters related to the work of the division.

g. Adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this act.

h. Conduct investigations, receive complaints and conduct hearings thereon other than those complaints received and hearings held pursuant to the provisions of this act.

i. In connection with any investigation or hearing held pursuant to the provisions of this act, subpœna witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and, in connection therewith, require the production for examination of any books or papers relating to any subject matter under investigation or in question by the division and conduct such discovery procedures which may include the taking of interrogatories and oral depositions as shall be deemed necessary by the Attorney General in any investigation. The Attorney General may make rules as to the issuance of subpœnas by the director. The

failure of any witness when duly subpœnaed to attend, give testimony, or produce evidence shall be punishable by the Superior Court of New Jersey in the same manner as such failure is punishable by such court in a case therein pending.

j. Issue such publications and such results of investigations and research tending to promote good will and to minimize or eliminate discrimination because of race, creed, color, national origin, ancestry or age, as the commission shall direct, subject to available appropriations.

k. Render each year to the Governor and Legislature a full written report of all the activities of the division.

l. Appoint, subject to the approval of the commission, a panel of not more than 5 hearing examiners, each of whom shall be duly licensed to practice law in this State for a period of at least 5 years, and each to serve for a term of 1 year and until his successor is appointed, any one of whom the director may designate in his place to conduct any hearing and recommend findings of fact and conclusions of law. The hearing examiners shall receive such compensation as may be determined by the Attorney General, subject to available appropriations.

Section amended.

3. Section 10 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-11. Evidence in obedience to summons; immunity of witnesses.

10. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to the subpœna of the Attorney General, director, or hearing examiner on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence. But he may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury or contempt committed in answering,

or failing to answer, or in producing or failing to produce evidence in accordance with the subpœna, and any such testimony given or evidence produced shall be admissible against him in any proceeding concerning such perjury or contempt. The immunity herein provided shall extend only to natural persons so compelled to testify.

Section amended.

4. Section 11 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-12. Unlawful employment practice or unlawful discrimination.

11. It shall be an unlawful employment practice, or, as the case may be, an unlawful discrimination:

a. For an employer, because of the race, creed, color, national origin, ancestry, or age of any individual, or because of the liability for service in the Armed Forces of the United States, of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, however, it shall not be an unlawful employment practice to refuse to accept for employment an applicant who has received a notice of induction or orders to report for active duty in the armed forces.

b. For a labor organization, because of the race, creed, color, national origin, ancestry, or age of any individual, or because of the liability for service in the Armed Forces of the United States, of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members, against any applicant for, or individual included in, any apprentice or other training program or against any employer or any individual employed by an employer.

c. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin,

ancestry, or age or liability of any applicant for employment for service in the Armed Forces of the United States, or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification.

d. For any person to take reprisals against any person because he has opposed any practices or acts forbidden under this act or because he has filed a complaint, testified or assisted in any proceeding under this act.

e. For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so.

f. For any owner, lessee, proprietor, manager, superintendent, agent, or employee of any place of public accommodation directly or indirectly to refuse, withhold from or deny to any person any of the accommodations, advantages, facilities or privileges thereof, or to discriminate against any person in the furnishing thereof, or directly or indirectly to publish, circulate, issue, display, post or mail any written or printed communication, notice, or advertisement to the effect that any of the accommodations, advantages, facilities, or privileges of any such place will be refused, withheld from, or denied to any person on account of the race, creed, color, national origin, or ancestry of such person, or that the patronage or custom thereat of any person of any particular race, creed, color, national origin or ancestry is unwelcome, objectionable or not acceptable, desired or solicited, and the production of any such written or printed communication, notice or advertisement, purporting to relate to any such place and to be made by any owner, lessee, proprietor, superintendent, or manager thereof, shall be presumptive evidence in any action that the same was authorized by such person.

g. For the owner, lessee, sublessee, assignee or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent, lease, assign, or sublease any real property

or part or portion thereof, or any agent or employee of any of these:

(1) To refuse to sell, rent, lease, assign, or sublease or otherwise to deny to or withhold from any person or group of persons any real property or part or portion thereof because of the race, creed, color, national origin or ancestry of such person or group of persons;

(2) To discriminate against any person or group of persons because of the race, creed, color or national origin of such person or group of persons in the terms, conditions or privileges of the sale, rental or lease of any real property or part or portion thereof or in the furnishing of facilities or services in connection therewith; or

(3) To print, publish, circulate, issue, display, post or mail, or cause to be printed, published, circulated, issued, displayed, posted or mailed any statement, advertisement, publication or sign, or to use any form of application for the purchase, rental, lease, assignment or sublease of any real property or part or portion thereof, or to make any record or inquiry in connection with the prospective purchase, rental, lease, assignment, or sublease of any real property, or part or portion thereof which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry, or any intent to make any such limitation, specification or discrimination, and the production of any such statement, advertisement, publicity, sign, form of application, record, or inquiry purporting to be made by any such person shall be presumptive evidence in any action that the same was authorized by such person.

h. For any real estate broker, real estate salesman or employee or agent thereof:

(1) to refuse to sell, rent, assign, lease or sublease, or offer for sale, rental, lease, assignment, or sublease any real property or part or portion thereof to any person or group of persons or to refuse to negotiate for the sale, rental, lease, assign-

ment, or sublease of any real property or part or portion thereof to any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons, or to represent that any real property or portion thereof is not available for inspection, sale, rental, lease, assignment, or sublease when in fact it is so available, or otherwise to deny or withhold any real property or any part or portion or facilities thereof to or from any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons;

(2) To discriminate against any person because of his race, creed, color, national origin or ancestry in the terms, conditions or privileges of the sale, rental, lease, assignment or sublease of any real property or part or portion thereof or in the furnishing of facilities or services in connection therewith; or

(3) To print, publish, circulate, issue, display, post, or mail, or cause to be printed, published, circulated, issued, displayed, posted or mailed, any statement, advertisement, publication or sign, or to use any form of application for the purchase, rental, lease, assignment, or sublease of any real property or part or portion thereof or to make any record or inquiry in connection with the prospective purchase, rental lease, assignment, or sublease of any real property or part or portion thereof which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry or any intent to make any such limitation, specification or discrimination, and the production of any such statement, advertisement, publicity, sign, form of application, record, or inquiry purporting to be made by any such person shall be presumptive evidence in any action that the same was authorized by such person.

i. For any person, bank, banking organization, mortgage company, insurance company or other financial institution or lender to whom application

is made for financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any real property or part or portion thereof or any agent or employee thereof:

(1) To discriminate against any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons or of the prospective occupants or tenants of such real property or part or portion thereof, in the granting, withholding, extending, modifying or renewing, or in the fixing of the rates, terms, conditions or provisions of any such financial assistance or in the extension of services in connection therewith; or

(2) To use any form of application for such financial assistance or to make any record or inquiry in connection with applications for such financial assistance which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry, or any intent to make any such limitation, specification or discrimination.

j. For any person whose activities are included within the scope of this act to refuse to post or display such notices concerning the rights or responsibilities of persons affected by this act as the Attorney General may by regulation require.

5. Section 13 of chapter 169 of the laws of 1945 is amended to read as follows:

Section amended.

C. 18:25-14. Investigation of complaint; Attorney General's duties.

13. After the filing of any complaint, the Attorney General shall cause prompt investigation to be made in connection therewith and advise the complainant of the results thereof if the Attorney General shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful employment practice or the unlawful discrimination complained of by conference, conciliation and persuasion during a period terminating not later than 45 days from the date of the finding of probable cause. Neither the Attorney General nor any officer or employee

of the division shall disclose any conversation between the Attorney General or his representative and the respondent or his representative at such conference.

C. 18:25-14.1. Compliance with act.

6. At any time after the filing of any complaint, the Attorney General may proceed against any person in a summary manner in the Superior Court of New Jersey to compel compliance with any of the provisions of this act, or to prevent violations or attempts to violate any such provisions, or attempts to interfere with or impede the enforcement of any such provisions or the exercise or performance of any power or duty thereunder.

Section amended.

7. Section 16 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-17. Findings and conclusions of director; order.

16. If, upon all evidence at the hearing the director shall find that the respondent has engaged in any unlawful employment practice or unlawful discrimination as defined in this act, the director shall state his findings of fact and conclusions of law and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice or unlawful discrimination and to take such affirmative action, including, but not limited to, hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership, in any respondent labor organization, or extending full and equal accommodations, advantages, facilities, and privileges to all persons, as, in the judgment of the director, will effectuate the purpose of this act, and including a requirement for report of the manner of compliance. The director shall have the power to use reasonably certain bases, including but not limited to list, catalogue or market prices or values, or contract or advertised terms and conditions, in order to determine particulars or performance in giving appropriate remedy. If, upon all the evidence, the director shall find that the respondent has not engaged in any such unlawful employment practice or unlawful discrimination, the director shall state his findings

of fact and conclusions of law and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent.

8. This act shall take effect immediately.

Approved April 7, 1966.

CHAPTER 18

AN ACT to amend and supplement the "Waterfront Commission Act," approved June 30, 1953 (P. L. 1953, c. 202), as amended and supplemented by P. L. 1954, c. 14, approved March 30, 1954; by P. L. 1956, c. 20, approved May 1, 1956; and by P. L. 1962, c. 5, approved February 7, 1962.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of P. L. 1954, c. 14 (N. J. S. A. 32:23–87 is amended to read as follows: Section amended.

C. 32:23-87. Regularization of longshoremen's employment.

3. 5-c. Regularization of longshoremen's employment.

1. Notwithstanding any other provisions of article IX of this act, the commission shall have the power to remove from the longshoremen's register any person (including those persons registered as longshoremen for less than 9 months) who shall have failed to have worked as a longshoreman in the Port of New York District for such minimum number of days during a period of time as shall have been established by the commission. In administering this section, the commission, in its discretion, may count applications for employment as a longshoreman at an employment information center established under article XII as constituting actual work as a longshoreman, provided,

however, that the commission shall count as actual work the compensation received by any longshoreman pursuant to the guaranteed wage provisions of any collective bargaining agreement relating to longshoremen. Prior to the commencement of any period of time established by the commission pursuant to this section, the commission shall establish for such period the minimum number of days of work required and the distribution of such days during such period and shall also determine whether or not application for employment as a longshoreman shall be counted as constituting actual work as a longshoreman. The commission may classify longshoremen according to length of service as a longshoreman and such other criteria as may be reasonable and necessary to carry out the provisions of this act. The commission shall have the power to vary the requirements of this section with respect to their application to the various classifications of longshoremen. In administering this section the commission shall observe the standards set forth in section 5-p of this act. Nothing in this section shall be construed to modify, limit or restrict in any way any of the rights protected by article 15 of this act.

Act amended.

2. The act of which this act is amendatory is amended by adding to said act a new section, to follow section 5-0 (N. J. S. A. 32:23–109), to be section 5-p, to read as follows:

C. 32:23-114. Acceptance of application.

5-p 1. The commission shall suspend the acceptance of application for inclusion in the longshoremen's register for a period of 60 days after the effective date of this act. Upon the termination of such 60 day period the commission shall thereafter have the power to make determinations to suspend the acceptance of application for inclusion in the longshoremen's register for such periods of time as the commission may from time to time establish and, after any such period of suspension, the commission shall have the power to make determinations to accept applications, which shall be processed in the order in which they are filed with the

commission, for such period of time as the commission may establish or in such number as the commission may determine, or both. Such determinations to suspend or accept applications shall be made by the commission on its own initiative or upon the joint recommendation in writing of stevedores and other employers of longshoremen in the Port of New York District, acting through their representative for the purposes of collective bargaining with a labor organization representing such longshoremen in such district and such labor organization, which joint recommendation the commission shall have the power to accept or reject.

2. In administering the provisions of this section, the commission shall observe the following standards:

(a) To encourage as far as practicable the regularization of the employment of longshoremen;

(b) To bring the number of eligible longshoremen into balance with the demand for longshoremen's services within the Port of New York District without reducing the number of eligible longshoremen below that necessary to meet the requirements of longshoremen in the Port of New York District;

(c) To encourage the mobility and full utilization of the existing work force of longshoremen;

(d) To protect the job security of the existing work force of longshoremen;

(e) To eliminate oppressive and evil hiring practices injurious to waterfront labor and waterborne commerce in the Port of New York District, including, but not limited to, those oppressive and evil hiring practices that may result from either a surplus or shortage of waterfront labor;

(f) To consider the effect of technological change and automation and such other economic data and facts as are relevant to a proper determination.

In observing the foregoing standards and before determining to suspend or accept applications for inclusion in the longshoremen's register, the com-

mission shall consult with and consider the views of, including any statistical data or other factual information concerning the size of the longshoremen's register submitted by, carriers of freight by water, stevedores, waterfront terminal owners and operators, any labor organization representing employees registered by the commission, and any other person whose interests may be affected by the size of the longshoremen's register.

3. Any determination by the commission pursuant to this section to suspend or accept applications for inclusion in the longshoremen's register shall be made upon a record, shall not become effective until 5 days after notice thereof to the collective bargaining representative of stevedores and other employers of longshoremen in the Port of New York District and to the labor organization representing such longshoremen and shall be subject to judicial review for being arbitrary, capricious, and an abuse of discretion in a proceeding jointly instituted by such representative and such labor organization. Such judicial review proceeding may be instituted in either State in the manner provided by the law of such State for review of the final decision or action of administrative agencies of such State, provided, however, that such proceeding shall be decided directly by the appellate division as the court of first instance (to which the proceeding shall be transferred by order of transfer by the Supreme Court in the State of New York or in the State of New Jersey by notice of appeal from the commission's determination) and provided further that notwithstanding any other provision of law in either State no court shall have power to stay the commission's determination prior to final judicial decision for more than 15 days. In the event that the court enters a final order setting aside the determination by the commission to accept applications for inclusion in the longshoremen's register, the registration of any longshoremen included in the longeshoremen's register as a result of such determination by the commission shall be canceled.

This section shall apply, notwithstanding any other provision of this act, provided, however, such section shall not in any way limit or restrict the provision of section 5 of article IX of this act empowering the commission to register longshoremen on a temporary basis to meet special or emergency needs or the provisions of section 4 of article IX of this act relating to the immediate reinstatement of persons removed from the longshoremen's register pursuant to article IX of this act. Nothing in this section shall be construed to modify, limit or restrict in any way any of the rights protected by article 15 of this act.

C. 32:23-115. Parts of act invalid.

3. If any part or provision of this act or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this act or the application thereof to other persons or circumstances and the 2 States hereby declare that they would have entered into this act or the remainder thereof had the invalidity of such provision or application thereof been apparent.

C. 32:23-116. Agreement between States of New York and New Jersey.

4. This act constitutes an agreement between the States of New York and New Jersey, supplementary to the waterfront commission compact and amendatory thereof, and shall be liberally construed to effectuate the purposes of said compact and the powers vested in the waterfront commission hereby shall be construed to be in aid of and supplemental to and not in limitation of or in derogation of any of the powers heretofore conferred upon or delegated to the waterfront commission.

C. 32:23-117. Effective date.

5. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with this act, but if the State of New York shall have already enacted legislation then it shall take effect immediately.

Approved April 7, 1966.

New Jersey State Library

CHAPTER 19

AN ACT concerning elections and amending sections 19:2–1, 19:5–3, 19:6–3, 19:9–2, 19:23–1 and 19:23–40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 19:2–1 of the Revised Statutes is amended to read as follows:

Primary for delegates and alternates to national conventions and for general and special elections.

19:2–1. Primary elections for general elections shall be held on the second Tuesday after the first Monday in September in each year, except in any year when a President of the United States is to be elected, and in such year primary elections for delegates and alternates to national conventions of political parties and for the general election shall be held in each year on the first Tuesday in June, between the hours of 7 ante meridian and 8 post meridian, Standard Time. Primary elections for special elections shall be held not earlier than 30 nor later than 20 days prior to the special elections.

Section amended.

2. Section 19:5–3 of the Revised Statutes is amended to read as follows:

Membership and organization of county committees; vacancies; certification of unit of representation and number of election districts.

19:5–3. The members of the county committees of political parties shall be elected annually at the primary for the general election in the manner provided in this Title for the selection of party candidates to be voted for at the general election by voters of a municipality. The county committee shall consist of one male and one female member from each unit of representation in the county. The male receiving the highest number of votes among the male candidates and the female receiving the highest number of votes among the female candidates shall be declared elected. Members of the county committee shall actually reside in the districts or units which they respectively represent. The county committee shall determine by its by-

laws the units into which the county shall be divided for purpose of representation in the county committee.

The members of the county committee of each of the political parties shall take office on the first Saturday following their election, on which day the terms of all members of such committees theretofore elected shall terminate. The annual meeting of each county committee shall be held on the first Tuesday following the primary election, except that when such meeting day falls on a legal holiday then the said meeting shall be held on the day following, at an hour and place to be designated in a notice in writing to be mailed by the chairman of the outgoing county committee to each member-elect, at which annual meeting the members of such committee shall elect some suitable person as chairman to hold office for 1 year, or until his successor is elected. The members shall also elect a vice-chairman of the opposite sex of the chairman to hold office for 1 year or until his or her successor is elected and the vice-chairman shall perform all duties required of him or her by law and the constitution and by-laws of such committee. Such committee shall have power to adopt a constitution and by-laws for its proper government. The chairman shall preside at all meetings of the committee and shall perform all duties required of him by law and the constitution and by-laws of such committee.

A member of a county committee of any political party may resign his office to the committee of which he is a member, and upon acceptance thereof by the committee a vacancy shall exist. A vacancy in the office of a member of the county committee of any political party, caused by death, resignation, failure to elect or otherwise, shall be filled for the unexpired term by the municipal committee of the municipality wherein the vacancy occurs, if there is such committee, and if not, by the remaining members of the county committee of such political party representing the territory in the county in which such vacancy occurs.

The chairman of the county committee of the several political parties shall before August 1, except that in presidential years it shall be before April 1, certify to the clerk of each municipality in the county the unit of representation in such municipality, together with the enumeration of the election district or districts embraced within such unit.

Section amended.

3. Section 19:6–3 of the Revised Statutes is amended to read as follows:

Members appointed by county board; by judge of County Court.

19:6–3. The county board shall, on or before April 1, appoint the members of the district boards. The members of any district board shall be equally apportioned between the 2 political parties which at the last preceding general election held for the election of all of the members of the General Assembly cast the largest and next largest number of votes respectively in this State for members of the General Assembly.

In case the county board shall neglect or refuse to appoint and certify the members of the district boards as herein provided, a judge of the County Court shall, before April 10 in each year, make such appointments and certifications.

Section amended.

4. Section 19:9–2 of the Revised Statutes is amended to read as follows:

Preparation of books, blank forms and other supplies.

19:9–2. The Secretary of State shall prepare and distribute on or before April 1 in presidential years and in all other years on or before August 1 prior to the primary election for the general election and the general election the following information and election supplies: pamphlets of the election laws and instructions; precinct returns; electors of President and Vice-President; United States Senator; member of the House of Representatives; Governor; State Senator; General Assembly and county officers; public question submitted to the voters of the entire State; self-addressed envelopes, plain and stamped, to each district; returns for the county board of canvassers for the above officers; primary return sheets.

All other books, ballots, envelopes and other blank forms which the county clerk is required to furnish under any other section of this Title, stationery and supplies for the primary election for the general election, the primary election for delegates and alternates to national conventions and the general election, shall be furnished, prepared and distributed by the clerks of the various counties; except that all books, blank forms, stationery and supplies, articles and equipment which may be deemed necessary to be furnished, used or issued by the county board or superintendent shall be furnished, used or issued, prepared and distributed by such county board or superintendent, as the case may be.

The county board in counties having a superintendent of elections shall furnish and deliver to the county clerk, the municipal clerks and the district boards in municipalities having more than one election district, a map or description of the district lines of their respective election districts, together with the street and house numbers where possible in such election districts. In counties not having a superintendent of elections the municipal clerks shall furnish and deliver such map or description of district lines to the county clerk, the county board and the district board in municipalities having more than one election district.

Nothing in subtitle 2 of the Title, Municipalities and Counties (section 40:16–1 et seq.), shall in anywise be construed to affect, restrict, or abridge the powers conferred on the county clerks, county boards or superintendents by this Title.

Section amended.

5. Section 19:23–1 of the Revised Statutes is amended to read as follows:

State committee to county committees; county committees to municipal clerks.

19:23–1. The chairman of the State committee of a political party shall, on or before July 15 in the year when a Governor is to be elected, notify in writing the chairman of each county committee of such party that a male and a female member of such State committee is to be elected from the county at

the ensuing primary election for the general election, and each such chairman shall, on or before August 1 of such year, send a copy of such notice to the clerk of each municipality within the county.

The chairman of each county committee shall also, on or before August 1 in each year, except that in presidential years it shall be on or before April 1, file with the clerks of the several municipalities the number of committeemen to be elected at the ensuing primary for the general election to the county committee.

Section amended.

6. Section 19:23–40 of the Revised Statutes is amended to read as follows:

Time and place of holding.

19:23–40. The primary election for the general election shall be held for all political parties upon the second Tuesday after the first Monday in September in each year, except that in presidential years it shall be held on the first Tuesday in June between the hours of 7 ante meridian and 8 post meridian, Standard Time. It shall be held for all political parties in the same places as hereinbefore provided for the ensuing general election.

7. This act shall take effect immediately.

Approved April 19, 1966.

CHAPTER 20

AN ACT concerning the preparation by county boards of taxation of tables of aggregates, and the preparation by the Director of the Division of Taxation of the State equalization table, for the tax year 1966.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Temporary act.

1. Notwithstanding the provisions of Revised Statutes 54:4–52 the time within which county boards of taxation shall fill out and complete their tables of aggregates for the tax year 1966 is extended from April 10, 1966 to May 10, 1966.

2. Notwithstanding the provisions of Revised Statutes 54:1–34, the date in 1966 on which the Director of the Division of Taxation shall sit for the purposes of equalizing the assessments between the several counties is extended from the second Tuesday in July, 1966 to the first Tuesday in August, 1966.

3. This act shall take effect immediately.

Approved April 19, 1966.

CHAPTER 21

AN ACT concerning certain pensioners, and amending section 43:3–5 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 43:3–5 of the Revised Statutes is amended to read as follows:

Chapter inapplicable to temporary employer and to certain court criers, magistrates, former municipal managers and others.

43:3–5. The provisions of this chapter shall not apply to any appointment of a temporay nature made or created by any rule or order of procedure of any court of this State, so as to interfere with any rule or order of procedure in such courts for the proper administration of justice therein; nor shall the provisions of this chapter apply to any person appointed to the office of court crier in any court where the term of such office is indefinite, or to any person who is appointed to the office of magistrate of any municipal court in a municipality having a population of less than 5,000, where the salary paid to such municipal magistrate is less

than the amount of his pension; nor to the appointment and employment of any pensioned former municipal manager or licensed accountant as an engineer or consultant or member of any commission or board by any municipality, county or by the State, or as a teacher or lecturer in any school or educational institution in the State; nor to the appointment and employment of any pensioned law enforcement officer as a teacher or lecturer in any university or college including 2-year colleges, in the State or in an educational program conducted by the Police Training Commission of the Department of Law and Public Safety; nor to the employment, by the State or by any county, municipality or school district in any position or employment, to the duties of which the holder thereof is not required to devote his full time, at a salary or compensation of not more than $1,800.00 per calendar year, of any person who is receiving or who shall be entitled to receive any pension or subsidy from this or any other State or any county, municipality or school district of this or any other State; nor to any person who has or who may hereafter receive permanent disability in the performance of his duty while serving as a member of the Armed Forces of the United States, the New Jersey State Police, or the police department, or the fire department of any county or municipality in this State. The provisions of this section shall not authorize the employment as a policeman or fireman of any person who is receiving or shall be entitled to receive any pension or subsidy from this or any other State or any county, municipality, or school district of this or any other State as a result of services as a member of a police department or a fire department.

2. This act shall take effect immediately.

Approved April 21, 1966.

CHAPTER 22

AN ACT concerning the cancellation of record of certain mortgages and amending section 46:18–6 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 46:18–6 of the Revised Statutes is amended to read as follows:

Section amended.

Cancellation of record of mortgage held by corporation other than building and loan association or federal agency; authorization indorsed on mortgage.

46:18–6. No mortgage held by any corporation other than a building and loan association of this State or an agency or instrumentality of the Federal Government shall be canceled of record by the county recording officer of any county, unless there shall be indorsed upon such mortgage an authorization to cancel the same, over the signatures of the president or vice-president and secretary or treasurer or cashier or comptroller of such corporation, or any one of their respective assistants, with the seal of such corporation affixed thereto, and if such corporation has been dissolved, or if a receiver in chancery, receiver or trustee in bankruptcy or a receiver or other officer duly appointed to take charge of or liquidate any National or State bank or trust company of this or any other State or territory, has been appointed for such corporation, over the signatures of the statutory trustees in liquidation, receiver in chancery, receiver or trustee in bankruptcy, or receiver or other officer duly appointed to take charge of or liquidate any such bank, as the case may be.

This section shall not affect the validity of the cancellation of a mortgage held by a corporation other than a building and loan association of this State by a certificate of discharge as provided by section 46:18–7 of this Title, and any such cancellation of a mortgage by a certificate of discharge,

duly executed and recorded, shall be valid and effectual, although the provisions of this section have not been observed.

2. This act shall take effect immediately.

Approved April 21, 1966.

CHAPTER 23

AN ACT concerning education, and amending sections 18:6–34 and 18:15–52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 18:6–34 of the Revised Statutes is amended to read as follows:

Audit and preservation of accounts, vouchers and contracts; verifications of demands by affidavit or declration in writing.

18:6–34. The secretary shall be the general accountant of the board and shall preserve in his office all accounts, vouchers, and contracts relating to the public schools. He shall examine and audit all accounts and demands against the board. Every such account or demand, except for salaries, exceeding $25.00 shall be verified by affidavit or contain or have annexed thereto a signed declaration in writing to the effect that such account or demand is correct in all its particulars, that the articles have been furnished or services rendered as stated therein and that no bonus has been given or received on account thereof.

Section amended.

2. Section 18:15–52 of the Revised Statutes is amended to read as follows:

Contracts; payment of bills.

18:15–52. No contract shall be entered into by the board of tducation of a county vocational school, nor shall any bill or demand for money be paid until the same shall have been presented and passed on at a regularly called meeting of the board. Every such bill or demand, except for salaries, exceeding

$25.00 shall be verified by affidavit or contain or have annexed thereto a signed declaration in writing to the effect that such bill or demand is correct in all its particulars, that the articles have been furnished or services rendered as stated therein and that no bonus has been given or received on account thereof.

3. This act shall take effect immediately.

Approved April 21, 1966.

CHAPTER 24

AN ACT authorizing and directing the State Treasurer to cancel of record all checks issued against the unemployment compensation and State disability benefits funds, and providing for the crediting of moneys represented thereby to accounts from which said checks were drawn.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 43:21-9.1. Authorization for cancellation of checks not presented for payment.

1. The State Treasurer, as treasurer and custodian of the unemployment compensation and State disability benefits funds, is hereby authorized and directed to cancel of record and to refuse to honor checks issued against any of the accounts established within the unemployment compensation and State disability benefits funds which have not been presented for payment within 6 years from the date of issuance. Upon such cancellation, moneys held on deposit for the payment of the checks shall be credited to the accounts against which said checks were drawn.

2. This act shall take effect immediately.

Approved April 21, 1966.

CHAPTER 25

AN ACT concerning railroads, and amending section 2A:170–61 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:170–61 of the New Jersey Statutes is amended to read as follows:

Unauthorized interference with running of trains.

2A:170–61. Any person not authorized or employed by the railroad owning or operating any railway cars in this State, who releases or applies the brakes of any car, or pulls the bell rope, or conveys to the engineer, conductor or others employed in the operation of such cars, any such signal as is used for regulating the running and management of such cars, except to prevent injury to any person or damage to property, is a disorderly person.

2. This act shall take effect immediately.

Approved April 21, 1966.

CHAPTER 26

AN ACT authorizing municipalities forming a part of a regional school district to contract with the board of education of the regional school district for certain school transportation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

18:14-8.2. Authorization to provide transportation.

1. Whenever the governing body of a municipality, which is a constituent district of a regional school district, finds that for safety reasons it is desirable to provide transportation to and from a regional school for pupils living within the munici-

pality, other than those living remote from the school or those physically handicapped or mentally retarded, the governing body is authorized to contract with the board of education of the regional school district for such transportation.

2. Funds required under the terms of a contract entered into pursuant to section 1 of this act shall be appropriated by the governing body and transferred to the custodian of school moneys of the regional school district. 18:14-8.3. Appropriation of funds.

3. This act shall take effect immediately.

Approved April 25, 1966.

CHAPTER 27

AN ACT concerning the buying, receiving, soliciting or negotiating the sale of cattle, sheep or swine, and amending and supplementing chapter 11 of Title 4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4:11–1 of the Revised Statutes is amended to read as follows: Section amended.

4:11–1. As used in this article: Definitions.

"Agent" means any person buying, receiving, soliciting or negotiating the sale of cattle, sheep or swine for or on behalf of any dealer or broker.

"Broker" means any person engaged in the business of soliciting or negotiating the sale, resale, exchange or shipment of cattle, sheep or swine.

"Cattle" means all dairy, feeding, beef or breeding animals of bovine genus.

"Sheep" means all animals of ovine genus.

"Swine" means all animals of porcine genus.

"Dealer" means any person engaged in the business of buying, receiving, selling, exchanging, soliciting or negotiating the sale, resale, exchange or shipment of any cattle, sheep or swine.

"Secretary" means the Secretary of Agriculture.
"Board" means the State Board of Agriculture.

Section amended.

2. Section 4:11–2 of the Revised Statutes is amended to read as follows:

Articles inapplicable to certain classes of associations and persons.

4:11–2. This article shall not apply:

a. To any person who receives, buys, exchanges or ships cattle, sheep or swine exclusively for slaughter;

b. To any person who is permanently discontinuing the business of dairying, breeding or feeding cattle, sheep or swine; or

c. To any person who purchases, receives or exchanges cattle, sheep or swine for the sole purpose of increasing or improving his herd or flock.

C. 4:11-13.1. Rules and Regulations.

3. The board may adopt and promulgate such rules and regulations as it may deem necessary to carry out the provisions of this act and to prevent the spread of disease among cattle, sheep and swine.

Section amended.

4. Section 4:11–4 of the Revised Statutes is amended to read as follows:

Application for license.

4:11–4. A person before engaging in the business referred to in section 4:11–3 of this Title shall, annually on or before June 1, file an application for a license with the secretary on a form prescribed by him and pay an application fee of $15.00 which shall not be returned if the license is not granted.

The application shall state the nature of the business, the breed or breeds of cattle, sheep or swine which the applicant proposes to handle, the name of the person applying for the license, and, if the applicant be a firm, association, partnership or corporation, the full name of each member of such firm, association, partnership or the names of the officers of the corporation, and the name of the agent or agents of the applicant, the municipality and the post office address at which the business is to be conducted, and such other facts as the secretary shall prescribe.

The applicant shall further satisfy the secretary of his or its character, financial responsibility and good faith in seeking to engage in the business.

Section amended.

5. Section 4:11–5 of the Revised Statutes is amended to read as follows:

Issuance and terms of license.

4:11–5. Upon compliance by the applicant with the terms of section 4:11–4 of this Title, the secretary shall, subject to the provisions of this article, issue a license entitling the applicant or his agent to conduct the business of buying or receiving cattle, sheep or swine, or receiving, selling, exchanging, soliciting or negotiating the sale, resale, exchange or shipment of cattle, sheep or swine at the place named in the application, until June 30 next following. If application is made and an application fee of $15.00 is paid subsequent to July 1 in any license year, the license shall run until July 1 next following.

Section amended.

6. Section 4:11–9 of the Revised Statutes is amended to read as follows:

Grounds for refusing or revoking license.

4–11:9. The secretary may decline to grant or may revoke a license when he is satisfied that:

a. The applicant or licensee has violated the State laws or official regulations governing interstate or intrastate movement of cattle, sheep or swine;

b. In the buying or receiving of cattle, sheep or swine, or receiving, selling, exchanging, soliciting or negotiating the sale, resale, exchange or shipment of cattle, sheep or swine, there have been false or misleading statements as to the health or physical condition of the animals with regard to official tests, or quantity of cattle, sheep or swine or the practice of fraud or misrepresentation in connection therewith;

c. As shown by a continual course of dealing, the licensee is unable or unwilling to conduct properly the business of a dealer or broker;

d. The applicant or licensee has knowingly bought or received cattle, sheep or swine, or received, sold, exchanged, solicited or negotiated the sale, resale or exchange of cattle, sheep or swine that were diseased and likely to transmit such disease to other cattle, sheep or swine, or human beings;

e. There has been a failure to practice ordinary measures of sanitation of barns, stables, premises or vehicles used for the stabling, holding or transporting of cattle, sheep or swine; or

f. There has been a continual or persistent failure to keep records required by the secretary or by law; or that there is a refusal on the part of the licensee to produce books, accounts or records of transactions in the carrying on of the business for which the license is granted.

Section amended.

7. Section 4:11–13 of the Revised Statutes is amended to read as follows:

Carrying and exhibiting agent's card.

4:11–13. The licensee and each of his agents shall carry an agent's card at all times, when buying or receiving cattle, sheep or swine, or receiving, selling, exchanging, soliciting or negotiating the sale, resale, or shipment of cattle, sheep or swine.

The licensee or agent shall exhibit the card to persons with whom he is negotiating or from whom he is soliciting business and to the secretary or assistant whom the secretary may designate.

Section amended.

8. Section 4:11–14 of the Revised Statutes is amended to read as follows:

Penalty for violating article; jail for nonpayment.

4:11–14. A person who shall:

a. Engage in or carry on the business of buying or receiving cattle, sheep or swine, or receiving, selling, exchanging, soliciting or negotiating the sale, resale, exchange or shipment of cattle, sheep or swine, as dealer, broker or agent, within the meaning of this article, without first having obtained a license as provided in this article; or

b. Violate any of the provisions of this article—

Shall be liable to a penalty of $200.00 for the first offense and $500.00 for the second and each subsequent offense, which penalty shall be sued for and recovered by and in the name of the department in the manner provided in article 1 of chapter 23 of this Title (§ 4:23–1 et seq.) and in such proceeding the defendant may be arrested upon the commencement of the action.

If judgment is rendered for the plaintiff the court shall cause a defendant who shall fail to pay forth-

with the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period of not less than 5 nor more than 90 days in the case of a first offense and not less than 10 nor more than 200 days for a second and each subsequent offense.

9. This act shall take effect July 1, 1966. Note: Effective date.

Approved April 25, 1966.

CHAPTER 28

AN ACT creating a commission, to be known as the County and Municipal Government Study Commission, to study the structure of county and municipal governments, the interrelationship of State, county and municipal governments, and their present and future problems; to provide for reports and recommendations by the said commission to the Governor and the Legislature; and making an appropriation for the expenses thereof.

WHEREAS, The historic offices, functions and authority of county government, relatively unchanged in spite of changes in State and municipal government and the transformation of the State from a rural area to the most urbanized State in the nation, make desirable a re-examination of the functions and structure of county government; and Preamble.

WHEREAS, The primary problems of municipal government often transcend municipal boundaries making joint action feasible and desirable; and Preamble.

WHEREAS, Increased public demand for services by local governments has raised the level of expenditure to unprecedented heights; and Preamble.

Preamble. WHEREAS, Better distribution of responsibility for governmental services will avoid costly duplications and waste and thereby ease the tax burden; and

Preamble. WHEREAS, The responsibility for establishing the governmental framework within which counties and municipalities operate lies with the Legislature; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Creation of County and Municipal Government Commission.

1. There is hereby created a commission to be known as the County and Municipal Government Study Commission. The commission shall consist of 15 members, 9 of whom shall be named by the Governor, 3 of whom shall be Senators to be named by the President of the Senate, and 3 of whom shall be Assemblymen to be named by the Speaker of the General Assembly. Of the 9 members that shall be named by the Governor, 3 shall be nominees of the New Jersey Association of Chosen Freeholders, 3 shall be nominees of the New Jersey State League of Municipalities, and 3 shall be named by the Governor from among the citizens of the State, except that no more than 2 of these 3 members shall be of the same political party. No more than 2 of the 3 Senators, nor no more than 2 of the 3 Assemblymen, to be named shall be of the same political party. Any vacancy in the membership of the commission shall be filled by appointment in the same manner as the original appointment was made.

2. The commission shall select from among its members a chairman and a vice-chairman and also shall select a secretary, who need not be a member of the commission.

3. The commission is authorized, empowered and directed to study the structure and functions of county and municipal government, including their constitutional and statutory bases. The commission is directed further to inquire into the structural and administrative streamlining of county and munici-

pal governments as proposed in New Jersey and other States, including consolidation, federation, special districts, contract purchase of services and abolition or strengthening of existing forms of government, to determine their applicability in meeting the present and future needs of the State and its political subdivisions.

4. The commission shall report to the Governor and the Legislature on or before the second Tuesday in January, 1967, setting forth the results of its study and may include recommendations for constitutional and statutory changes.

5. The commission shall be entitled to accept the assistance and services of such employees of any State, county or municipal department, board, bureau, commission or agency as may be made available to it and to employ such legal, stenographic, technical and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for its said purposes.

6. The study by the commission shall constitute a legislative inquiry and, in the performance of its duties, the commission may proceed in the same manner as joint committees of the Legislature are authorized to proceed under the provisions of chapter 13 of Title 52 of the Revised Statutes.

Appropriation $5,000.00.

7. There is hereby appropriated to the commission the sum of $5,000.00 to carry out the purposes of this act.

8. This act shall take effect immediately.

Approved April 26, 1966.

CHAPTER 29

AN ACT concerning the education and training of mentally retarded, physically handicapped, emotionally disturbed, socially maladjusted and multiply handicapped children, amending the title of chapter 178 of the laws of 1954 to read "An act concerning the education and training of mentally retarded children, and supplementing Title 18 of the Revised Statutes," and amending and repealing portions of the body of said act and chapter 179 of the laws of 1954, chapter 104 of the laws of 1959 and chapter 232 of the laws of 1962.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title.

1. The title of chapter 178 of the laws of 1954 is amended to read as follows: An act concerning the education and training of mentally retarded children, and supplementing Title 18 of the Revised Statutes.

Section amended.

2. Section 1 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.1. Classification of mentally retarded children; promulgation of rules.

1. The Commissioner of Education, with the approval of the State board, shall promulgate rules and regulations for the identification, examination and classification of:

a. Educable mentally retarded children, who are those who may be expected to succeed with a minimum of supervision in homes and schools and community life and are characterized particularly by reasonable expectation that at maturity they will be capable of vocational and social independence in competitive environment;

b. Trainable mentally retarded children, who are so severely retarded that they cannot be classified as educable but are, notwithstanding, potentially capable of self-help, of communicating satis-

factorily, of participating in groups, of directing their behavior so as not to be dangerous to themselves or others and of achieving with training some degree of personal independence and social and economic usefulness within sheltered environments;

c. Children who are so mentally retarded as to be neither educable or trainable.

Section amended.

3. Section 3 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.3. Employment of psychological examiner.

3. Each board of education shall separately or jointly with one or more boards of education employ a psychological examiner who acting jointly with special education personnel approved by the Commissioner of Education shall administer the procedures for diagnosis and classification required in this act.

Section amended.

4. Section 4 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.4. Use of psychological or psychiatric services of approved clinic or agency; standards.

4. In lieu of employing a psychological examiner, a board of education may separately or jointly with one or more boards of education contract to use, with or without financial reimbursement, the psychological or other services of any clinic or agency approved by the Commissioner of Education. The Commissioner of Education with the approval of the State Board of Education and of the State Board of Control of the Department of Institutions and Agencies, shall prescribe suitable standards for the approval by him of any clinic or agency furnishing services pursuant to section 4 of this act.

Section amended.

5. Section 5 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.5. Duty to provide facilities for educating or training educable or training mentally retarded children.

5. It shall be the duty of each board of education to provide suitable facilities and programs of education or training for all the children who are classified as educable or trainable under this act. The absence or unavailability of a special class facility in any district shall not be construed as relieving the board of education of the responsibility for providing education or training for any child who

qualifies under this act. The facilities and programs of education or training required under this act shall be provided by one or more of the following:

(a) a special class or classes in the district;

(b) a special class in the public schools of another district in this State or an adjoining State;

(c) by agreement with one or more school districts to provide joint facilities;

(d) a jointure commission program;

(e) a State of New Jersey operated program;

(f) instruction at school supplementary to the other programs in the school whenever, in the judgment of the board of education with the consent of the commissioner, the retarded child is also multiply handicapped and will be best served thereby;

(g) sending children capable of benefiting from a day school instructional program to privately operated nonprofit day classes in New Jersey or an adjoining State whose services are nonsectarian whenever in the judgment of the board of education with the consent of the commissioner it is impractical to provide services pursuant to previous subsections a, b, c, d, e and f.

(h) individual instruction or training at home or in school whenever, in the judgment of the board of education with the consent of the commissioner, it is impracticable to provide a suitable special education program for a child pursuant to subsections (a), (b), (c), (d), (e), (f) or (g).

Whenever any child shall be confined to a hospital, convalescent home or other institution in New Jersey or an adjoining State and is enrolled in a special education program approved under this act, the board of education of the district in which the child is domiciled shall pay the tuition of said child in the special education program upon determination in the manner provided in this act, that it is advisable for the child to be so confined.

The board of education may also provide: (a) the facilities or programs provided in this act to any person over the age of 20 who does not hold a

diploma of a high school approved in this State or in any other State in the United States, (b) suitable approved programs or facilities for children under the age of 5.

Section amended.

6. Section 6 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.6. Approval of special education program.

6. Every special education program maintained under this act shall be approved by the commissioner according to the rules and regulations prescribed by him and approved by the State board.

Section amended.

7. Section 7 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.7. Tuition.

7. Any board of education, jointure commission, State operated facility or private school which receives pupils from a sending district under this act shall determine a tuition rate to be paid by the sending board of education, but in no case shall the tuition rate in a nonpublic school exceed the maximum day class cost of education per pupil of children in similar special education classes in New Jersey public schools as determined according to a formula prescribed by the commissioner with the approval of the State board.

Section amended.

8. Section 12 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.12. Refusal to admit or exclusion of untrainable mentally retarded children; re-examination.

12. The superintendent of schools, or the principal of the school in a district where this is no superintendent, may, upon the advice of the psychological examiner or examiners administering classification procedures required in this act, refuse to admit, or having admitted, exclude any child whose mental retardation is so severe that he has been diagnosed and classified as not trainable under section 2 of this act.

Any child so refused admission or excluded shall be re-examined, upon the request of the parent or other person having custody and control of the child, after a period of 1 year shall have elapsed from the date of the last previous examination. A pupil may be refused admission or excluded temporarily for a reasonable time pending examination and classification.

Section amended.

9. Section 14 of chapter 178 of the laws of 1954 is amended to read as follows:

C. 18:14-71.14. Transportation.

14. The board of education shall furnish transportation within the State to all children found to be mentally retarded under this act who qualify for such transportation under Revised Statutes 18:14–8 and may furnish daily transportation for any child for a lesser distance if, in its judgment, the mental retardation of the child is so severe as to make such transportation necessary and advisable.

The school district shall be entitled to State aid for such transportation in the amount of 75% of the cost to the district of furnishing such transportation to a program approved under this act in New Jersey when the necessity for such transportation and the cost and method thereof have been approved by the county superintendent of schools of the county in which the district paying the cost of such transportation is situated.

Section amended.

10. Section 1 of chapter 179 of the laws of 1954 is amended to read as follows:

C. 18:14-71.17. Ascertainment of physically handicapped children; promulgation of rules.

1. Each board of education shall identify and ascertain, according to rules and regulations prescribed by the commissioner with the approval of the State board, what children, if any, in the public schools between the ages of 5 and 20 cannot be properly accommodated through the school facilities usually provided because of the extent of their mental retardation, physical handicaps, emotional disturbance or multiple handicaps.

Section amended.

11. Section 2 of chapter 179 of the laws of 1954 is amended to read as follows:

C. 18:14-71.18. Classification of handicapped children.

2. Each handicapped child shall be identified, examined and classified according to procedures prescribed by the commissioner and approved by the State board. Such categories shall be the following: mentally retarded, visually handicapped, auditorily handicapped, communication handicapped, neurologically or perceptually impaired, orthopedically handicapped, chronically ill, emotionally disturbed, socially maladjusted and multiply handicapped.

12. Section 6 of chapter 179 of the laws of 1954 is amended to read as follows: Section amended.

6. It shall be the duty of each board of education to provide suitable facilities and programs of education for all the children who are classified as handicapped under any section of this act. The absence or unavailability of a special class facility in any district shall not be construed as relieving a board of education of the responsibility for providing education for any child who qualifies under this act. C. 18:14-71.22. Providing facilities and programs of education.

13. Section 7 of chapter 179 of the laws of 1954 is amended to read as follows: Section amended.

7. The facilities and programs of education required under this act shall be approved by the Commissioner of Education and shall be provided by one or more of the following: C. 18:14-71.23. Means of providing facilities and programs of education; special classes.

(a) a special class or classes in the district, including a class or classes in hospitals, convalescent homes, or other institutions;

(b) a special class in the public schools of another district in this State or an adjoining State;

(c) by agreement with one or more school districts to provide joint facilities, including a class or classes in hospitals, canvalescent homes, or other institutions;

(d) a jointure commission program;

(e) a State of New Jersey operated program;

(f) instruction at school supplementary to the other programs in the school, whenever, in the judgment of the board of education with the consent of the commissioner, the handicapped pupil will be best served thereby;

(g) Sending children capable of benefiting from a day school instructional program to privately operated nonprofit day classes in New Jersey or an adjoining State whose services are nonsectarian whenever in the judgment of the board of education with the consent of the commissioner it is impractical to provide services pursuant to subsections a, b, c, d, e, or f;

(h) individual instruction at home or in school whenever in the judgment of the board of education with the consent of the commissioner it is impracticable to provide a suitable special education program for a child pursuant to subsections a, b, c, d, e, f, or g.

Whenever any child shall be confined to a hospital, convalescent home, or other institution in New Jersey or an adjoining State and is enrolled in an education program approved under this act, the board of education of the district in which the child is domiciled shall pay the tuition of said child in the special education program upon determination, that it is advisable for the child to be so confined.

The board of education may also furnish: (a) the facilities or programs provided in this act to any person over the age of 20 who does not hold a diploma of a high school approved in this State or in any other State in the United States, (b) suitable approved facilities and programs for children under the age of 5.

Section amended.

14. Section 8 of chapter 179 of the laws of 1954 is amended to read as follows:

C. 18:14-71.24. Approval of special programs by commissioner.

8. Every special education program maintained under this act shall be approved by the commissioner according to rules and regulations prescribed by him and approved by the State board.

Section amended.

15. Section 9 of chapter 179 of the laws of 1954 is amended to read as follows:

C. 18:14-71.25. Tuition rate for receiving district; maximum rate.

9. Any board of education, jointure commission, State operated facility or private school which receives pupils from a sending district under this act shall determine a tuition rate to be paid by the sending board of education, but in no case shall the tuition rate in a nonpublic school exceed the maximum day class cost of education per pupil of children in similar special education classes in New Jersey public schools as determined according to a formula prescribed by the commissioner with the approval of the State board.

Section amended.

16. Section 14 of chapter 179 of the laws of 1954 is amended to read as follows:

C. 18:14-71.30. Reporting names of handicapped children.

14. Each board of education shall report annually to the county superintendent of schools of the county in which the school district is situate who shall report to the commissioner the names of all children who are in special education instructional programs and the names and addresses of their parents or persons having control or custody of them together with the category into which they have been classified. Included in this report shall be the names and addresses of any known handicapped children who are not attending school. The commissioner shall make the information in the reports available to any State agency charged with the care and restoration of any particular category of handicapped children.

Section amended.

17. Section 15 of chapter 179 of the laws of 1954 is amended to read as follows:

C. 18:14-71.31. Transportation of handicapped children; State aid.

15. The board of education shall furnish transportation within the State to all children found to be handicapped under this act who qualify for such transportation under Revised Statutes 18:14–8 and shall also furnish transportation to any handicapped child for a lesser distance, if, in the judgment of the board of education, upon the advice of the examiner, the handicap is such as to make such transportation necessary or advisable.

The school district shall be entitled to State aid for such transportation in the amount of 75% of the cost to the district of furnishing such daily transportation to a program approved under this act in New Jersey when the necessity for such transportation and the cost and method thereof have been approved by the county superintendent of schools of the county in which district paying the cost of such transportation is situated.

Section amended.

18. Section 1 of chapter 232 of the laws of 1962 is amended to read as follows:

C. 18:14-71.35a. Establishment of jointure commission.

1. When 2 or more boards of education determine to carry out by joint agreement the duties imposed upon them in regard to the education and training of handicapped pupils, the said boards of education may, in accordance with rules and regulations of

the State Board of Education, and with the approval of the Commissioner of Education by the adoption of similar resolutions establish a jointure commission for the purpose of providing such services. Said commission shall, in accordance with rules of the State Board of Education, be composed of representatives of the respective boards of education, and shall organize by the election of a president and vice-president.

Section amended.

19. Section 1 of chapter 104 of the laws of 1959 is amended to read as follows:

C. 18:14-71.36. Co-ordination of work by commissioner; appointment of specialists; advisory council.

1. The Commissioner of Education shall be responsible for the co-ordination of the work of the county departments of child study and the general administration of special educational services in the public schools of this State.

In order to carry out the provisions of this act, he shall appoint to his staff persons qualified to administer educational services in the general field of education for the handicapped including each of the following disability groups: (1) mentally retarded, (2) orthopedically handicapped, (3) communication handicapped, (4) visually handicapped, (5) neurologically or perceptually impaired, (6) chronically ill, (7) emotionally disturbed, (8) socially maladjusted, (9) and the auditorily handicapped, and a consultant experienced in child psychiatry, and specialists in school psychology, health service, school social work, learning disabilities and special education and such other qualified personnel as he shall deem necessary and he shall fix their compensation with the approval of the State Board of Education.

The Commissioner of Education shall appoint biannually an advisory council with the approval of the State Board of Education which will consist of not less than 7 nor more than 15 members representative of professional and lay interests. The advisory council shall advise in the promulgation of rules, regulations and the implementation of this act and the establishment of standards and

qualifications for the professional personnel. The council shall serve without remuneration.

Section amended.

20. Section 2 of chapter 104 of the laws of 1959 is amended to read as follows:

C. 18:14-71.37. Appointment of supervisors and child study teams; membership of team; compensation, chairman.

2. The Commissioner of Education shall appoint for each county department of child study or with the approval of the State Board of Education, for one or more county departments of child study, which shall be charged with the duty of performing the services required to be performed at the county level under this act a supervisor, whose duties shall include the co-ordination of the special education services in the county, and he shall appoint, such additional personnel, constituting a child study team, as he deems necessary to perform such services for handicapped children. In addition to the supervisor of child study the members of each child study team shall include personnel qualified to administer, supervise, or otherwise perform the special education services required under this act.

The Commissioner of Education shall fix their compensation with the approval of the State Board of Education.

The county superintendent of schools of the county or the county superintendents of schools, of the counties served by one child study team, jointly, shall, with the approval of the Commissioner of Education, designate a member of the child study team to serve as chairman, and in event that they cannot agree, the chairman shall be designated by the Commissioner of Education.

Section amended.

21. Section 3 of chapter 104 of the laws of 1959 is amended to read as follows:

C. 18:14-71.38. Function of child study teams.

3. Each county child study team shall function in consultation with the local boards of education in the county or the local boards of education in the counties served by it in the fields pertaining to:

a. identification and diagnosis of children needing special educational services,

b. development and approval of public school programs for handicapped pupils,

c. supervision and co-ordination of public school programs for handicapped pupils,

d. reporting and referral of children with handicaps of such severity as to indicate the necessity of residential placement, medical or psychological treatment, or care, to the appropriate agency for such purpose,

e. social case work and psychological evaluation,

f. remedial instruction,

g. co-operative action with other State and county departments and lay professional organizations, and

h. additional responsibilities as determined by the Commissioner of Education with the approval of the State Board of Education.

Section amended.

22. Section 5 of chapter 104 of the laws of 1959 is amended to read as follows:

C. 18:14-71.40. Classification of pupils; rules and regulations.

5. Pupils identified as needing special education services to ameliorate or to prevent the development of learning handicaps shall be classified according to their ability to benefit from specified types of educational service, and such educational service shall be conducted according to rules and regulations prescribed by the Commissioner of Education, with the approval of the State Board of Education, and may include, but need not be limited to:

a. case work with the pupil at home or school,

b. counseling or guidance,

c. remedial instruction,

d. special scheduling or a school program including part-time attendance in special or regular groups,

e. referral to other agencies or institutions for special services,

f. special grouping in school for children whose prognosis is favorable for return to the regular program, and

g. arrangement through the Commissioner of Education for direct services through the County Department of Child Study.

23. Section 11 of chapter 104 of the laws of 1959 is amended to read as follows: Section amended.

11. Each local school district, whether operating separately or jointly with one or more other school districts, shall be reimbursed by State aid, in lieu of State aid provided by sections 6a and 6b of chapter 85 of the laws of 1954, as amended, for: C. 18:14-71.46. Reimbursement of local districts; State aid.

a. The cost of operating an educational program for handicapped pupils including costs of identification, examination, supervision and other special education services approved by the Commissioner of Education, to the extent of ½ of such costs except that no local district, jointure commission or college demonstration school shall receive less than $3,000.00 a class in State aid; and ½ of the approved tuition paid to another local school district, jointure commission, State operated facility or private school, and

b. for 75% of the cost to the district of furnishing transportation to a program approved under this act within the State, when the necessity for furnishing such transportation and the cost and method thereof, have been approved by the county superintendent of schools of the county in which the district paying such cost is situated.

The State aid provided for by this section shall be in addition to all other State aid payable to the district.

24. Section 3 of chapter 179 of the laws of 1954 and sections 4, 7 and 9 of chapter 104, of the laws of 1959, are hereby repealed. Sections repealed.

25. This act shall take effect July 1, 1966. Note: Effective date.

Approved April 27, 1966.

CHAPTER 30

AN ACT imposing a tax on retail sales, storage and use of tangible personal property and on the sales of certain services within the State; providing for the licensing of retailers; defining certain words for the purposes of the act; prescribing the method of collecting the tax imposed; providing penalties for violations; and making an appropriation for the enforcement thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 54:32B-1. Short title.

1. Short title.

This act shall be known and may be cited as the "Sales and Use Tax Act."

C. 54:32B-2. Definitions.

2. Definitions.—Unless the context in which they occur requires otherwise, the following terms when used in this act shall mean:

(a) Person. Person includes an individual, partnership, society, association, joint stock company, corporation, public corporation or public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

(b) Purchase at retail. A purchase by any person at a retail sale.

(c) Purchaser. A person who purchases property or who receives services.

(d) Receipt. The amount of the sales price of any property and the charge for any service taxable under this act, valued in money, whether received in money or otherwise, including any amount for which credit is allowed by the vendor to the purchaser, without any deduction for expenses or early payment discounts, but excluding any credit for property of the same kind accepted in part payment

and intended for resale and excluding the cost of transportation where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser.

(e) Retail sale. (1) A sale of tangible personal property to any person for any purpose, other than (A) for reseale either as such or as converted into or as a component part of a product produced for sale by the purchaser, or (B) for use by that person in performing the services subject to tax under subsection (b) of section 3 where the property so sold becomes a physical component part of the property upon which the services are performed or where the property so sold is later actually transferred to the purchaser of the service in conjunction with the performance of the service subject to tax. For the purposes of this act, sales of tangible personal property to all contractors, subcontractors or repairmen of materials and supplies for use by them in erecting structures for others, or building on, or otherwise improving, altering, or repairing real property of others are deemed to be retail sales.

(2) The term retail sales does not include:

(A) Professional, insurance, or personal service transactions which involve the transfer of tangible personal property as an inconsequential element, for which no separate charges are made.

(B) The transfer of tangible personal property to a corporation, solely in consideration for the issuance of its stock, pursuant to a merger or consolidation effected under the law of New Jersey or any other jurisdiction.

(C) The distribution of property by a corporation to its stockholders as a liquidating dividend.

(D) The distribution of property by a partnership to its partners in whole or partial liquidation.

(E) The transfer of property to a corporation upon its organization in consideration for the issuance of its stock.

(F) The contribution of property to a partnership in consideration for a partnership interest therein.

(G) The sale of tangible personal property where the purpose of the vendee is to hold the thing transferred as security for the performance of an obligation of the vendor.

(f) Sale, selling or purchase. Any transfer of title or possession or both, exchange or barter, rental, lease or license to use or consume, conditional or otherwise, in any manner or by any means whatsoever for a consideration, or any agreement therefor, including the rendering of any service, taxable under this act, for a consideration or any agreement therefor.

(g) Tangible personal property. Corporeal personal property of any nature.

(h) Use. The exercise of any right or power over tangible personal property by the purchaser thereof and includes, but is not limited to, the receiving, storage or any keeping or retention for any length of time, withdrawal from storage, any installation, any affixation to real or personal property, or any consumption of such property.

(i) Vendor. (1) The term "vendor" includes:

(A) A person making sales of tangible personal property or services, the receipts from which are taxed by this act;

(B) A person maintaining a place of business in the State and making sales, whether at such place of business or elsewhere, to persons within the State of tangible personal property or services, the use of which is taxed by this act;

(C) A person who solicits business either by employees, independent contractors, agents or other representatives or by distribution of catalogs or other advertising matter and by reason thereof makes sales to persons within the State of tangible personal property or services, the use of which is taxed by this act; and

(D) Any other person making sales to persons within the State of tangible personal property or services, the use of which is taxed by this act, who may be authorized by the director to collect the tax imposed by this act;

(E) The State of New Jersey, any of its agencies, instrumentalities, public authorities, public corporations (including a public corporation created pursuant to agreement or compact with another State) or political subdivisions when such entity sells services or property of a kind ordinarily sold by private persons.

(2) In addition, when in the opinion of the director it is necessary for the efficient administration of this act to treat any salesman, representative, peddler or canvasser as the agent of the vendor, distributor, supervisor or employer under whom he operates or from whom he obtains tangible personal property sold by him or for whom he solicits business, the director may, in his discretion, treat such agent as the vendor jointly responsible with his principal, distributor, supervisor or employer for the collection and payment over of the tax.

(j) Hotel. A building or portion of it which is regularly used and kept open as such for the lodging of guests. The term "hotel" includes an apartment hotel, a motel, boarding house or club, whether or not meals are served.

(k) Occupancy. The use or possession or the right to the use or possession, of any room in a hotel.

(l) Occupant. A person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.

(m) Permanent resident. Any occupant of any room or rooms in a hotel for at least 90 consecutive days shall be considered a permanent resident with regard to the period of such occupancy.

(n) Room. Any room or rooms of any kind in any part or portion of a hotel, which is available for or let out for any purpose other than a place of assembly.

(o) Admission charge. The amount paid for admission, including any service charge and any charge for entertainment or amusement or for the use of facilities therefor.

(p) Amusement charge. Any admission charge, dues or charge of roof garden, cabaret or other similar place.

(q) Charge of a roof garden, cabaret or other similar place. Any charge made for admission, refreshment, service, or merchandise at a roof garden, cabaret or other similar place.

(r) Dramatic or musical arts admission charge. Any admission charge paid for admission to a theatre, opera house, concert hall or other hall or place of assembly for a live dramatic, choreographic or musical performance.

(s) Lessor. Any person who is the owner, licensee, or lessee of any premises or tangible personal property which he leases, subleases or grants a license to use to other persons.

(t) Place of amusement. Any place where any facilities for entertainment, amusement, or sports are provided.

(u) Casual sale. Casual sale means an isolated or occasional sale of an item of tangible personal property by a person who is not regularly engaged in the business of making sales at retail where such property was obtained by the person making the sale, through purchase or otherwise, for his own use in this State.

(v) Motor Vehicle. Motor vehicle shall include all vehicles propelled otherwise than by muscular power (excepting such vehicles as run only upon rails or tracks), trailers, semitrailers, housetrailers, or any other type of vehicle drawn by a motor-driven vehicle, and motorcycles, designed for operation on the public highways.

(w) "Persons required to collect tax" or "persons required to collect any tax imposed by this act" shall include: every vendor of tangible personal property or services; every recipient of amusement charges; and every operator of a hotel. Said terms shall also include any officer or employee of a corporation or of a dissolved corporation who as such officer or employee is under a duty to act for such corporation in complying with any requirement of this act and any member of a partnership.

(x) "Customer" shall include: every purchaser of tangible personal property or services; every patron paying or liable for the payment of any amusement charge; and every occupant of a room or rooms in a hotel.

(y) "Property and services the use of which is subject to tax" shall include: (a) all property sold to a person within the State, whether or not the sale is made within the State, the use of which property is subject to tax under section 6 or will become subject to tax when such property is received by or comes into the possession or control of such person within the State; and (b) all services rendered to a person within the State, whether or not such services are performed within the State, upon tangible personal property the use of which is subject to tax under section 6 or will become subject to tax when such property is received by or comes into possession or control of such person within the State.

(z) Director. Director means the Director of the Division of Taxation of the State Department of the Treasury, or any officer, employee or agency of the Division of Taxation in the Department of the Treasury duly authorized by the director (directly, or indirectly by one or more redelegations of authority) to perform the functions mentioned or described in this act.

C. 54:32B-3. Imposition of Sales Tax.

3. Imposition of sales tax.—On and after July 1, 1966 there is hereby imposed and there shall be paid a tax of 3% upon:

(a) The receipts from every retail sale of tangible personal property, except as otherwise provided in this act.

(b) The receipts from every sale, except for resale, of the following services:

(1) Producing, fabricating, processing, printing or imprinting tangible personal property, performed for a person who directly or indirectly furnishes the tangible personal property, not purchased by him for resale, upon which such services are performed.

(2) Installing tangible personal property, or maintaining, servicing, repairing tangible personal property not held for sale in the regular course of business, whether or not the services are performed directly or by means of coin-operated equipment or by any other means, and whether or not any tangible personal property is transferred in conjunction therewith, except such services rendered by an individual who is engaged directly by a private homeowner or lessee in or about his residence and who is not in a regular trade or business offering his services to the public, and except any receipts from laundering, dry-cleaning, tailoring, weaving, pressing, shoe repairing and shoe shining, and except for installing property which, when installed, will constitute an addition or capital improvement to real property, property or land.

(3) Storing all tangible personal property not held for sale in the regular course of business, parking of motor vehicles and the rental of safe deposit boxes or similar space.

(4) Maintaining, servicing or repairing real property, property or land, whether the services are performed in or outside of a building, as distinguished from adding to or improving such real property, property or land, by a capital improvement, but excluding services rendered by an individual who is not in a regular trade or business offering his services to the public, and excluding interior cleaning and maintenance services performed on a regular contractual basis for a term

of not less than 30 days, other than window cleaning, rodent and pest control and trash removal from buildings. Wages, salaries and other compensation paid by an employer to an employee for performing as an employee the services described in this subsection are not receipts subject to the taxes imposed under this subsection.

(c) Receipts from the sale of food and drink except alcoholic beverages as defined in the Alcoholic Beverage Tax Law, in or by restaurants, taverns or other establishments in this State, or by caterers, including in the amount of such receipts any cover, minimum, entertainment or other charge made to patrons or customers:

(1) in all instances where the sale is for consumption on the premises where sold;

(2) in those instances where the vendor or any person whose services are arranged for by the vendor, after the delivery of the food or drink by or on behalf of the vendor for consumption off the premises of the vendor, serves or assists in serving, cooks, heats or provides other services with respect to the food or drink; and

(3) in those instances where the sale is for consumption off the premises of the vendor, and consists of a meal, or food prepared and ready to be eaten, of a kind obtainable in restaurants as the main course of a meal, including a sandwich, except where food other than sandwiches is sold in an unheated state and is of a type commonly sold in the same form and condition in food stores other than those which are principally engaged in selling prepared foods.

The tax imposed by this subsection (c) shall not apply to food or drink which is sold to an air line for consumption while in flight.

(d) The rent for every occupancy of a room or rooms in a hotel in this State, except that the tax shall not be imposed upon (1) a permanent resident, or (2) where the rent is not more than at the rate of $2.00 per day.

(e) (1) Any admission charge where such admission charge is in excess of $0.75 to or for the use of any place of amusement in the State, including charges for admission to race tracks, boxing, baseball, football, sparring or wrestling matches or exhibitions, dramatic or musical arts performances, motion picture theatres, except charges to a patron for admission to, or use of, facilities for sporting activities in which such patron is to be a participant, such as bowling alleys and swimming pools. For any person having the permanent use or possession of a box or seat or a lease or a license, other than a season ticket, for the use of a box or seat at a place of amusement, the tax shall be upon the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by the holder, licensee or lessee, and shall be paid by the holder, licensee or lessee.

(2) The amount paid as charges of a roof garden, cabaret or other similar place in this State, to the extent that a tax upon such charges has not been paid pursuant to subsection (c) hereof.

C. 54:32B-4. Tax bracket schedule.

4. Tax bracket schedule.—For the purpose of adding and collecting the tax imposed by this act, or an amount equal as nearly as possible or practicable to the average equivalent thereof, to be reimbursed to the vendor by the purchaser, the following formula shall be in force and effect as follows:

Amount of Sale	Amount of Tax
$0.01 to $0.16	No tax
0.17 to 0.40	1¢
0.41 to 0.70	2¢
0.71 to 1.16	3¢

In addition to a tax of $0.03 on each full dollar, a tax shall be collected on each part of a dollar in excess of a full dollar in accordance with the above formula.

C. 54:32B-5. Transitional provisions.

5. Transitional provisions.—(a) The taxes imposed under subsections (a), (b) and (c) of section 3 shall be paid upon all sales made and services

rendered on or after July 1, 1966 although made on or rendered under a prior contract, except that a delivery or transfer of possession of tangible personal property made after said date pursuant to an agreement for the sale of said property made before the effective date of this act shall not be subject to tax if; (1) such agreement for the sale of said property was made in writing, (2) the particular item or items of property so sold or agreed to be sold were segregated, before the effective date of this act, from any other similar property in the possession of the vendor and identified as having been appropriated to such sale or agreement of sale, and (3) the purchaser, before July 1, 1966 shall have paid to the vendor not less than 10% of the sale price of said property.

(b) The tax imposed under subsection (d) of section 3 shall be paid upon any occupancy on and after July 1, 1966, although such occupancy is pursuant to a prior contract, lease or other arrangement. Where rent is paid on a weekly, monthly or other term basis, the rent shall be subject to the tax imposed under such subsection (d) to the extent that it covers any period on and after July 1, 1966 and such rent shall be apportioned on the basis of the ratio of the number of days falling within said period to the total number of days covered thereby.

(c) Except as otherwise hereinafter provided, the tax imposed under subsection (e) of section 3 shall be applicable to any admission to or the use of facilities of a place of amusement occurring on or after July 1, 1966, whether or not the admission charge has been paid prior to such date unless the tickets were actually sold and delivered (other than for resale) prior to July 1, 1966.

C. 54:32B-6. Imposition of compensating use tax.

6. Imposition of compensating use tax.—Unless property or services have already been or will be subject to the sales tax under this act, there is hereby imposed on every person a use tax for the use within this State on and after July 1, 1966, except as otherwise exempted under this act, (A) of

any tangible personal property purchased at retail, (B) of any tangible personal property manufactured, processed or assembled by the user, if items of the same kind of tangible personal property are offered for sale by him in the regular course of business, and (C) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any taxable services described in subsections (c)(1) and (c)(2) of section 3 have been performed. For purposes of clause (A) of this section, the tax shall be at the rate of 3% of the consideration given or contracted to be given for such property or for the use of such property, but excluding any credit for property of the same kind accepted in part payment and intended for resale, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser. For the purposes of clause (B) of this section, the tax shall be at the rate of 3% of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him. For purposes of clause (C) of this section, the tax shall be at the rate of 3% of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser.

C. 54:32B-7. Special rules for computing receipts and consideration.

7. Special rules for computing receipts and consideration.—(a) The retail sales tax imposed under subsection (a) of section 3 and the compensating use tax imposed under section 6, when computed in respect to tangible personal property wherever manufactured, processed or assembled and used by such manufacturer, processor or assembler in the

regular course of business within this State, shall be based on the price at which items of the same kind of tangible personal property are offered for sale by him. (b) Tangible personal property, which has been purchased by a resident of the State of New Jersey outside of this State for use outside of this State and subsequently becomes subject to the compensating use tax imposed under this act, shall be taxed on the basis of the purchase price of such property, provided, however:

(1) That where a taxpayer affirmatively shows that the property was used outside such State by him for more than 6 months prior to its use within this State, such property shall be taxed on the basis of current market value of the property at the time of its first use within this State. The value of such property, for compensating use tax purposes, may not exceed its cost.

(2) That the compensating use tax on such tangible personal property brought into this State (other than for complete consumption or for incorporation into real property located in this State) and used in the performance of a contract or subcontract within this State by a purchaser or user for a period of less than 6 months may be based, at the option of the taxpayer, on the fair rental value of such property for the period of use within this State.

C. 54:32B-8. Exempt sales.

8. Exempt sales.—Receipts from the following shall be exempt from the tax on retail sales imposed under subsection (a) of section 3 and the use tax imposed under section 6:

(a) Sales of medicine, drugs, crutches, artificial limbs, artificial eyes, artificial hearing devices, corrective eyeglasses, braces, and orthopedic appliances, sold pursuant to a doctor's prescription for human use, and wheel chairs;

(b) Sales of food, food products, beverages except liquors, wines and sparkling wines as defined in the Alcoholic Beverage Tax Law, dietary foods and health supplements, sold for human consumption off the premises where sold but not including

(i) candy and confectionery; (ii) fruit drinks which contain less than 70% of natural fruit juice and (iii) soft drinks, sodas and beverages such as are ordinarily dispensed at soda fountains or in connection therewith (other than coffee, tea and cocoa) all of which shall be subject to the retail sales and compensating use taxes, whether or not the item is sold in liquid form. Nothing herein shall be construed as exempting food or drink from the tax imposed under subsection (c) of section 3;

(c) Sales of food sold in an elementary or secondary school cafeteria, sales of food sold in an institution of higher education to students of such an institution;

(d) Sales of articles of children's clothing and footwear, classified as such in accordance with the recognized standards of the trade, for the express and exclusive use of children where the sales price is not more than $50.00; and sales of other articles of clothing and footwear for human use where the sales price is not more than $25.00. Articles of clothing customarily sold in combination such as, but not limited to, a suit of men's clothing consisting of a coat and trousers shall, for the purpose of determining the dollar limitation herein, be treated as a single sale. The director shall prescribe regulations to carry out the provisions of this subsection.

(e) Sales of newspapers, magazines and periodicals;

(f) Casual sales except as to sales of motor vehicles, whether for use on the highways or otherwise, and except as to sales of boats or vessels registered or subject to registration under the New Jersey Boat Act of 1962 (c. 73, laws of 1962 and all amendments thereto);

(g) Sales of gas, water, electricity, telephone or telegraph services delivered to consumers through mains, lines or pipe, and fuel for cooking and heating delivered in containers or bulk;

(h) Sales of motor fuels as motor fuels are defined for purposes of the New Jersey Motor Fuel Tax Law;

(i) Tangible personal property sold through coin-operated vending machines at $0.10 or less, provided the retailer is primarily engaged in making such sales and maintains records satisfactory to the director;

(j) Sales not within the taxing power of this State under the Constitution of the United States;

(k) The transportation of persons or property;

(l) Sales, repairs, alterations or conversion of commercial ships, barges and other vessels of 50-ton burden or over, primarily engaged in interstate or foreign commerce, and property used by or purchased for the use of such vessels for fuel, provisions, supplies, maintenance and repairs (other than articles purchased for the original equipping of a new ship);

(m) (1) Sales of machinery or equipment for use or consumption directly and exclusively in the production of tangible personal property by manufacturing, processing, assembling or refining;

(2) Sales of machinery or equipment for use or consumption directly and exclusively in the production of gas, electricity, refrigeration or steam for sale;

(3) Sales of telephone central office equipment or station apparatus or comparable telegraph equipment for use directly and exclusively in receiving at destination or initiating and switching telephone or telegraph communication;

(4) The exemptions granted under this subsection shall not be construed to apply to sales, otherwise taxable, of machinery, equipment or apparatus whose use is incidental to the activities described in paragraphs (1), (2) and (3) of this subsection.

(5) The exemptions granted in this subsection (m) shall not apply to motor vehicles or to parts with a useful life of 1 year or less or tools or supplies used in connection with the machinery, equipment or appartus described in this subsection.

(n) Sales of tangible personal property purchased for use or consumption directly and exclusively in research and development in the experimental or laboratory sense. Such research and development shall not be deemed to include the ordinary testing or inspection of materials or products for quality control, efficiency surveys, management studies, consumer surveys, advertising, promotions or research in connection with literary, historical or similar projects.

(o) Sales or use of wrapping paper, wrapping twine, bags, cartons, tape, rope, labels, nonreturnable containers and all other wrapping supplies when such use is incidental to the delivery of any personal property.

(p) Sales of tangible personal property (except automobiles, trucks, trailers and truck-trailer combinations, and except property incorporated in a building or structure) for use and consumption directly and exclusively in the production for sale of tangible personal property on farms, including stock dairy, poultry, fruit, fur-bearing animals, and truck farms, ranches, nurseries, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards;

(q) Sales of tangible personal property sold by a mortician, undertaker or funeral director. However, all tangible personal property sold to a mortician, undertaker or funeral director for use in the conducting of funerals shall not be deemed a sale for resale and shall not be exempt from the tax imposed by this act;

(r) Sales of films, records, or any type of sound transcribing to theatres and radio and television broadcasting stations;

(s) Sales of tangible personal property and services taxable under any municipal ordinance heretofore adopted pursuant to chapter 71, laws of 1947, which is in effect on the effective date of this act, but only to the extent such sales are taxable under said ordinance.

C. 54:32B-9. Exempt organizations.

9. Exempt organizations.—(a) Except as to motor vehicles sold by any of the following, any sale or amusement charge by or to any of the following shall not be subject to the sales and use taxes imposed under this act:

(1) The State of New Jersey, or any of its agencies, instrumentalities, public authorities, public corporations (including a public corporation created pursuant to agreement or compact with another State) or political subdivisions where it is the purchaser, user or consumer, or where it is a vendor of services or property of a kind not ordinarily sold by private persons;

(2) The United States of America, and any of its agencies and instrumentalities, insofar as it is immune from taxation where it is the purchaser, user or consumer, or where it sells services or property of a kind not ordinarily sold by private persons;

(3) The United Nations or any international organization of which the United States of America is a member where it is the purchaser, user or consumer, or where it sells services or property of a kind not ordinarily sold by private persons.

(b) Except as otherwise provided in this section any sale or amusement charge by or to any of the following or any use or occupancy by any of the following shall not be subject to the sales and use taxes imposed under this act:

(1) Any corporation, association, trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

(c) Nothing in this section shall exempt the sale of a motor vehicle by an organization described in subsection (b) (1) of this section or retail sales of tangible personal property by any shop or store operated by such organization from the taxes imposed hereunder, unless the purchaser is an organization exempt under this section.

(d) Any organization enumerated in subsection (b) (1) hereof shall not be entitled to the exemption herein granted unless it has complied with such requirements for obtaining a tax immunity authorization as may be provided in this act.

(e) Where any organization described in subsection (b) (1) hereof carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

(f) (1) Except as provided in paragraph (2) of this subsection, any admissions all of the proceeds of which inure exclusively to the benefit of the following organizations shall not be subject to any of the taxes imposed under subsection (e) of section 3.

(A) an organization described in subsection (b) (1) of this section;

(B) a society or organization conducted for the sole purpose of maintaining symphony orchestras or operas and receiving substantial support from voluntary contributions;

(C) national guard organizations, posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units or societies are organized in this State, and if no part of their net earnings inures to the benefit of any private stockholder or individual; or

(D) a police or fire department of a political subdivision of the State, or a voluntary fire or ambulance company, or exclusively to a retire-

ment, pension or disability fund for the sole benefit of members of a police or fire department or to a fund for the heirs of such members.

(2) The exemption provided under paragraph (1) of this subsection shall not apply in the case of admissions to:

(A) Any athletic game or exhibition unless the proceeds shall inure exclusively to the benefit of elementary or secondary schools or unless in the case of an athletic game between 2 elementary or secondary schools, the entire gross proceeds from such game shall inure to the benefit of one or more organizations described in subsection (b) (1) of this section;

(B) Carnivals, rodeos, or circuses in which any professional performer or operator participates for compensation;

(3) Admission charges for admission to the following places or events shall not be subject to any of the taxes imposed under subsection (e) of section 3:

(A) Any admission to agricultural fairs if no part of the net earnings thereof inures to the benefit of any stockholders or members of the association conducting the same; provided the proceeds therefrom are used exclusively for the improvement, maintenance and operation of such agricultural fairs.

(B) Any admission to a home or garden which is temporarily open to the general public as a part of a program conducted by a society or organization to permit the inspection of historical homes and gardens; provided no part of the net earnings thereof inures to the benefit of any private stockholder or individual.

(C) Any admissions to historic sites, houses and shrines, and museums conducted in connection therewith, maintained and operated by a society or organization devoted to the preservation and maintenance of such historic sites, houses, shrines and museums; provided no part

of the net earnings thereof inures to the benefit of any private stockholder or individual.

C. 54:32B-10. Certain sales of motor vehicles.

10. Certain sales of motor vehicles.—(a) Receipts from any sale of a motor vehicle shall not be subject to the retail sales tax imposed under subsection (a) of section 3, despite the taking of physical possession by the purchaser within this State, provided that the purchaser, at the time of taking delivery:

(1) is a nonresident of this State,

(2) has no permanent place of abode in this State,

(3) is not engaged in carrying on in this State any employment, trade, business or profession in which the motor vehicle will be used in this State, and

(4) prior to taking delivery, furnishes to the vendor: any affidavit, statement or additional evidence, documentary or otherwise, which the director may require to assure proper administration of the tax imposed upon subsection (a) of section 3.

(b) A vendor shall not be liable for failure to collect tax on receipts from any sale of a motor vehicle provided that the vendor prior to making delivery obtains and keeps available for inspection by the director any affidavit, statement or additional evidence, documentary or otherwise, as may be required to be furnished under subsection (a) above; provided, that such affidavit, statement or additional evidence is not known by the vendor, prior to making physical delivery of the motor vehicle, to be false.

C. 54:32B-11. Exemptions from use tax.

11. Exemptions from use tax.—The following uses of property shall not be subject to the compensating use tax imposed under this act:

(1) In respect to the use of property used by the purchaser in this State prior to July 1, 1966.

(2) In respect to the use of property purchased by the user while a nonresident of this State, except in the case of tangible personal property which the user, in the performance of a contract, incorpo-

rates into real property located in this State. A person while engaged in any manner in carrying on in this State any employment, trade, business or profession, shall not be deemed a nonresident with respect to the use in this State of property in such employment, trade, business or profession.

(3) In respect to the use of property or services upon the sale of which the purchaser would be expressly exempt from the taxes imposed under subsection (a) or (b) of section 3.

(4) In respect to the use of property which is converted into or becomes a component part of a product produced for sale by the purchaser.

(5) In respect to the use of paper in the publication of newspapers and periodicals.

(6) In respect to the use of property or service to the extent that a retail sales or use tax was legally due and paid thereon, without any right to a refund or credit thereof, to any other State or jurisdiction within any other State but only when it is shown that such other State or jurisdiction allows a corresponding exemption with respect to the sale or use of tangible personal property or services upon which such a sales tax or compensating use tax was paid to this State. To the extent that the tax imposed by this act is at a higher rate than the rate of tax in the first taxing jurisdiction, this exemption shall be inapplicable and the tax imposed by section 6 of this act shall apply to the extent of the difference in such rates.

C. 54:32B-12. Collection of tax from customer.

12. Collection of tax from customer.—(a) Every person required to collect the tax shall collect the tax from the customer when collecting the price, service charge, amusement charge or rent to which it applies. If the customer is given any sales slip, invoice, receipt or other statement or memorandum of the price, service charge, amusement charge or rent paid or payable, the tax shall be stated, charged and shown separately on the first of such documents given to him. The tax shall be paid to the person required to collect it as trustee for and on account of the State.

(b) For the purpose of the proper administration of this act and to prevent evasion of the tax hereby imposed, it shall be presumed that all receipts for property or services of any type mentioned in subsections (a), (b) and (c) of section 3, all rents for occupancy of the type mentioned in subsection (d) of said section, and all amusement charges of any type mentioned in subsection (e) of said section, are subject to tax until the contrary is established, and the burden of proving that any such receipt, amusement charge or rent is not taxable hereunder shall be upon the person required to collect tax or the customer. Unless a vendor shall have taken from the purchaser a certificate, signed by the purchaser and bearing his name and address and the number of his registration certificate, to the effect that the property or service was purchased for resale or the purchaser prior to taking delivery, furnishes to the vendor any affidavit, statement or additional evidence, documentary or otherwise, which the director may require demonstrating that the purchaser is an exempt organization described in section 9(b)(1), the sale shall be deemed a taxable sale at retail. Provided however, the director may authorize a purchaser, who acquires tangible personal property or services under circumstances which make it impossible at the time of acquisition to determine the manner in which the tangible personal property or services will be used, to pay the tax directly to the director and waive the collection of the tax by the vendor. No such authority shall be granted or exercised except upon application to the director, and the issuance by the director, in his discretion, of a direct payment permit. If a direct payment permit is granted, its use shall be subject to conditions specified by the director, and the payment of tax on all acquisitions pursuant to the permit shall be made directly to the director by the permit holder.

(c) The director may provide by regulation that the tax upon receipts from sales on the installment plan may be paid on the amount of each installment

and upon the date when such installment is due. He may also provide by regulation for the exclusion from taxable receipts, amusement charges or rents of amounts representing sales where the contract of sale has been canceled, the property returned or the receipt, charge or rent has been ascertained to be uncollectible or, in case the tax has been paid upon such receipt, charge or rent, for refund or credit of the tax so paid.

C. 54:32B-13. Tax payment prerequisite to registration.

13. Tax payment prerequisite to registration.—(a) The Director of the Division of Motor Vehicles in the State Department of Law and Public Safety shall not issue a registration certificate for any motor vehicle, except in the case of a renewal of registration by the same owner, except upon proof, in a form approved by the Director of the Division of Taxation and the Director of the Division of Motor Vehicles, that any tax imposed by section 3 or section 6 of this act with respect to the sale of the motor vehicle to the registrant or his use thereof has been paid, or that no such tax is due.

(b) The Commissionor of the Department of Conservation and Economic Development shall not issue a registration certificate or an exempt certificate for any boat or vessel subject to registration under the New Jersey Boat Act of 1962 (c. 73, laws of 1962, and all amendments thereto) except in the case of a renewal of registration by the same owner, except upon proof, in a form approved by the Director of the Division of Taxation and the Commissioner of the Department of Conservation and Economic Development, that any tax imposed by section 3 or section 6 of this act with respect to the sale of the boat or vessel to the registrant or his use thereof has been paid, or that no such tax is due.

C. 54:32B-14. Liability for the tax.

14. Liability for the tax.—(a) Every person required to collect any tax imposed by this act shall be personally liable for the tax imposed, collected or required to be collected under this act. Any such person shall have the same right in respect to collecting the tax from his customer or in respect to nonpayment of the tax by the customer as if the

tax were a part of the purchase price of the property or service, amusement charge or rent, as the case may be, and payable at the same time; provided, however, that the director shall be joined as a party in any action or proceeding brought to collect the tax.

(b) Where any customer has failed to pay a tax imposed by this act to the person required to collect the same, then in addition to all other rights, obligations and remedies provided, such tax shall be payable by the customer directly to the director and it shall be the duty of the customer to file a return with the director and to pay the tax to him within 20 days of the date the tax was required to be paid.

(c) The director may, whenever he deems it necessary for the proper enforecement of this act, provide by regulation that customers shall file returns and pay directly to the director any tax herein imposed, at such times as returns are required to be filed and payment over made by persons required to collect the tax.

(d) No person required to collect any tax imposed by this act shall advertise or hold out to the public in any manner, directly or indirectly, that the tax is not considered as an element in the price, amusement charge or rent payable by customers.

C. 54:32B-15. Registration.

15. Registration.—(a) On or before June 20, 1966, or in the case of persons commencing business or opening new places of business after such date, within 3 days after such commencement or opening, every person required to collect any tax imposed by this act and every person purchasing tangible personal property for resale shall file with the director a certificate of registration in a form prescribed by him. The director shall within 5 days after such registration issue, without charge, to each registrant a certificate of authority empowering him to collect the tax and a duplicate thereof for each additional place of business of such registrant. Each certificate or duplicate shall state the place of business to which it is applicable. Such certificate of authority shall be prominently dis-

played in the place of business of the registrant. A registrant who has no regular place of doing business shall attach such certificate to his cart, stand, truck or other merchandising device. Such certificates shall be nonassignable and nontransferable and shall be surrendered to the director immediately upon the registrant's ceasing to do business at the place named.

(b) Any person who is not otherwise required to collect any tax imposed by this act and who makes sales to persons within the State of tangible personal property or services, the use of which is subject to tax under this act, may if he so elects file a certificate of registration with the director who may, in his discretion and subject to such conditions as he may impose, issue to him a certificate of authority to collect the compensating use tax imposed by this act.

C. 54:32B-16. Records to be kept.

16. Records to be kept.—Every person required to collect any tax imposed by this act shall keep records of every sale or amusement charge or occupancy and of all amounts paid, charged or due thereon and of the tax payable thereon, in such form as the director may by regulation require. Such records shall include a true copy of each sales slip, invoice, receipt, statement or memorandum upon which subsection (a) of section 12 requires that the tax be stated separately. Such records shall be available for inspection and examination at any time upon demand by the director or his duly authorized agent or employee and shall be preserved for a period of 3 years, except that the director may consent to their destruction within that period or may require that they be kept longer.

C. 54:32B-17. Returns.

17. Returns.—(a) Every person required to collect or pay tax under this act shall on or before August 20, 1966, and on or before the twentieth day of each month thereafter, make and file a return for the preceding month with the director. The return of a vendor of tangible personal property or services shall show his receipts from sales and also the aggregate value of tangible personal property and

services sold by him, the use of which is subject to tax under this act, and the amount of taxes required to be collected with respect to such sales and use. The return of a recipient of amusement charges shall show all such charges and the amount of tax thereon, and the return of a person required to collect tax on rents shall show all rents received or charged and the amount of tax thereon.

(b) The director may permit or require returns to be made covering other periods and upon such dates as he may specify. In prescribing such other periods, the director may take into account the dollar volume of tax involved as well as the need for insuring the prompt and orderly collection of the taxes imposed.

(c) The form of returns shall be prescribed by the director and shall contain such information as he may deem necessary for the proper administration of this act. The director may require amended returns to be filed within 20 days after notice and to contain the information specified in the notice.

C. 54:32B-18. Payment of tax.

18. Payment of tax.—Every person required to file a return under this act shall, at the time of filing such return, pay to the director the taxes imposed by this act as well as all other moneys collected by such person acting or purporting to act under the provisions of this act. All the taxes for the period for which a return is required to be filed shall be due and payable to the director on the date limited for the filing of the return for such period, without regard to whether a return is filed or whether the return which is filed correctly shows the amount of receipts, amusement charges or rents or the value of property or services sold or purchased or the taxes due thereon. Where the director, in his discretion, deems it necessary to protect the revenues to be obtained under this act, he may require any person required to collect the tax imposed by this act to file with him a bond, issued by a surety company authorized to transact business in this State and approved by the Commissioner of Insurance of this State as to solvency and responsibility, in such

amount as the director may fix, to secure the payment of any tax or penalties or interest due or which may become due from such person under this act. In the event that the director determines that a vendor is to file such bond, he shall give notice to him to that effect, specifying the amount of the bond required. Such person shall file such bond within 5 days after the giving of such notice unless within such 5 days he shall request in writing a hearing before the director at which the necessity, propriety and amount of the bond shall be determined by the director. Such determination shall be final and shall be complied with within 15 days after the giving of notice thereof. In lieu of such bond, securities approved by the director or cash in such amount as he may prescribe, may be deposited, which shall be kept in the custody of the director which may at any time without notice to the depositor apply them to any tax or interest or penalties due, and for that purpose the securities may be sold by him at public or private sale without notice to the depositor thereof.

C. 54:32B-19. Determination of tax.

19. Determination of tax.—If a return required by this act is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the director from such information as may be available. If necessary, the tax may be estimated on the basis of external indices, such as stock on hand, purchases, rental paid, number of rooms, location, scale of rents or charges, comparable rents or charges, type of accommodations and service, number of employees or other factors. Notice of such determination shall be given to the person liable for the collection or payment of the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within 90 days after giving of notice of such determination, shall apply to the director for a hearing, or unless the director of his own motion shall redetermine the same. After such hearing the director shall give notice of his determination to the person against whom the tax is assessed.

C. 54:32B-20. Refunds.

20. Refunds.—(a) In the manner provided in this section the director shall refund or credit any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the director for such refund shall be made within 2 years from the payment thereof. Such application may be made by a customer who has actually paid the tax. Such application may also be made by a person required to collect the tax, who has collected and paid over such tax to the director, provided that the application is made within 2 years of the payment to him by the customer, but no actual refund of moneys shall be made to such person until he shall first establish to the satisfaction of the director, under such regulations as he may prescribe, that he has repaid to the customer the amount for which the application for refund is made. The director may, in lieu of any refund, allow credit on payments due from the applicant.

(b) A person shall not be entitled to a revision, refund or credit under this section of a tax, interest or penalty which had been determined to be due pursuant to the provisions of section 19 where he has had a hearing or an opportunity for a hearing as provided in said section or has failed to avail himself of the remedies therein provided. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the director made pursuant to section 19 unless it be found that such determination was erroneous, illegal or unconstitutional or otherwise improper, pursuant to law, in which event refund or credit shall be made of the tax, interest or penalty found to have been overpaid.

C. 54:32B-21. Review of director's decision.

21. Review of director's decision.—(a) Appeal to Division of Tax Appeals. Any aggrieved taxpayer may, within 3 months after any decision, order, finding, assessment or action of the Director of Taxation made pursuant to the provisions of this act, appeal therefrom to the Division of Tax Appeals, by filing a petition of appeal with said Division of Tax Appeals in the manner and form

prescribed by the said Division of Tax Appeals and on giving security, approved by the Director of Taxation, conditioned to pay the tax heretofore levied, if the same remains unpaid, with interest and costs, as set forth in subsection (c) hereof.

(b) Appeal exclusive remedy of taxpayer.—The appeal provided by this section shall be the exclusive remedy available to any taxpayer for review of a decision of the director in respect of the determination of the liability of the taxpayer for the taxes imposed by this act.

(c) Assessment pending review; review bond.—Irrespective of any restrictions on the assessment and collection of deficiencies, the director may assess a deficiency after the expiration of the period specified in subsection (a), notwithstanding that a petition of appeal in respect of such deficiency has been duly made by the taxpayer, unless the taxpayer, at or before the time his petition of appeal is made, has paid the deficiency, has deposited with the director the amount of the deficiency, or has filed with the director a bond (which may be a jeopardy bond) in the amount of the portion of the deficiency (including interest and other amounts) in respect of which the petition of appeal is made and all costs and charges which may accrue against him in the prosecution of the proceeding, including costs of all appeals, and with surety approved by the Division of Tax Appeals, conditioned upon the payment of the deficiency (including interest and other amounts) as finally determined and such costs and charges. If as a result of a waiver of the restrictions on the assessment and collection of a deficiency any part of the amount determined by the director is paid after the filing of the appeal bond, such bond shall, at the request of the taxpayer, be proportionately reduced.

C. 54:32B-22. Proceedings to recover tax.

22. Proceedings to recover tax.—(a) Whenever any person required to collect tax shall fail to collect or pay over any tax, penalty or interest imposed by this act as therein provided, or whenever any customer shall fail to pay any such tax, penalty or

interest, the Attorney General shall, upon the request of the director, bring or cause to be brought an action to enforce the payment of the same on behalf of the State of New Jersey in any court of the State of New Jersey or of any other State or of the United States.

(b) As an additional or alternate remedy, the director may issue a warrant, directed to the sheriff of any county commanding him to levy upon and sell the real and personal property of any person liable for the tax, which may be found within his county, for the payment of the amount thereof, with any penalties and interest, and the cost of executing the warrant, and to return such warrant to the director and to pay to him the money collected by virtue thereof within 60 days after the receipt of such warrant. The sheriff shall within 5 days after the receipt of the warrant file with the county clerk a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real and personal property of the person against whom the warrant is issued. The sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property upon judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the director a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Division of Taxation, and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the director may from

time to time issue now warrants and shall also have the same remedies to enforce the amount due thereunder as if the State had recovered judgment therefor and execution thereon had been returned unsatisfied.

(c) Whenever a person required to collect tax shall make a sale, transfer, or assignment in bulk of any part or the whole of his business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least 10 days before taking possession of the subject of said sale, transfer or assignment, or paying therefor, notify the director by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferrer or assignor, has represented to, or informed the purchaser, transferee or assignee that he owes any tax pursuant to this act, and whether or not the purchaser, transferee, or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

Whenever the purchaser, transferee or assignee shall fail to give notice to the director as required by the preceding paragraph, or whenever the director shall inform the purchaser, transferee or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferrer or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferrer or assignor to the State, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferrer or assignor any such sums of money, property or choses in action to the extent of the amount of the State's claim. For failure to comply with the provisions of this section the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of the uniform commercial code, Title 12A of the Revised

Statutes of New Jersey, shall be personally liable for the payment to the State of any such taxes theretofore or thereafter determined to be due to the State from the seller, transferrer or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this act.

C. 54:32B-23. Actions for collection of tax.

23. Actions for collection of tax.—(a) At the request of the Division of Taxation, the Attorney General may bring suit, in the name of this State, in the appropriate court of any other State to collect any tax legally due this State under this act.

(b) The courts of this State shall recognize and enforce liabilities for taxes lawfully imposed by any other State, upon sales and use taxes, which extends a like comity to this State, and the duly authorized officer of any such State may sue for the collection of such a tax in the courts of this State. A certificate by the Secretary of State of such other State that an officer suing for the collection of such a tax is duly authorized to collect the same shall be conclusive proof of such authority.

(c) For the purposes of this section, the words "tax" and "taxes" shall include interest and penalties due under this act, and liability for such interest or penalties or both, due under a taxing statute of another State shall be recognized and enforced by the courts of this State to the same extent that the laws of such other State permit the enforcement in its courts of liability for such interest or penalties or both, due under this act.

C. 54:32B-24. General powers of the director.

24. General powers of the director.—In addition to the powers granted to the director in this act, he is hereby authorized and empowered:

1. To make, adopt and amend rules and regulations appropriate to the carrying out of this act and the purposes thereof;

2. To extend, for cause shown by general regulation or individual authorization, the time of filing any return for a period not exceeding 3 months on such terms and conditions as he may require; and

for cause shown, to remit penalties but not interest computed at the rate of 6% per annum;

3. To delegate his functions hereunder to any officer or employee of his division such of his powers as he may deem necessary to carry out efficiently the provisions of this act, and the person or persons to whom such power has been delegated shall possess and may exercise all of the power and perform all of the duties herein conferred and imposed upon the director;

4. To prescribe methods for determining the amount of receipts, amusement charges, or rents and for determining which of them are taxable and which are nontaxable;

5. To require any person required to collect tax to keep detailed records of all receipts, amusement charges, or rents received, charged or accrued, including those claimed to be nontaxable, and also of the nature, type, value and amount of all purchases, sales, services rendered, admissions, occupancies, names and addresses of customers, and other facts relevant in determining the amount of tax due and to furnish such information upon request to the director;

6. To assess, determine, revise and readjust the taxes imposed by this act;

7. To publish and maintain, as he deems necessary, lists of specific items of tangible personal property which are found to be foods and drugs exempt from tax under section 8.

C. 54:32B-25. Reference to tax.

25. Reference to tax.—Whenever reference is made in placards or advertisements or in any other publications to any tax imposed by this act, such reference shall be in substantially the following form: "sales and use tax"; except that in any bill, receipt, statement or other evidence or memorandum of sale, services rendered, amusement charges, rent or occupancy, issued or employed by a person required to collect tax, if the tax is required to be stated separately thereon as provided in subsection (a) of section 12, the word "tax" will suffice.

C. 54:32B-26. Penalties and interest.

26. Penalties and interest.—(a) Any person failing to file a return or to pay or pay over any tax to the director within the time required by this act shall be subject to a penalty of 5% of the amount of tax due; plus interest at the rate of 1% of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due; but the director if satisfied that the delay was excusable, may remit all or any part of such penalty, but not interest at the rate of 6% per year. Unpaid penalties and interest may be determined, assessed, collected and enforced in the same manner as the tax imposed by this act.

(b) Any person failing to file a return required by this act, or filing or causing to be filed, or making or causing to be made, or giving or causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this act, which is willfully false, or willfully failing to file a bond required by this act, or failing to file a registration certificate and such data in connection therewith as the director by regulation or otherwise may require, or to display or surrender a certicate of authority as required by this act, or assigning or transferring such certificate of authority, or willfully failing to charge separately the tax herein imposed or to state such tax separately on any bill, statement, memorandum or receipt issued or employed by him upon which the tax is required to be stated separately as provided in subsection (a) of section 12 or willfully failing to collect the tax from a customer, who shall refer or cause reference to be made to this tax in a form or manner other than that required by this act, or failing to keep any records required by this act, shall, in addition to any other penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than $1,000.00 or imprisonment for not more than 1 year, or both such fine and imprisonment.

(c) The certificate of the director to the effect that a tax has not been paid, that a return, bond or registration certificate has not been filed, or that

information has not been supplied pursuant to the provisions of this act shall be presumptive evidence thereof.

C. 54:32B-27. Notices and limitations of time.

27. Notices and limitations of time.—(a) Any notice authorized or required under the provisions of this act may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this act or in any application made by him or, if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined according to the provisions of this act by the giving of notice shall commence to run from the date of mailing of such notice.

(b) The provisions of law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the State or the director to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this act. However, except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than 3 years from the date of the filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

(c) Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period. If a taxpayer has consented in writing to the extension of the period for assessment, the period for filing an application for credit or refund

pursuant to section 20 shall not expire prior to 6 months after the expiration of the period within which an assessment may be made pursuant to the consent to extend the time for assessment of additional tax.

C. 54:32B-28. Uniform act.

28. Uniform act.—The taxes imposed by this act shall be governed in all respects by the provisions of the State Tax Uniform Procedure Law (subtitle 9 of Title 54 of the Revised Statutes) except only to the extent that a specific provision of this act may be in conflict therewith.

C. 54:32B-29. Severability clause.

29. Severability clause.—If any provision of this act, or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or other provisions of the act, which reasonably can be given effect despite the invalidity.

Appropriation $2,500.00.

30. Appropriation.—There is hereby appropriated to the Division of Taxation in the Department of the Treasury the sum of $2,500,000.00 or so much thereof as shall be required to carry out the provisions of this act from the effective date hereof through the period ending June 30, 1967.

Note: Effective date.

31. Effective date.—This act shall take effect immediately and, except as may be otherwise provided in this act, shall be applicable with respect to sales and services of tangible personal property and the use, storage or consumption of such property on and after July 1, 1966.

Approved April 27, 1966.

CHAPTER 31

AN ACT concerning State aid to education, amending and supplementing the "State School Aid Act of 1954," approved June 20, 1954 (P. L. 1954, c. 85), and amending and supplementing the "School Building Aid Act," approved March 20, 1956 (P. L. 1956, c. 8), and repealing section 9 thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of P. L. 1954, chapter 85 is amended to read as follows:

Section amended.

2. For the purposes of this act, unless the context clearly requires a different meaning:

C. 18:10-29.31. Definitions.

"Resident enrollment" shall mean the number of full-time pupils who are residents of the district and are enrolled in day schools on the last day of September during the school year in which calculation of aid is made and are attending the public schools of the district or a school district or State teachers college demonstration school to which the district of residence pays tuition; provided, that no district shall count in its enrollment any pupil regularly attending on a full-time basis a county vocational school in the same county.

"Approved special class" shall mean a class for physically handicapped or mentally retarded children, and all other classes for atypical pupils approved by the Commissioner of Education.

"Atypical pupils" shall mean pupils who are physically handicapped or mentally retarded and who are not accommodated through the school facilities usually provided for normal pupils.

"Evening school pupils" shall mean pupils enrolled in evening schools, except in classes for foreign-born residents, or in vocational schools, or in schools known as adult schools.

"School district" shall mean a district organized or operating under chapters 6, 7 or 8 of Title 18 of the Revised Statutes.

"State aid" shall mean the sum of equalization aid, minimum aid, transportation reimbursement, and supplementary aid for special classes and atypical pupils, county aid and county vocational school aid, as determined pursuant to this act.

2. Section 3 of P. L. 1954, chapter 85 is amended to read as follows:

Section amended.

3. The foundation program for each school district in each school year shall be $400.00 per pupil in resident enrollment. For this purpose:

C. 18:10-29.32. Foundation program.

(a) Pupils shall be counted as in enrollment who are residents of the district and are regularly attending the public schools of the district or of a school district or State teachers college demonstration school to which the district of residence pays tuition;

(b) All atypical pupils shall be counted in the same manner as normal pupils;

(c) The enrollment of pupils in evening schools and part-time day schools shall be equated to a full-time day school enrollment pursuant to rules promulgated by the Commissioner of Education with the approval of the State Board of Education;

(d) Pupils in regional school districts and their respective component districts shall be counted according to the rule prescribed in subsection (a) hereof.

(e) Notwithstanding the foregoing, no district shall count in its enrollment any pupil regularly attending on a full-time basis a county vocational school in the same county, regardless of whether or not tuition is paid for such pupils, but such pupils shall be counted in the determination of State aid to the county vocational schools.

Section amended.

3. Section 4 of P. L. 1954, chapter 85 is amended to read as follows:

C. 18:10-29.33. Local fair share.

4. (a) The local fair share of the foundation school program shall be determined for each school district for each year as a sum equal to $10\frac{1}{2}$ mills per dollar upon the equalized valuation of the taxing district or districts within the school district, as certified by the Director of the State Division of Taxation for the year in which the calculation is made.

(b) With respect to regional school districts and their component districts, however, the equalized valuations as certified by the Director of Taxation shall be allocated among the regional district and its component districts in proportion to the number of pupils in each of them as determined for the foundation program. That part of the local fair share of a regional district and of a consolidated

school district measured by property valuations shall be determined at the rate of 8½ mills per dollar of such allocated valuation during the first 5 years that the regional school or consolidated school district is in operation and at the rate of 9½ mills per dollar during the second 5 years that the regional school or consolidated school district is in operation, and thereafter at the full 10½ mills with respect to any regional school district or consolidated school district heretofore or hereafter established.

(c) In the event that the equalization table certified by the Director of the Division of Taxation shall be revised by the Division of Tax Appeals on or before January 15, the local fair share of any district affected thereby shall be recomputed accordingly and any determination or certification of State aid previously made pursuant to this act shall be amended to conform therewith.

(d) With respect to any school district in which there are pupils whose parents live and work on Federal property and for which the district has an entitlement under subsection 3 (a) of Title I of P. L. 874, as amended by Title I of P. L. 89-10, the commissioner shall adjust the equalized full valuation of the taxing district by adding thereto the equalized valuation per pupil for each such 3 (a) pupil. The equalized valuation per pupil shall be determined without such 3 (a) pupils.

4. Section 5 of P. L. 1954, chapter 85 is amended to read as follows: Section amended.

5. Equalization aid shall be paid to each district in the amount of the excess of the foundation program over the local fair share; provided that each district shall be paid not less than $75.00 per pupil. C. 18:10-29.34. Equalization and minimum aids.

5. Section 6 of P. L. 1954, chapter 85 is amended to read as follows: Section amended.

6. (a) In addition to all other aid, each school district or State college operating an approved special class or classes shall be paid $2,000.00 per class for such classes, and each school district sending atypical children to special classes outside the district of residence shall be paid ½ the amount by C. 18:10-29.35. Atypical pupils.

which the tuition charged for such pupils exceeds $400.00.

(b) For every mentally retarded or physically handicapped pupil furnished individual instruction or training at home or in school, by reason of the fact that there are too few mentally retarded or physically handicapped pupils in the district to form a class or by reason of the impracticability of transporting such a pupil to a class maintained in another district, the school district shall be paid ½ the cost of such education as determined by the Commissioner of Education.

(c) In a municipality having a population of more than 100,000 inhabitants according to latest Federal Census, the school district shall receive in addition to all other aid an apportionment of $27.00 per resident pupil.

(d) In any district in which the Commissioner of Education shall adjust the equalized full valuation of the taxing district because of pupils living on Federal property, a calculation of the per pupil equalization or minimum aid shall be made separately for the Federally connected pupils and for all other pupils within the district. The district shall receive additional State aid for each pupil living on Federal property in the amount that the per pupil aid apportioned for the education of such Federally connected pupils from these State aid calculations plus the Federal apportionment is less than the per pupil aid available for the education of all other pupils in the district from State aid and local school taxes raised for current expenses. The commissioner in his determination of the additional per pupil aid shall use the latest official statistics then available concerning State and Federal apportionments and local school taxes.

Section amended.

6. Section 10 of P. L. 1954, chapter 85 is amended to read as follows:

C. 18:10-29.39. Limitations.

10. (a) Wherever as shown by the annual financial report filed by any school district the amount expended for current expenses excluding transportation is less than $400.00 per pupil in resident

enrollment during the school year for which the State aid is payable, the foundation program for the year then under calculation shall be the per pupil expenditure for current expenses excluding transportation as shown by the annual financial report filed with the Commissioner of Education. For the purposes of this section the amount per pupil provided for current expense by a component district of a regional high school district shall be deemed to include the component's share of the regional school district's expenditures and pupils.

7. Section 13 of P. L. 1954, chapter 85 is amended to read as follows: Section amended.

13. On or before November 15 in each year, the commissioner shall estimate the amount necessary to be appropriated to carry out the provisions of this act for the succeeding school year and shall determine for budget purposes the amounts estimated to be payable to each of the counties and districts under this act for such succeeding school year. C. 18:10-29.42. Determination of appropriation.

8. Section 14 of P. L. 1954, chapter 85 is amended to read as follows: Section amended.

14. The sums payable as State aid to the school districts and county vocational schools shall be payable in each school year, ¼ on October 1, ¼ on December 1, ¼ on March 1, ¼ on May 1. Payments shall be made by the State Treasurer to each board of education upon certificate of the Commissioner of Education and warrant of the Director of the Division of Budget and Accounting. C. 18:10-29.43. Payment of State aid.

9. Section 8 of P. L. 1954, chapter 85 is amended to read as follows: Section amended.

8. Each county vocational school board operating a full-time day school program shall be paid the higher of either the sum of $100.00 per pupil or the average per pupil equalization aid payable to the districts within the county. The Commissioner of Education, with the approval of the State Board of Education shall promulgate rules for the counting of pupils in resident enrollment on a full-time day school basis in the county vocational schools. C. 18:10-29.37. County vocational schools.

Section amended.

10. Section 2 of P. L. 1956, chapter 8 is amended to read as follows:

C. 18:10-29.50. Definitions.

2. For the purposes of this act, unless the context clearly requires a different meaning:

"Resident enrollment" shall mean the number of full-time pupils who are residents of the district and are enrolled in day schools on the last day of September during the school year in which calculation of aid is made and are attending the public schools of the district or a school district or State teachers college demonstration school to which the district of residence pays tuition; provided that no district shall count in its enrollment any pupil regularly attending on a full-time basis a county vocational school in the same county.

"Building aid allowance" shall mean a school district's annual building aid allowance as computed and determined pursuant to this act.

"Capital reserve fund" shall mean a fund by that designation established by the State Treasurer for each school district which elects to appropriate moneys into such fund pursuant to this act. The State Treasurer shall not be required to segregate the fund for each such school district, provided however that each district's share shall be shown separately in the records of the State Treasurer.

"Commissioner" shall mean the State Commissioner of Education.

"School district" shall mean a district organized or operating under chapters 6, 7 or 8, of Title 18 of the Revised Statutes.

Section amended.

11. Section 4 of P. L. 1956, chapter 8 is amended to read as follows:

C. 18:10-29.52. Capital foundation programs.

4. The capital foundation program shall be computed annually for each school district as the sum of the amount appropriated by or for the school district in each school budget or in a municipal budget for purposes of (1) debt service, (2) capital outlay and (3) net addition to its capital reserve fund, but not exceeding $45.00 per pupil in resident enrollment.

12. Section 5 of P. L. 1956, chapter 8 is amended to read as follows: Section amended.

5. (a) There shall be deducted from the amount of the capital foundation program of each district a local share equal to $0.075 per $100.00 (¾ mill per $1.00) upon the equalized full valuation of the taxing district or districts within the school district, as certified by the Director of the State Division of Taxation to the commissioner, pursuant to law, for the year in which the calculation is required to be made. The remainder shall constitute the district's building aid allowance. C. 18:10-29.53. Local share.

(b) With respect to regional school districts and their component districts, however, the equalized valuations as certified by the Director of Taxation as described above shall be allocated among the regional district and its component districts in proportion to the number of pupils in each of them as determined for the foundation program.

(c) With respect to any school district in which there are pupils whose parents live and work on Federal property and for which the district has an entitlement under subsection 3 (a) of Title I of P. L. 874, as amended by Title I of P. L. 89–10, the commissioner shall adjust the equalized full valuation of the taxing district by adding thereto the equalized valuation per pupil for each such 3 (a) pupil. The equalized valuation per pupil shall be determined without such 3 (a) pupils.

13. Section 7 of P. L. 1956, chapter 8 is amended to read as follows: Section amended.

7. A school district may on November 1 or May 1 in any school year draw against its capital reserve fund, up to the amount of the balance therein, to the extent that such withdrawal is anticipated as a revenue in the school budget for the then current school year or may be applied to a capital purpose authorized by ordinance or by vote of the electors of the school district; provided, that such budget anticipation and withdrawal may not be greater than the amount by which capital outlay and debt service in such year exceeds State school building C. 18:10-29.55. Withdrawal from reserve funds.

aid applicable thereto. Such withdrawal shall be paid by the State Treasurer to the board of education upon application duly made to the commissioner and upon his certification and the warrant of the Director of the Division of Budget and Accounting.

Section amended.

14. Section 10 of P. L. 1956, chapter 8 is amended to read as follows:

C. 18:10-29.58. Determination of capital aid.

10. On or before November 15 in each year, the commissioner shall determine the maximum building aid allowance available to each school district and estimate the amount necessary to be appropriated by the State to carry out the provisions of this act, for the succeeding school year. The commissioner shall make such determination and estimate upon the basis of resident enrollment of the district, and a local fair share determined for the current calendar year. He shall promptly certify to each school district the maximum building aid allowance so determined, and the school district may include the amount so certified in its next ensuing school budget subject to the provisions of section 11 hereof.

Section amended.

15. Section 11 of P. L. 1956, chapter 8 is amended to read as follows:

C. 18:10-29.59. Payment of capital aid; application of sums received.

11. Each school district or municipality, as the case may be, may anticipate as a revenue separately stated in its budget as applicable to the capital foundation program defined in section 4 hereof, the lesser of the following sums:

(a) The sum of debt service, capital outlay and net addition to its capital reserve fund, appropriated by or for the school district in its budget or in a municipal budget, as the case may be, for such year, less the local fair share as certified by the commissioner; and

(b) The maximum building aid allowance available to the district as certified by the commissioner, less any amounts withheld by the State Treasurer pursuant to section 6 hereof.

The sum so anticipated, subject to audit by the commissioner, shall be payable as school building aid pursuant to this act and required to be set aside

and reserved by the State Treasurer pursuant hereto respectively, and shall be paid and reserved, as the case may be, in each school year, ½ on November 1 and ½ on May 1. Payments shall be made, by the State Treasurer to each board of education, and reserve funds set aside, upon certification of the Commissioner of Education and warrant of the Director of the Division of Budget and Accounting. In the case of school districts operating under chapter 6 of Title 18 of the Revised Statutes any payment of building aid allowance or withdrawal from a reserve fund shall be remitted to the chief financial officer of the municipality in which such district is located or the custodian of school moneys.

All sums so received by or set aside for a board of education or municipality shall be applied as follows: first, to debt service on bonds issued by such board of education or municipality for school purposes; secondly, to capital outlay for school purposes; and lastly, to addition to the capital reserve fund of such school district.

16. Section 9 of P. L. 1956, chapter 8 (N. J. S. A. 18:10–29.57) is hereby repealed. Section repealed.

17. (a) Each school district shall be paid State aid under this act for the school year 1966-67 using resident enrollments and equalized valuation of the taxing district or districts within the school district. The commissioner shall certify to each county board of taxation ⅔ of the amount by which the aid so determined for each school district in the county exceeds the aid actually anticipated in the budget for the school district adopted for the school year 1966-67. The county board of taxation shall reduce the amount required for school purposes previously certified to the said county board of taxation for the purposes of the 1966 county table of aggregates by the amount so certified by the commissioner. The county board of taxation will recalculate and reduce the respective municipal tax rates accordingly. Any additional amount of aid under this act which is not C.18:10-29.57

used for tax reduction under this section shall be credited to the current expense fund of the school district.

(b) Each school district in which the amount of the local tax levy for school purposes is less than the amount of the additional aid provided for this act for the school year 1966-67 shall be paid the aid determined under the State School Aid Act of 1954 as amended (P. L. 1954, c. 85) and the State School Building Aid Act of 1956 as amended (P. L. 1956, c. 8).

18. This act shall take effect immediately.

Approved April 27, 1966.

CHAPTER 32

AN ACT creating a commission to be known as the "State Aid to School Districts Study Commission," to study the distribution of State aid to school districts, to provide for reports and recommendations by said commission to the Governor and the Legislature, and making an appropriation for the expenses thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Creation of State Aid to School Districts Study Commission.

1. There is hereby created a commission to be known as the "State Aid to School Districts Study Commission." The commission shall consist of 12 members, 4 to be appointed by the President of the Senate, 4 to be appointed by the Speaker of the General Assembly and 4 to be appointed by the Governor from among the citizens of the State. No more than 2 of each group of 4 shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

2. All members of the commission shall serve without compensation but they shall be entitled to be reimbursed for all necessary expenses incurred in the performance of their duties.

3. The commission shall select from among its members a chairman and a vice-chairman and also shall select a secretary who need not be a member of the commission.

4. The commission is authorized, empowered and directed to study the present distribution of State aid to the school districts of this State and to develop and recommend a method or formula for the distribution of all State aid payable to school districts in the future.

5. The commission shall report to the Governor and the Legislature on or before December 31, 1966, setting forth the results of its study and may include therewith recommendations for legislative enactment.

6. The commission shall be entitled to accept the assistance and services of such employees of any State, county and municipal department, board, bureau, commission or agency as may be made available to it, particularly the personnel of the Department of Education, and the commission may employ such legal, stenographic, technical and clerical assistance and incur such traveling and necessary expenses as may be necessary in order to perform its duties and as may be within the limits of appropriations to it or otherwise made available to it for its purposes.

7. There is hereby appropriated to the commission the sum of $10,000.00 to carry out the purposes of this act.

8. This act shall take effect immediately.

Approved April 27, 1966.

CHAPTER 33, P. L. 1966

AN ACT making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1967, and regulating the disbursement thereof.

ANTICIPATED RESOURCES FOR THE FISCAL YEAR 1966-67

Surplus

Anticipated revenues.

Estimated balance, July 1, 1966	$40,757,776

Major Tax and Fee Revenues

Transfer inheritance tax	$51,000,000
Railroad taxes—franchise	400,000
Miscellaneous corporation tax—domestic and foreign	87,500,000
Domestic life insurance corporation tax	1,100,000
Foreign insurance corporation tax ..	29,000,000
Alcoholic beverage tax	34,000,000
Cigarette tax	80,000,000
Pari-mutuel tax	29,000,000
Motor fuels tax	152,000,000
Motor vehicle fees, et cetera	100,000,000
Motor carriers road tax	1,500,000
Motor vehicle security-responsibility law administration	1,066,992
Public utility surtax	15,000,000
State sales tax	182,500,000
Emergency transportation tax	8,500,000

Other Tax, License, Fee and Departmental Revenues

Department of Law and Public Safety:	
Bureau of Securities—license fees	215,000
Beverage licenses	949,470
Amusement games control fees	66,000
Professional examining boards fees	732,038
Beauty Culture Control licenses	346,000
Division of State Police—miscellaneous receipts	60,000
Tenement house supervision	83,300
Hotel Fire Safety inspection fees	42,000
Division of Motor Vehicles—miscellaneous receipts	10,000
Division of Weights and Measures	36,000
Bus excise tax	250,000
Department of the Treasury:	
Investment earnings	3,000,000
Interest on deposits	350,000
Escheats, personal property (14-year law)	100,000
Outdoor advertising permits and fees	130,000
Dividends	18,870
Division of Local Government	98,000
Public utility tax administration	40,000
Pensions and social security administration	475,000
Pension contributions from special fund sources	2,325,000
Social security contributions from special fund sources	700,000
Rutgers, The State University—employer contributions reimbursement	205,000
Federal aid: Unemployment Benefits Section—Treasury Department	83,293
Health benefits contributions from special fund sources	450,000
Rent of State building space	148,171

Department of State:	
General revenue—fees	2,300,000
Uniform commercial codes—fees	149,000
Commissions	108,000
Office of Athletic Commissioner	30,000
Department of Banking and Insurance:	
Examining and other fees	2,875,000
Real Estate Commission	480,000
Department of Agriculture:	
General fees	50,700
Milk Control licenses and fees	361,000
Fertilizer inspection and other fees	120,000
Department of Defense:	
Armory rentals	75,000
Federal aid: general	240,000
Federal aid: Civil Defense	220,000
Department of Public Utilities:	
General revenue—fees	330,000
Department of Health:	
General fees	227,000
Rabies Control licenses	142,268
Board of Barber Examiners—licenses and fees	107,000
Department of Labor and Industry:	
General revenues, licenses, fees, et cetera	500,000
One Per Cent Workmen's Compensation insurance tax	33,499
One Per Cent Workmen's Compensation administration tax	50,000
Federal aid: Vocational rehabilitation	5,416,728
Federal aid: Statistical services	36,027
Department of Conservation and Economic Development:	
Hunters' and Anglers' licenses	1,770,000
Federal aid: Public Hunting and Fishing Grounds	120,000
Division of Planning and Development—general revenue, licenses, fees, et cetera	650,000

Bureau of Navigation—Motor Boat Numbering Act	250,000
Bureau of Navigation—other fees	186,000
Bureau of Forestry	20,000
Bureau of Aviation	60,000
Federal aid: forest nursery and farm forestry	211,000
Pilot Commissioners Receipts	22,125
Excess water diversion fees	300,000
Well drillers' licenses and permits	16,000
Delaware and Raritan Canal—rentals and sales	437,000
Division of Shell Fisheries—licenses and fees	76,000
Morris Canal fund receipts	65,111
Department of Education:	
Academic certificate fees	46,500
State Board of Examiners—fees	113,500
State Museum—service charges	5,000
Federal aid: Smith-Hughes, George-Barden funds	325,000
State Colleges—	
Glassboro:	
Tuition—regular	472,500
Demonstration school	94,814
Miscellaneous	14,000
Cafeteria and boarding halls fees	858,956
Summer, extension, field, graduate fees	608,000
Other student fees	90,000
Jersey City:	
Tuition—regular	342,300
Miscellaneous	6,300
Cafeteria and boarding halls fees	91,500
Summer, extension, field, graduate fees	650,000
Other student fees	63,358

Newark:	
Tuition—regular	435,000
Demonstration school	115,267
Miscellaneous	10,000
Cafeteria and boarding halls fees	175,052
Summer, extension, field, graduate fees	700,000
Other student fees	90,100
Paterson:	
Tuition—regular	393,600
Laboratory school	61,500
Cafeteria and boarding halls fees	201,900
Summer, extension, field, graduate fees	410,000
Miscellaneous	9,220
Other student fees	73,400
Montclair:	
Tuition—regular	600,000
Miscellaneous	19,000
Cafeteria and boarding halls fees	575,300
Summer, extension, field, graduate fees	325,000
Home Economics program (Federal)	10,500
Other student fees	111,820
Trenton:	
Tuition—regular	484,200
Miscellaneous	8,000
Cafeteria and boarding halls fees	1,019,600
Summer, extension, field, graduate fees	573,000
Other student fees	94,332
School for the Deaf—board and fees	16,000
School of Conservation—tuition and fees	209,095

Agricultural Experiment Station—fees	60,000
State Highway Department:	
Miscellaneous receipts	100,000
Department of Institutions and Agencies:	
Board of patients and other income	28,000,000
Adoption law fees	95,000
Federal aid: soldiers' homes	320,000
Federal aid: child welfare services	813,047
Federal aid: administration of Bureau of Assistance and central office	484,000
Federal aid: administration of blind	536,250
Federal aid: mental health services	76,873
Delaware River Joint Toll Bridge Commission:	
Pennsylvania's share	237,096
Rentals and miscellaneous income	1,401
Judiciary:	
Court fees	3,211,000
Unclassified:	
Miscellaneous revenues	300,000
Total Revenues	$846,251,873

Interfund Transfers

Unclaimed Bank Deposits Escheat Fund	$63,750
Unclaimed Life Insurance Escheat Fund	75,000
Unclaimed Personal Property Trust Fund	50,000
School Fund income	1,000,000
1837 Surplus Revenue Fund income	25,500
State Higher Education Fund	102,000
State 1964 Higher Education Fund	182,633
State 1960 Institution Construction Fund	48,000

State 1964 Institution Construction Fund	365,869
State Recreation and Conservation Land Acquisition Fund	1,434,000
Unsatisfied Claim and Judgment Fund	283,724
State Water Development Fund	113,000
State Disability Benefits Fund	2,369,379
Interest on deposits (trust funds)	121,875
Total Interfund Transfers	$6,234,730
Total Resources Available for Appropriations	$893,244,379
Less: Amounts Reserved for Special bills	*3,600,000*
Net Resources Available for Appropriations	$889,644,379

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Annual appropriations.

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and for the several purposes herein specified for the fiscal year ending on June 30, 1967. The appropriations herein made shall be available during said fiscal year and for a period of 2 months thereafter for expenditures applicable to said fiscal year. At the expiration of said 2 months' period, all unexpended balances except those specifically held by approved encumbrance requests covering detailed applications received or held by contracts on file as of June 30, 1967 with the Director, Division of Budget and Accounting shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohbit the payment due upon any contract made under any appropriation contained in any appropriation bill of the previous year or years.

GENERAL STATE PURPOSES

LEGISLATURE

001-100. *Senate*

Salaries:		
Senators (29)	$220,000	
Members' staff services	72,500	
Other employees	112,000	
		$404,500
Materials and Supplies:		
Printing and office	$114,000	
Education	4,500	
		118,500
Services Other Than Personal:		
Travel	$4,000	
Telephone	14,000	
Household and security	100	
Subscriptions and memberships	75,000	
Postage	6,000	
Other	17,500	
		116,600
Maintenance of Property:		
Recurring—		
Office equipment		175
Additions and Improvements:		
Office equipment		3,000
Total Appropriation, Senate		$642,775

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

002-100. *General Assembly*

Salaries:		
Assemblymen (60)	$452,500	
Members' staff services.	90,000	
Other employees	69,000	
		$611,500
Materials and Supplies:		
Printing and office	$138,000	
Education	7,000	
		145,000
Services Other Than Personal:		
Travel	$4,500	
Telephone	10,900	
Household and security .	200	
Subscriptions and memberships	98,000	
Postage	11,500	
Other	68,400	
		193,500
Maintenance of Property:		
Recurring—		
Office equipment		7,000
Additions and Improvements:		
Office equipment		600
Total Appropriation, General Assembly		$957,600

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Legislature	$1,600,375

003-100. LAW REVISION AND LEGISLATIVE SERVICES COMMISSION

Salaries:		
Other employees	$226,993	
New positions	56,684	
		$283,677
Materials and Supplies:		
Printing and office	$10,000	
Education	2,300	
		12,300
Services Other Than Personal:		
Travel	$12,000	
Telephone	8,000	
Household and security	100	
Legal and investigative	15,000	
Postage	2,000	
Rent—Other	2,800	
Other	200	
		40,100
Maintenance of Property:		
Recurring—		
Office equipment	$450	
Non-Recurring and Replacements—		
Office equipment	200	
		650
Additions and Improvements:		
Office equipment		500
Total Appropriation, Law Revision and Legislative Services Commission		$337,227

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

004-100. LEGISLATIVE BUDGET AND FINANCE DIRECTOR

Salaries:		
Other employees	$105,853	
New positions	24,000	
		$129,853
Materials and Supplies:		
Printing and office	$800	
Vehicular	1,500	
		2,300
Services Other Than Personal:		
Travel	$2,500	
Telephone	1,500	
Insurance	95	
Household and security	25	
Postage	300	
Rent—Other	25	
Other	1,500	
		5,945
Maintenance of Property:		
Recurring—		
Office equipment	$100	
Vehicular equipment	250	
Non-Recurring and Replacements—		
Vehicular equipment	2,600	
		2,950
Additions and Improvements:		
Office equipment		1,000
Total Appropriation, Legislative and Finance Director		$142,048

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

005-100 STATE AUDITOR'S DEPARTMENT

Salaries:		
State Auditor	$15,000	
Other employees	475,451	
		$490,451
Materials and Supplies:		
Printing and office	$1,300	
Vehicular	400	
Household and security	50	
		1,750
Services Other Than Personal:		
Travel	$30,000	
Telephone	1,755	
Insurance	45	
Subscriptions and memberships	150	
Postage	450	
		32,400
Maintenance of Property:		
Recurring—		
Office equipment		1,000
Total Appropriation, State Auditor's Department		$525,601

MISCELLANEOUS LEGISLATIVE COMMISSIONS

010-100. *Commission on Interstate Co-operation*

Salaries:	
Other employees	$600
Materials and Supplies:	
Printing and office	240

Services Other Than Personal:		
Travel	$3,900	
Telephone	50	
Postage	50	
Other	150	
		4,150
Extraordinary:		
Commitments to Interstate Agencies:		
The Council of State Governments	$24,000	
Atlantic States Marine Fisheries Commission	2,500	
National Conference of Commissioners on Uniform State Laws	2,450	
		28,950
Total Appropriation		$33,940

011-100. *Commission on State Tax Policy*

Extraordinary:	
Expenses of the Commission	$15,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

023-100. *Corporation Law Revision Commission*

Extraordinary:	
Expenses of the Commission	$5,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

024-100. *Insurance Law Revision Commission*

Extraordinary:	
Expenses of the Commission	$35,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

027-100. *State Capitol Development Commission*

Extraordinary:	
Expenses of the Commission	$5,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

028-100. *Narcotic Drug Study Commission*

Salaries:	
Other employees	$20,000
Extraordinary:	
Expenses of the Commission	10,000
Total Appropriation	$30,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

029-100. *Commission to Study Tort Liability of Counties and Municipalities*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

030-100. *Eminent Domain Revision Commission*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

031-100. *Meadowlands Development Commission*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

032-100. *Election Law Revision Commission*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

035-100. *Commission to Study the Arts in New Jersey*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

036-100. *Commission on Efficiency and Economy in State Government*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

037-100. *Constitutional Convention*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Miscellaneous Legislative Commissions	$123,940

080-100. CHIEF EXECUTIVE'S OFFICE

Salaries:		
Governor	$35,000	
Secretary to the Governor	18,000	
Other employees	174,026	
		$227,026
Materials and Supplies:		
Printing and office	$17,000	
Vehicular	4,000	
		21,000
Services Other Than Personal:		
Travel	$6,500	
Telephone	20,000	
Subscriptions and memberships	2,500	
Postage	5,000	
Other	3,000	
		37,000
Maintenance of Property:		
Recurring—		
Office equipment	$1,500	
Non-Recurring and Replacements—		
Office equipment	2,000	
		3,500
Extraordinary:		
For expenditure by the Governor of funds not otherwise appropriated, including official reception on behalf of the State, incidental expenses, and operation of an official residence	$35,000	

Governor's Annual Art Purchase Award	5,000	
To implement N. J. S. A. 52:15–8 and transfer from the Division of Law the Office of Counsel to the Governor ..	66,340	
		106,340
Total Appropriation, Chief Executive's Office		$394,866

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

DEPARTMENT OF LAW AND PUBLIC SAFETY

100-100. *Office of the Attorney General*

Salaries:		
Attorney General	$25,000	
Other employees	119,298	
		$144,298
Materials and Supplies:		
Printing and office	$700	
Household and security.	30	
		730
Services Other Than Personal:		
Travel	$4,000	
Telephone	6,000	
Subscriptions and memberships	200	
Postage	200	
Rent—Central Motor Pool	660	
Other	25	
		11,085

Maintenance of Property:		
Recurring—		
Office equipment		130
Total Appropriation, Office of the Attorney General		$156,243

There are hereby appropriated out of the Veterans' Guaranteed Loan Fund established pursuant to R. S. 38:23–B such sums as may be necessary to pay for the administration thereof.

110-100. *Division of Law*

Salaries:		
Other employees	$904,542	
New positions	33,023	
		$937,565
Materials and Supplies:		
Printing and office	$32,000	
Household and security	200	
		32,200
Services Other Than Personal:		
Travel	$19,400	
Telephone	20,500	
Household and security	600	
Advertising	100	
Subscriptions and memberships	2,700	
Legal and investigative	7,000	
Postage	9,200	
Rent—Central Motor Pool	11,460	
Rent—Other	660	
Other	100	
		71,720

Maintenance of Property:		
Recurring—		
Office equipment	$1,180	
Non-Recurring and Replacements—		
Office equipment	2,539	
		3,719
Additions and Improvements:		
Office equipment		1,360
Total Appropriation, Division of Law		$1,046,564

Expenditures for the cost of securing evidence of violations under Title 19 and assisting in the prosecution of such violations shall be paid from the appropriation hereinabove set forth, provided that such expenditures shall be subject to the approval of the Governor.

The balance as of June 30, 1966 in the revolving fund established to provide for expenses in operating R. S. 48:2–31.1 et seq., together with all receipts, be appropriated for use during 1966-67; provided, however, that any sums in excess of $50,000.00 as at the close of the fiscal year shall lapse into the general treasury.

115-100. *Division on Civil Rights*

Salaries:		
Other employees	$164,006	
New positions	16,876	
Positions established from lump sum appropriation	55,111	
		$235,993

Materials and Supplies:		
Printing and office	$12,000	
Household and security.	30	
Education	700	
		12,730
Services Other Than Personal:		
Travel	$7,900	
Telephone	6,000	
Subscriptions and memberships	150	
Legal and investigative.	10,000	
Postage	4,200	
Rent—Central Motor Pool	14,820	
Rent—Other	168	
Education	4,000	
Other	100	
		47,338
Maintenance of Property:		
Recurring—		
Office equipment	$325	
Education equipment .	400	
Non-Recurring and Replacements—		
Office equipment	291	
		1,016
Additions and Improvements:		
Office equipment	$641	
Education equipment ..	300	
		941
Total Appropriation, Division on Civil Rights		$298,018

Division of State Police

120-100. *General*

Salaries:		
Colonel and Superintendent	$18,000	
Deputy Superintendent	14,000	
Executive Officer	13,000	
Other employees	7,898,325	
New positions	317,220	
Cash in lieu of maintenance	1,371,150	
Cash in lieu of maintenance—New positions	72,216	
		$9,703,911
Materials and Supplies:		
Food	$3,000	
Fuel and utilities	76,000	
Printing and office	60,000	
Agricultural and conservation	800	
Vehicular	246,114	
Household and security	50,000	
Clothing	108,937	
Medical	7,500	
Scientific	24,000	
Education	6,000	
Other	500	
		582,851
Services Other Than Personal:		
Travel	$8,500	
Insurance	22,595	
Household and security	6,000	
Advertising	6,833	
Subscriptions and memberships	1,000	
Legal and investigative	50,000	
Postage	12,000	

Rent—Equipment, Data processing	20,126	
Rent—Other	442,715	
Medical	13,000	
Staff training	8,500	
Other	4,650	
		595,919
Maintenance of Property:		
Recurring—		
Buildings and grounds	$22,000	
Office equipment	3,000	
Vehicular equipment	81,620	
Household and security equipment	500	
Scientific equipment	1,250	
Education equipment	250	
Other equipment	1,200	
Non-Recurring and Replacements—		
Buildings and grounds	28,500	
Office equipment	47,700	
Agricultural and conservation equipment	2,100	
Vehicular equipment	353,000	
Household and security equipment	7,400	
Scientific equipment	17,000	
Education equipment	1,130	
Other equipment	500	
		567,150
Extraordinary:		
Compensation awards		40,000
Additions and Improvements:		
Buildings and grounds	$12,000	
Office equipment	9,700	
Agricultural and conservation equipment	2,300	
Vehicular equipment	62,700	

Household and security equipment	6,300	
Scientific equipment	13,750	
		106,750
Total Appropriation		$11,596,581

In addition to the amounts hereinabove specifically appropriated to the Division of State Police, there are appropriated such sums, as may be received or receivable from any instrumentality or public authority for the cost of all State Police services furnished thereto; provided, however, that payments from such authorities or instrumentalities for employer contributions to the State Police Retirement System shall be paid into the General State Fund.

121-100. *Bureau of Tenement House Supervision*

Salaries:		
Other employees		$228,063
Materials and Supplies:		
Printing and office	$2,000	
Vehicular	1,500	
Household and security	50	
Clothing	1,500	
		5,050
Services Other Than Personal:		
Travel	$15,000	
Telephone	2,500	
Insurance	130	
Subscriptions and memberships	250	
Postage	1,300	
Rent—Other	564	
		19,744

Maintenance of Property:		
Recurring—		
Office equipment	$200	
Vehicular equipment .	250	
Non-Recurring and Replacements—		
Vehicular equipment .	1,600	
		2,050
Additions and Improvements:		
Office equipment		500
Total Appropriation		$255,407
Total Appropriation, Division of State Police		$11,851,988

125-100. *Police Training Commission*

Salaries:		
Other employees	$37,939	
New positions	20,096	
		$58,035
Materials and Supplies:		
Printing and office	$1,800	
Vehicular	750	
Household and security.	25	
Education	250	
		2,825
Services Other Than Personal:		
Travel	$1,000	
Telephone	1,600	
Insurance	187	
Subscriptions and memberships	330	
Postage	600	
Rent—Other	266	
Education	2,500	
Other	100	
		6,583

Maintenance of Property:		
Recurring—		
Office equipment	$100	
Vehicular equipment .	200	
Non-Recurring and Replacements—		
Vehicular equipment .	1,700	
Education equipment.	1,000	
		3,000
Extraordinary:		
Police Administration Chair at Rutgers University		25,000
Additions and Improvements:		
Office equipment	$1,200	
Education equipment...	1,125	
		2,325
Total Appropriation, Police Training Commission		$97,768

130-100. *Division of Alcoholic Beverage Control*

Salaries:		
Director	$19,000	
Other employees	1,055,097	
		$1,074,097
Materials and Supplies:		
Food	$540	
Fuel and utilities	100	
Printing and office	11,000	
Vehicular	450	
Household and security.	300	
Medical	50	
Scientific	600	
		13,040

Services Other Than Personal:		
Travel	$108,000	
Telephone	17,100	
Insurance	1,264	
Household and security	350	
Advertising	1,200	
Subscriptions and memberships	3,200	
Legal and investigative	9,900	
Postage	9,000	
Rent—Other	294	
Other	1,000	
		151,308
Maintenance of Property:		
Recurring—		
Buildings and grounds	$72	
Office equipment	3,050	
Vehicular equipment	200	
		3,322
Total Appropriation, Division of Alcoholic Beverage Control		$1,241,767

Division of Motor Vehicles

140-100. *General*

Salaries:		
Director	$18,000	
Other employees	9,607,468	
New positions	255,893	
Motor vehicle examiners' overtime	570,000	
		$10,451,361
Materials and Supplies:		
Fuel and utilities	$90,000	
Printing and office	360,000	
Vehicular	200	

License plates	315,000	
Household and security	18,000	
Clothing	72,770	
Medical	500	
Scientific	2,500	
Education	1,000	
		859,970
Services Other Than Personal:		
Travel	$70,000	
Telephone	100,000	
Insurance	7,891	
Household and security	7,400	
Subscriptions and memberships	6,500	
Legal and investigative	4,800	
Postage	645,000	
Rent—Central Motor Pool	176,700	
Rent—Equipment, Data processing	263,047	
Rent—Other	82,384	
Medical	1,000	
Staff training	3,000	
Other	2,000	
		1,369,722
Maintenance of Property:		
Recurring—		
Buildings and grounds	$27,000	
Office equipment	22,000	
Household and security equipment	700	
Scientific equipment	14,000	
Non-Recurring and Replacements—		
Buildings and grounds	9,100	
Office equipment	11,815	
Scientific equipment	66,445	
		151,060

Extraordinary:		
Traffic Safety Education Program	$29,000	
Compensation awards	35,000	
		64,000
Additions and Improvements:		
Buildings and grounds	$16,745	
Office equipment	11,469	
Household and security equipment	3,000	
Scientific equipment	1,400	
		32,614
Total Appropriation		$12,928,727

In addition to the amounts hereinabove specifically set forth, there are appropriated such sums as may be necessary to defray the cost of registering motor vehicles and licensing drivers pursuant to the provisions of R. S. 39:3–3 and 39:10–25.

141-100. *Security-Responsibility Bureau*

Salaries:		
Other employees	$790,782	
New positions	56,023	
		$846,805
Materials and Supplies:		
Printing and office		35,000
Services Other Than Personal:		
Travel	$100	
Telephone	12,000	
Subscriptions and memberships	100	
Postage	24,500	

Data processing	54,756	
Rent—Buildings and grounds	81,845	
Rent—Other	2,160	
Other	25	
		175,486
Maintenance of Property:		
Recurring—		
Office equipment	$2,000	
Non-Recurring and Replacements—		
Office equipment	2,850	
		4,850
Additions and Improvements:		
Office equipment		4,851
Total Appropriation		$1,066,992

142-400. *Unsatisfied Claim and Judgment Fund Board*

(Payable Out of Unsatisfied Claim and Judgment Fund)

Salaries:		
Other employees	$197,237	
New positions	44,154	
		$241,391
Materials and Supplies:		
Printing and office		6,000
Services Other Than Personal:		
Travel	$500	
Telephone	3,000	
Subscriptions and memberships	200	
Postage	3,500	

Data processing	2,715	
Rent—Buildings and grounds	20,000	
Rent—Central Motor Pool	400	
Other professional	1,000	
Other	100	
		31,415
Maintenance of Property:		
Recurring—		
Office equipment	$250	
Non-Recurring and Replacements—		
Office equipment	437	
		687
Additions and Improvements:		
Office equipment		4,231
Total Appropriation		$283,724

There are hereby appropriated out of the Unsatisfied Claim and Judgment Fund the amounts hereinabove set forth for administration of the Unsatisfied Claim and Judgment Fund Board, together with such sums as may be necessary for the payment of costs pursuant to R. S. 39:6–67 and for payment of claims.

Total Appropriation, Division of Motor Vehicles $14,279,443

150-100. *Division of Weights and Measures*

Salaries:		
State Superintendent	$12,000	
Other employees	304,201	
New positions	3,741	
		$319,942

Materials and Supplies:		
Fuel and utilities	$2,800	
Printing and office	4,500	
Vehicular	6,000	
License plates	900	
Household and security	700	
Clothing	150	
Scientific	250	
Other	100	
		15,400
Services Other Than Personal:		
Travel	$13,400	
Telephone	4,500	
Insurance	802	
Household and security	50	
Subscriptions and memberships	256	
Legal and investigative	750	
Postage	1,500	
Rent—Central Motor Pool	1,575	
Rent—Other	50	
Medical	25	
Other	100	
		23,008
Maintenance of Property:		
Recurring—		
Buildings and grounds	$1,450	
Office equipment	100	
Vehicular equipment	3,500	
Scientific equipment	2,365	
Other equipment	150	
Non-Recurring and Replacements—		
Office equipment	209	
Vehicular equipment	4,410	
Scientific equipment	1,150	
		13,334
Extraordinary:		
Compensation awards		500

Additions and Improvements:		
Buildings and grounds	$1,600	
Office equipment	285	
Vehicular equipment	9,000	
Scientific equipment	9,708	
		20,593
Total Appropriation, Division of Weights and Measures		$392,777

Division of Professional Boards

160-100. *Administrative Bureau*

Salaries:		
Other employees		$186,820
Materials and Supplies:		
Printing and office	$1,500	
Vehicular	4,000	
Scientific	25	
		5,525
Services Other Than Personal:		
Travel	$10,000	
Telephone	2,500	
Insurance	570	
Household and security	50	
Subscriptions and memberships	150	
Legal and investigative	2,000	
Postage	700	
Rent—Buildings and grounds	3,273	
Rent—Other	100	
Other	100	
		19,443

Maintenance of Property:		
Recurring—		
Office equipment	$150	
Vehicular equipment	1,000	
		1,150
Total Appropriation		$212,938

161-100. *State Board of Public Accountants*

Salaries:		
Other employees		$12,667
Materials and Supplies:		
Printing and office		500
Services Other Than Personal:		
Travel	$300	
Telephone	250	
Insurance	60	
Advertising	25	
Subscriptions and memberships	350	
Legal and investigative	100	
Postage	500	
Rent—Buildings and grounds	2,200	
Other	15,000	
		18,785
Maintenance of Property:		
Recurring—		
Office equipment		100
Total Appropriation		$32,052

162-100. *State Board of Architects*

Salaries:		
Other employees		$30,673
Materials and Supplies:		
Printing and office	$3,200	
Household and security	25	
		3,225
Services Other Than Personal:		
Travel	$1,600	
Telephone	750	
Insurance	180	
Household and security	50	
Advertising	25	
Subscriptions and memberships	500	
Legal and investigative	100	
Postage	1,200	
Rent—Buildings and grounds	5,446	
Other	1,500	
		11,351
Maintenance of Property:		
Recurring—		
Office equipment		100
Total Appropriation		$45,349

163-100. *State Board of Dentistry*

Salaries:	
Other employees	$26,644
Materials and Supplies:	
Printing and office	2,250

Services Other Than Personal:		
Travel	$6,000	
Telephone	400	
Insurance	100	
Advertising	100	
Subscriptions and memberships	350	
Legal and investigative	200	
Postage	1,200	
Rent — Buildings and grounds	2,480	
Rent—Other	200	
Other	100	
		11,130
Maintenance of Property:		
Recurring—		
Office equipment		250
Total Appropriation		$40,274

164-100. *State Board of Mortuary Science*

Salaries:		
Other employees		$23,306
Materials and Supplies:		
Printing and office	$600	
Household and security	14	
		614
Services Other Than Personal:		
Travel	$1,500	
Telephone	1,000	
Insurance	130	
Household and security	325	
Subscriptions and memberships	260	
Legal and investigative	300	
Postage	600	

Rent — Buildings and grounds	4,900	
Rent—Other	100	
Other	400	
		9,515
Maintenance of Property:		
Recurring—		
Office equipment	$248	
Non-Recurring and Replacements—		
Office equipment	300	
		548
Total Appropriation		$33,983

165-100. *State Board of Professional Engineers and Land Surveyors*

Salaries:		
Other employees		$34,920
Materials and Supplies:		
Printing and office	$7,800	
Household and security	50	
		7,850
Services Other Than Personal:		
Travel	$1,500	
Telephone	500	
Insurance	180	
Subscriptions and memberships	725	
Legal and investigative	600	
Postage	2,000	
Data processing	400	
Rent — Buildings and grounds	6,395	
Rent—Other	100	
Other	12,000	
		24,400

Maintenance of Property:		
Recurring—		
Office equipment		75
Total Appropriation		$67,245

166-100. *State Board of Medical Examiners*

Salaries:		
Other employees		$40,633
Materials and Supplies:		
Printing and office		6,000
Services Other Than Personal:		
Travel	$5,000	
Telephone	1,500	
Insurance	200	
Household and security	75	
Subscriptions and memberships	450	
Legal and investigative	300	
Postage	3,000	
Rent—Buildings and grounds	6,585	
Rent—Other	190	
Other	3,000	
		20,300
Maintenance of Property:		
Recurring—		
Office equipment		200
Total Appropriation		$67,133

167-100. *State Board of Nursing*

Salaries:		
Other employees		$101,158
Materials and Supplies:		
Printing and office		5,000
Services Other Than Personal:		
Travel	$3,000	
Telephone	3,000	
Insurance	695	
Household and security	50	
Subscriptions and memberships	150	
Legal and investigative	150	
Postage	7,500	
Microfilming	500	
Rent—Buildings and grounds	12,081	
Rent—Equipment, Data processing	4,960	
Rent—Other	180	
Staff training	100	
Other	12,775	
		45,141
Maintenance of Property:		
Recurring—		
Office equipment	$400	
Non-Recurring and Replacements—		
Office equipment	550	
		950
Total Appropriation		$152,249

168-100. *State Board of Optometrists*

Salaries:		
Other employees		$12,532
Materials and Supplies:		
Printing and office		300
Services Other Than Personal:		
Travel	$1,800	
Telephone	400	
Insurance	60	
Subscriptions and memberships	325	
Legal and investigative	400	
Postage	325	
Rent—Buildings and grounds	1,200	
		4,510
Maintenance of Property:		
Recurring—		
Office equipment		50
Total Appropriation		$17,392

169-100. *State Board of Pharmacy*

Salaries:		
Other employees		$40,137
Materials and Supplies:		
Printing and office	$2,750	
Household and security	25	
Medical	300	
		3,075
Services Other Than Personal:		
Travel	$2,750	
Telephone	750	
Insurance	215	

Household and security	50	
Subscriptions and memberships	100	
Legal and investigative	100	
Postage	2,000	
Rent—Buildings and grounds	3,782	
		9,747
Maintenance of Property:		
Recurring—		
Office equipment		50
Total Appropriation		$53,009

170-100. *State Board of Veterinary Medical Examiners*

Salaries:		
Other employees		$3,043
Materials and Supplies:		
Printing and office		300
Services Other Than Personal:		
Travel	$500	
Telephone	150	
Insurance	20	
Subscriptions and memberships	100	
Legal and investigative	50	
Postage	100	
Other	25	
		945
Total Appropriation		$4,288

171-100. *State Board of Shorthand Reporting*

Salaries:		
Other employees		$300
Materials and Supplies:		
Other		25
Services Other Than Personal:		
Insurance	$5	
Other	25	
		30
Total Appropriation		$355

172-100. *State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians*

Salaries:		
Other employees		$7,400
Materials and Supplies:		
Printing and office		450
Services Other Than Personal:		
Travel	$600	
Telephone	180	
Insurance	30	
Household and security	50	
Subscriptions and memberships	50	
Legal and investigative	75	
Postage	275	
Rent — Buildings and grounds	950	
		2,210
Maintenance of Property:		
Recurring—		
Office equipment		25
Total Appropriation		$10,085

173-100. *State Board of Beauty Culture Control*

Salaries:		
Chairman	$4,500	
Board Members (5 @ $3,500)	17,500	
Other employees	51,220	
		$73,220
Materials and Supplies:		
Printing and office	$5,500	
Household and security	50	
Education	200	
		5,750
Services Other Than Personal:		
Travel	$3,500	
Telephone	2,500	
Subscriptions and memberships	50	
Postage	6,000	
Rent—Other	160	
Other	50	
		12,260
Maintenance of Property:		
Recurring—		
Office equipment	$400	
Non-Recurring and Replacements—		
Office equipment	380	
		780
Additions and Improvements:		
Office equipment		400
Total Appropriation		$92,410

174-100. *State Board of Professional Planners*

Materials and Supplies:		
Printing and office		$400
Services Other Than Personal:		
Travel	$300	
Telephone	300	
Insurance	25	
Advertising	50	
Subscriptions and memberships	50	
Postage	500	
Rent—Buildings and grounds	781	
Other	300	
		2,306
Total Appropriation		$2,706

175-100. *State Board of Examiners of Electrical Contractors*

Salaries:		
Other employees		$36,756
Materials and Supplies:		
Printing and office	$3,000	
Household and security	60	
		3,060
Services Other Than Personal:		
Travel	$3,500	
Telephone	1,500	
Insurance	150	
Household and security	200	
Advertising	200	
Subscriptions and memberships	75	
Legal and investigative	750	

Postage	2,000	
Rent—Buildings and grounds	5,180	
		13,555
Maintenance of Property:		
Recurring—		
Office equipment		100
Total Appropriation		$53,471
Total Appropriation, Division of Professional Boards		$884,939

The amounts hereinabove appropriated to each of the several professional boards shall be payable out of the receipts of such boards, and any receipts in excess of the amounts specifically appropriated to each of said boards are hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act; and provided further, however, that the appropriation of excess receipts shall not apply to the Board of Beauty Culture Control.

Total Appropriation, Department of Law and Public Safety	$30,249,507

DEPARTMENT OF THE TREASURY

210-100. *Administrative Division*

Salaries:		
State Treasurer	$25,000	
Other employees	170,388	
New positions	3,723	
		$199,111
Materials and Supplies:		
Printing and office	$1,500	
Household and security	200	
Other	200	
		1,900
Services Other Than Personal:		
Travel	$2,000	
Telephone	5,000	
Insurance	3,200	
Advertising	225	
Subscriptions and memberships	800	
Postage	500	
Rent—Central Motor Pool	1,050	
Rent—Other	5,000	
Staff training	700	
		18,475
Maintenance of Property:		
Recurring—		
Office equipment	$3,000	
Non-Recurring and Replacements—		
Office equipment	3,700	
		6,700
Total Appropriation, Administrative Division		$226,186

220-100. *Division of Budget and Accounting*

Salaries:		
Director	$23,500	
Other employees	823,552	
New positions	17,378	
		$864,430
Materials and Supplies:		
Printing and office	$43,000	
Household and security	600	
		43,600
Services Other Than Personal:		
Travel	$7,000	
Telephone	11,800	
Insurance	475	
Subscriptions and memberships	685	
Postage	32,100	
Microfilming	1,600	
Data processing	488,248	
Rent—Central Motor Pool	1,630	
Rent—Equipment, Data processing	23,537	
Rent—Other	100	
Staff training	450	
Other	1,500	
		569,125
Maintenance of Property:		
Recurring—		
Office equipment	$4,625	
Non-Recurring and Replacements—		
Office equipment	2,054	
		6,679
Extraordinary:		
For the improvement of administrative and fiscal management		50,000

Additions and Improvements:	
Office equipment	1,814
Total Appropriation, Division of Budget and Accounting	$1,535,648

There are hereby appropriated, out of revenues derived from escheated property under the various escheat acts, such sums as may be necessary to administer such acts and such sums as may be required for refunds.

There are hereby appropriated such sums as may be necessary for payment of expenses incurred by issuing officials appointed under the several bond acts of the State for the purposes and from the sources defined in said acts.

220-300. *Data Processing Center*

There are hereby appropriated as a revolving fund the receipts derived from services rendered by a data processing center and from advance savings or acquisition premiums on resale of data processing equipment, together with the unexpended balance of such receipts as of June 30, 1966, for the purpose of operating such a center, including the rental or purchase of necessary data processing equipment; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Division of Purchase and Property

230-100. *General*

Salaries:		
Director	$20,000	
Other employees	1,664,441	
New positions	31,122	
		$1,715,563
Materials and Supplies:		
Fuel and utilities	$135,900	
Printing and office	20,000	
Vehicular	3,050	
Household and security	28,225	
Clothing	200	
Medical	100	
Scientific	325	
		187,800
Services Other Than Personal:		
Travel	$3,400	
Telephone	24,600	
Insurance	2,908	
Household and security	12,000	
Advertising	17,000	
Subscriptions and memberships	2,125	
Postage	10,400	
Rent—Central Motor Pool	6,750	
Rent—Other	16,592	
Medical	350	
Other professional	1,200	
Other	60,700	
		158,025
Maintenance of Property:		
Recurring—		
Buildings and grounds	$63,850	
Office equipment	1,850	
Vehicular equipment	1,750	

Non-Recurring and Replacements—		
Buildings and grounds	4,614	
Office equipment	3,721	
Vehicular equipment	17,725	
Household and security equipment	1,000	
		94,510
Extraordinary:		
Maintenance—Labor and Industry Building	$572,725	
Less: Charges to other than General State Fund sources	*332,355*	
Sub-Total, Labor and Industry Building	$240,370	
Maintenance—Education Building	$153,737	
Less: Charges to other than General State Fund sources	*25,300*	
Sub-Total, Education Building	$128,437	
Maintenance—Health and Agriculture Building	331,166	
Maintenance—Cultural Center	256,661	
		956,634
Additions and Improvements:		
Buildings and grounds	$46,000	
Office equipment	581	
Scientific equipment	300	
		46,881
Total Appropriation		$3,159,413

In addition to the sum appropriated hereinabove for the operation and maintenance of any State-owned building, there is hereby appropriated the portion of any receipts from charges to other than General State Fund sources for rental in said buildings which are attributable to the cost of operation and maintenance thereof.

230-300. *State Purchase Fund*

The unexpended balance in the State Purchase Fund as of June 30, 1966, together with the reimbursements thereto, are hereby appropriated so that an amount not to exceed $1,000,000 will be maintained in said fund for the purpose of making payments for purchases pursuant to the purchase act (R. S. 52:25–13), and for the expenses of handling, storing and transporting purchases so made; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act. Any sum as of June 30, 1967 in excess of $1,000,000 appropriated herein, shall be transferred by the State Treasurer to the General State Fund.

230-301. *Central Motor Pool*

There are hereby appropriated as a revolving fund the receipts derived from services rendered by a central motor pool, together with the unex-

pended balance of such receipts as of June 30, 1966, for the purpose of operating such a motor pool, including the replacement of motor vehicles and the purchase of additional motor vehicles; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

231-100. *Bureau of Construction*

Salaries:		
Other employees		$427,907
Materials and Supplies:		
Printing and office	$6,500	
Household and security	100	
Scientific	1,000	
		7,600
Services Other Than Personal:		
Travel	$1,000	
Telephone	10,000	
Insurance	65	
Advertising	7,500	
Subscriptions and memberships	200	
Postage	4,500	
Data processing	2,750	
Rent—Central Motor Pool	4,000	
		30,015
Maintenance of Property:		
Recurring—		
Office equipment	$275	
Non-Recurring and Replacements—		
Office equipment	802	
		1,077

Additions and Improvements:		
Office equipment		3,000
Total Appropriation		$469,599

232-100. *Agricultural Commodity Distribution*

Salaries:		
Other employees	$65,575	
New positions	3,216	
		$68,791
Materials and Supplies:		
Printing and office	$1,500	
Household and security	50	
		1,550
Services Other Than Personal:		
Travel	$2,200	
Telephone	2,000	
Household and security	86	
Postage	1,800	
Data processing	4,950	
Rent—Central Motor Pool	3,600	
Rent—Other	250,000	
		264,636
Maintenance of Property:		
Recurring—		
Office equipment		150
Sub-Total Appropriation		$335,127
Less: Receipts from Charges to Recipient Agencies		*250,000*
Total Appropriation		$85,127

Receipts from such distribution charges as may be made to recipient

agencies and from the sale of containers and salvage of commodities, in accordance with applicable Federal regulations, are hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

233-400, 234-400. *Cafeterias*

The unexpended balance in the accounts of the State House and Fernwood Cafeterias as of June 30, 1966, together with any receipts are hereby appropriated for the purposes enumerated in R. S. 52:18A–19.6.

Total Appropriation, Division of Purchase and Property		$3,714,139

240-100. *Division of Taxation*

Salaries:		
Director	$19,000	
Other employees	4,938,213	
New positions	43,104	
		$5,000,317
Materials and Supplies:		
Food	$500	
Fuel and utilities	175	
Printing and office	97,700	
Vehicular	450	
Household and security	1,060	
Clothing	180	
Scientific	450	
Education	600	
		101,115

Services Other Than Personal:		
Travel	$43,850	
Telephone	59,300	
Insurance	2,155	
Household and security	140	
Advertising	200	
Subscriptions and memberships	11,305	
Legal and investigative	37,150	
Postage	67,400	
Data processing	147,689	
Rent—Buildings and grounds	49,510	
Rent—Central Motor Pool	97,280	
Rent—Equipment, Data processing	19,569	
Rent—Other	800	
Staff training	1,000	
Other	300	
		537,648
Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	5,950	
Vehicular equipment	1,600	
Non-Recurring and Replacements—		
Office equipment	4,336	
		12,386
Extraordinary:		
Administration of Farm Land Act		10,000
Additions and Improvements:		
Office equipment		2,223
Total Appropriation, Division of Taxation		$5,663,689

In addition to the sum of $350,174 included hereinabove for administration of the Emergency Transportation Tax Bureau, there are hereby appropriated out of the receipts from the Emergency Transportation Tax Bureau, such sums as may be necessary for additional expenses of collection and enforcement thereof; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

General Tax Refunds:

Upon certification of the Director of the Division of Taxation, the State Treasurer, shall pay, upon warrants of the Director of the Division of Budget and Accounting, such claims for refund as may be necessary under the provisions of Title 54 of the Revised Statutes as amended or supplemented.

There are hereby appropriated so much of the proceeds of taxes derived from fire insurance premiums as may be required for payment to the New Jersey Firemen's Home and the New Jersey Firemen's Association pursuant to R. S. 54:17–4.

There are hereby appropriated so much of the proceeds derived from the imposition of the Financial Business Tax as may be required for payment to the local taxing districts and counties pursuant to R. S. 54:10B–24.

There are hereby appropriated so much of the proceeds of taxes derived from the assessment of

Class II Railroad Property as may be required for payment to local taxing districts pursuant to R. S. 54:29A–24.

250-100. *Division of Local Government*

Salaries:		
Director	$19,000	
Board Members (3 @ $6,000)	18,000	
Other employees	244,381	
		$281,381
Materials and Supplies:		
Printing and office	$13,220	
Household and security	75	
		13,295
Services Other Than Personal:		
Travel	$20,000	
Telephone	3,000	
Insurance	35	
Subscriptions and memberships	500	
Postage	20,000	
Data processing	1,320	
Rent—Central Motor Pool	5,201	
		50,056
Maintenance of Property:		
Recurring—		
Office equipment	$800	
Non-Recurring and Replacements—		
Office equipment	775	
		1,575

Additions and Improvements:		
Office equipment		90
Total Appropriation, Division of Local Government		$346,397

260-100. *Division of Tax Appeals*

Salaries:		
President	$11,500	
Board Members (6 @ $10,500)	63,000	
Other employees	81,261	
		$155,761
Materials and Supplies:		
Printing and office	$1,300	
Household and security	50	
		1,350
Services Other Than Personal:		
Travel	$2,350	
Telephone	1,200	
Subscriptions and memberships	350	
Legal and investigative	23,500	
Postage	1,000	
Rent—Central Motor Pool	1,080	
		29,480
Maintenance of Property:		
Recurring—		
Office equipment	$100	
Non-Recurring and Replacements—		
Office equipment	380	
		480
Total Appropriation, Division of Tax Appeals		$187,071

270-100. *Division of the New Jersey Racing Commission*

Salaries:		
Other employees		$205,829
Materials and Supplies:		
Printing and office	$2,400	
Scientific	1,100	
		3,500
Services Other Than Personal:		
Travel	$16,000	
Telephone	4,000	
Insurance	433	
Subscriptions and memberships	2,200	
Legal and investigative	350	
Postage	750	
Rent—Central Motor Pool	1,500	
Rent—Other	300	
Other professional	4,500	
		30,033
Maintenance of Property:		
Recurring—		
Office equipment		100
Additions and Improvements:		
Office equipment		600
Total Appropriation, Division of the New Jersey Racing Commission		$240,062

290-100. *Division of Investment*

Salaries:		
Director	$18,000	
Other employees	161,679	
New positions	17,060	
		$196,739
Materials and Supplies:		
Printing and office	$2,700	
Household and security	75	
		2,775
Services Other Than Personal:		
Travel	$2,075	
Telephone	3,900	
Insurance	350	
Advertising	500	
Subscriptions and memberships	4,000	
Postage	750	
Microfilming	300	
Data processing	3,850	
Rent—Central Motor Pool	50	
Other professional	10,500	
		26,275
Maintenance of Property:		
Recurring—		
Office equipment	$550	
Non-Recurring and Replacements—		
Office equipment	400	
		950
Additions and Improvements:		
Office equipment		140
Total Appropriation, Division of Investment		$226,879

291-100. *General Investment Account*

There are hereby appropriated, out of receipts derived from the investment of State funds, such sums as may be necessary for custodial costs, mortgage servicing fees, and advertising bank balances as required by R. S. 52:18–16.1; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.		

295-100. *Division of Pensions*

Salaries:		
Director	$18,000	
Other employees	1,155,979	
New positions	79,242	
		$1,253,221
Materials and Supplies:		
Printing and office	$35,000	
Household and security	50	
		35,050
Services Other Than Personal:		
Travel	$17,000	
Telephone	27,500	
Advertising	600	
Subscriptions and memberships	850	
Legal and investigative	6,000	
Postage	33,000	
Microfilming	2,000	
Data processing	20,000	
Rent—Central Motor Pool	3,450	
Rent—Equipment, Data processing	72,112	

New Jersey State Library

Rent—Other	4,400	
Medical	36,500	
Other professional	73,300	
		296,712
Maintenance of Property:		
Recurring—		
Office equipment	$4,500	
Non-Recurring and Replacements—		
Office equipment	1,382	
		5,882
Additions and Improvements:		
Office equipment		11,746
Total Appropriation, Division of Pensions		$1,602,611
Total Appropriation, Department of the Treasury		$13,742,682

DEPARTMENT OF STATE

300-100. *Office of Secretary*

Salaries:		
Secretary of State	$23,000	
Other employees	305,715	
New positions	6,432	
		$335,147
Materials and Supplies:		
Printing and office	$19,180	
Household and security	125	
		19,305
Services Other Than Personal:		
Travel	$700	
Telephone	6,100	

Insurance	5,718	
Subscriptions and memberships	700	
Postage	15,500	
Microfilming	5,000	
Data processing	9,350	
Rent—Central Motor Pool	900	
Rent—Equipment, Data processing	756	
Rent—Other	1,080	
Other	29,000	
		74,804
Maintenance of Property:		
Recurring—		
Office equipment	$1,100	
Non-Recurring and Replacements—		
Office equipment	6,000	
		7,100
Extraordinary:		
To implement the provisions of chapter 264, P. L. 1964		25,000
Additions and Improvements:		
Buildings and grounds	$1,000	
Office equipment	1,134	
		2,134
Total Appropriation, Office of Secretary		$463,490

302-100. *Office of the Athletic Commissioner*

Salaries:		
Commissioner	$7,000	
Other employees	31,425	
		$38,425

Materials and Supplies:		
Printing and office	$275	
Household and security	25	
		300
Services Other Than Personal:		
Travel	$1,400	
Telephone	1,400	
Subscriptions and memberships	225	
Postage	220	
Medical	2,500	
		5,745
Maintenance of Property:		
Recurring—		
Office equipment		50
Total Appropriation, Office of the Athletic Commissioner		$44,520

304-100. *Legalized Games of Chance Control Commission*

Salaries:		
Other employees	$101,683	
New positions	3,209	
		$104,892
Materials and Supplies:		
Printing and office	$3,200	
Vehicular	3,000	
Household and security	40	
Education	50	
		6,290
Services Other Than Personal:		
Travel	$2,000	
Telephone	2,400	
Insurance	300	

Household and security	100	
Subscriptions and memberships	250	
Legal and investigative	750	
Postage	2,100	
Rent—Equipment, Data processing	5,127	
Rent—Other	900	
		13,927
Maintenance of Property:		
Recurring—		
Office equipment	$500	
Vehicular equipment	800	
Non-Recurring and Replacements—		
Office equipment	1,280	
Vehicular equipment	1,205	
		3,785
Additions and Improvements:		
Office equipment		430
Total Appropriation, Legalized Games of Chance Control Commission		$129,324

305-100. *Youth Division*

Salaries:		
Director	$13,500	
Other employees	10,174	
New positions	10,813	
		$34,487
Materials and Supplies:		
Printing and office	$1,800	
Household and security	100	
		1,900

Services Other Than Personal:		
Travel	$1,600	
Telephone	1,000	
Subscriptions and memberships	100	
Postage	1,200	
Rent—Other	100	
Education	200	
Other professional	1,000	
Other	100	
		5,300
Maintenance of Property:		
Recurring—		
Office equipment		150
Additions and Improvements:		
Office equipment		750
Total Appropriation, Youth Division		$42,587

306-100. *Division of the Aging*

Salaries:		
Director	$14,000	
Other employees	64,466	
New positions	9,778	
		$88,244
Materials and Supplies:		
Printing and office	$8,500	
Education	600	
		9,100
Services Other Than Personal:		
Travel	$2,500	
Telephone	3,500	
Subscriptions and memberships	400	

Postage	4,000	
Rent—Central Motor Pool	3,530	
Staff training	100	
Other	4,700	
		18,730
Maintenance of Property:		
Recurring—		
Office equipment	$200	
Non-Recurring and Replacements—		
Office equipment	450	
		650
Extraordinary:		
Conference on Aging	$1,500	
Survey and Demonstration Projects	25,000	
Older Americans Act—		
State Share	30,000	
		56,500
Additions and Improvements:		
Office equipment		907
Total Appropriation, Division of the Aging		$174,131
Total Appropriation, Department of State		$854,052

The unexpended balance in this account as of June 30, 1966 is hereby appropriated to match Federal funds which may be available to the Division of the Aging; provided, however, that the expenditures thereof shall be subject to transfers approved as prescribed in section 3 of this act.

310-100. Department of Civil Service

Salaries:		
President	$25,000	
Commissioners (4 @ $9,500)	38,000	
Chief Examiner and Secretary	20,910	
Other employees	1,563,890	
New positions	42,636	
		$1,690,436
Materials and Supplies:		
Fuel and utilities	$330	
Printing and office	52,000	
Household and security	400	
Scientific	100	
Education	5,000	
		57,830
Services Other Than Personal:		
Travel	$21,500	
Telephone	23,000	
Insurance	30	
Advertising	40,000	
Subscriptions and memberships	1,500	
Legal and investigative	12,000	
Postage	21,300	
Suggestion awards	1,000	
Rent—Central Motor Pool	9,000	
Rent—Equipment, Data processing	80,186	
Rent—Other	6,000	
Staff training	4,000	
Other	23,000	
		242,516

Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	4,000	
Non-Recurring and Replacements—		
Buildings and grounds	400	
Office equipment	6,500	
		11,400
Additions and Improvements:		
Office equipment	$7,203	
Education equipment ..	8,950	
		16,153
Total Appropriation, Department of Civil Service		$2,018,335

DEPARTMENT OF BANKING AND INSURANCE

320-100. *General*

Salaries:		
Commissioner	$25,000	
Other employees	2,200,927	
		$2,225,927
Materials and Supplies:		
Printing and office	$44,000	
Household and security	200	
Scientific	200	
		44,400
Services Other Than Personal:		
Travel	$200,000	
Telephone	21,000	
Insurance	193	
Advertising	300	

Subscriptions and memberships	4,300	
Legal and investigative	4,000	
Postage	18,500	
Suggestion awards	100	
Rent—Central Motor Pool	805	
Rent—Equipment, Data processing	30,850	
Rent—Other	223	
Staff training	1,000	
Other	300	
		281,571
Maintenance of Property:		
Recurring—		
Office equipment	$2,750	
Non-Recurring and Replacements—		
Office equipment	2,578	
		5,328
Additions and Improvements:		
Office equipment		2,923
Total Appropriation, General		$2,560,149

There are hereby appropriated the trust funds of the National Association of Insurance Commissioners pursuant to R. S. 17:24–13.

322-100. *Division of New Jersey Real Estate Commission*

Salaries:		
Commissioners (5 @ $4,000)	$20,000	
Other employees	152,307	
New positions	5,499	
		$177,806

Materials and Supplies:		
Printing and office	$8,500	
Household and security	50	
		8,550
Services Other Than Personal:		
Travel	$4,200	
Telephone	4,500	
Insurance	202	
Household and security	90	
Advertising	250	
Subscriptions and memberships	550	
Legal and investigative	2,500	
Postage	11,500	
Rent—Central Motor Pool	6,736	
Rent—Other	2,500	
Other professional	1,500	
Other	250	
		34,778
Maintenance of Property:		
Recurring—		
Office equipment	$150	
Non-Recurring and Replacements—		
Office equipment	2,250	
		2,400
Additions and Improvements:		
Office equipment		275
Total Apropriation, Division of New Jersey Real Estate Commission		$223,809
Total Appropriation, Department of Banking and Insurance		$2,783,958

DEPARTMENT OF AGRICULTURE

330-100. *General*

Salaries:		
Secretary	$25,000	
Other employees	1,119,111	
New positions	13,511	
		$1,157,622
Materials and Supplies:		
Fuel and utilities	$1,300	
Printing and office	26,000	
Household and security	300	
Clothing	100	
Medical	4,000	
Scientific	8,000	
Education	700	
Other	2,500	
		42,900
Services Other Than Personal:		
Travel	$42,500	
Telephone	27,000	
Insurance	1,375	
Household and security	850	
Subscriptions and memberships	1,734	
Legal and investigative	500	
Postage	13,500	
Rent—Central Motor Pool	67,500	
Rent—Equipment, Data processing	5,528	
Rent—Other	2,800	
Education	73,000	
Staff training	500	
Other professional	110,000	
Other	500	
		347,287

Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	1,500	
Scientific equipment	400	
Other equipment	200	
		2,600
Extraordinary:		
Thoroughbred Breeders' Awards	$100,000	
Standardbred Breeders' Awards	20,000	
To transfer the Office of State Chemist from the Agricultural Experiment Station pursuant to N. J. S. A. 4:1–42 et seq.	99,328	
To transfer the Office of State Seed Analyst from the Agricultural Experiment Station pursuant to N. J. S. A. 4:1–44 et seq.	60,000	
		279,328
Total Appropriation, General		$1,829,737

The unexpended balance as of June 30, 1966 in the account "Indemnities—pursuant to R. S. 4:5" is hereby appropriated for such indemnities.

The unexpended balance as of June 30, 1966 in the account "Blackbird Control Program" is hereby appropriated.

The unexpended balances as of June 30, 1966 of receipts derived pursuant to the provisions of R. S. 54:47A–1 (Poultry Products Promotion Council), R. S. 54:47B–1 (White Potato

Industry Promotion Council), R. S. 54:47C–1 (Asparagus Industry Promotion Council), and R. S. 54:47D–1 (Apple Industry Promotion Council), together with such receipts received during the fiscal year 1966-67, are hereby appropriated.

339-100. *Office of Milk Industry*

Salaries:		
Director	$13,000	
Other employees	219,876	
New positions	22,015	
		$254,891
Materials and Supplies:		
Printing and office	$3,500	
Scientific	250	
		3,750
Services Other Than Personal:		
Travel	$2,500	
Telephone	3,500	
Advertising	250	
Subscriptions and memberships	150	
Legal and investigative	3,000	
Postage	5,500	
Rent—Central Motor Pool	8,500	
Rent—Other	500	
Other	100	
		24,000
Maintenance of Property:		
Recurring—		
Office equipment	$500	
Non-Recurring and Replacements—		
Office equipment	735	
		1,235

Additions and Improvements:		
Office equipment		2,155
Total Appropriation, Office of Milk Industry		$286,031
Total Appropriation, Department of Agriculture		$2,115,768

DEPARTMENT OF DEFENSE

340-100. *Administration—General*

Salaries:		
Chief of Staff	$23,000	
Other employees	413,037	
Positions transferred from another division	152,212	
		$588,249
Materials and Supplies:		
Printing and office	$8,500	
Household and security	275	
Scientific	1,350	
		10,125
Services Other Than Personal:		
Telephone	$26,000	
Subscriptions and memberships	500	
Postage	1,100	
Rent—Other	156	
Staff training	500	
		28,256
Maintenance of Property:		
Recurring—		
Office equipment	$1,300	
Non-Recurring and Replacements—		
Office equipment	2,421	
		3,721

Additions and Improvements:		
Office equipment		1,768
Total Appropriation, Administration—General		$632,119

342-100. *National Guard and Naval Militia*

Salaries:		
Other employees		$955,421
Materials and Supplies:		
Fuel and utilities	$330,000	
Agricultural and conservation	700	
Vehicular	6,500	
Household and security	31,500	
Clothing	1,500	
Scientific	500	
		370,700
Services Other Than Personal:		
Travel	$6,000	
Telephone	69,000	
Insurance	21,465	
Household and security	12,200	
Advertising	800	
Subscriptions and memberships	1,900	
Postage	200	
Medical	2,000	
Staff training	25,000	
Other	2,000	
		140,565
Maintenance of Property:		
Recurring—		
Buildings and grounds	$115,000	
Office equipment	550	

Agricultural and conservation equipment	1,200	
Vehicular equipment	2,500	
Household and security equipment	4,500	
Non-Recurring and Replacements—		
Buildings and grounds	140,000	
Office equipment	1,581	
Agricultural and conservation equipment	1,775	
Vehicular equipment	12,500	
Household and security equipment	1,680	
		281,286
Extraordinary:		
Organization allowance	$8,000	
Compensation awards	10,000	
		18,000
Additions and Improvements:		
Office equipment	$2,694	
Agricultural and conservation equipment	1,233	
Vehicular equipment	2,300	
Household and security equipment	1,350	
		7,577
Total Appropriation, National Guard and Naval Militia		$1,773,549

346-100. *Division of Civil Defense*

Salaries:	
Other employees	$382,006

Materials and Supplies:		
Printing and office	$12,000	
Vehicular	1,000	
Household and security	1,500	
Scientific	325	
Education	500	
Other	100	
		15,425
Services Other Than Personal:		
Travel	$5,900	
Telephone	9,000	
Insurance	460	
Household and security	480	
Subscriptions and memberships	750	
Postage	5,500	
Rent—Other	8,136	
Other	6,500	
		36,726
Maintenance of Property:		
Recurring—		
Office equipment	$500	
Vehicular equipment	500	
Non-Recurring and Replacements—		
Office equipment	3,250	
		4,250
Extraordinary:		
Hammonton Training School Program	$4,000	
Control Center Program	8,900	
Medical and Health Preparedness Program	1,150	
		14,050
Additions and Improvements:		
Office equipment		400
Total Appropriation, Division of Civil Defense		$452,857

There are hereby appropriated such sums as may be necessary to carry out the provisions of R. S. App. A:9–57.1 through A:9–57.24, from the Special Fund for Civil Defense Volunteers.	
The Governor is hereby empowered to direct the State Treasurer to transfer from any State department to the Division of Civil Defense such sums as may be necessary for the cost of any emergency occasioned by aggression, sabotage or disaster.	
Total Appropriation, Department of Defense	$2,858,525

350-100. Department of Public Utilities

Salaries:		
President	$22,000	
Board Members (2 @ $18,000)	36,000	
Other employees	825,943	
New positions	19,431	
		$903,374
Materials and Supplies:		
Printing and office	$10,500	
Vehicular	1,400	
Household and security	600	
		12,500
Services Other Than Personal:		
Travel	$14,000	
Telephone	21,000	
Insurance	185	
Household and security	200	
Subscriptions and memberships	5,000	
Legal and investigative	19,000	

Postage	3,500	
Rent—Central Motor Pool	600	
Rent—Other	1,000	
Staff training	7,500	
Other	3,000	
		74,985
Maintenance of Property:		
Recurring—		
Office equipment	$500	
Vehicular equipment	450	
Non-Recurring and Replacements—		
Office equipment	1,100	
Vehicular equipment	1,600	
		3,650
Additions and Improvements:		
Buildings and grounds	$1,800	
Office equipment	1,285	
		3,085
Total Appropriation, Department of Public Utilities		$997,594

DEPARTMENT OF HEALTH

360-100. *General*

Salaries:		
Commissioner	$25,000	
Other employees	3,314,488	
New positions	151,153	
Positions established from lump sum appropriation	87,970	
		$3,578,611
Materials and Supplies:		
Fuel and utilities	$8,425	
Printing and office	74,945	

Vehicular	2,280	
Household and security	900	
Clothing	500	
Medical	150,400	
Scientific	97,500	
Education and rehabilitation	7,900	
Other	2,500	
		345,350
Services Other Than Personal:		
Travel	$69,450	
Telephone	84,800	
Insurance	1,121	
Household and security	4,600	
Advertising	2,200	
Subscriptions and memberships	3,799	
Legal and investigative	3,600	
Postage	53,000	
Microfilming	2,500	
Rent—Buildings and grounds	8,000	
Rent—Central Motor Pool	93,625	
Rent—Equipment, Data processing	66,272	
Rent—Other	7,500	
Medical	30,000	
Education and rehabilitation	19,050	
Staff training	805	
Other professional	10,550	
Other	640	
		461,512
Maintenance of Property:		
Recurring—		
Office equipment	$2,335	
Vehicular equipment	1,225	
Medical equipment	450	
Scientific equipment	5,250	

Non-Recurring and Replacements—		
Office equipment	7,661	
Vehicular equipment .	1,100	
Education and rehabilitation equipment	500	
		18,521
Extraordinary:		
Public health services by contract	$360,000	
Arbor virus transmission study project	37,500	
Emergency medical and hospital service for migrant workers	10,000	
Solid waste disposal program	40,000	
Regional air pollution warning system.....	45,510	
		493,010
Additions and Improvements:		
Office equipment	$8,369	
Vehicular equipment ...	25,355	
Medical equipment	8,000	
Scientific equipment ...	24,616	
Education and rehabilitation equipment	5,180	
		71,520
Total Appropriation, General		$4,968,524

The unexpended balance as of June 30, 1966 of the revolving fund heretofore created for the purpose of printing and reprinting literature, codes and manuals for sale and receipts derived from such sales are hereby appropriated.

360-400. *Rabies Control Program*

(Payable Out of Rabies Control Trust Fund)

Salaries:		
Other employees		$97,647
Materials and Supplies:		
Printing and office	$1,400	
Medical	30,000	
Scientific	1,000	
		32,400
Services Other Than Personal:		
Travel	$525	
Telephone	1,000	
Subscriptions and memberships	25	
Postage	500	
Rent—Buildings and grounds	3,504	
Rent—Central Motor Pool	6,180	
		11,734
Maintenance of Property:		
Recurring—		
Office equipment	$25	
Scientific equipment	212	
		237
Extraordinary:		
Public health services by contract		250
Total Apropriation, Rabies Control Program		$142,268

There are hereby appropriated the funds in the Rabies Control Trust Fund, in excess of the amounts hereinabove specifically set forth, and

the amount remaining therein, for additional costs of operation; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

374-100. *Board of Barber Examiners*

Salaries:		
Secretary-Treasurer ...	$8,500	
Board members (3 @ $8,000)	24,000	
Other employees	47,114	
		$79,614
Materials and Supplies:		
Printing and office		2,000
Services Other Than Personal:		
Travel	$5,756	
Telephone	1,100	
Subscriptions and memberships	25	
Postage	1,250	
Rent—Central Motor Pool	3,320	
Other	50	
		11,501
Maintenance of Property:		
Recurring—		
Office equipment		50
Total Appropriation, Board of Barber Examiners		$93,165

378-100. *Crippled Children's Program*

Salaries:		
Other employees		$17,322
Materials and Supplies:		
Printing and office		1,500
Services Other Than Personal:		
Travel	$100	
Telephone	1,500	
Postage	350	
Rent—Central Motor Pool	100	
Medical	12,000	
		14,050
Maintenance of Property:		
Recurring—		
Office equipment		75
Total Appropriation, Crippled Children's Program		$32,947
Total Appropriation, Department of Health		$5,236,904

DEPARTMENT OF LABOR AND INDUSTRY

380-100. *Division of Labor*

Salaries:		
Commissioner	$25,000	
Director	16,000	
Other employees	1,627,603	
New positions	39,790	
Positions established in lieu of appropriated revenue	32,300	
		$1,740,693

Materials and Supplies:		
Printing and office	$39,550	
Clothing	200	
Scientific	1,150	
Education	100	
Other	500	
		41,500
Services Other Than Personal:		
Travel	$62,375	
Telephone	32,500	
Advertising	50	
Subscriptions and memberships	2,530	
Legal and investigative	1,750	
Postage	41,560	
Data processing	27,000	
Rent—Central Motor Pool	28,300	
Rent—Equipment, Data processing	2,640	
Rent—Other	156	
Staff training	750	
Other	450	
		200,061
Maintenance of Property:		
Recurring—		
Office equipment	$1,160	
Scientific equipment	250	
Non-Recurring and Replacements—		
Office equipment	3,201	
Scientific equipment	500	
		5,111
Additions and Improvements:		
Office equipment	$8,352	
Scientific equipment	500	
		8,852
Total Appropriation, Division of Labor		$1,996,217

The unexpended balances of receipts derived from the operation of the Worker Health and Safety Act (R. S. 34:6A–1 through 24) as of June 30, 1966, together with receipts derived during the fiscal year 1966-67, are hereby appropriated for the implementation of said act; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

There are hereby appropriated such sums as may be necessary for payments out of the Wage and Hour Trust Fund established pursuant to R. S. 34:11–34.

There are hereby appropriated such sums as may be necessary for payments out of the Prevailing Wage Act Trust Fund established pursuant to R. S. 34:11–56.

Division of Workmen's Compensation

381-100. *General*

Salaries:		
Director	$18,000	
Other employees	1,067,375	
New positions	21,522	
Positions transferred from another division	13,774	
		$1,120,671
Materials and Supplies:		
Printing and office	$19,940	
Household and security	350	
Medical	175	
Education	195	
		20,660

Services Other Than Personal:		
Travel	$23,500	
Telephone	19,500	
Household and security	200	
Subscriptions and memberships	3,300	
Legal and investigative	492	
Postage	6,500	
Microfilming	5,000	
Data processing	8,000	
Rent—Central Motor Pool	950	
Staff training	670	
Other professional	2,500	
Other	100	
		70,712
Maintenance of Property:		
Recurring—		
Office equipment	$800	
Scientific equipment	50	
Non-Recurring and Replacements—		
Office equipment	980	
Medical equipment	112	
		1,942
Additions and Improvements:		
Office equipment		3,000
Total Appropriation		$1,216,985

381-400. *One Per Cent Compensation Tax Fund*

(Payable Out of One Per Cent Compensation Tax Fund)

Salaries:	
Other employees	$29,389

Materials and Supplies:		
Printing and office	$125	
Scientific	75	
		200
Services Other Than Personal:		
Travel	$500	
Telephone	350	
Legal and investigative	250	
Postage	400	
Data processing	660	
Rent—Buildings and grounds	1,200	
Medical	500	
Other	25	
		3,885
Maintenance of Property:		
Recurring—		
Office equipment		25
Total Appropriation		$33,499

There are appropriated out of the One Per Cent Compensation Tax Fund such sums as may be necessary for beneficiary payments; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

The amounts included hereinabove for administrative costs are hereby appropriated from the One Per Cent Compensation Tax Fund notwithstanding the limitation contained in R. S. 34:15–95.

The State Treasurer is hereby empowered and directed to transfer to the General State Fund the sum of $50,000 from the excess in the fund accumulated as of June 30, 1966;

pursuant to section 34:15–94 of the Revised Statutes, over the sum of $1,250,000.

Total Appropriation, Division of Workmen's Compensation	$1,250,484

Division of Employment Security

391-400. *Disability Insurance Service*

(Payable Out of Temporary Disability Benefits Administration Fund)

Salaries:		
Other employees	$1,804,399	
New positions	27,369	
		$1,831,768
Materials and Supplies:		
Printing and office		22,000
Services Other Than Personal:		
Travel	$6,000	
Telephone	20,000	
Subscriptions and memberships	450	
Postage	53,500	
Rent—Buildings and grounds	103,105	
Rent—Central Motor Pool	3,628	
Rent—Equipment, Data processing	6,600	
Rent—Other	350	
Medical	10,000	
		203,633
Maintenance of Property:		
Recurring—		
Office equipment	$800	

Non-Recurring and Replacements—		
Office equipment	3,429	
		4,229
Extraordinary:		
Compensation awards		100
Additions and Improvements:		
Office equipment		1,500
Total Appropriation, Disability Insurance Service		$2,063,230

In addition to the amounts hereinabove set forth, there are hereby appropriated out of the Temporary Disability Benefits Administration Fund such additional sums as may be required to administer the Disability Insurance Program; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

There are also appropriated out of the State Disability Benefits Fund such sums as may be necessary to pay disability benefits.

394-100. *State Board of Mediation*

Salaries:		
Board members (7)	$6,000	
Other employees	107,881	
		$113,881
Materials and Supplies:		
Printing and office	$450	
Household and security	30	
		480

Services Other Than Personal:		
Travel	$3,600	
Telephone	4,000	
Subscriptions and memberships	1,070	
Postage	550	
Staff training	250	
Other professional	750	
		10,220
Maintenance of Property:		
Recurring—		
Office equipment		50
Total Appropriation, State Board of Mediation		$124,631

396-100. *Rehabilitation Commission*

Salaries:		
Other employees	$939,122	
New positions	474,538	
		$1,413,660
Materials and Supplies:		
Printing and office		15,000
Services Other Than Personal:		
Travel	$48,000	
Telephone	55,000	
Household and security	1,000	
Advertising	200	
Subscriptions and memberships	300	
Postage	12,000	
Rent—Central Motor Pool	2,500	
Rent—Other	3,000	
Medical	20,000	
Other	200	
		142,200

Maintenance of Property:		
Recurring—		
Buildings and grounds	$1,000	
Office equipment	1,000	
Non-Recurring and Replacements—		
Office equipment	2,000	
		4,000
Extraordinary:		
Services to clients	$4,900,000	
Extension and improvement projects	170,000	
Expansion of rehabilitation services	11,000	
Research and demonstration projects	180,000	
		5,261,000
Additions and Improvements:		
Office equipment		7,000
Total Appropriation, Rehabilitation Commission		$6,842,860

In addition to the appropriation hereinabove made, recoveries of the State's share of expenditures made in the year ending June 30, 1967, together with those made in prior fiscal years, are hereby appropriated.

The portion of the appropriation made to or on behalf of this commission, which represents General State Funds, may be expended on a matching basis in proportion to Federal receipts which are anticipated.

Total Appropriation, Department of Labor and Industry	$12,277,422

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

410-100. *Office of the Commissioner*

Salaries:		
Commissioner	$25,000	
Other employees	296,322	
Position transferred from another division	6,684	
		$328,006
Materials and Supplies:		
Printing and office	$4,500	
Household and security	350	
Scientific	1,400	
Education	1,500	
		7,750
Services Other Than Personal:		
Travel	$2,500	
Telephone	12,500	
Insurance	44	
Subscriptions and memberships	1,100	
Postage	5,500	
Rent—Central Motor Pool	4,600	
Rent—Equipment, Data processing	9,468	
Rent—Other	400	
Staff training	225	
Other	100	
		36,437
Maintenance of Property:		
Recurring—		
Office equipment	$1,500	
Scientific equipment	150	
Non-Recurring and Replacements—		
Office equipment	400	
		2,050

Additions and Improvements:		
Office equipment	$300	
Scientific equipment	560	
		860
Total Appropriation, Office of the Commissioner		$375,103

410-101. *Interest on Bonds*

Interest on Water Development Bonds, chapter 35, P. L. 1958	$1,408,250	
Interest on State Recreation and Conservation Land Acquisition Bonds, chapter 46, P. L. 1961	1,620,200	
Total Appropriation, Interest on Bonds		$3,028,450

Division of Resource Development

420-100. *General.*

Salaries:		
Director	$16,000	
Other employees	2,586,109	
New positions	61,167	
		$2,663,276
Materials and Supplies:		
Food	$3,000	
Fuel and utilities	69,500	
Printing and office	19,500	
Agricultural and conservation	8,500	
Vehicular	45,300	
Household and security	36,100	

Clothing	5,300	
Scientific	5,450	
Education	1,250	
		193,900

Services Other Than Personal:		
Travel	$14,900	
Telephone	62,000	
Insurance	27,309	
Household and security	13,115	
Advertising	750	
Subscriptions and memberships	3,835	
Legal and investigative	2,000	
Postage	25,000	
Microfilming	500	
Data processing	700	
Rent—Central Motor Pool	35,590	
Rent—Other	59,316	
Other professional	25,500	
Other	25,000	
		295,515

Maintenance of Property:	
Recurring—	
Buildings and grounds	$79,750
Office equipment	2,085
Agricultural and conservation equipment	1,500
Vehicular equipment	27,700
Household and security equipment	6,150
Scientific equipment	650
Education equipment	750
Other equipment	4,500
Non-Recurring and Replacements—	
Buildings and grounds	114,190
Office equipment	2,639

Agricultural and conservation equipment	9,450	
Vehicular equipment	83,250	
Household and security equipment	7,650	
Scientific equipment	375	
Other equipment	12,000	
		352,639
Extraordinary:		
State's share of maintenance, Old Barracks, Trenton	$11,000	
Rent of aircraft service	65,000	
Fire fighting costs	75,000	
Compensation awards	10,000	
		161,000
Additions and Improvements:		
Buildings and grounds	$2,150	
Office equipment	1,330	
Agricultural and conservation equipment	14,600	
Vehicular equipment	60,525	
Household and security equipment	4,925	
Scientific equipment	500	
Education equipment	500	
		84,530
Total Appropriation		$3,750,860

The unexpended receipts in excess of those anticipated from "Bureau of Parks and Recreation" revenues during the fiscal years ending June 30, 1966, together with receipts in excess of those anticipated from the same sources during the fiscal year ending June 30, 1967, are hereby appropriated for additional operation

and maintenance costs of the Division of Resource Development; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The unexpended balance as of June 30, 1966 in the account for "Fire Fighting Costs" is hereby appropriated for the same purpose.

The unexpended balance as of June 30, 1966 of the Revolving Fund created pursuant to chapter 106, P. L. 1959 for the purpose of printing and reprinting of literature and maps for sale and receipts derived from such sales are also appropriated.

420-402. *Morris Canal and Banking Company*

(Payable Out of Morris Canal Fund)

Salaries:		
Other employees		$56,611
Materials and Supplies:		
Fuel and utilities	$1,200	
Printing and office	150	
Agricultural and conservation	400	
Vehicular	450	
Household and security	500	
Clothing	300	
		3,000
Services Other Than Personal:		
Telephone	$200	
Household and security	250	
		450

Maintenance of Property:		
Recurring—		
Buildings and grounds	$2,000	
Office equipment	50	
Vehicular equipment	200	
Household and security equipment	250	
Non-Recurring and Replacements—		
Buildings and grounds	1,550	
Other equipment	500	
		4,550
Additions and Improvements:		
Office equipment	$150	
Vehicular equipment	350	
		500
Total Appropriation		$65,111

There shall be refunded to the General State Fund such amounts as have been advanced from said Fund to the Morris Canal Fund whenever and to the extent that cash in the Morris Canal Fund exceeds the liabilities thereof.

420-404. *Boat Regulation Commission*

(Payable Out of New Jersey Boat Act Revolving Fund)

Salaries:		
Other employees	$166,831	
New positions	4,750	
		$171,581
Materials and Supplies:		
Food	$3,000	
Printing and office	8,000	
Vehicular	10,000	

Household and security	1,000	
Clothing	2,000	
Scientific	600	
Education	500	
		25,100
Services Other Than Personal:		
Travel	$6,500	
Telephone	2,500	
Advertising	100	
Subscriptions and memberships	100	
Postage	7,500	
Data processing	6,000	
Rent—Buildings and grounds	6,542	
Rent—Central Motor Pool	5,100	
Rent—Other	5,000	
Medical	50	
Other	100	
		39,492
Maintenance of Property:		
Recurring—		
Office equipment	$200	
Vehicular equipment	6,000	
Household and security equipment	200	
Non-Recurring and Replacements—		
Office equipment	350	
Vehicular equipment	13,340	
		20,090
Additions and Improvements:		
Vehicular equipment	$7,800	
Household and security equipment	480	
Education equipment	920	
		9,200
Total Appropriation		$265,463

The amount hereinabove appropriated shall be payable out of the New Jersey Boat Act Revolving Fund and any amount remaining therein is hereby appropriated to carry out the provisions of chapter 206, P. L. 1965; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

420-409. *Board of New Jersey Pilot Commissioners*

(Payable Out of Receipts)

Salaries:	
Board members	$21,765
Materials and Supplies:	
Printing and office	60
Services Other Than Personal:	
Travel	300
Total Appropriation	$22,125

The amounts hereinabove appropriated to the New Jersey Pilot Commissioners shall be payable out of the receipts thereof, and any receipts in excess of the amounts specifically set forth above are hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Total Appropriation, Division of Resource Development	$4,103,559

430-100. *Division of Water Policy and Supply*

Salaries:		
Director	$16,000	
Other employees	330,444	
		$346,444
Materials and Supplies:		
Fuel and utilities	$4,300	
Printing and office	3,000	
Agricultural and conservation	200	
Vehicular	3,000	
Household and security	200	
Clothing	100	
Scientific	600	
		11,400
Services Other Than Personal:		
Travel	$3,800	
Telephone	6,500	
Insurance	674	
Household and security	125	
Advertising	200	
Subscriptions and memberships	170	
Legal and investigative	600	
Postage	1,500	
Rent—Central Motor Pool	3,000	
Other	50	
		16,619
Maintenance of Property:		
Recurring—		
Buildings and grounds	$8,000	
Office equipment	200	
Agricultural and conservation equipment	200	
Vehicular equipment	800	
Scientific equipment	100	

Non-Recurring and Replacements—		
Buildings and grounds	2,500	
Agricultural and conservation equipment	300	
		12,100
Extraordinary:		
Office of Rivermaster—		
State share	$16,000	
Ground-water exploratory program	44,000	
Stream gaging stations	56,000	
Flood plain zoning and warning service	11,500	
Surface water quality program	4,250	
Water resources research institute	40,000	
		171,750
Additions and Improvements:		
Office equipment	$214	
Scientific equipment	1,000	
		1,214
Total Appropriation, Division of Water Policy and Supply		$559,527

The unexpended balance in the account "Flood Plain Zoning and Warning Service," as of June 30, 1966 is hereby appropriated to carry out the provisions of R. S. 58:16A–50 to 54.

The unexpended balance in the account "Wells Falls and Lambertville Dam" as of June 30, 1966 is hereby appropriated.

The unexpended balance in the account "Surface Water Diversion" as of June 30, 1966 is hereby appropriated.

There is hereby appropriated for operation and maintenance of Spruce Run and Round Valley Reservoirs a sum not to exceed $250,000 out of aggregate revenue produced pursuant to R. S. 58:22–10 ("New Jersey Water Supply Law, 1958"); provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

440-100. *Division of Shell Fisheries*

Salaries:		
Director	$12,500	
Other employees	264,110	
New positions	4,750	
		$281,360
Materials and Supplies:		
Fuel and utilities	$800	
Printing and office	1,500	
Vehicular	8,500	
Household and security	300	
Clothing	600	
Scientific	100	
Other	800	
		12,600
Services Other Than Personal:		
Travel	$2,500	
Telephone	1,200	
Insurance	6,545	
Subscriptions and memberships	150	
Postage	200	

Rent—Central Motor Pool	5,000	
Rent—Other	3,800	
Other	50	
		19,445
Maintenance of Property:		
Recurring—		
Buildings and grounds	$150	
Office equipment	100	
Vehicular equipment	11,500	
Non-Recurring and Replacements—		
Vehicular equipment	800	
		12,550
Extraordinary:		
Compensation awards	$1,470	
Oyster research	20,000	
Shelling and seeding beds	103,000	
Disease Resistant Oyster Program	6,250	
		130,720
Additions and Improvements:		
Vehicular equipment	$1,275	
Scientific equipment	825	
		2,100
Total Appropriation, Division of Shell Fisheries		$458,775

There is hereby appropriated the unexpended balance in the "Shelling and Seeding Beds" Account as of June 30, 1966, together with any Federal funds which may be received; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Division of Fish and Game

450-400.

(Payable Out of Hunters' and Anglers' License Fund)

Salaries:		
Director	$16,000	
Other employees	949,753	
		$965,753
Materials and Supplies:		
Fuel and utilities	$23,000	
Printing and office	57,000	
Agricultural and conservation	25,000	
Agricultural and conservation (Fish Propagation)	170,000	
Vehicular	50,000	
Household and security	4,100	
Clothing	6,000	
Scientific	800	
Education	700	
Other	600	
		337,200
Services Other Than Personal:		
Travel	$15,000	
Telephone	14,600	
Insurance	13,842	
Subscriptions and memberships	382	
Legal and investigative	250	
Postage	12,000	
Rent — Buildings and grounds	29,100	
Rent—Other	20,000	
Medical	200	
Other	5,900	
		111,274

Maintenance of Property:		
Recurring—		
Buildings and grounds	$10,000	
Office equipment	250	
Vehicular equipment	16,000	
Non-Recurring and Replacements—		
Agricultural and conservation equipment	5,000	
Vehicular equipment	47,000	
		78,250
Extraordinary:		
Deer management	$8,000	
Surface water quality program	4,000	
Compensation awards	3,080	
		15,080
Additions and Improvements:		
Buildings and grounds	$6,250	
Agricultural and conservation equipment	9,000	
Vehicular equipment	5,450	
		20,700
Total Appropriation		$1,528,257

The amount hereinabove appropriated shall be payable out of the Hunters' and Anglers' License Fund and any amount remaining therein is hereby appropriated for additional costs of operation; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

451-100. *Public Shooting and Fishing Grounds*

(Payable Out of Public Shooting and Fishing Grounds Fund)

Salaries:		
Other employees		$242,877
Materials and Supplies:		
Fuel and utilities	$3,800	
Printing and office	2,000	
Agricultural and conservation	31,500	
Vehicular	15,000	
Household and security	200	
Clothing	300	
Scientific	100	
		52,900
Services Other Than Personal:		
Travel	$1,400	
Telephone	2,500	
Insurance	3,305	
Rent—Other	2,000	
Medical	100	
Other	100	
		9,405
Maintenance of Property:		
Recurring—		
Buildings and grounds	$5,000	
Agricultural and conservation equipment	2,500	
Vehicular equipment	4,000	
Non-Recurring and Replacements—		
Buildings and grounds	2,000	
Office equipment	200	
Agricultural and conservation equipment	6,170	
Vehicular equipment	15,000	
		34,870

Extraordinary:		
Dike maintenance	$3,010	
Atlantic Flyway	2,060	
		5,070
Additions and Improvements:		
Buildings and grounds .	$10,000	
Agricultural and conservation equipment	6,000	
Vehicular equipment ...	3,500	
		19,500
Total Appropriation		$364,622

The amount hereinabove appropriated shall be payable out of the Public Shooting and Fishing Grounds Fund and any amount remaining is hereby appropriated for additional costs of operation and for 50% of the amounts payable pursuant to R. S. 54:4–2.1; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Total Appropriation, Division of Fish and Game ...	$1,892,879

460-100. *Division of Veterans' Services*

Salaries:		
Director	$11,000	
Other employees	238,847	
		$249,847
Materials and Supplies:		
Printing and office	$2,000	
Household and security	250	
		2,250

Services Other Than Personal:		
Travel	$2,500	
Telephone	5,000	
Subscriptions and memberships	160	
Postage	3,800	
Rent—Central Motor Pool	2,000	
Rent—Other	250	
Other	100	
		13,810
Maintenance of Property:		
Recurring—		
Office equipment	$150	
Non-Recurring and Replacements—		
Office equipment	220	
		370
Total Appropriation, Division of Veterans' Services		$266,277

470-100. *Division of State and Regional Planning*

Salaries:		
Director	$16,000	
Other employees	173,529	
		$189,529
Materials and Supplies:		
Printing and office	$7,000	
Scientific	2,000	
		9,000
Services Other Than Personal:		
Travel	$3,000	
Telephone	6,500	
Advertising	100	

Subscriptions and memberships	700	
Postage	3,000	
Rent—Central Motor Pool	4,500	
Other professional	8,000	
Other	100	
		25,900
Maintenance of Property:		
Recurring—		
Office equipment	$300	
Non-Recurring and Replacements—		
Office equipment	561	
		861
Extraordinary:		
Co-operative Governmental Planning	$100,000	
For the State's ⅓ share of the cost of land development planning aspects of studies in the Northeastern New Jersey-New York urban area, to be conducted by the Tri-State Transportation Commission, which qualifies for ⅔ matching by the Urban Renewal Administration of the United States Department of Housing and Urban Development, subject to expenditure by the Tri-State Transportation Commission upon approval of the Commissioner of the		

Department of Conservation and Economic Development ..	250,000	
For the State's ⅓ share of the cost of land development planning aspects of the Atlantic City urban area study which qualifies for ⅔ matching by the Urban Renewal Administration of the United States Department of Housing and Urban Development	18,500	
For the State's ⅓ share of the cost of land development planning aspects of any Philadelphia-Camden urban area study which may qualify for ⅔ matching by the Urban Renewal Administration of the United States Department of Housing and Urban Development	32,000	
		400,500
Total Appropriation, Division of State and Regional Planning		$625,790

The unexpended balance as of June 30, 1966 in the account "Co-operative Governmental Planning" is hereby appropriated.

480-100. *Division of Economic Development*

Salaries:		
Director	$17,000	
Other employees	138,535	
New positions	28,233	
		$183,768
Materials and Supplies:		
Printing and office	$4,000	
Scientific	100	
		4,100
Services Other Than Personal:		
Travel	$3,000	
Telephone	5,000	
Subscriptions and memberships	450	
Postage	3,000	
Rent—Central Motor Pool	2,500	
Other	100	
		14,050
Maintenance of Property:		
Recurring—		
Office equipment	$400	
Non-Recurring and Replacements—		
Office equipment	1,242	
		1,642
Extraordinary:		
Promotional expenses	$350,000	
For economic development feasibility studies to be conducted at the State level in cooperation with private enterprise, and for aid to local governments		

for economic development programs not to exceed 50% of the total cost of any one project, as the Comsioner of Conservation and Economic Development may determine; provided, however, that the appropriation hereto shall be subject to the enactment of enabling legislation ..	250,000	
		600,000
Additions and Improvements:		
Office equipment		1,398
Total Appropriation, Division of Economic Development		$804,958

Of the sum appropriated to this Division for "Promotional Expenses," not more than $10,000 may be transferred to the Department of Labor and Industry for promotional expense which it may incur.

Total Appropriation, Department of Conservation and Economic Development	$12,115,318

DEPARTMENT OF EDUCATION

500-100. *Commissioner's Office*

Salaries:		
Commissioner	$27,500	
Other employees	1,396,621	
		$1,424,121

Materials and Supplies:		
Printing and office	$35,000	
Household and security	65	
Education	1,500	
Other	500	
		37,065
Services Other Than Personal:		
Travel	$35,000	
Telephone	37,000	
Insurance	2,160	
Subscriptions and memberships	4,800	
Legal and investigative	7,500	
Postage	31,000	
Rent—Central Motor Pool	16,500	
Rent—Other	156	
Medical	2,000	
Education	2,500	
Staff training	500	
Other	6,500	
		145,616
Maintenance of Property:		
Recurring—		
Office equipment	$3,000	
Non-Recurring and Replacements—		
Office equipment	3,177	
		6,177
Extraordinary:		
Migrant school program		40,000
Additions and Improvements:		
Office equipment		2,500
Total Appropriation, Commissioner's Office		$1,655,479

The unexpended balance in the "General Educational Development Test

Program'' account as of June 30, 1966, together with receipts in the fiscal year 1966-67, are hereby appropriated as a continuing revolving fund.

Any sums appropriated to the several divisions or agencies of the Department of Education for data processing are hereby made available for transfer by certificate of debit and credit to the Commissioner's Office, as the Commissioner may determine, for centralized data processing purposes.

500-101. *Interest on Bonds*

Interest on State Teachers' Colleges Construction Bonds—Act of 1951 ...	$37,625	
Interest on State Higher Education Bonds—Act of 1959	1,898,250	
Interest on State Higher Education Construction Bonds—Act of 1964	728,400	
Total Appropriation, Interest on Bonds		$2,664,275

500-115. *Administration of Industrial Education, Manual Training and Vocational Schools Smith-Hughes, George-Barden Programs*

Salaries:		
Other employees	$251,490	
New positions	198,741	
		$450,231

Materials and Supplies:		
Printing and office	$7,000	
Household and security	100	
Education	375	
Other	50	
		7,525
Services Other Than Personal:		
Travel	$24,000	
Telephone	5,800	
Subscriptions and memberships	300	
Postage	4,000	
Rent—Central Motor Pool	5,000	
Education	5,000	
Other	100	
		44,200
Maintenance of Property:		
Recurring—		
Office equipment		500
Extraordinary:		
Vocational—Technical Teacher Training Program		250,000
Additions and Improvements:		
Office equipment		7,464
Total Appropriation, Administration of Industrial Education, Manual Training and Vocational Schools Smith-Hughes, George-Barden Programs		$759,920

500-125. *State Competitive Scholarships and Student Loans*

Salaries:		
Other employees	$116,061	
New positions	36,343	
		$152,404
Materials and Supplies:		
Printing and office	$12,000	
Education	100	
Other	100	
		12,200
Services Other Than Personal:		
Travel	$3,200	
Telephone	1,300	
Subscriptions and memberships	300	
Postage	14,000	
Data processing	9,000	
Other	800	
		28,600
Maintenance of Property:		
Recurring—		
Office equipment		125
Extraordinary:		
For scholarships, pursuant to R. S. 18:22–14.5	$4,793,920	
For incentive scholarships, subject to the enactment of enabling legislation	750,000	
For fellowships, subject to the enactment of enabling legislation	250,000	
		5,793,920

Additions and Improvements:		
Office equipment		3,087
Total Appropriation, State Competitive Scholarships and Student Loans		$5,990,336

The unexpended balance in this account as of June 30, 1966 is hereby appropriated "For Scholarships, pursuant to R. S. 18:22–14.5."

520-100. *Division of the State Library, Archives and History*

Salaries:		
Other employees	$409,880	
New positions	18,583	
		$428,463
Materials and Supplies:		
Printing and office	$19,500	
Household and security	50	
Library books	60,000	
		79,550
Services Other Than Personal:		
Travel	$3,000	
Telephone	11,000	
Insurance	128	
Subscriptions and memberships	8,000	
Postage	6,000	
Rent—Central Motor Pool	3,200	
Rent—Other	20	
Other	50	
		31,398
Maintenance of Property:		
Recurring—		
Office equipment		300

Extraordinary:		
Microfilm program		5,000
Total Appropriation, Division of the State Library, Archives and History		$544,711

The unexpended balance in the "Microfilm Program" account as of June 30, 1966 is hereby appropriated.

530-100. *Division of the State Museum*

Salaries:		
Other employees	$264,580	
New positions	69,427	
		$334,007
Materials and Supplies:		
Printing and office	$14,000	
Agricultural and conservation	1,500	
Vehicular	250	
Household and security	1,500	
Clothing	325	
Scientific	1,000	
Education	3,500	
Other	2,500	
		24,575
Services Other Than Personal:		
Travel	$2,000	
Telephone	8,000	
Insurance	2,000	
Household and security	600	
Subscriptions and memberships	350	
Postage	4,500	
Rent—Central Motor Pool	1,730	

Rent—Other	1,000	
Medical	100	
Education	5,000	
Staff training	250	
Other	5,000	
		30,530
Maintenance of Property:		
Recurring—		
Buildings and grounds	$1,250	
Office equipment	300	
Household and security equipment	300	
Scientific equipment	150	
Other equipment	2,500	
Non-Recurring and Replacements—		
Office equipment	375	
Other equipment	150	
		5,025
Extraordinary:		
Archeological research		3,500
Additions and Improvements:		
Office equipment	$870	
Education equipment	10,000	
Other equipment	4,000	
		14,870
Total Appropriation, Division of the State Museum		$412,507

Not more than ½ of the receipts from charges made for mailing and handling of films and the unexpended balance as of June 30, 1966 in the account "Revolving Fund—Replace Damaged or Lost Films" are hereby appropriated as a continuing revolving fund to be used to replace damaged or lost films.

There are hereby appropriated the unexpended balance as of June 30, 1966 in the revolving fund created pursuant to chapter 106, P. L. 1959 to print literature and maps for sale and for the purchase of merchandise for sale and receipts derived from such sales.

550-100. *Glassboro State College*

Salaries:		
Other employees	$612,392	
New positions	21,094	
Academic employees	2,381,855	
New positions	70,245	
Student assistants	213,033	
		$3,298,619
Materials and Supplies:		
Fuel and utilities	$110,000	
Printing and office	20,000	
Agricultural and conservation	6,000	
Vehicular	1,500	
Household and security	15,800	
Medical	1,000	
Education	37,800	
Library books	50,000	
		242,100
Services Other Than Personal:		
Travel	$15,750	
Telephone	19,000	
Insurance	530	
Household and security	16,000	
Subscriptions and memberships	1,100	
Postage	7,500	
Official reception	6,300	
Data processing	2,500	

Rent—Equipment, Data processing	1,750	
Education	32,000	
Food service	396,000	
		498,430
Maintenance of Property:		
Recurring—		
Buildings and grounds	$36,000	
Office equipment	1,500	
Vehicular equipment	1,400	
Household and security equipment	1,350	
Scientific equipment	400	
Education equipment	1,200	
Non-Recurring and Replacements—		
Buildings and grounds	51,066	
Office equipment	3,330	
Vehicular equipment	2,000	
Household and security equipment	15,400	
Education equipment	2,699	
		116,345
Extraordinary:		
Demonstration school service	$75,000	
Part-Time, Summer and Graduate Program	608,000	
		683,000
Additions and Improvements:		
Buildings and grounds	$10,297	
Office equipment	13,391	
Household and security equipment	945	
Education equipment	60,000	
		84,633
Total Appropriation, Glassboro State College		$4,923,127

551-100. *Jersey City State College*

Salaries:		
Other employees	$476,244	
New positions	20,940	
Academic employees	1,745,169	
New positions	92,403	
Student assistants	71,500	
		$2,406,256
Materials and Supplies:		
Fuel and utilities	$57,000	
Printing and office	13,000	
Agricultural and conservation	1,000	
Vehicular	900	
Household and security	10,000	
Medical	450	
Education	27,000	
Library books	36,500	
		145,850
Services Other Than Personal:		
Travel	$11,400	
Telephone	12,500	
Insurance	316	
Household and security	3,000	
Subscriptions and memberships	700	
Postage	5,500	
Official reception	4,564	
Data processing	5,000	
Rent—Equipment, Data processing	1,250	
Education	50,000	
Food service	35,861	
		130,091
Maintenance of Property:		
Recurring—		
Buildings and grounds	$19,000	
Office equipment	1,000	

Vehicular equipment	700	
Household and security equipment	2,400	
Education equipment	1,200	
Non-Recurring and Replacements—		
Buildings and grounds	20,000	
Office equipment	2,050	
Education equipment	3,044	
		49,394
Extraordinary:		
Part-Time, Summer and Graduate Program		650,000
Additions and Improvements:		
Buildings and grounds	$4,950	
Office equipment	4,182	
Household and security equipment	750	
Education equipment	42,000	
		51,882
Total Appropriation		$3,433,473

551-102. *A. Harry Moore Laboratory School of Jersey City State College*

Extraordinary:		
For operating expenses of the A. Harry Moore Laboratory School	$220,000	
For operation and maintenance of summer camp for handicapped children at Voorhees State Park	30,000	
Total Appropriation		$250,000

There are hereby appropriated for additional operating expenses of this school all tuition and other receipts from the operation of the A. Harry Moore Laboratory School of Jersey City State College in excess of the sum hereinabove appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.		
Total Appropriation, Jersey City State College		$3,683,473

552-100. *Newark State College*

Salaries:		
Other employees	$572,104	
New positions	32,040	
Academic employees ...	2,232,446	
New positions	137,354	
Student assistants	97,608	
		$3,071,552
Materials and Supplies:		
Fuel and utilities	$88,000	
Printing and office	15,000	
Agricultural and conservation	4,950	
Vehicular	2,000	
Household and security.	15,000	
Medical	500	
Education	41,000	
Library books	46,400	
		212,850
Services Other Than Personal:		
Travel	$14,500	
Telephone	14,000	
Insurance	326	

Household and security	7,000	
Subscriptions and memberships	650	
Postage	7,700	
Official reception	5,800	
Data processing	3,500	
Rent—Buildings and grounds	82,500	
Rent—Equipment, Data processing	1,500	
Education	56,200	
Food service	68,566	
		262,242
Maintenance of Property:		
Recurring—		
Buildings and grounds	$28,500	
Office equipment	1,000	
Agricultural and conservation equipment	550	
Vehicular equipment	1,000	
Household and security equipment	2,700	
Scientific equipment	1,800	
Non-Recurring and Replacements—		
Buildings and grounds	17,000	
Office equipment	2,000	
Vehicular equipment	1,800	
Household and security equipment	2,300	
Education equipment	10,575	
		69,225
Extraordinary:		
Part-Time, Summer and Graduate Program		700,000
Additions and Improvements:		
Buildings and grounds	$1,200	
Office equipment	8,140	

Agricultural and conservation equipment	600	
Medical equipment	500	
Educational equipment	62,000	
		72,440
Total Appropriation, Newark State College		$4,388,309

553-100. *Paterson State College*

Salaries:		
Other employees	$580,373	
New positions	38,821	
Academic employees	1,847,339	
New positions	243,889	
Student assistants	95,500	
		$2,805,922
Materials and Supplies:		
Fuel and utilities	$82,000	
Printing and office	18,000	
Agricultural and conservation	4,000	
Vehicular	1,500	
Household and security	16,000	
Medical	600	
Education	40,000	
Library books	41,600	
		203,700
Services Other Than Personal:		
Travel	$13,000	
Telephone	14,500	
Insurance	471	
Household and security	8,000	
Subscriptions and memberships	850	
Postage	6,500	
Official reception	5,200	
Data processing	6,000	

Rent—Equipment, Data processing	2,000	
Education	43,600	
Food service	78,000	
Other	500	
		178,621
Maintenance of Property:		
Recurring—		
Buildings and grounds	$28,000	
Office equipment	850	
Agricultural and conservation equipment	350	
Vehicular equipment	1,000	
Household and security equipment	1,050	
Education equipment	1,000	
Non-Recurring and Replacements—		
Buildings and grounds	5,000	
Office equipment	1,737	
Agricultural and conservation equipment	2,700	
Vehicular equipment	2,200	
Household and security equipment	1,050	
Education equipment	3,795	
		48,732
Extraordinary:		
Part-Time, Summer and Graduate Program	$410,000	
Nursing Program	40,000	
		450,000
Additions and Improvements:		
Buildings and grounds	$12,000	
Office equipment	16,522	
Household and security equipment	1,000	

Education equipment ..	70,000	
Other equipment	800	
		100,322
Total Appropriation, Paterson State College		$3,787,297

554-100. *Montclair State College*

Salaries:		
Other employees	$756,681	
New positions	36,498	
Academic employees ...	2,717,434	
New positions	385,890	
Student assistants	182,119	
		$4,078,622
Materials and Supplies:		
Fuel and utilities	$124,000	
Printing and office	21,000	
Agricultural and conservation	8,000	
Vehicular	1,200	
Household and security	22,500	
Medical	500	
Education	50,000	
Library books	62,000	
Other	500	
		289,700
Services Other Than Personal:		
Travel	$20,000	
Telephone	19,000	
Insurance	495	
Household and security	15,000	
Subscriptions and memberships	900	
Postage	14,000	
Official reception	8,000	
Data processing	8,000	

Rent—Equipment, Data processing	1,700	
Education	40,000	
Food service	230,000	
Other	500	
		357,595
Maintenance of Property:		
Recurring—		
Buildings and grounds	$46,000	
Office equipment	1,800	
Agricultural and conservation equipment	400	
Vehicular equipment	1,200	
Household and security equipment	2,000	
Scientific equipment	1,800	
Education equipment	1,300	
Non-Recurring and Replacements—		
Buildings and grounds	30,000	
Office equipment	3,500	
Vehicular equipment	5,000	
Household and security equipment	3,100	
Education equipment	15,400	
		111,500
Extraordinary:		
Part-Time, Summer and Graduate Program		325,000
Additions and Improvements:		
Buildings and grounds	$21,700	
Office equipment	11,992	
Vehicular equipment	1,500	
Household and security equipment	1,100	
Education equipment	75,000	
		111,292
Total Appropriation, Montclair State College		$5,273,709

555-100. *Trenton State College*

Salaries:		
Other employees	$692,648	
New positions	60,375	
Academic employees	2,359,165	
New positions	127,660	
Student assistants	240,606	
		$3,480,454
Materials and Supplies:		
Fuel and utilities	$135,000	
Printing and office	18,000	
Agricultural and conservation	3,500	
Vehicular	1,500	
Household and security	20,000	
Medical	800	
Education	39,000	
Library books	48,420	
		266,220
Services Other Than Personal:		
Travel	$16,140	
Telephone	28,000	
Insurance	507	
Household and security	21,000	
Subscriptions and memberships	1,200	
Postage	10,000	
Official reception	6,456	
Data processing	7,500	
Education	30,000	
Food service	468,000	
Other	3,446	
		592,249
Maintenance of Property:		
Recurring—		
Buildings and grounds	$49,000	
Office equipment	800	

Agricultural and conservation equipment	800	
Vehicular equipment	1,200	
Household and security equipment	3,000	
Scientific equipment	2,800	
Non-Recurring and Replacements—		
Buildings and grounds	11,789	
Office equipment	3,586	
Household and security equipment	6,625	
Education equipment	32,307	
		111,907
Extraordinary:		
Demonstration school services	$204,000	
Part-Time, Summer and Graduate Program	573,000	
Nursing Program	40,000	
		817,000
Additions and Improvements:		
Buildings and grounds	$21,800	
Office equipment	12,039	
Agricultural and conservation equipment	1,902	
Vehicular equipment	2,250	
Household and security equipment	4,250	
Education	80,000	
		122,241
Total Appropriation, Trenton State College		$5,390,071

Receipts at all State Colleges from fees for student service charges and parking fees, together with the balances of such funds as of June 30, 1966, are hereby appropriated.

The funds for the operation of the part-time, summer and graduate programs at all State Colleges are hereby appropriated out of the receipts derived therefrom, and any unexpended balances in the accounts of said programs as of June 30, 1966 are hereby appropriated together with all receipts in excess of those anticipated therefrom.

Receipts in excess of those anticipated from regular tuition and the operation of cafeterias and boarding halls are hereby appropriated.

The amounts appropriated to the various State Colleges for student assistants shall constitute the appropriation to carry out the provisions of R. S. 18:16–27.1, and such appropriation may be available for salaries of other employees in lieu of student assistants.

560-100. *Marie H. Katzenbach School for the Deaf*

Salaries:		
Other employees	$652,571	
New positions	7,855	
Academic employees	724,176	
New positions	21,054	
Food in lieu of cash	19,770	
		$1,425,426
Materials and Supplies:		
Food	$62,500	
Fuel and utilities	48,000	
Printing and office	600	
Agricultural and conservation	2,500	
Vehicular	1,200	
Household and security	13,500	
Clothing	1,700	

Medical	1,600	
Education	18,000	
Library books	1,500	
Other	350	
		151,450
Services Other Than Personal:		
Travel	$750	
Telephone	7,300	
Insurance	349	
Household and security	24,000	
Advertising	100	
Postage	1,050	
Entertainment	800	
Rent—Other	3,450	
Medical	600	
Other professional	600	
Other	2,200	
		41,199
Maintenance of Property:		
Recurring—		
Buildings and grounds	$19,500	
Office equipment	600	
Vehicular equipment	1,800	
Non-Recurring and Replacements—		
Buildings and grounds	36,750	
Household and security equipment	6,100	
Other equipment	4,000	
		68,750
Additions and Improvements:		
Buildings and grounds	$17,300	
Agricultural and conservation equipment	650	
Household and security equipment	1,700	
Education equipment	1,000	
		20,650
Total Appropriation, Marie H. Katzenbach School for the Deaf		$1,707,475

562-400. *State School of Conservation, Lake Wapalanne*

Salaries:		
Other employees		$122,950
Materials and Supplies:		
Food	$38,000	
Fuel and utilities	13,000	
Printing and office	1,000	
Agricultural and conservation	150	
Vehicular	1,600	
Household and security	2,800	
Medical	200	
Education	800	
Other	100	
		57,650
Services Other Than Personal:		
Travel	$1,800	
Telephone	1,900	
Insurance	245	
Household and security	900	
Subscriptions and memberships	150	
Postage	600	
Rent—Other	13,500	
Education	500	
Other	100	
		19,695
Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	150	
Vehicular equipment	1,000	
Household and security equipment	150	
Non-Recurring and Replacements—		
Office equipment	450	

Household and security equipment	250	
		2,500
Additions and Improvements:		
Office equipment	$450	
Household and security equipment	3,600	
Scientific equipment	550	
Education equipment ..	500	
Other equipment	1,200	
		6,300
Total Appropriation, State School of Conservation, Lake Wapalanne		$209,095

The amount hereinabove appropriated shall be payable out of receipts derived from the operation of this school and there are hereby appropriated receipts in excess of the amount hereinabove specifically set forth, together with the unexpended balance of such receipts as of June 30, 1966; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Rutgers, The State University

570-100. *General University*

Salaries:		
Other employees	$21,466,075	
New positions	1,313,527	
Coadjutant salaries	1,415,668	
Wages of labor	538,356	
Merit salary adjustment	150,000	
		$24,883,626

Materials and Supplies:		
Food	$7,000	
Fuel and utilities	750,000	
Printing and office	551,650	
Agricultural and conservation	15,000	
Vehicular	22,600	
Household and security	100,000	
Medical	6,000	
Scientific	70,000	
Education	280,000	
Library books	650,000	
Other	20,000	
		2,472,250
Services Other Than Personal:		
Travel	$210,000	
Telephone	250,000	
Insurance	200,000	
Household and security	45,000	
Advertising	10,000	
Subscriptions and memberships	25,000	
Legal and investigative	75,000	
Postage	125,000	
Microfilming	750	
Data processing	50,000	
Rent—Buildings and grounds	260,000	
Rent—Equipment, Data processing	300,000	
Rent—Other	240,000	
Medical	820	
Education	50,000	
Securities charges	13,500	
Taxes and municipal services	197,800	
Other professional	10,000	
Other	100,000	
		2,162,870

Maintenance of Property:		
Recurring—		
Buildings and grounds	$350,000	
Office equipment	25,000	
Agricultural and conservation equipment	200	
Vehicular equipment	2,500	
Household and security equipment	22,500	
Medical equipment	200	
Scientific equipment	10,000	
Education equipment	40,000	
Non-Recurring and Replacements—		
Buildings and grounds	250,000	
Office equipment	50,000	
Agricultural and conservation equipment	900	
Vehicular equipment	15,000	
Household and security equipment	2,000	
Medical equipment	400	
Scientific equipment	5,000	
Education equipment	200,000	
		973,700
Extraordinary:		
Research grants	$200,000	
Retirement allowances	265,000	
Interest	112,550	
Contingent fund	50,000	
Student aid	500,000	
		1,127,550
Additions and Improvements:		
Buildings and grounds	$40,000	
Office equipment	30,000	
Agricultural and conservation equipment	6,500	
Vehicular equipment	6,000	
Household and security equipment	10,000	

Scientific equipment ...	30,000	
Education equipment ..	200,000	
		322,500
		$31,942,496
Less:		
General services income		*10,400,000*
Sub-Total Appropriation	$21,536,696	
Land Grant Interest	5,800	
Total Appropriation		$21,542,496

571-100. *Douglass College*

Salaries:		
Other employees	$2,866,321	
New positions	27,733	
Coadjutant salaries	3,900	
Wages of labor	105,369	
		$3,003,323
Materials and Supplies:		
Food	$1,000	
Fuel and utilities	120,000	
Printing and office	45,000	
Agricultural and conservation	2,500	
Vehicular	1,000	
Household and security	24,000	
Medical	7,000	
Scientific	400	
Education	37,500	
Other	5,000	
		243,400

Services Other Than Personal:		
Travel	$9,000	
Telephone	22,000	
Insurance	25,000	
Household and security	3,000	
Subscriptions and memberships	1,500	
Legal and investigative	3,000	
Postage	10,000	
Rent—Other	7,800	
Medical	5,000	
Education	3,000	
Securities charges	5,000	
Taxes and municipal services	16,000	
Other	2,000	
		112,300
Maintenance of Property:		
Recurring—		
Buildings and grounds	$55,000	
Office equipment	2,000	
Agricultural and conservation equipment	2,000	
Vehicular equipment	2,000	
Household and security equipment	4,500	
Medical equipment	100	
Scientific equipment	50	
Education equipment	3,250	
Non-Recurring and Replacements—		
Buildings and grounds	90,000	
Office equipment	6,000	
Agricultural and conservation equipment	3,000	
Vehicular equipment	4,000	
Household and security equipment	3,000	
Medical equipment	1,000	
Scientific equipment	6,000	
Education equipment	32,000	
		213,900

Extraordinary:		
Retirement allowances	$100,000	
Contingent fund	10,000	
Interest	4,550	
Student aid	26,000	
		140,550
Additions and Improvements:		
Buildings and grounds	$15,000	
Vehicular equipment	1,000	
Household and security equipment	1,000	
		17,000
		$3,730,473
Less:		
General services income		*1,250,000*
Total Appropriation		$2,480,473

572-100. *Agricultural Experiment Station*

Salaries:		
Director	$7,200	
Other employees	4,551,067	
New positions	55,858	
Wages of labor	180,000	
		$4,794,125
Materials and Supplies:		
Fuel and utilities	$160,000	
Printing and office	90,800	
Agricultural and conservation	115,000	
Vehicular	18,400	
Household and security	7,500	
Scientific	115,000	
Education	2,000	
Library books	2,000	
Other	1,200	
		511,900

Services Other Than Personal:		
Travel	$55,000	
Telephone	47,750	
Insurance	18,000	
Household and security	4,000	
Subscriptions and memberships	6,000	
Postage	15,000	
Data processing	2,000	
Rent—Buildings and grounds	2,815	
Rent—Other	20,084	
Other professional	5,000	
Other	4,000	
		179,649
Maintenance of Property:		
Recurring—		
Buildings and grounds	$30,000	
Office equipment	4,500	
Agricultural and conservation equipment	6,000	
Vehicular equipment	14,000	
Household and security equipment	1,800	
Scientific equipment	13,000	
Non-Recurring and Replacements—		
Buildings and grounds	85,000	
Office equipment	6,500	
Vehicular equipment	40,000	
Household and security equipment	2,500	
Scientific equipment	1,500	
Education equipment	500	
		205,300
Extraordinary:		
Asparagus research		40,000
Additions and Improvements:		
Buildings and grounds	$32,500	
Office equipment	8,500	

Agricultural and conservation equipment	13,000	
Vehicular equipment ...	7,000	
Scientific equipment ...	75,000	
		136,000
		$5,866,974
Less:		
General services income		*1,073,782*
Total Appropriation		$4,793,192

The unexpended balance in the account of the Agricultural Experiment Station as of June 30, 1966 is hereby appropriated for research in 1966-67.

Total Appropriation, Rutgers, The State University	$28,816,161

574-100. *Newark College of Engineering and Newark Technical School*

Extraordinary:	
For the purchase of higher education at the Newark College of Engineering and Newark Technical School, by contract, pursuant to R. S. 18:2–4	$3,418,478
Total Appropriation, Newark College of Engineering and Newark Technical School .	$3,418,478

575-100. *Trenton Junior College and School of Industrial Arts*

Extraordinary:	
For the purchase of higher education at the Trenton Junior College and School of Industrial Arts, by contract, pursuant to R. S. 18:2–4	$255,200
Total Appropriation, Trenton Junior College and School of Industrial Arts	$255,200

576-100. *New Jersey College of Medicine and Dentistry*

Salaries:		
Other employees	$2,032,772	
New positions	189,514	
		$2,222,286
Materials and Supplies:		
Printing and office	$50,450	
Medical	900	
Education	88,820	
Library books	32,400	
Other	17,600	
		190,170
Services Other Than Personal:		
Travel	$20,000	
Telephone	27,500	
Insurance	12,000	
Household and security	23,300	
Subscriptions and memberships	3,000	
Postage	8,830	
Official reception	3,900	
Rent—Buildings and grounds	658,875	
Rent—Other	9,800	

Education	5,650	
Other professional	13,000	
		785,855
Maintenance of Property:		
Recurring—		
Buildings and grounds	$7,700	
Office equipment	2,750	
Education equipment	7,750	
Non-Recurring and Replacements—		
Buildings and grounds	4,000	
Office equipment	9,443	
Education equipment	11,671	
		43,314
Extraordinary:		
Compensation awards	$5,000	
Teachers Insurance Annuity Association Retirement Contributions	85,000	
Contingency Fund	25,000	
Board of Trustees Planning Fund	100,000	
Student Aid Matching Funds	35,000	
		250,000
Additions and Improvements:		
Buildings and grounds	$19,050	
Office equipment	10,782	
Education equipment	20,557	
		50,389
		$3,542,014
Less:		
General services income	*$1,038,250*	
Auxiliary services income	*14,664*	
Total Income		*1,052,914*

Total Appropriation, New Jersey College of Medicine and Dentistry	$2,489,100

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Department of Education	$76,368,723

STATE HIGHWAY DEPARTMENT

600-100. *Administration—General*

Salaries:		
Commissioner	$25,000	
Other employees	1,690,898	
New positions	160,156	
		$1,876,054
Materials and Supplies:		
Fuel and utilities	$3,500	
Printing and office	96,000	
Household and security	700	
Clothing	1,126	
Medical	2,500	
Scientific	5,310	
Other	150	
		109,286
Services Other Than Personal:		
Travel	$5,050	
Telephone	39,100	
Insurance	221	
Household and security	200	
Advertising	1,500	
Subscriptions and memberships	4,800	
Postage	17,750	
Microfilming	50,000	

Rent—Equipment, Data processing	131,303	
Rent—Other	4,500	
Medical	7,500	
Staff training	75,000	
Other professional	16,000	
		352,924
Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
State roads	1,000	
Office equipment	2,890	
Household and security equipment	350	
Scientific equipment	150	
Other equipment	75	
Non-Recurring and Replacements—		
Office equipment	12,500	
Scientific equipment	60	
		17,525
Extraordinary:		
Compensation awards		1,000
Additions and Improvements:		
Buildings and grounds	$2,600	
Office equipment	11,000	
Medical equipment	1,000	
Scientific equipment	1,200	
		15,800
Total Appropriation, Administration—General		$2,372,589

607-100. *Division of Traffic Engineering*

Salaries:		
Other employees	$2,364,167	
New positions	118,007	
		$2,482,174

Materials and Supplies:		
Fuel and utilities	$999,000	
Printing and office	2,500	
Household and security	2,000	
Clothing	300	
Scientific	3,800	
		1,007,600
Services Other Than Personal:		
Travel	$5,000	
Telephone	12,500	
Insurance	200	
Advertising	1,500	
Postage	2,000	
Rent—Other	1,500	
		22,700
Maintenance of Property:		
Recurring—		
State roads	$210,000	
Office equipment	110	
Non-Recurring and Replacements—		
State roads	37,000	
Office equipment	550	
Household and security equipment	12,000	
		259,660
Extraordinary:		
Compensation awards		8,000
Additions and Improvements:		
Office equipment	$1,500	
Scientific equipment	2,000	
		3,500
Total Appropriation, Division of Traffic Engineering		$3,783,634

610-100. *Division of Maintenance and Operations*

Salaries:		
Other employees	$7,783,540	
New positions	15,641	
Wages of labor	3,727,741	
		$11,526,922
Materials and Supplies:		
Fuel and utilities	$107,500	
Printing and office	15,800	
Vehicular	212,500	
Household and security	6,300	
Clothing	6,400	
Scientific	4,250	
Other	5,000	
		357,750
Services Other Than Personal:		
Travel	$49,700	
Telephone	66,600	
Insurance	131,844	
Household and security	25,800	
Advertising	2,000	
Subscriptions and memberships	200	
Postage	10,000	
Rent—Other	270,000	
Other professional	4,500	
		560,644
Maintenance of Property:		
Recurring—		
Buildings and grounds	$11,500	
State roads	2,000,000	
Office equipment	500	
Vehicular equipment	417,500	
Household and security equipment	175	
Scientific equipment	85	
Other equipment	3,500	

Non-Recurring and Replacements—		
Buildings and grounds	45,000	
State roads	1,250,000	
Office equipment	1,950	
Vehicular equipment	700,000	
		4,430,210
Extraordinary:		
Compensation awards		66,000
Additions and Improvements:		
Buildings and grounds	$47,400	
Office equipment	11,000	
Vehicular equipment	350,000	
Scientific equipment	1,750	
		410,150
Total Appropriation, Division of Maintenance and Operations		$17,351,676

The unexpended balances in these accounts as of June 30, 1966 are hereby appropriated.

610-101. *Interest on Bonds*

Interest on Highway Improvement Bonds—Act of 1930	$305,438
Total Appropriation, Interest on Bonds	$305,438

630-100. *Division of Railroad Transportation*

Salaries:		
Other employees	$19,000	
New positions	60,761	
		$79,761

Materials and Supplies:		
Printing and office	$5,000	
Scientific	2,500	
		7,500
Services Other Than Personal:		
Travel	$2,500	
Telephone	1,500	
Advertising	1,850	
Subscriptions and memberships	250	
Legal and investigative	3,500	
Postage	900	
Other professional	200,000	
Other	500	
		211,000
Extraordinary:		
To carry out the provisions of R. S. 48:12A–16.1 et seq.		
To acquire new commuter railroad cars contingent upon no less than an equal amount being provided by the Federal Government		
Park and ride stations (4)		
Aldene Plan, Phase III Partial		$14,750,000
Electrification Extension, Design		
Manhattan Access, Third Track Engineering Surveys and Design		
Secaucus Transfer, Design		
Secaucus Transfer, First Phase Development		
Additions and Improvements:		
Office equipment		1,300
Total Appropriation, Division of Railroad Transportation		$15,049,561

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, State Highway Department		$38,862,898

DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Administration—General*

Salaries:		
Commissioner	$25,000	
Other employees	966,911	
New positions	51,077	
		$1,042,988
Materials and Supplies:		
Printing and office	$18,175	
Scientific	300	
		18,475
Services Other Than Personal:		
Travel	$5,000	
Telephone	20,500	
Insurance	2,067	
Advertising	1,600	
Subscriptions and memberships	1,350	
Legal and investigative.	50	
Postage	11,250	
Rent—Central Motor Pool	18,075	
Rent—Equipment, Data processing	49,396	
Staff training	10,000	
Other professional	16,000	
Other	3,725	
		139,013
Maintenance of Property:		
Recurring—		
Buildings and grounds	$375	
Office equipment	1,750	

Non-Recurring and Replacements—		
Office equipment	1,749	
		3,874
Extraordinary:		
Compensation awards		2,086
Additions and Improvements:		
Buildings and grounds .	$16,200	
Office equipment	5,606	
		21,806
Total Appropriation, Administration—General		$1,228,242

700-101. *Interest on Bonds*

Interest on Institution Construction Bonds—Act of 1930	$29,575	
Interest on Institution Construction Bonds—Act of 1952	68,020	
Interest on Institution Construction Bonds—Act of 1960	1,064,850	
Interest on Institution Construction Bonds—Act of 1964	590,400	
Total Appropriation, Interest on Bonds		$1,752,845

710-100. *Home for Disabled Soldiers, Menlo Park*

Salaries:		
Other employees	$443,106	
Food in lieu of cash	4,176	
		$447,282

Materials and Supplies:		
Food—Cash	$58,400	
Fuel and utilities	35,000	
Printing and office	650	
Agricultural and conservation	400	
Vehicular	700	
Household and security	7,000	
Clothing	1,000	
Medical	7,500	
Other	50	
		110,700
Services Other Than Personal:		
Travel	$700	
Telephone	3,500	
Insurance	3,105	
Household and security	16,695	
Advertising	150	
Subscriptions and memberships	50	
Postage	350	
Entertainment	300	
Medical	3,200	
Rehabilitation	5,300	
Other professional	300	
Other	100	
		33,750
Maintenance of Property:		
Recurring—		
Buildings and grounds	$4,000	
Office equipment	100	
Agricultural and conservation equipment	150	
Vehicular equipment	300	
Household and security equipment	400	
Medical equipment	200	
Non-Recurring and Replacements—		
Vehicular equipment	2,105	
		7,255

Extraordinary:	
Buildings and grounds	275
Total Appropriation, Home for Disabled Soldiers, Menlo Park	$599,262

711-100. *Home for Disabled Soldiers, Vineland*

Salaries:		
Other employees	$369,239	
New positions	30,133	
Food in lieu of cash	2,556	
		$401,928
Materials and Supplies:		
Food—Cash	$67,069	
Fuel and utilities	21,500	
Printing and office	750	
Agricultural and conservation	600	
Vehicular	800	
Household and security	11,500	
Clothing	1,500	
Medical	12,000	
Rehabilitation	500	
Other	100	
		116,319
Services Other Than Personal:		
Travel	$2,000	
Telephone	2,000	
Insurance	3,076	
Household and security	3,000	
Advertising	100	
Subscriptions and memberships	75	
Postage	350	
Entertainment	300	
Medical	5,000	

Rehabilitation	4,000	
Other professional	640	
Other	75	
		20,616
Maintenance of Property:		
Recurring—		
Buildings and grounds	$7,500	
Office equipment	125	
Agricultural and conservation equipment	100	
Vehicular equipment	175	
Household and security equipment	500	
Non-Recurring and Replacements—		
Buildings and grounds	8,875	
Office equipment	1,642	
Vehicular equipment	1,475	
Household and security equipment	17,625	
		38,017
Additions and Improvements:		
Buildings and grounds	$14,375	
Office equipment	2,258	
Agricultural and conservation equipment	825	
Vehicular equipment	4,000	
Household and security equipment	20,000	
Medical equipment	10,000	
		51,458
Total Appropriation, Home for Disabled Soldiers, Vineland		$628,338

Division of Public Welfare

715-100. *Bureau of Assistance*

Salaries:		
Other employees	$931,122	
New positions	242,332	
		$1,173,454
Materials and Supplies:		
Printing and office	$16,000	
Education and rehabilitation	200	
		16,200
Services Other Than Personal:		
Travel	$7,500	
Telephone	15,500	
Insurance	15	
Subscriptions and memberships	2,100	
Legal and investigative	1,050	
Postage	6,500	
Data processing	48,000	
Rent—Central Motor Pool	27,400	
Medical	7,500	
Staff training	23,100	
		138,665
Maintenance of Property:		
Recurring—		
Office equipment	$1,200	
Non-Recurring and Replacements—		
Office equipment	6,825	
		8,025

Additions and Improvements:		
Office equipment	$37,856	
Vehicular equipment	17,750	
		55,606
Total Appropriation		$1,391,950

716-100. *Commission for the Blind*

Salaries:		
Other employees	$895,282	
New positions	50,461	
		$945,743
Materials and Supplies:		
Fuel and utilities	$5,675	
Printing and office	5,450	
Vehicular	4,150	
Household and security	650	
Medical	250	
Education and rehabilitation	35,400	
		51,575
Services Other Than Personal:		
Travel	$53,630	
Telephone	19,460	
Insurance	1,140	
Household and security	1,100	
Subscriptions and memberships	450	
Postage	6,350	
Official Reception	200	
Rent—Central Motor Pool	720	
Rent—Other	1,600	
Medical	7,000	
Education and rehabilitation	767,300	
Staff training	750	

Other professional	80,848	
Other	2,850	
		943,398
Maintenance of Property:		
Recurring—		
Office equipment	$850	
Vehicular equipment .	850	
Education and rehabilitation equipment ..	1,450	
Other equipment	250	
Non-Recurring and Replacements—		
Office equipment	2,008	
Vehicular equipment .	1,435	
Education and rehabilitation equipment	1,012	
		7,855
Additions and Improvements:		
Office equipment	$3,718	
Medical equipment	300	
Education and rehabilitation equipment	12,022	
		16,040
Total Appropriation		$1,964,611

The portion of the appropriation made to or on behalf of this commission, which represents General State Funds, may be expended on a matching basis in proportion to Federal receipts which are anticipated.

The balance to the credit of the Revolving Industrial Fund as of June 30, 1966 is hereby appropriated as a Revolving Industrial Fund in a sum not to exceed $2,000.

717-100. *Bureau of Children's Services*

Salaries:		
Other employees	$3,516,300	
New positions	507,678	
		$4,023,978
Materials and Supplies:		
Printing and office	$22,000	
Household and security	500	
Education	1,100	
		23,600
Services Other Than Personal:		
Travel	$16,500	
Telephone	75,000	
Insurance	203	
Household and security	200	
Advertising	2,300	
Subscriptions and memberships	125	
Legal and investigative	1,800	
Postage	17,500	
Rent—Central Motor Pool	128,625	
Rent—Other	1,800	
Other professional	2,508	
Other	2,000	
		248,561
Maintenance of Property:		
Recurring—		
Office equipment	$10,000	
Non-Recurring and Replacements—		
Office equipment	13,740	
		23,740
Extraordinary:		
Group foster home administration		19,900

Additions and Improvements:		
Office equipment	$48,318	
Vehicular equipment	64,150	
		112,468
Total Appropriation		$4,452,247
Total Appropriation, Division of Public Welfare		$7,808,808

720-100. *State Parole Board*

Salaries:		
Chairman	$17,000	
Other employees	54,422	
		$71,422
Materials and Supplies:		
Printing and office		650
Services Other Than Personal:		
Travel	$1,800	
Telephone	1,700	
Postage	315	
Other	100	
		3,915
Maintenance of Property:		
Recurring—		
Office equipment		50
Additions and Improvements:		
Buildings and grounds	$3,000	
Office equipment	1,240	
		4,240
Total Appropriation, State Parole Board		$80,277

725-300. *Bureau of State Use Industries*

Pursuant to the provisions of R. S. 30:4–100, there are hereby appropriated to the Bureau of State Use Industries the unexpended balance as of June 30, 1966 of the fund known as the "State Use Working Capital Fund," together with all receipts derived from sales; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.		

730-100. *Division of Correction and Parole*

Salaries:		
Other employees	$1,194,959	
New positions	78,529	
		$1,273,488
Materials and Supplies:		
Printing and office		5,500
Services Other Than Personal:		
Travel	$13,000	
Telephone	16,500	
Rent—Central Motor Pool	38,490	
Staff training	20,000	
Other	100	
		88,090
Maintenance of Property:		
Recurring—		
Office equipment	$850	
Non-Recurring and Replacements—		
Office equipment	2,629	
		3,479

Additions and Improvements:		
Buildings and grounds	$1,000	
Office equipment	16,082	
Vehicular equipment	10,650	
		27,732
Total Appropriation, Division of Correction and Parole		$1,398,289

731-100. *State Prison, Trenton*

Salaries:		
Other employees	$1,989,134	
New positions	8,249	
Food in lieu of cash	27,864	
		$2,025,247
Materials and Supplies:		
Food—Cash	$294,336	
Fuel and utilities	80,000	
Printing and office	6,680	
Agricultural and conservation	500	
Vehicular	2,300	
Household and security	35,212	
Clothing	88,486	
Medical	39,040	
Scientific	600	
Education and rehabilitation	5,000	
		552,154
Services Other Than Personal:		
Travel	$2,475	
Telephone	5,500	
Insurance	1,126	
Household and security	3,000	
Subscriptions and memberships	100	

Postage	1,542	
Rent—Central Motor Pool	900	
Rent—Other	309	
Medical	7,275	
Rehabilitation	40,165	
Other professional	5,799	
Other	50	
		68,241
Maintenance of Property:		
Recurring—		
Buildings and grounds	$20,000	
Office equipment	1,000	
Vehicular equipment	600	
Household and security equipment	3,190	
Non-Recurring and Replacements—		
Buildings and grounds	23,935	
Office equipment	3,989	
Vehicular equipment	6,750	
Household and security equipment	11,760	
Rehabilitation equipment	2,400	
		73,624
Extraordinary:		
Compensation awards		2,377
Additions and Improvements:		
Office equipment	$1,369	
Household and security equipment	6,094	
Medical equipment	635	
		8,098
Total Appropriation, State Prison, Trenton		$2,729,741

732-100. *State Prison Farm, Rahway*

Salaries:		
Other employees	$1,348,221	
New positions	21,105	
Positions transferred from another institution	37,112	
Food in lieu of cash	21,168	
		$1,427,606
Materials and Supplies:		
Food—Cash	$270,191	
Fuel and utilities	95,000	
Printing and office	2,750	
Agricultural and conservation	600	
Vehicular	1,100	
Household and security	31,394	
Clothing	53,652	
Medical	21,150	
Education and rehabilitation	3,800	
		479,637
Services Other Than Personal:		
Travel	$750	
Telephone	7,430	
Insurance	1,519	
Household and security	2,200	
Advertising	150	
Subscriptions and memberships	35	
Postage	415	
Rent—Other	72	
Medical	1,450	
Rehabilitation	31,473	
Other	166	
		45,660

Maintenance of Property:		
Recurring—		
Buildings and grounds	$22,000	
Office equipment	300	
Agricultural and conservation equipment	150	
Vehicular equipment	700	
Household and security equipment	2,950	
Non-Recurring and Replacements—		
Buildings and grounds	13,775	
Office equipment	2,040	
Vehicular equipment	3,925	
Household and security equipment	7,443	
Education and rehabilitation equipment	1,550	
		54,833
Additions and Improvements:		
Buildings and grounds	$16,650	
Office equipment	395	
Household and security equipment	525	
		17,570
Total Appropriation, State Prison Farm, Rahway		$2,025,306

732-300. *Regional Laundry*

The unexpended balance in this account as of June 30, 1966, together with receipts derived from laundry services furnished to the several institutions, are hereby appropriated as a revolving fund for the purpose of defraying the costs of operation and maintenance of the Regional

Laundry at the State Prison Farm, Rahway; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

733-100. *State Prison Farm, Leesburg*

Salaries:		
Other employees	$383,847	
New position	8,124	
Food in lieu of cash	5,796	
		$397,767
Materials and Supplies:		
Food—Cash	$39,536	
Fuel and utilities	33,770	
Printing and office	900	
Agricultural and conservation	13,000	
Vehicular	4,200	
Household and security	7,483	
Clothing	12,613	
Medical	3,900	
Education and rehabilitation	1,500	
		116,902
Services Other Than Personal:		
Travel	$250	
Telephone	2,490	
Insurance	1,571	
Household and security	2,030	
Postage	220	
Medical	2,474	
Rehabilitation	10,036	
Staff training	80	
Other professional	1,000	
Other	100	
		20,251

Maintenance of Property:		
Recurring—		
Buildings and grounds	$7,000	
Office equipment	100	
Agricultural and conservation equipment	100	
Vehicular equipment	300	
Household and security equipment	1,150	
Non-Recurring and Replacements—		
Buildings and grounds	3,700	
Office equipment	367	
Vehicular equipment	2,275	
Household and security equipment	870	
Medical equipment	1,685	
		17,547
Additions and Improvements:		
Medical equipment	$320	
Rehabilitation equipment	1,000	
		1,320
Total Appropriation, State Prison Farm, Leesburg		$553,787

734-100. *State Reformatory, Bordentown*

Salaries:		
Other employees	$1,508,253	
New position	5,237	
Food in lieu of cash	22,014	
		$1,535,504
Materials and Supplies:		
Food—Cash	$121,882	
Fuel and utilities	70,000	
Printing and office	2,500	

Agricultural and conservation	43,000	
Vehicular	4,000	
Household and security	26,340	
Clothing	51,023	
Medical	14,500	
Scientific	1,250	
Education	5,000	
		339,495
Services Other Than Personal:		
Travel	$2,500	
Telephone	3,600	
Insurance	1,242	
Household and security	3,480	
Advertising	400	
Subscriptions and memberships	250	
Postage	1,000	
Rent—Other	112	
Medical	5,000	
Rehabilitation	38,000	
Other	230	
		55,814
Maintenance of Property:		
Recurring—		
Buildings and grounds	$18,000	
Office equipment	1,200	
Agricultural and conservation equipment	1,900	
Vehicular equipment	900	
Household and security equipment	7,000	
Medical equipment	150	
Non-Recurring and Replacements—		
Buildings and grounds	19,900	
Office equipment	2,988	
Agricultural and conservation equipment	3,000	
Vehicular equipment	8,750	

Household and security equipment	5,400	
Medical equipment	1,970	
		71,158
Additions and Improvements:		
Buildings and grounds	$10,150	
Office equipment	100	
Vehicular equipment	1,941	
Household and security equipment	16,160	
Medical equipment	6,395	
Scientific equipment	255	
Education equipment	1,550	
		36,551
Total Appropriation, State Reformatory, Bordentown		$2,038,522

735-100. *Youth Reception and Correction Center, Yardville*

Salaries:		
Other employees	$125,739	
New positions	106,394	
Food in lieu of cash	1,260	
		$233,393
Materials and Supplies:		
Food—Cash	$20,000	
Fuel and utilities	25,000	
Printing and office	1,500	
Vehicular	200	
Household and security	2,000	
Clothing	8,000	
Medical	1,000	
Scientific	1,000	
Education and rehabilitation	5,000	
		63,700

Services Other Than Personal:		
Travel	$300	
Telephone	300	
Insurance	28,333	
Advertising	1,000	
Postage	400	
		30,333
Maintenance of Property:		
Recurring—		
Buildings and grounds	$6,000	
Vehicular equipment	50	
		6,050
Additions and Improvements:		
Buildings and grounds	$7,500	
Office equipment	32,000	
Vehicular equipment	18,850	
Household and security equipment	50,000	
Medical equipment	12,000	
Scientific equipment	5,000	
Education and rehabilitation equipment	25,000	
		150,350
Total Appropriation, Youth Reception and Correction Center, Yardville		$483,826

737-100. *State Reformatory for Women, Clinton*

Salaries:		
Other employees	$1,099,781	
New positions	7,613	
Food in lieu of cash	10,244	
		$1,117,638
Materials and Supplies:		
Food—Cash	$78,075	
Fuel and utilities	45,000	

Printing and office	1,400	
Agricultural and conservation	9,900	
Vehicular	2,450	
Household and security	16,175	
Clothing	20,687	
Medical	13,100	
Scientific	100	
Education and rehabilitation	3,000	
		189,887
Services Other Than Personal:		
Travel	$1,650	
Telephone	3,860	
Insurance	1,263	
Household and security	1,420	
Subscriptions and memberships	150	
Postage	600	
Entertainment	1,534	
Rent—Other	72	
Medical	40,000	
Rehabilitation	13,545	
Other professional	5,220	
Other	140	
		69,454
Maintenance of Property:		
Recurring—		
Buildings and grounds	$12,000	
Office equipment	725	
Agricultural and conservation equipment	200	
Vehicular equipment	1,230	
Household and security equipment	1,500	
Medical equipment	50	
Non-Recurring and Replacements—		
Buildings and grounds	10,857	
Office equipment	2,817	

Vehicular equipment	6,535	
Household and security equipment	3,972	
Medical equipment	799	
Education equipment	209	
		40,894
Additions and Improvements:		
Buildings and grounds	$6,000	
Office equipment	744	
Household and security equipment	4,776	
Medical equipment	1,100	
		12,620
Total Appropriation, State Reformatory for Women, Clinton		$1,430,493

738-100. *State Reformatory, Annandale*

Salaries:		
Other employees	$1,516,941	
New positions	5,499	
Food in lieu of cash	23,830	
		$1,546,270
Materials and Supplies:		
Food—Cash	$128,191	
Fuel and utilities	62,975	
Printing and office	3,325	
Agricultural and conservation	33,000	
Vehicular	6,100	
Household and security	23,400	
Clothing	46,777	
Medical	10,150	
Scientific	1,150	
Education and rehabilitation	5,150	
		320,218

Services Other Than Personal:		
Travel	$900	
Telephone	2,370	
Insurance	2,703	
Household and security	5,540	
Advertising	200	
Subscriptions and memberships	175	
Postage	1,020	
Entertainment	1,000	
Rent—Other	75	
Medical	2,000	
Rehabilitation	37,500	
Staff training	100	
Other professional	200	
		53,783
Maintenance of Property:		
Recurring—		
Buildings and grounds	$16,000	
Office equipment	550	
Agricultural and conservation equipment	1,000	
Vehicular equipment	2,000	
Household and security equipment	1,500	
Non-Recurring and Replacements—		
Buildings and grounds	13,396	
Office equipment	4,532	
Vehicular equipment	9,925	
Household and security equipment	7,057	
Medical equipment	600	
		56,560
Additions and Improvements:		
Buildings and grounds	$19,983	
Office equipment	1,544	

Household and security equipment	10,650	
Education equipment	5,333	
		37,510
Total Appropriation, State Reformatory, Annandale		$2,014,341

739-100. *Training School for Boys*

Salaries:		
Other employees		$17,983
Materials and Supplies:		
Printing and office	$100	
Vehicular	200	
		300
Services Other Than Personal:		
Travel	$200	
Telephone	200	
Postage	100	
		500
Maintenance of Property:		
Recurring—		
Vehicular equipment		50
Total Appropriation, Training School for Boys		$18,833

740-100. *State Home for Boys, Jamesburg*

Salaries:		
Other employees	$1,609,375	
New positions	9,808	
Food in lieu of cash	6,444	
		$1,625,627

Materials and Supplies:		
Food—Cash	$105,520	
Fuel and utilities	70,000	
Printing and office	2,600	
Agricultural and conservation	27,500	
Vehicular	3,750	
Household and security	24,700	
Clothing	38,450	
Medical	8,050	
Education and rehabilitation	11,800	
		292,370
Services Other Than Personal:		
Travel	$1,000	
Telephone	5,672	
Insurance	1,938	
Household and security	3,000	
Advertising	150	
Subscriptions and memberships	500	
Postage	1,340	
Entertainment	1,000	
Rent—Other	100	
Medical	11,500	
Rehabilitation	2,500	
Staff training	200	
Other professional	1,500	
Other	200	
		30,600
Maintenance of Property:		
Recurring—		
Buildings and grounds	$21,500	
Office equipment	700	
Agricultural and conservation equipment	1,000	
Vehicular equipment	1,750	
Household and security equipment	2,700	

Non-Recurring and Replacements—		
Buildings and grounds	43,345	
Office equipment	726	
Agricultural and conservation equipment	3,950	
Vehicular equipment	3,600	
Household and security equipment	10,081	
Medical equipment	4,415	
Education equipment	3,932	
		97,699
Extraordinary:		
Compensation awards		2,080
Additions and Improvements:		
Buildings and grounds	$6,075	
Office equipment	339	
Agricultural and conservation equipment	200	
Vehicular equipment	10,700	
Household and security equipment	39,019	
Medical equipment	110	
Education and rehabilitation equipment	6,000	
		62,443
Total Appropriation, State Home for Boys, Jamesburg		$2,110,819

741-100. *State Home for Girls, Trenton*

Salaries:		
Other employees	$866,930	
New positions	39,924	
Food in lieu of cash	3,972	
		$910,826

Materials and Supplies:		
Food—Cash	$54,750	
Fuel and utilities	6,275	
Printing and office	950	
Agricultural and conservation	500	
Vehicular	600	
Household and security	12,225	
Clothing	12,875	
Medical	3,150	
Education and rehabilitation	3,000	
		94,325
Services Other Than Personal:		
Travel	$650	
Telephone	5,600	
Insurance	372	
Household and security	1,100	
Advertising	25	
Subscriptions and memberships	150	
Postage	1,450	
Entertainment	800	
Rent—Other	312	
Medical	11,775	
Rehabilitation	400	
Other professional	2,441	
Other	532	
		25,607
Maintenance of Property:		
Recurring—		
Buildings and grounds	$6,500	
Office equipment	250	
Agricultural and conservation equipment	150	
Vehicular equipment	300	
Household and security equipment	2,000	
Education and rehabilitation equipment	100	

Non-Recurring and Replacements—		
Buildings and grounds	36,850	
Office equipment	598	
Household and security equipment	12,905	
Education and rehabilitation equipment	1,637	
		61,290
Extraordinary:		
Compensation awards	$3,531	
Pre-release community project	15,000	
		18,531
Additions and Improvements:		
Buildings and grounds		8,125
Total Appropriation, State Home for Girls, Trenton		$1,118,704

743-100. *Residential Group Center, Highfields*

Salaries:		
Other employees	$43,976	
Food in lieu of cash	396	
		$44,372
Materials and Supplies:		
Food—Cash	$6,570	
Fuel and utilities	3,000	
Printing and office	150	
Agricultural and conservation	50	
Vehicular	600	
Household and security	860	
Clothing	600	
Rehabilitation	80	
		11,910

Services Other Than Personal:		
Travel	$250	
Telephone	550	
Insurance	569	
Subscriptions and memberships	25	
Postage	80	
Medical	75	
		1,549
Maintenance of Property:		
Recurring—		
Buildings and grounds	$800	
Office equipment	50	
Vehicular equipment	250	
Household and security equipment	50	
Non-Recurring and Replacements—		
Vehicular equipment	2,150	
		3,300
Additions and Improvements:		
Office equipment	$200	
Agricultural and conservation equipment	125	
		325
Total Appropriation, Residential Group Center, Highfields		$61,456

745-100. *Residential Group Center, Warren*

Salaries:		
Other employees	$39,437	
Food in lieu of cash	792	
		$40,229

Materials and Supplies:		
Food—Cash	$6,570	
Fuel and utilities	3,100	
Printing and office	150	
Agricultural and conservation	125	
Vehicular	500	
Household and security	700	
Clothing	600	
Medical	50	
Rehabilitation	100	
		11,895
Services Other Than Personal:		
Travel	$250	
Telephone	700	
Insurance	700	
Subscriptions and memberships	25	
Postage	50	
Medical	250	
Other	25	
		2,000
Maintenance of Property:		
Recurring—		
Buildings and grounds	$750	
Office equipment	25	
Agricultural and conservation equipment	50	
Vehicular equipment	250	
Household and security equipment	100	
		1,175
Additions and Improvements:		
Agricultural and conservation equipment	$125	
Household and security equipment	500	
		625
Total Appropriation, Residential Group Center, Warren		$55,924

746-100. *Residential Group Center, Ocean*

Salaries:		
Other employees	$40,764	
Food in lieu of cash	792	
		$41,556
Materials and Supplies:		
Food—Cash	$6,570	
Fuel and utilities	4,150	
Printing and office	150	
Agricultural and conservation	100	
Vehicular	350	
Household and security	860	
Clothing	600	
Medical	100	
		12,880
Services Other Than Personal:		
Travel	$250	
Telephone	600	
Insurance	596	
Postage	100	
Medical	600	
		2,146
Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	25	
Vehicular equipment	150	
Household and security equipment	100	
		775
Total Appropriation, Residential Group Center, Ocean		$57,357

747-100. *Residential Group Center, Turrell*

Salaries:		
Other employees	$41,092	
Food in lieu of cash	576	
		$41,668
Materials and Supplies:		
Food—Cash	$5,913	
Fuel and utilities	3,500	
Printing and office	200	
Agricultural and conservation	50	
Vehicular	500	
Household and security	774	
Clothing	540	
Medical	500	
Rehabilitation	100	
		12,077
Services Other Than Personal:		
Travel	$200	
Telephone	800	
Insurance	445	
Household and security	450	
Subscriptions and memberships	25	
Postage	150	
Medical	2,300	
		4,370
Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	30	
Vehicular equipment	125	
Household and security equipment	300	
Non-Recurring and Replacements—		
Office equipment	201	
		1,156

Additions and Improvements:		
Buildings and grounds	$2,490	
Office equipment	62	
		2,552
Total Appropriation, Residential Group Center, Turrell		$61,823

760-100. *Division of Mental Retardation*

Salaries:		
Other employees	$364,916	
New positions	84,150	
		$449,066
Materials and Supplies:		
Printing and office	$6,000	
Scientific	900	
Education and rehabilitation	200	
		7,100
Services Other Than Personal:		
Travel	$5,000	
Telephone	9,800	
Insurance	116	
Subscriptions and memberships	150	
Postage	2,250	
Rent—Central Motor Pool	13,800	
Staff training	900	
Other professional	6,500	
Other	85	
		38,601
Maintenance of Property:		
Recurring—		
Office equipment		600

Extraordinary:		
Day care	$435,000	
Purchase of residential care for mentally retarded in non-State facilities in accordance with established procedures for admission to a State institution for the mentally retarded, and including related administrative costs	1,000,000	
		1,435,000
Additions and Improvements:		
Office equipment	$5,647	
Vehicular equipment	3,550	
Scientific equipment	110	
		9,307
Total Appropriation, Division of Mental Retardation		$1,939,674

762-100. *Vineland State School*

Salaries:		
Other employees	$3,825,052	
New positions	93,318	
Food in lieu of cash	29,526	
		$3,947,896
Materials and Supplies:		
Food—Cash	$373,580	
Fuel and utilities	132,000	
Printing and office	3,000	
Agricultural and conservation	8,500	
Vehicular	4,500	
Household and security	67,000	
Clothing	70,000	

Medical	56,000	
Education and rehabilitation	14,100	
		728,680
Services Other Than Personal:		
Travel	$2,400	
Telephone	10,600	
Insurance	2,354	
Household and security	11,000	
Advertising	150	
Subscriptions and memberships	300	
Postage	1,725	
Entertainment	1,200	
Rent—Other	150	
Medical	6,300	
Education and rehabilitation	10,500	
Other professional	3,500	
Other	1,000	
		51,179
Maintenance of Property:		
Recurring—		
Buildings and grounds	$28,000	
Office equipment	800	
Agricultural and conservation equipment	1,000	
Vehicular equipment	3,100	
Household and security equipment	6,000	
Medical equipment	500	
Non-Recurring and Replacements—		
Buildings and grounds	36,600	
Office equipment	4,128	
Vehicular equipment	10,450	
Household and security equipment	17,365	
Medical equipment	22,787	
Education and rehabilitation equipment	4,685	
		135,415

Extraordinary:		
Family care		52,440
Additions and Improvements:		
Buildings and grounds	$19,955	
Office equipment	2,328	
Agricultural and conservation equipment	850	
Vehicular equipment	700	
Household and security equipment	9,590	
Medical equipment	8,020	
Education and rehabilitation equipment	3,445	
		44,888
Total Appropriation, Vineland State School		$4,960,498

763-100. *North Jersey Training School, Totowa*

Salaries:		
Other employees	$2,205,587	
New positions	67,072	
Food in lieu of cash	6,925	
		$2,279,584
Materials and Supplies:		
Food—Cash	$216,057	
Fuel and utilities	88,000	
Printing and office	3,100	
Agricultural and conservation	1,000	
Vehicular	3,200	
Household and security	34,338	
Clothing	36,388	
Medical	37,775	
Education and rehabilitation	5,100	
		424,958

Services Other Than Personal:		
Travel	$2,500	
Telephone	8,000	
Insurance	1,324	
Household and security	54,690	
Advertising	600	
Subscriptions and memberships	200	
Postage	1,500	
Entertainment	800	
Rent—Other	324	
Medical	23,000	
Education and rehabilitation	8,423	
Other professional	428	
Other	175	
		101,964
Maintenance of Property:		
Recurring—		
Buildings and grounds	$22,500	
Office equipment	600	
Agricultural and conservation equipment	300	
Vehicular equipment	1,400	
Household and security equipment	3,500	
Medical equipment	300	
Education and rehabilitation equipment	500	
Non-Recurring and Replacements—		
Buildings and grounds	21,836	
Office equipment	3,496	
Agricultural and conservation equipment	3,785	
Vehicular equipment	5,300	
Household and security equipment	13,962	
Medical equipment	1,170	
Education and rehabilitation equipment	1,630	
		80,279

Extraordinary:		
Family care		27,600
Additions and Improvements:		
Buildings and grounds	$37,293	
Office equipment	1,616	
Vehicular equipment	1,600	
Household and security equipment	8,899	
Medical equipment	3,612	
Education and rehabilitation equipment	556	
		53,576
Total Appropriation, North Jersey Training School, Totowa		$2,967,961

764-100. *State Colony, Woodbine*

Salaries:		
Other employees	$2,350,815	
New positions	62,146	
Food in lieu of cash	16,644	
		$2,429,605
Materials and Supplies:		
Food—Cash	$241,426	
Fuel and utilities	80,000	
Printing and office	1,500	
Agricultural and conservation	1,000	
Vehicular	2,600	
Household and security	40,300	
Clothing	40,800	
Medical	37,500	
Education and rehabilitation	6,500	
		451,626

Services Other Than Personal:		
Travel	$1,000	
Telephone	4,800	
Insurance	853	
Household and security	2,700	
Subscriptions and memberships	150	
Postage	1,300	
Entertainment	1,000	
Rent—Other	72	
Medical	18,800	
Education and rehabilitation	12,900	
Staff training	300	
Other professional	2,160	
Other	50	
		46,085
Maintenance of Property:		
Recurring—		
Buildings and grounds	$21,000	
Office equipment	475	
Agricultural and conservation equipment	100	
Vehicular equipment	700	
Household and security equipment	4,000	
Medical equipment	200	
Education and rehabilitation equipment	400	
Non-Recurring and Replacements—		
Buildings and grounds	27,341	
Office equipment	547	
Vehicular equipment	9,200	
Household and security equipment	13,815	
Medical equipment	6,580	
		84,358
Extraordinary:		
Family care		5,520

Additions and Improvements:		
Buildings and grounds	$1,195	
Office equipment	1,544	
Agricultural and conservation equipment	420	
Household and security equipment	15,391	
Medical equipment	1,711	
Education and rehabilitation equipment	945	
		21,206
Total Appropriation, State Colony, Woodbine		$3,038,400

765-100. *State Colony, New Lisbon*

Salaries:		
Other employees	$2,163,934	
New positions	61,425	
Food in lieu of cash	10,812	
		$2,236,171
Materials and Supplies:		
Food—Cash	$219,556	
Fuel and utilities	105,000	
Printing and office	1,400	
Agricultural and conservation	24,500	
Vehicular	5,500	
Household and security	38,500	
Clothing	41,450	
Medical	30,000	
Scientific	300	
Education and rehabilitation	13,000	
		479,206
Services Other Than Personal:		
Travel	$1,400	
Telephone	8,650	

Insurance	4,169	
Household and security	6,500	
Advertising	300	
Subscriptions and memberships	150	
Postage	1,450	
Entertainment	2,200	
Rent—Other	96	
Medical	18,716	
Education and rehabilitation	14,742	
Staff training	150	
Other professional	2,975	
Other	175	
		61,673
Maintenance of Property:		
Recurring—		
Buildings and grounds	$22,500	
Office equipment	450	
Agricultural and conservation equipment	500	
Vehicular equipment	2,500	
Household and security equipment	3,500	
Medical equipment	250	
Education and rehabilitation equipment	150	
Non-Recurring and Replacements—		
Buildings and grounds	19,495	
Office equipment	2,666	
Agricultural and conservation equipment	2,395	
Vehicular equipment	8,035	
Household and security equipment	32,020	
Medical equipment	17,097	
Education and rehabilitation equipment	495	
		112,053

Extraordinary:		
Family care		36,000
Additions and Improvements:		
Buildings and grounds	$2,803	
Office equipment	1,956	
Vehicular equipment	2,681	
Household and security equipment	8,523	
Medical equipment	2,910	
Education and rehabilitation equipment	2,563	
		21,436
Total Appropriation, State Colony, New Lisbon		$2,946,539

766-100. *Woodbridge State School*

Salaries:		
Other employees	$2,773,343	
New positions	237,365	
Positions transferred from another institution	12,536	
		$3,023,244
Materials and Supplies:		
Food—Cash	$201,188	
Fuel and utilities	200,000	
Printing and office	2,375	
Agricultural and conservation	1,000	
Vehicular	2,850	
Household and security	36,500	
Clothing	36,000	
Medical	35,000	
Scientific	500	
Education and rehabilitation	6,900	
		522,313

Services Other Than Personal:		
Travel	$2,000	
Telephone	9,840	
Insurance	924	
Household and security	78,873	
Advertising	500	
Subscriptions and memberships	150	
Postage	1,500	
Entertainment	1,000	
Rent—Other	271	
Medical	19,400	
Education and rehabilitation	9,034	
Staff training	520	
Other professional	1,500	
Other	50	
		125,562
Maintenance of Property:		
Recurring—		
Buildings and grounds	$18,000	
Office equipment	500	
Agricultural and conservation equipment	50	
Vehicular equipment	700	
Household and security equipment	3,000	
Medical equipment	150	
Scientific equipment	50	
Education and rehabilitation equipment	50	
		22,500
Additions and Improvements:		
Buildings and grounds	$7,250	
Office equipment	4,224	
Vehicular equipment	2,895	
Household and security equipment	24,530	
		38,899
Total Appropriation, Woodbridge State School		$3,732,518

767-100. *Hunterdon State School*

Salaries:		
Other employees	$19,969	
New positions	6,553	
		$26,522
Materials and Supplies:		
Fuel and utilities	$900	
Printing and office	600	
Vehicular	200	
		1,700
Services Other Than Personal:		
Travel	$400	
Telephone	250	
Postage	100	
		750
Maintenance of Property:		
Recurring—		
Office equipment		50
Additions and Improvements:		
Office equipment		1,855
Total Appropriation, Hunterdon State School		$30,877

768-100. *Edward R. Johnstone Training and Research Center*

Salaries:		
Other employees	$1,269,132	
New positions	101,983	
Food in lieu of cash	7,131	
		$1,378,246

Materials and Supplies:		
Food—Cash	$72,361	
Fuel and utilities	59,000	
Printing and office	3,700	
Agricultural and conservation	1,700	
Vehicular	1,600	
Household and security	14,575	
Clothing	18,000	
Medical	7,000	
Scientific	250	
Education and rehabilitation	12,200	
		190,386
Services Other Than Personal:		
Travel	$3,000	
Telephone	9,000	
Insurance	18,580	
Household and security	3,000	
Advertising	150	
Subscriptions and memberships	550	
Postage	1,200	
Entertainment	1,900	
Rent—Other	2,500	
Medical	5,000	
Education and rehabilitation	1,250	
Other professional	3,120	
		49,250
Maintenance of Property:		
Recurring—		
Buildings and grounds	$13,000	
Office equipment	700	
Agricultural and conservation equipment	350	
Vehicular equipment	700	
Household and security equipment	2,400	
Medical equipment	100	

Scientific equipment	200	
Education and rehabilitation equipment	500	
Non-Recurring and Replacements—		
Buildings and grounds	27,100	
Office equipment	2,371	
Agricultural and conservation equipment	1,200	
Vehicular equipment	4,555	
Household and security equipment	10,490	
Education and rehabilitation equipment	1,970	
		65,636
Extraordinary:		
Family care	$6,900	
Evaluation unit	82,265	
Halfway house	12,000	
		101,165
Additions and Improvements:		
Buildings and grounds	$26,800	
Office equipment	649	
Vehicular equipment	1,800	
Household and security equipment	775	
Scientific equipment	280	
Education and rehabilitation equipment	705	
		31,009
Total Appropriation, Edward R. Johnstone Training and Research Center		$1,815,692

770-100. *Division of Mental Health and Hospitals*

Salaries:		
Other employees	$169,483	
New positions	84,584	
		$254,067
Materials and Supplies:		
Printing and office	$3,500	
Education and rehabilitation	100	
		3,600
Services Other Than Personal:		
Travel	$4,500	
Telephone	8,000	
Insurance	12	
Subscriptions and memberships	500	
Postage	1,500	
Rent—Central Motor Pool	6,000	
Medical	1,000	
Rehabilitation	500	
Staff training	500	
Other professional	1,600	
Other	50	
		24,162
Maintenance of Property:		
Recurring—		
Office equipment	$400	
Non-Recurring and Replacements—		
Office equipment	1,989	
		2,389
Extraordinary:		
Mental health research	$400,000	
Purchase of Out-patient Care-Drug Addiction Program pursuant to R. S. 30:6C, et seq.	100,000	

Second In-patient Drug Addiction Unit	25,000	
		525,000
Total Appropriation, Division of Mental Health and Hospitals		$809,218

777-100. *State Hospital, Greystone Park*

Salaries:		
Other employees	$9,609,284	
New positions	162,549	
Food in lieu of cash	184,339	
		$9,956,172
Materials and Supplies:		
Food—Cash	$786,075	
Fuel and utilities	345,000	
Printing and office	15,500	
Agricultural and conservation	106,700	
Vehicular	13,000	
Household and security	132,375	
Clothing	162,750	
Medical	292,500	
Scientific	1,700	
Education and rehabilitation	13,000	
		1,868,600
Services Other Than Personal:		
Travel	$4,000	
Telephone	20,000	
Insurance	88,830	
Household and security	165,000	
Advertising	5,000	
Subscriptions and memberships	2,200	

Postage	6,000	
Rent—Other	306	
Medical	9,500	
Education and rehabilitation	8,500	
Staff training	9,821	
Other professional	10,700	
Other	2,950	
		332,807
Maintenance of Property:		
Recurring—		
Buildings and grounds	$100,000	
Office equipment	4,000	
Agricultural and conservation equipment	4,700	
Vehicular equipment	4,000	
Household and security equipment	29,500	
Medical equipment	1,750	
Scientific equipment	250	
Education equipment	200	
Non-Recurring and Replacements—		
Buildings and grounds	92,350	
Office equipment	9,676	
Vehicular equipment	27,265	
Household and security equipment	80,765	
Medical equipment	8,089	
Education and rehabilitation equipment	1,350	
		363,895
Extraordinary:		
Compensation awards	$60,000	
Family care	103,500	
		163,500
Additions and Improvements:		
Buildings and grounds	$13,700	
Office equipment	3,115	

Household and security equipment	12,800	
Medical equipment	10,443	
Education equipment	425	
		40,483
Total Appropriation, State Hospital, Greystone Park		$12,725,457

779-100. *State Hospital, Trenton*

Salaries:		
Other employees	$7,868,446	
New positions	146,882	
Food in lieu of cash	66,958	
		$8,082,286
Materials and Supplies:		
Food—Cash	$497,585	
Fuel and utilities	275,000	
Printing and office	7,500	
Agricultural and conservation	82,000	
Vehicular	8,000	
Household and security	108,859	
Clothing	112,050	
Medical	217,000	
Education and rehabilitation	15,000	
		1,322,994
Services Other Than Personal:		
Travel	$3,300	
Telephone	17,000	
Insurance	62,914	
Household and security	3,140	
Advertising	350	
Subscriptions and memberships	1,400	
Postage	3,700	

Rent—Other	1,440	
Medical	11,910	
Rehabilitation	26,600	
Staff training	14,000	
Other professional	13,980	
Other	3,877	
		163,611
Maintenance of Property:		
Recurring—		
Buildings and grounds	$50,000	
Office equipment	2,500	
Agricultural and conservation equipment	3,000	
Vehicular equipment	2,800	
Household and security equipment	9,000	
Medical equipment	700	
Non-Recurring and Replacements—		
Buildings and grounds	34,150	
Office equipment	11,868	
Agricultural and conservation equipment	7,450	
Vehicular equipment	13,265	
Household and security equipment	33,090	
Medical equipment	1,817	
		169,640
Extraordinary:		
Compensation awards	$3,366	
Family care	165,600	
		168,966
Additions and Improvements:		
Buildings and grounds	$26,836	
Office equipment	6,135	
Vehicular equipment	1,900	
Household and security equipment	14,420	
Medical equipment	11,540	

New Jersey State Library

Education and rehabilitation equipment	770	
		61,601
Total Appropriation, State Hospital, Trenton		$9,969,098

781-100. *State Hospital, Marlboro*

Salaries:		
Other employees	$6,234,442	
New positions	49,559	
Food in lieu of cash	70,426	
		$6,354,427
Materials and Supplies:		
Food—Cash	$210,490	
Fuel and utilities	188,000	
Printing and office	8,000	
Agricultural and conservation	55,000	
Vehicular	9,000	
Household and security	74,700	
Clothing	76,400	
Medical	129,600	
Education and rehabilitation	15,000	
		766,190
Services Other Than Personal:		
Travel	$3,000	
Telephone	14,000	
Insurance	44,818	
Household and security	2,000	
Advertising	500	
Subscriptions and memberships	1,000	
Postage	3,000	
Rent—Other	156	
Medical	38,440	

Education and rehabilitation	18,340	
Staff training	15,780	
Other professional	7,800	
Other	900	
		149,734
Maintenance of Property:		
Recurring—		
Buildings and grounds	$46,500	
Office equipment	3,750	
Agricultural and conservation equipment	2,000	
Vehicular equipment	3,400	
Household and security equipment	14,000	
Medical equipment	1,400	
Education and rehabilitation equipment	200	
Non-Recurring and Replacements—		
Buildings and grounds	43,245	
Office equipment	6,136	
Vehicular equipment	29,025	
Household and security equipment	30,515	
Medical equipment	8,400	
Rehabilitation equipment	2,490	
		191,061
Extraordinary:		
Compensation awards	$1,444	
Family care	414,000	
		415,444
Additions and Improvements:		
Buildings and grounds	$7,850	
Office equipment	4,255	
Vehicular equipment	4,155	
Household and security equipment	23,705	

Medical equipment	19,490	
Education and rehabilitation equipment	8,373	
		67,828
Total Appropriation, State Hospital, Marlboro		$7,944,684

783-100. *State Hospital, Ancora*

Salaries:		
Other employees	$5,029,035	
New positions	131,004	
Food in lieu of cash	79,896	
		$5,239,935
Materials and Supplies:		
Food—Cash	$411,522	
Fuel and utilities	195,000	
Printing and office	8,500	
Agricultural and conservation	9,000	
Vehicular	7,000	
Household and security	67,012	
Clothing	69,418	
Medical	138,600	
Scientific	700	
Education and rehabilitation	15,350	
		922,102
Services Other Than Personal:		
Travel	$3,500	
Telephone	15,750	
Insurance	44,767	
Household and security	600	
Advertising	1,000	
Subscriptions and memberships	1,200	
Postage	3,500	

Rent—Other	1,526	
Medical	9,200	
Rehabilitation	15,500	
Staff training	19,600	
Other professional	11,500	
Other	200	
		127,843
Maintenance of Property:		
Recurring—		
Buildings and grounds	$33,000	
Office equipment	4,000	
Agricultural and conservation equipment	1,500	
Vehicular equipment	2,500	
Household and security equipment	12,000	
Medical equipment	1,500	
Rehabilitation equipment	100	
Non-Recurring and Replacements—		
Buildings and grounds	18,550	
Office equipment	2,869	
Agricultural and conservation equipment	950	
Vehicular equipment	11,930	
Household and security equipment	10,505	
Medical equipment	4,900	
		104,304
Extraordinary:		
Compensation awards	$638	
Family care	179,400	
		180,038
Additions and Improvements:		
Buildings and grounds	$16,894	
Office equipment	9,369	
Household and security equipment	15,016	

Medical equipment	9,458	
Education and rehabilitation equipment	3,448	
		54,185
Total Appropriation, State Hospital, Ancora		$6,628,407

785-100. *Neuropsychiatric Institute*

Salaries:		
Other employees	$3,691,341	
New positions	104,534	
Food in lieu of cash	22,640	
		$3,818,515
Materials and Supplies:		
Food—Cash	$117,179	
Fuel and utilities	125,000	
Printing and office	4,500	
Agricultural and conservation	40,000	
Vehicular	10,000	
Household and security	33,280	
Clothing	32,250	
Medical	55,323	
Scientific	300	
Education and rehabilitation	9,300	
Other	175	
		427,307
Services Other Than Personal:		
Travel	$5,500	
Telephone	13,000	
Insurance	28,402	
Household and security	5,000	
Advertising	450	
Subscriptions and memberships	1,100	

Postage	2,200	
Entertainment	2,850	
Rent—Other	1,205	
Medical	10,500	
Rehabilitation	7,448	
Staff training	7,000	
Other professional	3,750	
Other	100	
		88,505
Maintenance of Property:		
Recurring—		
Buildings and grounds	$32,000	
Office equipment	2,400	
Agricultural and conservation equipment	300	
Vehicular equipment	3,000	
Household and security equipment	3,000	
Medical equipment	500	
Education and rehabilitation equipment	150	
Non-Recurring and Replacements—		
Buildings and grounds	33,900	
Office equipment	7,238	
Agricultural and conservation equipment	485	
Vehicular equipment	14,915	
Household and security equipment	8,252	
Medical equipment	1,449	
Education and rehabilitation equipment	893	
		108,482
Extraordinary:		
Compensation awards	$900	
Family care	20,700	
		21,600

Additions and Improvements:		
Buildings and grounds	$20,982	
Office equipment	3,297	
Vehicular equipment	1,000	
Household and security equipment	3,739	
Medical equipment	11,326	
Education and rehabilitation equipment	1,950	
		42,294
Total Appropriation, Neuropsychiatric Institute		$4,506,703

786-100. *Psychiatric Institute*

Salaries:		
Other employees	$22,606	
New position	4,750	
		$27,356
Materials and Supplies:		
Printing and office	$100	
Vehicular	150	
		250
Services Other Than Personal:		
Travel	$200	
Telephone	100	
Postage	100	
		400
Maintenance of Property:		
Recurring—		
Vehicular equipment		50
Additions and Improvements:		
Office equipment		1,195
Total Appropriation, Psychiatric Institute		$29,251

790-100. *Arthur Brisbane Child Treatment Center*

Salaries:		
Other employees	$439,456	
New positions	6,803	
Food in lieu of cash	5,472	
		$451,731
Materials and Supplies:		
Food—Cash	$24,638	
Fuel and utilities	13,950	
Printing and office	450	
Agricultural and conservation	750	
Vehicular	950	
Household and security	4,220	
Clothing	6,030	
Medical	2,000	
Education and rehabilitation	3,000	
		55,988
Services Other Than Personal:		
Travel	$1,000	
Telephone	2,000	
Insurance	2,090	
Household and security	2,270	
Subscriptions and memberships	100	
Postage	400	
Entertainment	800	
Medical	2,900	
Rehabilitation	3,122	
Staff training	320	
		15,002
Maintenance of Property:		
Recurring—		
Buildings and grounds	$3,000	
Office equipment	250	
Vehicular equipment	400	

Household and security equipment	1,000	
Non-Recurring and Replacements—		
Buildings and grounds	3,800	
Office equipment	1,319	
Household and security equipment	5,176	
Medical equipment ..	522	
Education equipment	600	
		16,067
Additions and Improvements:		
Buildings and grounds .	$21,000	
Agricultural and conservation equipment	400	
Household and security equipment	1,183	
Rehabilitation equipment	200	
		22,783
Total Appropriation, Arthur Brisbane Child Treatment Center		$561,571

792-100. *Diagnostic Center*

Salaries:		
Other employees	$792,478	
New positions	9,603	
Food in lieu of cash	6,312	
		$808,393
Materials and Supplies:		
Food—Cash	$26,937	
Fuel and utilities	16,000	
Printing and office	3,700	
Agricultural and conservation	250	

Vehicular	700	
Household and security	5,950	
Clothing	5,400	
Medical	4,000	
Education and rehabilitation	1,700	
		64,637
Services Other Than Personal:		
Travel	$1,000	
Telephone	5,500	
Insurance	363	
Household and security	5,952	
Advertising	50	
Subscriptions and memberships	300	
Postage	1,165	
Entertainment	750	
Microfilming	431	
Rent—Other	72	
Medical	3,600	
Rehabilitation	2,000	
Other professional	2,340	
		23,523
Maintenance of Property:		
Recurring—		
Buildings and grounds	$5,500	
Office equipment	1,620	
Vehicular equipment	150	
Household and security equipment	1,000	
Non-Recurring and Replacements—		
Buildings and grounds	6,000	
Office equipment	4,377	
Household and security equipment	3,995	
		22,642

Additions and Improvements:		
Office equipment	$770	
Vehicular equipment	1,775	
		2,545
Total Appropriation, Diagnostic Center		$921,740

794-100. *State Sanatorium for Chest Diseases, Glen Gardner*

Salaries:		
Other employees	$1,331,266	
New position	6,684	
Food in lieu of cash	24,560	
		$1,362,510
Materials and Supplies:		
Food—Cash	$84,060	
Fuel and utilities	59,000	
Printing and office	2,750	
Agricultural and conservation	1,200	
Vehicular	1,500	
Household and security	15,470	
Clothing	4,525	
Medical	44,603	
Rehabilitation	1,350	
		214,458
Services Other Than Personal:		
Travel	$1,075	
Telephone	4,600	
Insurance	10,743	
Household and security	1,400	
Advertising	200	
Subscriptions and memberships	525	
Postage	1,250	
Entertainment	1,600	
Rent—Other	88	

Medical	9,000	
Rehabilitation	3,000	
Staff training	260	
Other professional	7,200	
Other	50	
		40,991
Maintenance of Property:		
Recurring—		
Buildings and grounds	$13,000	
Office equipment	850	
Vehicular equipment	750	
Household and security equipment	2,500	
Medical equipment	1,000	
Non-Recurring and Replacements—		
Buildings and grounds	18,740	
Office equipment	1,251	
Household and security equipment	12,265	
Medical equipment	676	
		51,032
Extraordinary:		
Compensation awards		1,820
Additions and Improvements:		
Buildings and grounds	$9,440	
Agricultural and conservation equipment	320	
Household and security equipment	1,770	
Medical equipment	1,773	
		13,303
Total Appropriation, State Sanatorium for Chest Diseases, Glen Gardner		$1,684,114
Total Appropriation, Department of Institutions and Agencies		$95,469,395

In addition to the amounts hereinabove specifically appropriated for the various institutions, all funds derived from the sale of farm products to any State agency or political subdivision of the State are hereby appropriated.

Balances on hand as of June 30, 1966 of funds held for the benefit of patients and inmates in the several institutions, together with such funds as may be received, are hereby appropriated for the use of such patients and inmates.

Funds received from the sale of articles made in occupational therapy departments of the several institutions are hereby appropriated for the purchase of additional material and other expenses incident to such sale or manufacture.

Unexpended balances as of June 30, 1966 of funds received by the several institutions representing rental of garages, together with such funds as may be received, are hereby appropriated for the repair and maintenance of existing garages and for the construction of additional garages by such institutions.

MISCELLANEOUS EXECUTIVE COMMISSIONS

810-100. *South Jersey Port Commission*

Salaries:		
Other employees		$42,595
Materials and Supplies:		
Printing and office	$950	
Vehicular	150	
		1,100

Services Other Than Personal:		
Travel	$1,500	
Telephone	188	
Insurance	44	
Household and security	30	
Advertising	100	
Subscriptions and memberships	350	
Postage	150	
Rent—Other	10	
Other	100	
		2,472
Maintenance of Property:		
Recurring—		
Office equipment	$65	
Vehicular equipment	100	
Non-Recurring and Replacements—		
Office equipment	325	
Vehicular equipment	1,650	
		2,140
Extraordinary:		
Dredging	$90,000	
For payment in calendar year 1966 to the City of Camden on account of the obligation of the South Jersey Port Commission to the City of Camden pursuant to agreement dated June 6, 1928	100,000	
		190,000
Total Appropriation		$238,307

811-100. *Palisades Interstate Park Commission*

Salaries:		
Other employees	$548,200	
New positions	5,499	
		$553,699
Materials and Supplies:		
Fuel and utilities	$12,850	
Printing and office	650	
Agricultural and conservation	4,300	
Vehicular	10,800	
Household and security	950	
Clothing	3,500	
Medical	60	
Scientific	100	
		33,210
Services Other Than Personal:		
Travel	$50	
Telephone	2,035	
Insurance	16,775	
Household and security	425	
Postage	400	
		19,685
Maintenance of Property:		
Recurring—		
Buildings and grounds	$10,160	
State roads	15,000	
Office equipment	150	
Agricultural and conservation equipment	1,640	
Vehicular equipment	8,800	
Household and security equipment	1,700	
Non-Recurring and Replacements—		
Buildings and grounds	5,795	
State roads	13,000	

Office equipment	941	
Agricultural and conservation equipment	1,750	
Vehicular equipment	11,260	
Household and security equipment	1,070	
Other equipment	1,000	
		72,266
Additions and Improvements:		
Buildings and grounds	$9,300	
Household and security equipment	360	
Other equipment	1,350	
		11,010
Total Appropriation		$689,870

The net share of revenues derived from the operation of gasoline stations on the New Jersey section of the Palisades Interstate Parkway, together with the unexpended balances from such revenues as of June 30, 1966, are hereby appropriated for maintenance of such stations, for capital projects and plans including an historic park in Fort Lee and for extraordinary maintenance.

The unexpended balances as of June 30, 1966 from stands, concessions and self-sustaining activities operated or supervised by this commission, together with receipts from such activities, are hereby appropriated.

812-100. *Delaware River Joint Toll Bridge Commission*

Salaries:		
Other employees	$340,097	
New positions	13,572	
		$353,669
Materials and Supplies:		
Fuel and utilities	$17,000	
Printing and office	750	
Agricultural and conservation	300	
Vehicular	1,200	
Household and security	400	
Clothing	2,500	
Medical	100	
Scientific	100	
		22,350
Services Other Than Personal:		
Telephone	$2,150	
Insurance	4,875	
Postage	400	
		7,425
Maintenance of Property:		
Recurring—		
Buildings and grounds	$9,000	
Vehicular equipment	700	
Non-Recurring and Replacements—		
Buildings and grounds	56,000	
Agricultural and conservation equipment	1,200	
Scientific equipment	700	
		67,600
Additions and Improvements:		
Vehicular equipment	$3,500	
Scientific equipment	12,000	
		15,500
Total Appropriation		$466,544

814-100. *Interstate Sanitation Commission*

Extraordinary:		
New Jersey's Share of Administrative Costs:		
Water pollution (45%)	$54,450	
Air pollution (50%)	20,000	
Total Appropriation		$74,450

816-100. *Delaware River Basin Commission*

Extraordinary:	
Expenses of the Commission	$142,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

817-100. *State University Bicentennial Commission*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Miscellaneous Executive Commissions	$1,611,171

INTER AND NON-DEPARTMENTAL ITEMS

840-100. *Inter-Departmental Services*

Services Other Than Personal:		
Rent:		
Buildings and grounds	$6,691,779	
Education Building	340,000	

Health-Agriculture Building	570,000	
Cultural Center	560,000	
Sub-Total Appropriation	$8,161,779	
Less: Charges to other than General State Fund sources	*3,018,826*	
Total Appropriation		$5,142,953

Notwithstanding any other provision of law, no lease for the rent of any office or building shall be executed which has an expiration date subsequent to June 30, 1967 without the prior approval of the State Treasurer, the Director of the Division of Budget and Accounting, the Legislative Budget and Finance Director, the President of the Senate and the Speaker of the General Assembly.

The Director of the Division of Budget and Accounting is hereby empowered to allocate to any State agency occupying space in any State-owned building equitable charges for the rental of such space, to include but not be limited to the costs of operation and maintenance thereof, and the amounts so charged shall be credited to the General State Fund; and, to the extent that such charges may exceed the amounts appropriated for such purposes to any agency financed from any fund other than the General State Fund, the required additional appropriation is hereby made out of such other fund.

With respect to the equitable charges allocated to agencies occupying the Department of Labor and Industry Office Building, such amounts which may be attributable to the amortization of the portion of the building, the construction cost of which was provided from funds made available from the Unemployment Trust Fund, shall be credited to that fund.

841-100. *Employee Benefits*

Extraordinary:		
Heath Act	$121,000	
Veterans' Act	216,000	
Miscellaneous Special Acts	23,000	
Governors' Widows Annuity	7,500	
Judicial Pensions	711,000	
Prison Officers' Pensions	391,000	
Public Employees' Retirement System	12,756,161	
Premium for Non-Contributory Insurance	1,931,668	
State's share of Social Security Tax	8,970,000	
State Police Retirement System	887,180	
State Employees' Health Benefits	3,135,000	
Pension Increase Act	1,196,000	
Total Appropriation		$30,345,509

The unexpended balance as of June 30, 1966 of the sum appropriated for the State's share of Social Security Tax is hereby appropriated.

The appropriation previously made for the State's share of the State Police Retirement and Benevolent Fund is hereby appropriated to the State Police Retirement System established by N. J. S. A. 53:5A.

The sum appropriated for the State's share of the Social Security Tax is hereby made available for the payment of such tax which may be applicable to the prior fiscal year.

Out of the sum hereinabove appropriated, upon application to the Director of the Division of Budget and Accounting, an annuity of $2,500 shall be paid to the widow of any person, now deceased, who was elected and served as Governor of this State, provided such widow was the wife of such person for all or part of the period during which he served as Governor and, provided further, that this shall not apply to any widow receiving a pension granted under R. S. 43:8–2, and continued by chapter 190, P. L. 1955.

Any adjustment which may be required for the payment of Premium for Non-Contributory Insurance shall result in a contra-adjustment in the payment of the normal contribution for the Public Employees' Retirement System.

There are hereby appropriated to the Public Employees' Retirement System, for credit to the Contingent Reserve Fund, any sums payable to the State Treasurer pursuant to the provisions of R. S. 43:15A–88 through 96.

Any sums payable to the State Treasurer pursuant to the provisions of R. S. 43:16A–1 et seq. are hereby appropriated to the Police and Firemen's Retirement System.

843-100. *State Emergency Fund*

Extraordinary:

For allotment to the various departments or agencies, to meet any condition of emergency or necessity until legislation appropriate therefor shall be enacted; provided, however, that a sum not in excess of $5,000 shall be available for the expense of officially receiving dignitaries and for incidental expenses including lunches for nonsalaried board members and others for whom official reception shall be beneficial to the State. Allotments from this appropriation shall be made only upon authorization of the Governor $100,000

For allotment to the various departments or agencies to pay compensation awards allowed State employees, upon approval of the Director of the

Division of Budget and Accounting	100,000
To the Director of the Division of Budget and Accounting for transfer, as required, subject to the approval of the Legislative Budget and Finance Director, to the various departments or agencies, as principals, for expenditure for programs sponsored or carried out by the New Jersey Office of Economic Opportunity, as agent, to implement the Federal Economic Opportunity Act of 1964 and any related Federal legislation as follows:	
Rural Youth Development Program —to provide for certain education, health and transportation services, to the extent that Federal funds are not available and in-kind contributions or resources from other sources are inadequate or unavailable	100,000
Adult Literacy Opportunities — for assistance to local agencies and in	

the development and operation of adult literacy opportunity programs, including but not limited to services such as research, consultation, review and evaluation, for which funds or services from other sources are inadequate or unavailable	150,000
Aid to Communities and State Government Agencies—for program development leading to applications for Federal Economic Opportunity grants, and for experimental projects which may become eligible for Federal grants ..	25,000
For assistance in meeting the State's share of funds required to match funds available from the Federal government under the Economic Opportunity Act of 1964 to the extent that in-kind contributions or resources available from non-	

Federal sources are inadequate	200,000	
To the Director of the Division of Budget and Accounting for transfer, as required, to meet contingencies which may result from increases in the price of food, beyond those anticipated, for consumption by patients or inmates in the care of the department in its institutions, and by students maintained at the Marie H. Katzenbach School for the Deaf, as the Director of the Division of Budget and Accounting shall determine	250,000	
Total Appropriation		$925,000

844-100. *Salary Adjustments and Increments*

Any sums appropriated to the several departments for salaries may be made available for salary adjustments therein arising from various exigencies of the State service and for normal merit salary increments as the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting shall determine; provided, however, that the first normal merit salary increment

anniversary date shall be July 4, 1966.

Any sums appropriated for salaries shall be made available for any person holding State office, position or employment, whose compensation is paid directly or indirectly, in whole or in part, from State funds, including any person holding office, position or employment in any educational institution for which appropriations are made to the State University, the New Jersey College of Medicine and Dentistry or to the State Board of Education for the Newark College of Engineering, or holding office, position or employment under the Delaware River Joint Toll Bridge Commission, the Palisades Interstate Park Commission and the Interstate Sanitation Commission.

Each person holding such State office, position or employment, whose compensation from State funds is derived, in whole or in part, from Federal or other than General Fund sources, shall be entitled to the same salary adjustments and increments which may be authorized hereinabove which he would receive if his compensation were paid wholly from State funds; provided, however, that the Federal government or other than General Fund source consents thereto and pays the costs thereof.

Should any State officer for whom a salary is specifically appropriated be replaced in office during the fiscal year ending June 30, 1967, the salary to be paid the successor of such

officer may be such lesser sum as the appointing authority shall determine.

Total Appropriation, Inter and Non-Departmental Items	$36,413,462

870-100. THE JUDICIARY

Salaries:		
Chief Justice	$32,000	
Associate Justices (6 @ $31,000)	186,000	
Judges (52 at $27,000)	1,404,000	
Clerk of the Supreme Court	15,000	
Clerk of the Superior Court	17,000	
Administrative Director	20,000	
Other employees	1,584,791	
New positions	73,547	
		$3,332,338
Materials and Supplies:		
Printing and office	$125,000	
Vehicular	1,000	
Household and security	400	
Library books	50,000	
		176,400
Services Other Than Personal:		
Travel	$36,000	
Telephone	30,000	
Insurance	805	
Household and security	100	
Advertising	2,000	
Legal and investigative	5,000	
Postage	44,500	

Rent—Buildings and grounds	1,500	
Rent—Other	1,658	
Medical	2,000	
Staff training	10,000	
Other professional	3,000	
Other	5,000	
		141,563
Maintenance of Property:		
Recurring—		
Buildings and grounds	$500	
Office equipment	5,500	
Vehicular equipment	600	
Household and security equipment	500	
Non-Recurring and Replacements—		
Office equipment	4,218	
Household and security equipment	2,000	
		13,318
Additions and Improvements:		
Office equipment		22,794
Total Appropriation, The Judiciary		$3,686,413
Total Appropriation, General State Operations		$340,786,184

STATE AID

DEPARTMENT OF LAW AND PUBLIC SAFETY

150-150. *Division of Weights and Measures—State Aid*

For payment of fees to counties and municipal-

ities from the sale of solid fuel licenses in accordance with the provisions of R. S. 51:8–13, approximating	$5,000	
For payment of fees to counties and municipalities from the sale of poultry licenses in accordance with the provisions of R. S. 4:11–48, approximating	1,000	
Total Appropriation, Department of Law and Public Safety		$6,000

DEPARTMENT OF THE TREASURY

Division of Taxation

240-150. *Payments to Counties (Five Per Centum Inheritance Taxes)—State Aid*

Extraordinary:	
For payments to counties pursuant to R. S. 54:33–10	$2,500,000

There are hereby appropriated such additional funds as may be required for payments to each county pursuant to R. S. 54:33–10.

241-150. *County Boards of Taxation—State Aid*

Salaries:	
Members (69)	$410,625

245-150. *Payments to Municipalities—State Aid*

For State aid to municipalities to avoid loss of revenue to municipalities as a result of elimination of local property tax on business personalty, subject to the enactment of enabling legislation	$2,500,000

Division of Pensions

295-150. *Consolidated Police and Firemen's Pension Fund—State Aid*

State's contribution pursuant to the provisions of R. S. 43:16–1	$5,310,814
Total Appropriation, Department of the Treasury	$10,721,439

DEPARTMENT OF STATE

300-150. *Office of the Secretary—State Aid*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

DEPARTMENT OF PUBLIC UTILITIES

350-150. *Grade Crossing Elimination—State Aid*

For the public share of the cost to eliminate grade crossings and for other projects pursuant to R. S. 48:12–49.1 to 48:12–67	$2,000,000
Total Appropriation, Department of Public Utilities ...	$2,000,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

DEPARTMENT OF HEALTH

360-150. *General—State Aid*

Extraordinary:		
Dental Health Services	$38,646	
For State Aid to Health Districts, subject to the enactment of enabling legislation	2,300,000	
Total Appropriation		$2,338,646

365-450. *State Sewerage Facilities Loan Fund*

Extraordinary:		
Loans Grants Oceanographic and feasibility studies		$4,000,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

378-150. *Crippled Children's Program—State Aid*

Extraordinary:		
Hospitalization and convalescent care	$240,000	
Appliances	25,000	
Total Appropriation		$265,000
Total Appropriation, Department of Health		$6,603,646

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

Division of Resource Development

420-150, 450. *Inland Waterways and Shore Protection—State Aid*

Inland Waterways—Construction, reconstruction, maintenance, improvements and dredging of Inland Waterways, including bulkheading and dredging at State Marinas, at the discretion of the commissioner; provided, however, that a sum not exceeding $25,000 shall be available for the control of obnoxious aquatic vegetation in State-controlled lakes; and provided, however, that funds will be available for dredging at State-controlled lakes, including Deal Lake and Lake Hopatcong. All projects shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development.	$400,000
Harbor of Refuge at Atlantic City Marina	100,000
Shore Protection—For Shore Protection outlined in R. S. 12:6A–1 ...	1,000,000

None of the funds herein appropriated shall be available for expenditure unless matched by a municipality or county participating. Any municipality or county participating shall deposit its 50% share of participation with the State Treasurer through the Department of Conservation and Economic Development; provided, however, that out of this appropriation a sum not exceeding $10,000 shall be available for replacement of motor vehicles, transportation supplies and other equipment for use in this program; a sum not exceeding $50,000 shall be available to defray the State's share of co-operative studies in connection with the Federal government; a sum not exceeding $25,000 shall be available for rehabilitation of the yacht basin or anchorage on Raritan Bay in the City of Perth Amboy upon certification to the Department that not less than 20% of the capacity of said yacht basin or anchorage shall be open to the public-at-large as a harbor of refuge to the extent of the need therefor; funds shall be available for investigative and exploratory work, including borings in the ocean bottom, rivers, lakes, ponds, and in the uplands, the purpose of which is to locate borrow area from which material for beachfill may be secured; funds may be expended without matching by municipality or county to protect the beach and property at Sandy Hook State Park. Funds may be expended without matching by municipality or county for maintenance

and repair of existing shore protection jetties and groins heretofore constructed with State Aid. All projects shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development.	
Total Appropriation, Division of Resource Development	$1,500,000

The unexpended balance in the "Special Beach Erosion Fund" as of June 30, 1966 is hereby appropriated for the purposes defined in Chapter 18, P. L. 1962.

The unexpended balance of the appropriation made pursuant to Chapter 194, P. L. 1962 and Chapter 179, P. L. 1963, for State Aid for shore protection to municipalities and counties participating in the Federal program under the Public Works Acceleration Act (Public Laws 87-658) as of June 30, 1966 is hereby appropriated for the same purpose.

The unexpended balances as of June 30, 1966 in all other accounts hereinabove are hereby appropriated.

460-150. *Division of Veterans' Services—State Aid*

Veterans Orphan Fund—Educational	$200,000	
Payment to Blind Veterans	30,000	
Payment to Paraplegics, Hemiplegic Veterans	160,500	
Total Appropriation, Division of Veterans' Services		$390,500

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

470-150. *Division of State and Regional Planning—State Aid*

Community Renewal Program—	
To provide 1/9 of the total cost to qualifying municipalities as the State's share for programming long-range urban renewal needs and toward which the Federal government contributes 2/3 of the total cost.	
Continuing Planning Assistance Program—	
To assist municipalities with master plans to establish planning as a continuing process; provided, however, that the State's share to a municipality with a population of less than 50,000 according to the 1960 census shall not exceed $3,000 in any given year; and that the State's share to a municipality with a population of 50,000 or more according to the 1960 census shall not exceed $5,000 in any given year; and that the State's share to a county or Regional Planning agency shall not exceed $5,000 in any given year; and that each of these shall be adjusted over a 6-year period from a maximum of 50% of the cost in the first year to 0% in the sixth year.	$75,000
Total Appropriation, Division of State and Regional Planning	$75,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated; provided, however, that none of the funds appropriated shall be available for expenditure unless matched by a participating local agency. All participating local agencies shall conform with technical standards and procedures established by, and be under contract with, the Department of Conservation and Economic Development.

472-150. *State Mosquito Control Commission—State Aid*

For transfer to the Agricultural Experiment Station for airplane spraying in counties bordering on the Atlantic ocean and Delaware Bay and in such other counties as the State Mosquito Control Commission may designate	$100,000	
For transfer to the Agricultural Experiment Station for mosquito control and extermination pursuant to R. S. 26:9–12.6	250,000	
For transfer to the Agricultural Experiment Station for mosquito control on State-owned land	25,000	
Total Appropriation, State Mosquito Control Commission		$375,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.	
Total Appropriation, Department of Conservation and Economic Development ...	$2,340,500

DEPARTMENT OF EDUCATION

Commissioner's Office

500-150. *Educational Purposes—State Aid*

Salaries:		
County superintendents	$374,096	
Other employees	929,661	
New positions	57,743	
		$1,361,500
Materials and Supplies:		
Printing and office	$70,000	
Scientific	1,500	
Education	22,900	
		94,400
Services Other Than Personal:		
Travel	$62,000	
Subscriptions and memberships	100	
Data processing	750	
Rent—Central Motor Pool	950	
Rent—Equipment, Data processing	3,600	
Rent—Other	500	
Education	5,300	
		73,200
Maintenance of Property:		
Recurring—		
Office equipment		1,000

Extraordinary:		
National Defense Education Act—State's share	$166,020	
Senator James F. Murray Junior Historian Fund	15,000	
		181,020
Grants-in-Aid:		
Vocational school districts	$435,550	
Industrial school districts	80,000	
Technical education	100,000	
State School Aid (R. S. 18:10–29.30 to 29.62)		
Formula (Foundation, equalization and minimum)	83,695,172	
Atypical pupils	5,498,984	
Children resident on State-owned property	35,000	
Vocational education	2,000,000	
Transportation	13,146,194	
Emergency aid	175,000	
School building aid	17,952,072	
Maladjusted pupils	3,197,451	
Children resident in institutions	142,240	
Adult education	260,825	
Evening schools for foreign-born residents	82,385	
County audio-visual aid centers	50,000	
County colleges	6,957,129	
County assisted junior colleges	280,000	
State aid for certain libraries	1,551,852	

Additional State Aid to Local School Districts, subject to the enactment of enabling legislation	95,000,000	
		230,639,854
Total Appropriation		$232,350,974

The unexpended balance in the account "Vocational Education" as of June 30, 1966 is hereby appropriated for the same purpose.

The unexpended balance in the account "County Colleges" as of June 30, 1966 is hereby appropriated for the same purpose.

All other unexpended balances not to exceed $250,000 in the remaining Grants-in-Aid accounts as of June 30, 1966 are hereby appropriated.

501-150. *Teachers' Pension and Annuity Fund, Group Life Insurance and Social Security Tax—State Aid*

State's Contribution to Teachers' Pension and Annuity Fund—

Normal contribution	$38,769,502	
Class B liability and deficiency contribution	8,577,827	
Veterans' liability for Department of Education personnel	75,829	
Payment on behalf of local employee veterans appointed after January 1, 1965	161,364	

Liability of offset elimination (R. S. 18:13–112.70)	4,907,798	
Premium for Non-Contributory Insurance	2,860,000	
State's share of Social Security Tax	20,047,000	
Total Appropriation		$75,399,320

The unexpended balance as of June 30, 1966 of the sum appropriated for the "State's share of Social Security Tax" is hereby appropriated.

The sum appropriated for the "State's share of Social Security Tax" shall be available for the payment of such tax applicable to the prior fiscal year.

Any sums payable to the State Treasurer pursuant to R. S. 18:13–112.76, et seq. are hereby appropriated to the Teachers' Pension and Annuity Fund for credit to the Contingent Reserve Fund.

Any adjustment which may be required for the payment of Premium for Non-Contributory Insurance shall result in a contra-adjustment in the payment of the Normal Contribution to the Teachers' Pension and Annuity Fund.

Total Appropriation, Department of Education	$307,750,294

STATE HIGHWAY DEPARTMENT

620-150. *State Highway Department—State Aid*

Division of Local Government Aid

Salaries:		
Other employees	$614,773	
New positions	13,895	
		$628,668
Materials and Supplies:		
Printing and office	$4,000	
Household and security	400	
Scientific	500	
Other	100	
		5,000
Services Other Than Personal:		
Travel	$15,000	
Telephone	6,500	
Household and security	544	
Subscriptions and memberships	50	
Postage	6,000	
		28,094
Maintenance of Property:		
Recurring—		
Office equipment	$150	
Non-Recurring and Replacements—		
Office equipment	480	
		630
Extraordinary:		
Intra-Departmental Equipment, Rentals and Supplies		37,000
Sub-Total Appropriation		$699,392

Counties and Municipalities—Grants

Construction, reconstruction, maintenance, etc., of county roads pursuant to R. S. 52:27B–20	$8,000,000	
Construction, reconstruction, maintenance and repairs of county roads on the basis of $55,000 per county pursuant to R. S. 27:14–1	1,155,000	
Construction, grading and maintenance of municipal roads pursuant to R. S. 27:15–1	4,500,000	
Construction or reconstruction of municipal roads on the basis of $100,000 per county pursuant to R. S. 27:1–14	2,100,000	
Reconstructing county and municipal roads pursuant to R. S. 27:13–10 to 17	200,000	
County and municipal aid for lighting	310,000	
Sub-Total Appropriation		$16,265,000
Extraordinary State aid for county highways, with the share of each county to be calculated on the basis of the average of the following 2 percentages: (1) the percentage of population of such county to the total population of the State; and (2) the percentage of total county road mileage within such county to the total county road mileage in the State		20,000,000

Extraordinary State aid for municipal highways, with the share of each municipality to be calculated on the basis of the average of the following 2 percentages: (1) the percentage of population of such municipality to the total population of the State; and (2) the percentage of total municipal road mileage within such municipality to the total municipal road mileage in the State	14,000,000
The total appropriation for Counties and Municipalities—Grants shall be for the calendar year 1967 and shall be due and payable on January 2, 1967.	
Total Appropriation, State Highway Department	$50,964,392
The unexpended balance in this account as of June 30, 1966 is hereby appropriated.	

DEPARTMENT OF INSTITUTIONS AND AGENCIES

Division of Public Welfare

Bureau of Assistance

715-150. *Old Age Assistance—State Aid*

For the purpose of making payments for the State's share of old age assistance, pursuant to R. S. 44:7–25	$2,944,000

The unexpended balance remaining in this account as of June 30, 1966, including the State's net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under R. S. 44:7–14 during the fiscal year ending June 30, 1966 are hereby appropriated; and in addition thereto, all such funds recovered under R. S. 44:7–14 during the fiscal year ending June 30, 1967 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-151. *General Assistance—State Aid*

For the purpose of making payments to municipalities for the State's share of the cost of general assistance, pursuant to R. S. 44:8–134 $5,887,000

Receipts from State administered towns during 1966-67 and the unexpended balance in this account as of June 30, 1966 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-152. *Disability Assistance—State Aid*

For the purpose of making payments for the State's share of cost of assistance to the permanently and

totally disabled, pursuant to R. S. 44:7–38 et seq. $3,017,000

The unexpended balance remaining in this account as of June 30, 1966, including the State's net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under R. S. 44:7–14 during the fiscal year ending June 30, 1966, are hereby appropriated; and in addition thereto, all such funds recovered under R. S. 44:7–14 during the fiscal year ending June 30, 1967 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-153. *Dependent Children Assistance—State Aid*

For the purpose of making payments for the State's share of cost of assistance for dependent children pursuant to R. S. 44:10–1 et seq. ... $21,300,000

The unexpended balance in this account as of June 30, 1966, including the State's net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under Section 4 of R. S. 44:10–1 et seq. during the fiscal year ending June 30, 1966 are hereby appropriated; and in addition thereto, all such funds recovered under Section 4 of R. S. 44:10–1 et seq., during the fiscal year ending June 30, 1967 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-154. *Medical Assistance for the Aged—State Aid*

For the purpose of making payments for the State's share of medical assistance for the aged, pursuant to R. S. 44:7–76 et seq. $3,420,000

The unexpended balance in this account as of June 30, 1966, including the State's net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under R. S. 44:7–82, during the fiscal year ending June 30, 1966 are hereby appropriated; and in addition thereto, all such funds recovered under R. S. 44:7–82, during the fiscal year ending June 30, 1967 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-155. *Blind Assistance—State Aid*

For the purpose of making payments for the State's share of blind assistance, pursuant to R. S. 30:4B–1 to 4 and R. S. 30:4C–2 et seq. $199,000

The unexpended balance in this account as of June 30, 1966, including the State's net share of reimbursement, and the net balance remaining

after full payment of sums due the Federal government of all funds recovered under R. S. 30:4B–1 et seq. during the fiscal year ending June 30, 1966 are hereby appropriated; and in addition thereto, all such funds recovered under R. S. 30:4B–1 et seq. during the fiscal year ending June 30, 1967 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

Bureau of Children's Services

717-150. *Child Care—State Aid*

For the purpose of making payments for the State's share of child care costs of children under the care of the Bureau of Children's Services pursuant to R. S. 30:5 ..... $5,346,976

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

The sum hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

Total Appropriation, Division of Public Welfare $42,113,976

Division of Mental Health and Hospitals

770-150. *County Mental Hospital—State Aid*

For the Support of Patients in County Mental Hospitals, pursuant to Revised Statutes, Section 30:4–78:		
Atlantic	$190,000	
Burlington	190,000	
Camden	680,000	
Cumberland	115,000	
Essex	4,500,000	
Hudson	2,000,000	
Total Appropriation		$7,675,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

770-151. *County Tuberculosis Hospitals—State Aid*

For the Support of Patients in County Tuberculosis Hospitals, pursuant to Subdivision C, Article 30 of the Revised Statutes:		
Atlantic	$13,000	
Bergen	17,000	
Camden	17,000	
Essex	98,000	
Hudson	6,000	
Middlesex	10,000	
Monmouth	12,000	
Ocean	400	
Passaic	23,000	
Union	21,000	
Total Appropriation		$217,400

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

770-152. *Community Mental Health Services—State Aid*

For the establishment, development, improvement and expansion of community mental health services	$1,650,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

This appropriation shall be available for training stipends, training programs and the support of demonstration projects in mental health to the extent that the appropriation exceeds the funds required for the aid program; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

Total Appropriation, Division of Mental Health and Hospitals	$9,542,400
Total Appropriation, Department of Institutions and Agencies	$51,656,376

870-150. The Judiciary—State Aid

For amounts to be refunded to various counties for the State's share of salaries and expenses of court reporters appointed by the Supreme Court pursuant to N. J. S. 2A:11	$1,000,000	
For amounts to be paid to various counties representing 40% of the salaries of county judges, pursuant to N. J. S. 2A:3–19	800,000	
Reimbursement to counties for the cost of county court judges temporarily assigned to the Superior Court outside their counties, pursuant to N. J. S. 2A:3–19.1	31,000	
Total Appropriation, The Judiciary		$1,831,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

The amount appropriated hereinabove to The Judiciary shall be available for any deficiency in this account as of June 30, 1966.

Total Appropriation, State Aid	$433,873,647

CAPITAL CONSTRUCTION

Department of Law and Public Safety

Division of State Police

120-100. *General*

Capital Construction:		
Emergency Generator—West Trenton		$96,750

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Division of Motor Vehicles

140-100. *General*

Capital Construction:		
Additional cost of establishing a new three-lane inspection station near Paramus in Bergen county	$189,000	
Inspection station—Newark	511,000	
Total Appropriation, Division of Motor Vehicles		$700,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

150-100. *Division of Weights and Measures*

Capital Construction:	
Purchase of land and the construction and equipping of a weighing station to be located in Passaic county	$200,000
Total Appropriation, Department of Law and Public Safety	$996,750

DEPARTMENT OF THE TREASURY

210-100. *Administrative Division*

To establish a revolving fund for costs of advance planning and architectural services related to future building construction by the State, or on a lease with option-to-buy basis; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act, and which shall be refunded to the revolving fund from appropriations made for such construction	$250,000
The unexpended balance in this account as of June 30, 1966 is hereby appropriated for the respective purposes of appropriations heretofore made.	

Division of Purchase and Property

230-100. *General*

Capital Construction:		
Air condition capitol area buildings	$400,000	
Acquisition of property — 101 through 115 West State Street, Trenton	800,000	
Maintenance scaffold — Labor and Industry Building	70,000	
Replace boiler — Highway Building	26,000	
Total Appropriation, Division of Purchase and Property		$1,296,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Department of the Treasury	$1,546,000

DEPARTMENT OF DEFENSE

342-100. *National Guard and Naval Militia*

Capital Construction:		
Dining hall and kitchen —Sea Girt	$253,360	
Restoration of Chief Executive's residence, Sea Girt, First phase	25,000	
Roads and approaches	85,000	
Total Appropriation, National Guard and Naval Militia		$363,360

Funds derived from the sale of any buildings or lands held by the Department of Defense are hereby appropriated for the acquisition of other lands, for rehabilitation or improvement of existing installations and for the construction of new buildings for use by the State Military or Naval Services; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

The unexpended balance in this account as of June 30, 1966 is hereby appropriated and any additional Federal aid made available by the Congress for capital construction purposes is hereby appropriated for use by the Department of Defense.

346-100. *Division of Civil Defense*

The unexpended balance remaining in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Department of Defense $363,360

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

410-101, 102. *Redemption of Bonds*

Redemption of Water Development Bonds — Chapter 35, P. L. 1958 .. $800,000

Redemption of Recreation and Conservation Land

Acquisition Bonds, Chapter 46, P. L. 1961	2,600,000	
Total Appropriation, Redemption of Bonds		$3,400,000

Division of Resource Development

420-100. *General*

Capital Construction:		
Forests, parks, historic sites and acquisitions and recreational area development	$650,000	
Roads and approaches	125,000	

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

The unexpended balance of the proceeds derived since July 1, 1962 from the sale or exchange, based upon fair market value, of State-owned land heretofore acquired under Title 13 is hereby appropriated for the purpose described in Title 13 and particularly as set forth in Title 13:1–18; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

420-402. *Morris Canal and Banking Company*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Division of Resource Development $775,000

430-100. *Division of Water Policy and Supply*

Capital Construction:

To reimburse the State Water Development Bond Fund for the portion of the cost of the Administration Building erected therefrom which is attributable to water policy and supply operations other than operations of the Spruce Run and Round Valley Reservoirs $297,540

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Division of Fish and Game

451-400. *Public Shooting and Fishing Grounds*

(Payable Out of Public Shooting and Fishing Grounds Fund)

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Department of Conservation and Economic Development ... $4,472,540

DEPARTMENT OF EDUCATION

500-101, 102. *Redemption of Bonds*

Redemption of State Teachers College Construction Bonds—Act of 1951	$1,075,000	
Redemption of State Higher Education Bonds —Act of 1959	4,800,000	
Total Appropriation, Redemption of Bonds		$5,875,000

512-900. *State Higher Education Fund*

The earnings derived from the investment or reinvestment of the proceeds of the sale of bonds received in the State Higher Education Fund as provided under Section 2, Chapter 176, P. L. 1959, not to exceed so much thereof as may be necessary for architectural inspection and supervising services, are hereby appropriated in connection with the State Higher Education Construction Program; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

The unexpended balance in the State Higher Education Fund as of June 30, 1966 is hereby appropriated for the purposes defined in Chapter 176, P. L. 1959.

514-900. *1964 Higher Education Construction Fund*

The unexpended balance in the 1964 Higher Education Construction Fund as of June 30, 1966 is hereby appropriated for the purposes defined in Chapter 223, P. L. 1964.

520-100. *Division of the State Library, Archives and History*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

530-100. *Division of the State Museum*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

560-100. *Marie H. Katzenbach School for the Deaf*

Capital Construction:	
Pre-Lower School Unit	$1,000,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

570-100, 571-100, 572-100. *Rutgers, The State University*

Redemption of Mortgage	$250,000
Capital Construction:	
Medical School building	1,000,000
Kilmer Campus—	
Undergraduate Library, First stage	
Academic Buildings, Second College	
University Heights Campus—	
Pharmacy College classroom building	
Mathematics, Statistics, Information Processing Center	
New Brunswick Campus—	
Adult Continuing Education Center	
College of Agriculture Campus—	
Food Science and Biochemistry building	2,430,000
Douglass College—	
Renovate old classrooms for Science and Art Laboratories	
College of South Jersey—	
General classroom building	
Newark College of Arts and Sciences—	
Renovate old buildings for laboratories and offices	
General classroom building	

Roads and approaches	25,000	
Total Appropriation, Rutgers, The State University		$3,705,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

574-100. *Newark College of Engineering and Newark Technical School*

Capital Construction:		
Rehabilitate old buildings for classroom use Land acquisition ..... Engineering classroom and laboratory building	$530,000	
Total Appropriation, Newark College of Engineering and Newark Technical School		$530,000

594-100. *State College Construction*

Capital Construction:		
Glassboro State College— Convert offices and old gym to classrooms.. Outdoor physical education area .... General classroom building ..... Music Education building and auditorium		

Jersey City State College—	
Building addition for Science classrooms	
General classroom building including land	
Newark State College—	
Classroom addition to Physical Education building	
Addition to Auditorium	
Convert old Library to offices	
Vocational Education building	
General classroom building	$7,840,000
Paterson State College—	
Site improvements, Laboratory School	
Convert old Library to offices	
Outdoor physical education area	
Physical Education building	
Convert old Gym to Student Center	
General classroom building	
Montclair State College—	
General classroom building	
Vocational Education building	
Trenton State College—	
New Library	
General classroom buildings	

Addition to Math-Science building		
Convert old Library to Administration building		
Miscellaneous capital projects including grounds improvements, fire alarm systems, air conditioning, security measures, athletic facilities and improvements to instructional facilities..	610,000	
Roads and approaches....	200,000	
Total Appropriation, State College Construction		$8,650,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, Department of Education	$19,760,000

STATE HIGHWAY DEPARTMENT

611-100. *Highway Department Installations*

Capital Construction:	
and outbuildings	$40,000
Maintenance, storage	
Salt storage structures .	40,000
Regional office buildings,	
Freehold—Design ...	150,000
Maintenance buildings—	
Existing road system.	100,000
Maintenance buildings—	
Interstate system	100,000

Major shops and garage, Hunterdon County	180,000	
Roads and approaches	100,000	
Total Appropriation, Highway Department Installations		$710,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

612-100. *Construction of State Highway System*

Administration—Construction

Salaries:		
State Highway engineer	$20,000	
Other employees	10,838,902	
New positions	99,900	
Wages of labor	55,000	
Positions established in lieu of appropriated revenue	810,257	
Positions transferred from another division	29,887	
		$11,853,946
Materials and Supplies:		
Fuel and utilities	$21,000	
Printing and office	70,000	
Household and security	3,197	
Clothing	1,435	
Scientific	138,000	
Other	6,000	
		239,632
Services Other Than Personal:		
Travel	$415,000	
Telephone	115,000	

Insurance	527	
Household and security	6,450	
Advertising	20,000	
Subscriptions and memberships	8,000	
Postage	25,000	
Rent—Equipment, Data processing	80,300	
Rent—Other	5,600	
Other professional	100,000	
		775,877
Maintenance of Property:		
Recurring—		
Office equipment	$4,000	
Scientific equipment	5,800	
Non-Recurring and Replacements—		
State roads	29,700	
Office equipment	11,000	
Scientific equipment	26,000	
		76,500
Extraordinary:		
Compensation awards	13,000	
Intra-Departmental equipment rentals and supplies	250,000	
For the transportation planning aspects of studies in the Northeastern New Jersey-New York urban area to be conducted by the Tri-State Transportation Commission	900,000	
For the transportation planning aspects of the Atlantic City urban area study	55,000	
For the transportation planning aspects of		

any Delaware River Valley Commission urban area study	95,000	
		1,313,000
Additions and Improvements:		
Office equipment	$23,000	
Scientific equipment	30,000	
		53,000
Sub-Total Appropriation ...		$14,311,955
Less: Portion of Federal Aid receivable which is applicable to engineering costs		*3,200,000*
Less: Portion of Federal Aid receivable which is applicable to Highway Planning and Research		*1,571,614*
Sub-Total Appropriation ...		$9,540,341

State Highway Projects

Federal aid participation	$28,596,611	
Non-Federal aid participation	24,000,000	
To increase the "revolving fund for costs of advance purchase of right-of-way for highway construction" established pursuant to Chapter 112, P. L. 1965	2,000,000	
Highway Betterments:		
Traffic signals, signs and lighting	400,000	
Resurfacing	900,000	
Drainage, shoulder reconstruction and guardrails	200,000	

Major bridge repairs	700,000	
Sub-Total Appropriation		$56,796,611
Total Appropriation, Construction of State Highway System		$66,336,952

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

In addition to the amounts hereinabove appropriated for construction of the State highway system, there are hereby appropriated such sums as may be received or receivable from, or authorized or allocated by the Federal government, the New Jersey Turnpike Authority, the New Jersey Highway Authority, the Delaware River Joint Toll Bridge Commission, the Delaware River Authority, the Port of New York Authority, the Atlantic City Expressway Authority and local government jurisdictions, for construction purposes.

The amount provided herein for construction of the State highway system and the purchase of right-of-way shall be set forth in a construction program, by route numbers, by the State Highway Commissioner and shall not be expended or contracted for without the approval of the Governor.

From the amount provided herein for the construction of the State highway system and the purchase of right-of-way, there may be allocated such amounts as the State Highway Commissioner may determine for

personal services by contract or, in lieu thereof, by State employees for engineering, design, research, construction, right-of-way acquisition or other costs related to the construction program; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

Out of any appropriation herein for Non-Federal aid participation, not less than $1,500,000 shall be transferred to the Division of Railroad Transportation to be used for grade crossing elimination on the Camden-Kirkwood Line as a restoration of appropriations heretofore made therefor which had been transferred to finance grade crossing eliminations for the Aldene Project.

Out of the sum of $24,000,000 hereinabove appropriated for "Non-Federal aid participation," an amount not to exceed $200,000 shall be made available for transfer to augment the item "Reconstructing county and municipal roads pursuant to R. S. 27:13–10 to 17" in the State Aid section of this act.

612-101. *Redemption of Bonds*

Redemption of Highway Improvement Bonds, Act of 1930	$1,525,000

615-100. *Flood Damage—Free Bridges*

The unexpended balance as of June 30, 1966 in the account appropriated by Chapter 228, P. L. 1955 to the State Highway Department for construction, reconstruction and repair of the flood damaged free bridges under the control of the Delaware River Joint Toll Bridge Commission, is hereby appropriated for the construction and reconstruction of free bridges and approaches under the control of the Delaware River Joint Toll Bridge Commission.

630-100. *Division of Railroad Transportation*

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

Total Appropriation, State Highway Department $68,517,952

DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Miscellaneous Capital*

Miscellaneous capital construction ... $1,000,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

700-106. *Major Capital*

Capital Construction:	
Medium and maximum security prison at State Prison Farm, Leesburg	
Expansion of boiler plant at State Reformatory for Women, Clinton	
Administration facilities at State Home for Boys, Jamesburg	
Replace patient buildings at Vineland State School	
Medical facilities, Almond Road Colony at Vineland State School	
Administration facilities at State Colony, Woodbine	
Blind Children's Training Unit at Edward R. Johnstone Training and Research Center	$1,200,000
Affiliate Nurses' Training and Education Center at State Hospital, Greystone Park	
Children's Psychiatric Treatment Unit at State Hospital, Trenton	
Improvements to utility systems at Neuropsychiatric Institute	
Treatment Center for Sex Offenders at Diagnostic Center	

Children's Psychiatric, Diagnostic and Treatment Center		
Emergency Reception and Child Care Facility		
Total Appropriation, Major Capital		$1,200,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

700-109. *Roads and Approaches*

Roads and approaches		$125,000

The unexpended balance in this account as of June 30, 1966 is hereby appropriated.

700-110, 111, 113. *Redemption of Bonds*

Redemption of Institution Construction Bonds — Act of 1930	$350,000	
Redemption of Institution Construction Bonds — Act of 1952	1,790,000	
Redemption of Institution Construction Bonds — Act of 1960	1,800,000	
Total Appropriation, Redemption of Bonds		$3,940,000
Total Appropriation, Department of Institutions and Agencies		$6,265,000

MISCELLANEOUS EXECUTIVE COMMISSIONS

811-100. *Palisades Interstate Park Commission*

The net share of revenues derived from the operation of gasoline stations on the New Jersey section of the Palisades Interstate Parkway, together with the unexpended balances from such revenues as of June 30, 1966, are hereby appropriated for maintenance of such stations, for capital projects and plans including an Historic Park in Fort Lee and for extraordinary maintenance.

In addition to the amounts hereinabove appropriated for Capital Construction at the New Jersey portion of the Palisades Interstate Park, there are hereby appropriated such sums as may be received or receivable from the Federal government for Capital Construction purposes.

816-100. *Delaware River Basin Commission*

To reimburse the Federal government, when required, for funds advanced during construction of multi-purpose dams in the Delaware River Basin at Beltsville, Blue Marsh and Tocks Island, known as DRBC Group Project No. 1 for which New Jersey's share of the water supply portion thereof is anticipated to be $25,430,000 including $13,560,000 for construction and $11,870,000 for interest, to be repaid to the Federal government over a 55-year period; provided that the appropriation herein made shall be applied to the

cost thereof and shall be deemed to be a token of the State's intent to consider participation in and acceptance of the long-range plan of the Delaware River Basin Commission as described in the proposed capital budget of the Commission for the fiscal year 1965-66, dated September 13, 1965	$1,000
Total Appropriation, Miscellaneous Executive Commission	$1,000
Total Appropriation, Capital Construction	$101,976,602
Grand Total Appropriation	$876,636,433

2. In addition to the amounts hereinabove specifically appropriated, there are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, the following: sums required to refund amounts credited to the State Treasury which do not represent State revenues; Federal funds received or receivable for the use of the State or its agencies in excess of those anticipated; funds donated to the Crippled Children's Commission; sums received representing insurance to cover losses by fire and other casualties; sums received by any State department or agency from the sale of equipment, when such sums are received in lieu of trade-in value in the replacement of such equipment; private funds subsidizing the State; sums received in the State Treasury representing refunds of payments made from appropriations provided in this act.

Transfers.

3. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the Director of the Division of Budget and Accounting for permission

to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall be made only during the current year for which the appropriation was made, and if the Director of the Division of Budget and Accounting shall consent thereto, he shall, subject to the approval of the Legislative Budget and Finance Director, place the amount so transferred to the credit of the item so designated; provided, however, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose except temporary motor vehicle inspection lanes, health and sanitary improvements in motor vehicle inspection stations, extraordinary snow removal and extraordinary highway maintenance; and provided further, that any item for capital improvement may be transferred to any other item of capital improvement on the approval of the Director of the Division of Budget and Accounting.

Transfers to other departments or branches; new accounts.

4. The Director of the Division of Budget and Accounting, subject to the approval of the Legislative Budget and Finance Director, is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The Director of the Division of Budget and Accounting shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.

Treasury department to be credited for certain payments.

5. The Director of the Division of Budget and Accounting is hereby empowered, and it shall be his duty in the disbursement of funds for payment of pensions, contributions to pension funds, social security taxes, health benefits, debt service, charges for rents, telephone, insurance and postage to credit

or transfer to the Department of the Treasury, or to the General State Fund, as applicable, from any other department or branch, out of funds appropriated thereto, such sums as may be required to cover the costs of such payment attributable to such other department or branch, as the Director of the Division of Budget and Accounting shall determine.

Corrections made to comply with intent.

6. The Director of the Division of Budget and Accounting shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Director of the Division of Budget and Accounting and filed in the Division of Budget and Accounting of the Department of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

Authorizes payment for construction, architectural etc., work.

7. The Director of the Division of Budget and Accounting is hereby empowered, notwithstanding any other provision of the law, to transfer or credit from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the Bureau of Construction of the Department of the Treasury a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Petty cash fund.

8. The Director of the Division of Budget and Accounting may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under the rules and regulations established by said director. The allotments thus made by the Director of the Division of Budget and Accounting shall be paid to such person as shall be designated as the custodian thereof by the official, department, com-

mission or board making a request therefor, and the money thus allotted shall be disbursed by such custodian who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Director of the Division of Budget and Accounting for audit, and said director shall likewise make regulations governing disbursements from petty cash funds.

Transfers from special and dedicated funds.

9. The Director of the Division of Budget and Accounting is hereby empowered, notwithstanding any other provision of law, to transfer to the General State Fund out of any special, dedicated or trust fund such proportionate share of any appropriation made herein, which may be chargeable against such special, dedicated or trust fund. Any receipts in any special, dedicated or trust fund are hereby appropriated for the purpose of such transfer.

Payment of claims; limitations.

10. The State Treasurer, upon warrant of the Director of the Division of Budget and Accounting, shall pay any claim not exceeding $250 out of any appropriations made to the several departments, provided such claim is recommended for payment by the Attorney General and approved by the Legislative Budget and Finance Director.

Certain unexpended balances appropriated.

11. There are hereby appropriated the unexpended balances as of June 30, 1966 in the accounts of the several departments and agencies heretofore appropriated or established in the categories of Maintenance of Property: Non-Recurring and Replacements, and Additions and Improvements, with the exception of office and vehicular equipment; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of this Act.

Act effective.

12. This act shall take effect July 1, 1966.

Approved April 27, 1966.

CHAPTER 34

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1966, and regulating the disbursement thereof," approved June 16, 1965 (c. 112, P. L. 1965).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The following sums are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and for the several purposes herein specified: Supplemental appropriation.

GENERAL STATE OPERATIONS

LEGISLATIVE

MISCELLANEOUS LEGISLATIVE COMMISSIONS

036-100. *Commission on Efficiency and Economy in State Government*

Extraordinary:	
Expenses of the Commission	$60,000
Total Appropriation, Miscellaneous Legislative Commissions	$60,000

EXECUTIVE

DEPARTMENT OF LABOR AND INDUSTRY

380-100. *Division of Labor*

Receipts derived pursuant to the operation of the Worker Health and Safety Act (R. S. 34:6A–1 through 24) are hereby appropriated for the implementation of said act; pro-

vided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in Section 3 of Chapter 112, P. L. 1965.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

Division of Resource Development

420-100. *General*

Supplemental requirement for fire fighting costs for fiscal year 1965-66	$75,000

Division of Water Policy and Supply

430-400. *Water Supply Operating Fund*

There is hereby appropriated for operation and maintenance of Spruce Run and Round Valley Reservoirs, in addition to any appropriation heretofore made for the fiscal year ending June 30, 1966, a sum not to exceed $125,000 out of the aggregate revenue produced pursuant to R. S. 52:22–10 (New Jersey Water Supply Law, 1958); provided, however, that the expenditures thereof shall be subject to transfers approved as prescribed in Section 3 of Chapter 112, P. L. 1965.

Total Appropriation, Department of Conservation and Economic Development . . .	$75,000

DEPARTMENT OF EDUCATION

576-100. *New Jersey College of Medicine and Dentistry*

Supplemental requirement for the operation of the New Jersey College of Medicine and Dentistry for fiscal year 1965-66	$364,950
Total Appropriation, Department of Education	$364,950

STATE AID

DEPARTMENT OF EDUCATION

500-150. *Educational Purposes—State Aid*

Supplemental requirement for county-assisted junior colleges for the fiscal year 1965-66:		
Union Junior College	$45,000	
Monmouth Junior College	200,000	
		$245,000
Total Appropriation, Department of Education		$245,000
Grand Total, Supplemental Appropriations		$744,950

2. This act shall take effect immediately.
Approved April 27, 1966.

CHAPTER 35

AN ACT to amend "An act authorizing the leasing of certain real estate by municipalities to volunteer fire companies, and supplementing chapter 60 of Title 40 of the Revised Statutes," approved July 22, 1954 (P. L. 1954, c. 184).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 40:60-45.4. Lease to volunteer fire company.

1. The governing body of any municipality may lease any real estate owned or controlled by it or any interest therein when, and to the extent that, it is not required for municipal purposes, to any volunteer fire company while it is used for the purposes of such organization, including civic, recreational, social and fund-raising events where the income therefrom is devoted to the purposes of the volunteer fire company, but not for commercial business, trade or manufacturing purposes, without cost or at a nominal rental.

2. This act shall take effect immediately.

Approved May 13, 1966.

CHAPTER 36

AN ACT concerning health services, providing a program of State aid to local health agencies and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 26:2F-1. Title.

1. This act shall be known as the State Health Aid Act of 1966.

C. 26:2F-2. Public policy of the State.

2. It is hereby declared to be the public policy of this State to ensure that public health services are provided, protecting all citizens and visitors within this State, by making financial aid available to local health agencies and assisting such agencies to establish and maintain a program of recognized public health activities and to meet minimum standards of performance as prescribed by the Public Health Council in accordance with the provisions of chapter 177 of the laws of 1947.

C. 26:2F-3. Definitions.

3. For the purposes of this act unless the context clearly requires a different meaning:

(a) "Local health agency" shall mean and include a county, district, regional, municipal or other local governmental agency organized for the purpose of providing health services.

(b) "Commissioner" shall mean the State Commissioner of Health.

(c) "Special projects and development fund" shall mean the fund established in section 7 of this act.

(d) "Certified health services" shall mean and include those specific administrative activities and health services as planned and provided in a municipality or municipalities by a local health agency or by a person or agency under contract with a local health agency which are approved and certified by the commissioner as being recognized health services meeting personnel and program standards which the Public Health Council is hereby authorized to prescribe.

(e) "State health aid" shall mean State aid for basic health services and State equalization aid for local health purposes but shall not include grants from the special projects and development fund.

(f) "Annual expenditures for health purposes" shall mean the sum expended by a local health agency for certified health services excluding any sum paid to the local health agency as State health aid under the provisions of this act.

(g) "Population" shall mean the number of inhabitants of a municipality or a group of municipalities making up a local health agency jurisdic-

tion as enumerated in the last Federal census, or by a special census made by the Federal Bureau of the Census, or as estimated annually by the Department of Conservation and Economic Development, whichever is most recent, except that military personnel living on military reservations, inmates of State and county institutions and boarding students of schools and colleges shall be excluded.

(h) "Full-time health officer" shall mean a licensed health officer employed by a local health agency to function as such during all the working hours of the regularly scheduled work week of the governmental unit to which the local health agency is attached and not regularly employed during the working hours of that scheduled work week in other activities for which he receives remuneration.

(i) The "foundation program" for each local health agency shall be an amount equal to a capitation for the population within the jurisdiction of the local health agency.

(j) The "distribution table" shall mean a series of percentages of the foundation program establishing the minimum amounts which should be budgeted by a local health agency for each functional activity. The distribution table shall be prescribed by the Public Health Council.

(k) "Criteria for participation" shall mean that a local health agency serving a minimum population of 25,000 is under the administrative direction of a full-time health officer, and all other employees are appropriately qualified and licensed as required by law. The minimum population of 25,000 may be waived at the discretion of the commissioner in the case of a local health agency which from the period beginning January 1, 1960, has carried on and continues to carry on a comprehensive public health program under the direction of a full-time health officer.

C. 26:2F-4. Annual appropriation.

4. State aid for basic health services in the amount of $25,000.00 for each county in this State shall be appropriated annually and shall be made available for distribution by the State Department

of Health to the local health agencies which meet the criteria for participation in the county and render certified health services, provided that:

(a) Each municipality which maintains, or participates in, a local health agency eligible for State aid for basic health services shall be entitled to an equal share of the $25,000.00 allocated for each county.

(b) The maximum amount of State aid for basic health services available to each local health agency shall be the sum of the share or shares to which the municipality or municipalities maintaining or participating in it are entitled.

(c) In no case shall the amount of State aid for basic health services to a local health agency be greater than twice the annual expenditure for health purposes of that agency during the year for which such aid is distributed.

(d) State aid for basic health services shall be expended exclusively for certified health services in administration, environmental sanitation, and communicable disease control.

(e) State aid for basic health services shall not be provided for use in substitution for moneys expended for specific activities, positions or personnel derived from the annual expenditure of the agency for health purposes during either of the 2 years immediately preceding the year for which the State aid is requested.

C. 26:2F-5. Local fair share of program.

5. The local fair share of the foundation program shall be determined for the local government jurisdiction included within a local health agency as a sum equal to 0.2 mills per dollar upon the equalized evaluation of the taxing district or districts of these same local governments as certified by the Director of the State Division of Taxation. In the event that the equalization table certified by the Director of the State Division of Taxation shall be revised by the Division of Tax Appeals on or before January 15, the local fair share of any taxing district affected thereby shall be recomputed accordingly and any determination or certification of

State aid made previously pursuant to this act shall be amended to conform therewith.

C. 26:2F-6. State equalization aid formula.

6. State equalization aid for local health purposes shall be an amount representing the excess of the foundation program over the local fair share but not less than $0.25 per capita of the population in the area of jurisdiction. Such aid shall be available as a grant for distribution by the State Department of Health to each local health agency which meets the criteria for participation provided that:

(a) State equalization aid for local health purposes shall be used exclusively for the support of certified health services provided by the local health agency;

(b) When the sum of the annual expenditure for health purposes and the State aid for basic health services is less than the local fair share, the State equalization aid for local health purposes shall be reduced by the difference;

(c) When the budgetary allocation for any of the functional activities is less than that prescribed by the program distribution table, the State equalization aid for local health purposes available as a grant shall be determined according to the following formula:

$$\text{Grant} = \left\{\begin{array}{l}\text{State}\\ \text{Equalization}\\ \text{Aid}\end{array}\right. - \frac{\begin{array}{c}\text{State}\\ \text{Equalization}\\ \text{Aid}\end{array}}{\begin{array}{c}\text{Foundation}\\ \text{Program}\end{array}} \times \left\{\begin{array}{l}\text{Sum of the amounts}\\ \text{that the budgetary}\\ \text{allocation for each}\\ \text{functional activity}\\ \text{is less than that}\\ \text{prescribed in the}\\ \text{Distribution Table.}\end{array}\right.$$

(d) State equalization aid for local health purposes shall not be provided for use in substitution for moneys expended for specific activities, positions or personnel derived from the annual expenditure of the local health agency for health purposes during either of the 2 years immediately preceding the year for which the State aid is requested.

C. 26:2F-7. Fund established.

7. (a) There is hereby established a special projects and development fund which shall consist of all funds appropriated or otherwise made avail-

able for the purposes set forth in this section. The commissioner, with the approval of the Public Health Council, may make grants from the special projects and development fund to local health agencies, to hospitals, and to voluntary health agencies to provide State health assistance for new health services and for special health projects in order to stimulate continued development of health services and to assure the citizens of New Jersey the benefits of the most advanced health protection techniques.

(b) Grants from the special projects and development fund for specific purposes shall be made on an annual basis for a period not in excess of 5 years and such grants shall be in diminishing amounts during this period. The commissioner shall determine the conditions applicable to each such grant including the extent of local financial participation to be required. Grants from the special projects and development fund to voluntary health agencies shall not exceed 40% of said fund.

C. 26:2F-8. Qualification for grant.

8. A local health agency may qualify for a grant under one or more of sections 4, 6 and 7.

C. 26:2F-9. Submission of application.

9. On or before a date set by the commissioner but not later than October 15 in each year, the health officer of each local health agency, or in his absence another person designated by the official body under which the local health agency operates, may submit an application for State health aid for the succeeding year. The application shall include the budget of the agency, the plan of work, the short-term objectives, and such other information the commissioner may require, to be presented in a form prescribed by the commissioner. The application shall be certified, under the penalties of perjury, as true to the best knowledge of the person making it.

C. 26:2F-10. Estimate of amount payable.

10. On or before November 15 in each year the commissioner shall determine in accordance with the provisions of this act the amount estimated to be payable during the succeeding year to each of the local health agencies which have submitted a proper and completed application for State health aid.

C. 26:2F-11. Dates payments due.

11. The sum payable as State health aid to each local health agency shall be payable ¼ on January 1, ¼ on April 1, ¼ on July 1, and ¼ on September 1, on the basis of planned expenditures, provided that subsequent payments shall be adjusted so that payment is made upon the basis of actual expenditures. Payments shall be made by the State Treasurer upon certificate of the commissioner and warrant of the Director of the Division of Budget and Accounting.

C. 26:2F-12. Audit.

12. In order to ensure that the State health aid is expended in conformance with the provisions of this act, the commissioner shall, when he deem it in order, have an audit made of the expenditures of moneys and of services provided by the local health agency receiving State health aid and shall, when he shall deem it necessary, have examined all books, papers and vouchers of the agency and its fiscal agent and shall have free and unrestricted access thereto for that purpose.

C. 26:2F-13. Aid reduced or discontinued.

13. When it has been determined that a local health agency fails to provide certified health services called for in its plan of work as stated in its application for State health aid or ceases to comply with the criteria for participation, State health aid may be reduced or discontinued by the commissioner when, in his judgment, such action serves to further the general purposes of this act.

C. 26:2F-14. Annual report.

14. Each local health agency receiving State health aid shall on or before February 15 in each year, following the year for which the State health aid was received, prepare and file with the commissioner an annual report for the preceding calendar year. Such report shall state the condition of the public health within the limits of its jurisdiction, noting therein any special cause for the deterioration of health or of hazard thereto, and shall contain answers to any questions which may have been addressed to the local health agency by the commissioner.

C. 26:2F-15. Capitation.

15. The capitation for the purposes of this act shall be specified for each calendar year in the immediately preceding General Appropriation Act.

The capitation for the year 1966 shall be $1.50.

16. This act shall become effective July 1, 1966 and State health aid provided in this act shall be made available beginning January 1, 1967. Note: Effective date.

Approved May 16, 1966.

CHAPTER 37

AN ACT establishing a uniform crime reporting system; requiring local and county police officers to submit certain information concerning the nature and volume of crime occurring within their respective jurisdictions to the Attorney General in the Department of Law and Public Safety; empowering the Attorney General to collect and gather such information and make statistics thereon, to make rules and regulations to accomplish the institution and operation of such a uniform system, to designate the Division of State Police in the Department of Law and Public Safety as the agency which shall receive such information; requiring the Attorney General to make an annual report of the results of such information to the Governor and the Legislature; and providing an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. A uniform crime reporting system shall be established under the direction, control and supervision of the Attorney General in the Department of Law and Public Safety. The Attorney General shall have the power and duty, by such rules and regulations as he may deem necessary, to collect C. 52:17B-5.1. Establishment of uniform crime reporting system.

and gather such information from such local and county police authorities as may be and is hereinafter prescribed in this act.

C. 52:17B-5.2. Designation of State Police as agency to handle.

2. The Attorney General may designate the Division of State Police in the Department of Law and Public Safety to be the agency which shall collect, gather, assemble and collate such information as is prescribed by this act.

C. 52:17B-5.3. Submission of quarterly report.

3. All local and county police authorities shall submit a quarterly report to the Attorney General, on forms prescribed by the Attorney General, which report shall contain the number and nature of offenses committed within their respective jurisdictions, the disposition of such matters, and such other information as the Attorney General may require, respecting information relating to the cause and prevention of crime, recidivism, the rehabilitation of criminals and the proper administration of criminal justice.

C. 52:17B-5.4. Compilation of information.

4. Upon receipt of such information the Attorney General shall have such data collated and formulated and shall compile such statistics as he may deem necessary in order to present a proper classification and analysis of the volume and nature of crime and the administration of criminal justice within this State.

C. 52:17B-5.5. Annual report.

5. The Attorney General shall render an annual report of the results of the information gathered and collated to the Governor and the Legislature.

Appropriation.

6. There is hereby appropriated the sum of $62,500.00 from the General State Fund to carry out the purposes of this act.

Note: Effective date.

7. This act shall take effect January 1, 1967.

Approved May 16, 1966.

CHAPTER 38

AN ACT to amend "An act concerning the establishment and operation of county colleges and providing for the method of financing and raising the necessary funds therefor," approved May 14, 1962 (P. L. 1962, c. 41).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 22 of the act of which this act is amendatory is amended to read as follows: Section amended.

22. The State board shall formulate annual budget requests for State support of county colleges. Within the limits of funds appropriated to the State board for such purposes and in accordance with rules and regulations prescribed by the State board, the board of trustees of a county college may apply to the State board and receive State support: C. 18:22-121. State support; annual budget requests; purposes; limits.

(a) For capital projects approved by the State board in amounts not to exceed ½ of the cost of said capital projects, and

(b) For operational costs to the extent of ½ thereof or $600.00 per equated full-time student, including such students resident in other counties, whichever is the lesser amount.

State support for the operational costs of county colleges shall be made within limits of State appropriation and only after an annual review and approval by the State board of the financial program for operation of the county college, including the charges to be made for student tuition and fees and the establishment of the county share of said costs.

2. This act shall take effect immediately.

Approved May 23, 1966.

CHAPTER 39

A SUPPLEMENT to "An act concerning consumer fraud, its prevention, and providing penalties therefor," approved June 9, 1960 (P. L. 1960, c. 39).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 56:8-13. Penalty.

1. Any person who violates any of the provisions of the act to which this act is a supplement shall, in addition to any other penalty provided by law, be liable to a penalty of not less than $50.00 or more than $100.00 for the first offense and not less than $100.00 or more than $250.00 for the second and each subsequent offense.

C. 56:8-14. Jurisdiction of proceedings.

2. Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of the act to which this act is a supplement. The penalty shall be collected and enforced in a summary proceeding pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1, et seq.). Process shall be either in the nature of a summons or warrant and shall issue in the name of the State, upon the complaint of the Attorney General or any other person.

3. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 40

A SUPPLEMENT to "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1966, and regulating the disbursement thereof," approved June 16, 1965 (P. L. 1965, c. 112).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The following sums are hereby appropriated out of the General Treasury, for the purposes hereinafter specified: Appropriation $100,000.00.

GENERAL STATE OPERATIONS
EXECUTIVE
MISCELLANEOUS EXECUTIVE COMMISSION
817-100. STATE UNIVERSITY BICENTENNIAL COMMISSION

Additional expenses of commission .. $100,000 00

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 41

AN ACT concerning the real estate of minors and mental incompetents, amending sections 3A:16–4 and 3A:20–6 and repealing sections 3A:20–9, 3A:20–10 and 3A:20–11 of the New Jersey Statutes and "An act concerning the sale of lands of mental incompetents in certain cases and the disposition of the proceeds of such sales, and supplementing chapter 20 of Title 3A of the New Jersey Statutes," approved July 15, 1954 (P. L. 1954, c. 168).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 3A:16–4 of the New Jersey Statutes is amended to read as follows:

Sale of infant's or incompetent's lands.

3A:16–4. The County Court to which the guardian is accountable or the Superior Court in an action brought by any person may authorize the sale of any lands or any part thereof or interest therein belonging in whole or in part to a minor or other person who at the time may be under any legal disability to act for himself.

Section amended.

2. Section 3A:20–6 of the New Jersey Statutes is amended to read as follows:

Borrowing of money on security of estate of minor or mental incompetent for his support and education.

3A:20–6. When it shall be made to appear to the Superior Court or County Court, upon the application of any person acting in behalf of or in the interest of a minor or mental incompetent, that the personal estate and the income of the real estate of such minor or mental incompetent is not sufficient for his proper support and education or that of his spouse, household, family or children, the court may direct the guardian of the minor or mental incompetent, or a fiduciary holding real estate under a will, deed or other instrument in trust for any such person, to borrow money upon security of the real estate in this State, or any part thereof or interest therein, belonging to the minor or mental incompetent or held in trust.

Sections repealed.

3. Sections 3A:20–9, 3A:20–10, 3A:20–11 of the New Jersey Statutes and "An act concerning the sale of lands of mental incompetents in certain cases and the disposition of the proceeds of such sales, and supplementing chapter 20 of Title 3A of the New Jersey Statutes," approved July 15, 1954, are repealed.

4. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 42

AN ACT concerning grand jurors and amending section 2A:71–2 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2A:71–2 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:71–2. Immediately after the numbered pieces have been deposited in the proper boxes, the boxes shall be shaken so as to mix thoroughly the pieces therein. Thereupon and forthwith, the jury commissioners or one of them, in the presence of the assignment judge or the judge designated by him, shall draw singly from the grand jury box between 35 and 50, as the assignment judge may direct, of the pieces therein, and as each number is drawn, the name, occupation and place of abode of the person whose name is found on the grand jury list opposite the number shall be announced publicly. The persons whose names are announced shall constitute the panel of grand jurors for service for the county at the opening of the next ensuing stated session of the courts thereof. Drawing grand and petit jury panels.

In a similar manner and immediately thereafter, there shall be drawn singly from the petit jury box such number of pieces as the judge shall direct, and as each number is drawn, the name, occupation and place of abode of the person whose name is found on the petit jury list opposite the number shall be announced publicly. The persons whose names are announced shall constitute the panel of petit jurors for service in the county for the next ensuing stated session of the courts therein, or for such part thereof as the assignment judge may direct.

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 43

AN ACT to amend "An act to provide a method of establishing a presumption of the time and place of birth within this State of certain persons of unknown parentage found within the State and of recording such presumed time and place of birth in the Bureau of Vital Statistics, and supplementing chapter 8 of Title 26 of the Revised Statutes," approved May 2, 1942 (P. L. 1942, c. 95).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 26:8-40.4. Application; determination of probable date of birth; presumption.

3. Upon application by or on behalf of any such person and, if he is of the supposed age of 12 years or over, upon notice to the United States Attorney for the District of New Jersey, the County Court or the juvenile and domestic relations court, of the county in which such person was found or in which he then resides shall, if the person has not been guilty of any of the acts set forth in section 4 of this act, determine the probable date of the birth of the person and the place of his birth as the place where he was found in this State. Thereafter such person shall be presumed to have been born in this State at the time and the place so determined, until he shall be shown not to have been born in this State.

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 44

AN ACT concerning education, amending the "Higher Education Assistance Authority Act," approved June 17, 1959 (P. L. 1959, c. 121).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 22 of the act of which this act is amendatory is amended to read as follows: Section amended.

22. The sum total of all reserve funds set aside by the authority in accordance with the provisions of this act, together with such amount as the authority may set aside, out of the fund, to meet the payment by the authority of approved notes submitted to it for purchase in accordance with the provisions of this act, shall in no event be less than 10% of the total face amount of all approved loans from time to time outstanding. C. 18:22A-22. Total reserve funds.

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 45

AN ACT to amend "An act relating to the sale by municipalities of certificates of tax sale including subsequent municipal liens held by such municipalities," approved April 8, 1943 (P. L. 1943, c. 149).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 54:5-114.5. Extension of time for recording judgment; failure to record within time.

4. The governing body on good cause shown shall have the power to extend the time and to grant further extension or extensions of time within which the final decree or judgment must be recorded as hereinabove described; provided that an application for such extension, further extension or extensions of time shall be made to the governing body, before the expiration of the 2-year period or the expiration date or dates of said further extension or extensions as hereinabove provided.

If the final decree or judgment shall not have been recorded within 2 years from the date of the confirmation of the sale, or on the expiration of the extended time or times, then the sale shall be null and void, and the right, title and interest of the purchaser shall cease and revert to the municipality.

As to all sales of tax sale certificates made prior to July 3, 1956, under this act, where the final decree or judgment was not or has not been filed within 2 years from the date of the confirmation of the sale, or within the time limited by any extension or extensions theretofore granted, the governing body, on good cause shown, shall have the power to extend the time within which the final decree or judgment must be recorded; provided, that the first application for such extension shall be made to the governing body within 2 years after July 3, 1965, and in the event that such application is made within said time and is granted by said governing body said final decree or judgment and the sale, right, title and interest of the purchaser in the tax sale certificate shall be valid, anything contained in this act to the contrary notwithstanding.

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 46

AN ACT concerning highway beautification and supplementing article 1 of chapter 7 of Title 27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 27:7-22.4. Acquisition real or personal property.

1. The commissioner is hereby authorized to acquire by gift, purchase or condemnation, real or personal property for landscape and roadside development appropriate for the restoration, preservation and enhancement of scenic beauty adjacent to Federal-aid highways and for the development of controlled rest and recreational areas and sanitary and other facilities to accommodate the public traveling on said highways. Any property thus acquired shall be considered to be integral parts of the Interstate Highway System and the State highway system and the cost of said acquisition shall be considered as a part of the cost of the right-of-way of such highways. Any person whose property is purchased or otherwise acquired pursuant to this act shall receive just compensation therefor.

C. 27:7-22.5. Authorization for use of funds.

2. The commissioner in order to carry out the purposes of this act is hereby authorized to use the funds allocated to the State of New Jersey by the United States Secretary of Commerce pursuant to the "Highway Beautification Act of 1965."

3. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 47

AN ACT to amend "An act to protect the purity of the public supplies of potable waters in this State," approved November 23, 1942 (P. L. 1942, c. 308).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-9.1. Definition of words and phrases.

1. Definitions. As used in this act:

"Water supply system" means a system comprising structures which operating alone or with other structures result in the derivation, conveyance (or transmission), or distribution of water for potable or domestic purposes.

"Approved public potable water supply" means a water supply which has been approved by the Department of Health of the State of New Jersey under the provisions of article 1 of chapter 10 of Title 58 and article 1 of chapter 11 of Title 58 of the Revised Statutes, and is operating under said sections.

"Unapproved water supply" means a water supply which is not approved by the Department of Health of the State of New Jersey under the provisions of article 1 of chapter 10 of Title 58 and article 1 of chapter 11 of Title 58 of the Revised Statutes.

"A physical connection" means any cross-connection, by-pass, valve, pipeline, auxiliary intake, or any device which permits or may permit any flow of water into an approved public potable water supply from an unapproved water supply.

"Approved physical connection" means an installation constituting of a physical connection installed, owned, maintained, and operated in accordance with rules and regulations of the State department.

"State department" means State Department of Health.

Section amended.

2. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-9.3. Prerequisites to issuance of permit.

3. The State department, before it issues any permit under the provisions of this act, shall be satisfied of the following facts:

(a) That the physical connection between an approved public potable water supply and an unapproved water supply is protected by an approved physical connection.

(b) That the physical connection has the approval of the local board of health of the municipality whose approved public potable water supply may be affected; and

(c) That the physical connection has the approval of the person, corporation, or municipality owning the approved public potable water supply which may be affected.

Section amended.

3. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-9.4 Rules and regulations.

4. The State department shall establish such rules and regulations, as in its judgment may be necessary for the design, installation, testing and maintenance of an approved physical connection, and shall establish such form or forms as in its judgment may be necessary to ascertain the facts that the approved physical connection is of the standard required and is operating in a satisfactory manner in accordance with the rules, regulations, or statutes set forth in section 3 of this act, and such other forms as may be necessary to the proper administration of this act.

Each application for the installation of an approved physical connection, and for the continuance of the approved physical connection, shall be made upon forms supplied by the State department.

Section amended.

4. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-9.5. Revocation of permit; restoration.

5. Upon evidence duly ascertained by the State department, or by the Commissioner of Health, or furnished to the department by any local board of health, or by the owner of an approved public water supply, that the person authorized under a permit issued under the provisions of this act to maintain an approved physical connection, is violating any of the rules, regulations, or statutes governing such physical connection, the State department or the

Commissioner of Health shall, upon hearing, revoke such permit.

No such permit shall be renewed or restored until the State department is satisfied that all the provisions of this act are or have been strictly complied with.

Section amended.

5. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-9.6. Renewal of permit, prerequisites.

6. The State department, before it renews any permit, shall be satisfied of the following facts:

(a) That the approved physical connection has been tested for tightness under prevailing pressure conditions at least every 3 months;

(b) That the approved physical connection has been subjected to an internal inspection within 6 months prior to the application; and

(c) That the local board of health, the State department, and the owner of the water supply set forth in section 3 of this act, have determined that the approved physical connection was functioning satisfactorily.

6. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 48

AN ACT concerning the education of war orphans and amending section 38:20–2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 38:20–2 of the Revised Statutes is amended to read as follows:

Appropriation for education; sum allotted each orphan.

38:20–2. There is appropriated for the purposes of this chapter such sum as shall be included in any annual or supplemental appropriation act. In no

case shall the sum exceed $500.00 for any one child annually. Such sum shall be used to defray the cost and expense of the attendance of any such orphan at any State educational or other technical or professional school of a secondary or college grade, approved by the State Board of Education located in this State or outside the State if the desired course is not offered by a school or college in the State. The sum so allotted in each case shall be used for tuition or matriculation fees, board and room rent, books and supplies and other purposes incidental thereto.

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 49

AN ACT to amend "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters 22, 32 and 36 of Title 17 of the Revised Statutes and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section 1 of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter 22 of Title 17, and amending section 17:33–1 of the Revised Statutes,' approved May 16, 1941 (P. L. 1941, c. 118)," approved April 20, 1944 (P. L. 1944, c. 175).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 6 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 17:22-6.6. Application for license; educational requirement for first time applicant; waiver.

6. Any person not now engaged in the insurance business in this State as agent or broker, and hereafter desiring to engage in said business as agent, broker, or solicitor, and any licensed agent or solicitor hereafter desiring to be licensed for an additional group or groups of insurance as may be provided by section 5 of this act, shall apply, in accordance with the provisions of this act, to the commissioner for a license authorizing him to engage in and transact such business, or such group or groups thereof respectively. Every applicant for a broker's license shall be at least 21 years of age and if such applicant be a nonresident he shall show that he is the holder of an unexpired license as an insurance broker or agent in the State of his residence, or in which he maintains his principal office for the conduct of his insurance business, or that he has established a principal office in this State for the transaction of such business. If the application be for a solicitor's license it shall be accompanied by a written request of a licensed agent or broker with whom such solicitor has established a solicitor relationship. All such applications shall be in writing on uniform forms and supplements prepared by the commissioner, and shall be accompanied by an examination fee of $10.00 (unless applicant be exempt from examination as set forth in section 10 of this act). The applicant shall make sworn answers to such interrogatories as the commissioner may require, and the application shall include a certificate by a resident representative of an insurance company lawfully authorized to transact business in this State, or by a licensed insurance agent or broker of this State, certifying:

(a) that the applicant is a resident of this State, or if a nonresident has his principal office for the conduct of such business in this State, or that he is an applicant for a nonresident broker's or solicitor's license;

(b) that the applicant is personally known to him;

(c) that the applicant has had experience or instruction in the general insurance business or (if seeking an agent or solicitor license) some group or groups of the kind or kinds of insurance for which he may desire to be specifically licensed;

(d) that the applicant is of good reputation and is worthy of a license.

Before a first-time applicant for an insurance agent's, broker's or solicitor's license shall be admitted to the examination, the applicant shall be required to have taken, and successfully completed a program of studies established by regulation of the commissioner to the end that the applicant shall be reasonably familiar with the groups of insurance for which he desires to be licensed.

The commissioner may waive the educational requirement set forth herein if the commissioner is satisfied that the applicant possesses sufficient knowledge of the group or groups of kinds of insurance for which such applicant desires a license in the following cases:

(a) In the case of an applicant for a broker's, agent's or solicitor's license who has previously been licensed in New Jersey.

(b) In the case of an applicant for a broker's, agent's or solicitor's license who has previously been licensed as such in another State.

Section amended.

2. Section 9 of the act of which this act is amendatory is amended to read as follows:

C. 17:22-6.9. Examination of applicant; waiver; issuance of license to partnership or corporation; expiration and suspension of license.

9. After the receipt of such application in due form, properly verified and certified, it shall be the duty of the commissioner or his deputy, or any salaried employee of the department designated by the commissioner, within a reasonable time and in a place reasonably accessible to the applicant, to subject each first-time applicant for license and if the commissioner deems necessary, any applicant for renewal of license, to personal examination in order to determine his trustworthiness and competency to act as such agent, broker or solicitor. If the applicant for a broker's or solicitor's license be a broker, solicitor or agent licensed in another

State, the commissioner may waive such examination; provided, the State issuing such license requires no like examination of licensed brokers, solicitors or agents of this State. If the application is for license as an insurance agent, either first-time or for an additional group or groups of insurance, the commissioner may waive the examination if, at the time, the applicant has previously passed the examination for and holds an unexpired broker's license issued in accordance with the provisions of this act, or if the application is for a license as an insurance agent, broker or solicitor and the applicant is a citizen of this State and has served in the Armed Forces of the United States in any war and has been honorably discharged or released under conditions other than dishonorable and was the holder at any time of an agent's certificate of authority or license, a broker's license or a solicitor's license, in this State, the commissioner may waive examination, for license for the same kind or kinds of insurance the applicant was previously authorized to transact. When it is shown from such application and examination, except where waived, that the applicant

(a) intends in good faith to act as an insurance agent, broker or solicitor, and

(b) is actively to engage in the general insurance business, or a particular group or groups thereof with the general public, and

(c) is of good reputation, and

(d) has had experience or training, or is otherwise qualified by education in the kind or kinds of insurance for which he desires to be licensed, and

(e) is a resident of this State or has his principal office for the conduct of such business in this State (unless such application be for a nonresident broker's or solicitor's license), and

(f) is reasonably familiar with the insurance laws of this State, and with the provisions, terms and conditions of the policies or contracts he is proposing to solicit, negotiate or effect, and

(g) he is then engaged in or intends to engage in the business of writing or negotiating insurance as his principal business or occupation or as a substantial part thereof, separate and apart from any connection which he may have with any partnership or corporation whose principal business is lending of money, and

(h) is not seeking such license principally for the purpose of negotiating or writing insurance on property owned by him, or in which he has an insurable interest, or on property or insurable interests of a relative or his employer, and

(i) is worthy of a license, and

(j) has not been convicted of a crime involving moral turpitude, the commissioner shall issue to the applicant a license to transact business in this State as an insurance agent, broker or solicitor, as the case may be. A license may be issued by the commissioner to and in the name of any copartnership or corporation engaged in the insurance brokerage business upon written request and payment of the $25.00 fee prescribed in section 13 of this chapter; provided, all members of the copartnership or all of the officers of the corporation, as the case may be, actively engaged in the insurance brokerage business of the copartnership or corporation in this State hold an unexpired license as an insurance broker issued in accordance with the provisions of this act. Where the request is for license in the name of a corporation organized under the laws of a foreign State or jurisdiction and it shall appear in the application, by affidavit of the president or other officer of a foreign corporation, that the sole business sought to be transacted by it is that of a broker, as herein defined, the commissioner may grant such license, notwithstanding the corporation has not complied with the provisions of the general corporation act and obtained a license thereunder to transact business in this State, if with the first request for such license the corporation shall file with the commissioner a duly executed power of attorney as is required in section 7 of this

act to be filed by a nonresident individual applicant for a broker's license. Licenses so issued shall expire annually as follows:

To agents on April 30; and to brokers and solicitors on October 31, unless sooner revoked by the commissioner for cause as provided in this act. A license so issued to a solicitor shall be suspended upon termination of the required established solicitor relationship but shall be reinstated upon a written request from another licensed agent or broker with whom such solicitor has established a solicitor relationship.

3. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 50

AN ACT concerning insurance and supplementing chapter 22 of Title 17 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:22-6.2a. Authorization to receive premiums.

1. Any insurer which delivers in this State to any insurance broker a contract of insurance (other than a contract of life insurance, or life, accident or health insurance) pursuant to the application or request of such broker, acting for an insured other than himself, shall be deemed to have authorized such broker to receive on its behalf payment of any premium which is due on such contract at the time of its issuance or delivery or payment of any installment of such premium or any additional premium which becomes due or payable thereafter on such contract, provided such payment is received by such broker within 90 days after the due date of such premium or installment thereof or after the date of delivery of statement by the insurer of such additional premium.

2. This act shall take effect immediately.

Approved May 24, 1966.

CHAPTER 51

AN ACT constituting a temporary commission to make a study of the services, activities and functions and the operations of the 3 branches of the State Government in the interest of the promotion of further economy, efficiency and improvement in the transaction of the public business of the State and to report thereon to the Governor and the Legislature.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Creation Temporary Commission.

1. There is hereby created a commission on economy and efficiency in government which shall consist of 8 members to be appointed by the Governor, with the advice and consent of the Senate, no more than 4 of whom shall be of the same political party.

2. Each member of the commission shall serve for the duration of the commission. Vacancies shall be filled in the same manner in which the original appointments were made.

3. It shall be the duty of said commission to make a study of the organization, operation and administration of the executive and administrative offices, departments and instrumentalities of the State Government and of the several services, activities and functions of the principal departments of the Executive Branch of the State Government in order to ascertain in the light of the experience gained since the establishment of said principal departments whether improvement can be made in the interrelation and arrangement of the same by promoting further consolidation, transfer of functions and powers from one principal department to another or the establishment of additional principal departments within the limits of the Constitution and by the clarification of services, activities and

functions and definitions of responsibilities and by the improvement of their administration, in the interest of the promotion of further economy, efficiency and improvement in the transaction of the public business of the State to the end that the sums appropriated for the carrying on of said services, activities and functions may be expended in such manner as to afford the highest efficiency in the performance of said services, activities and functions consistent with the policy of limitation of expenditures to the lowest amount required to maintain a satisfactory degree of efficiency.

4. It shall be the further duty of the commission to consult with the Chief Justice in making a study of the operations of the Judicial Branch of the State Government and with the President of the Senate and the Speaker of the General Assembly in making a study of the operations of the Legislative Branch of the State Government to the end that the legislation affecting the operations of the Judicial Branch of the State Government and the legislation affecting, and the rules governing, the operation of the 2 Houses of the Legislature, may be reviewed and such changes therein, if any, may be recommended as may seem desirable to increase the efficiency of the operations thereof.

5. The commission shall meet at the call of the Governor and organize by the election of a chairman from its own number, who, together with the other members of the commission, shall serve without compensation but shall be entitled to receive their necessary expenses incurred in the performance of their duties, and a secretary who need not be a member of the commission. All actions of the commission shall be authorized by a majority of the entire membership.

6. The commission is authorized to hold public hearings at such times and places as it shall designate and may sit during the recess of the Legislature or after any adjournment thereof.

7. The commission shall be entitled to call to its assistance and avail itself of the services of such

employees of any State department, board, bureau, commission or agency as it may require.

8. The commission may incur such necessary expenses, and engage and appoint such counsel, expert advisors, clerical and stenographic assistants and investigators as it may deem necessary and fix their compensation within the limits of any sums appropriated or made available to it.

9. The commission may consider such matters in connection with its studies as it deems advisable and shall confer with the Governor, the Chief Justice and officers of the Senate and General Assembly thereon and shall report its findings to the Governor, the Chief Justice and the Legislature on or before January 9, 1968, and recommend such legislation as it deems necessary and advisable.

10. This act shall take effect immediately but shall become ineffective on January 9, 1968.

Approved May 25, 1966.

CHAPTER 52

AN ACT relating to the dredging for and the tonging of, shellfish in certain portions of the Delaware bay, and supplementing Title 50 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

I. GENERAL DESCRIPTION.

C. 50:3-16.1. Description of area.

1. The area southwest of the Clam Line and southeast of the Brandywine-Dennis Creek Line more fully described by coordinates and bearings taken from the official survey base known as the "New Jersey System of Plane Coordinates" as defined in article 2 of chapter 3 of Title 51 in the

Revised Statutes, viz.: beginning at a point in Delaware Bay (X = 1,910,289.85) (Y = 95,221.74) said point being the intersection of the Clam Line with the Brandywine-Dennis Creek Line; and running thence S. 67°-38′-05.3″ E 21,127.33 feet to a point where the Clam Line intersects the shore line of Cape May County (X = 1,929,827.93) (Y = 87,182.61) said point being about 2000 feet south south west of Gus's Beach; thence following the high water mark along the shore line of Cape May County in a southerly direction its various courses and distances to a point (X = 1,913,191.01) (Y = 37,809.97) located on the Cape May Point Lighthouse-Brandywine Shoal Lighthouse Line; thence along this line N 65°-43′-09.6″ W 44, 130.11 feet to Brandywine Shoal Lighthouse (X = 1,872,964.55) (Y = 55,956.58), thence along the Brandywine-Dennis Creek Line N 43°-32′-56.9″ E 54,175.00 feet to the place of beginning, shall be divided into three (3) areas, to be known as follows:

Area No. 1—Tongers Area.

Area No. 2—Natural Seed Bed Area.

Area No. 3—Shellfish Dredging Area.

C. 50:3-16.2. Areas marked.

2. The Division of Shell Fisheries in the Department of Conservation and Economic Development shall cause the limits of each of said areas to be plainly marked by stakes or buoys as soon as practical after the effective date of this act.

II. Area No. 1—Tongers Area.

C. 50:3-16.3. Tongers area.

3. Area No. 1.—Tongers Area is described as follows: beginning at a point (X = 1,921,393.68) (Y = 90,652.96) said point located on the Clam Line 1½ nautical miles off shore; and running thence S 67°-38′-05.3″ E 9,120.30 feet to a point where the Clam Line intersects the shore line of Cape May County (X = 1,929,827.93) (Y = 87,182.61) said point also being about 2000 feet south south west of Gus's Beach; thence following the high water mark along the shore line of Cape May County in a southerly direction its various courses and distances to a point (X = 1,913,191.01) (Y = 37,809.97) located

on the Cape May Point Lighthouse-Brandywine Shoal Lighthouse Line; thence along this line N 65°-43′-09.6″ W 10,920.30 feet to a point (X = 1,903,236.69) (Y = 42,300.47) located on the Cape May Point Lighthouse-Brandywine Shoal Lighthouse Line; thence N 05°-23′-37.6″ E 32,025.80 feet to a point (X = 1,906,247.10) (Y = 74,184.49) in Delaware Bay; thence S 60°-50′-30″ E 5700 feet to a point (X = 1,911,224.78) (Y = 71,409.29) in Delaware Bay; thence N 27°-51′-02.8″ E 21,767.00 feet to the place of beginning.

C. 50:3-16.4. Use of Shinnycock Rake

4. It shall be lawful to catch or take shellfish in Area No. 1 by the use of a Shinnycock Rake, weight not to exceed 60 pounds, with power and in the manner, now or hereafter prescribed by law.

C. 50:3-16.5. Special license required.

5. No person shall catch or take any shellfish from the natural shellfish beds contained within said Area No. 1 unless there shall have been first issued by the Shell Fisheries Council, Maurice River Cove Section, of the Division of Shell Fisheries in the Department of Conservation and Economic Development, for each boat or vessel, so to be used or employed therein, a special license authorizing the catching or taking of shellfish within said area, which shall be issued for a term not longer than 1 year and shall contain an agreement on the part of the holder thereof that any person or officer authorized by regulation of said council to make inspections of such area may board said boat or vessel to inspect shellfish therein contained, and all licenses issued under this act shall be numbered.

C. 50:3-16.6. Application form.

6. Application for such a license shall be made to said council on a form prescribed by the council by the owner of the vessel to be licensed or the master or captain of such vessel acting for such owner, which application shall state, under oath, that such boat or vessel is wholly owned bona fide by a citizen or citizens or actual resident or residents of this State, who have been such for 12 months next preceding the making of said application, and shall contain a provision that the holder of the license applied for thereby consents to the

agreements to be set forth in such license as prescribed by section 10 of this act. Said oath may be administered by any member of the council or the chief of the section and must be in writing signed by the person making the same in the presence of the person administering the same.

C. 50:3-16.7. Fee.

7. Each application for a license shall be accompanied by a license fee in an amount to be fixed by the council but not exceeding $4.00 per ton on the gross tonnage measurement of the boat or vessel to be licensed but a minimum fee of $25.00 shall be charged for each boat or vessel licensed. In event that the license is refused, the license fee accompanying the application shall be returned to the applicant.

C. 50:3-16.8. Revocation of license.

8. The council may revoke any license issued under this act by reason of a false oath made by any owner or master in applying therefor, after due hearing.

C. 50:3-16.9. Date and times for dredging or harvesting.

9. No oysters shall be dredged for or harvested in Area No. 1 except between the hours of 6 o'clock ante meridian and 2:30 o'clock post meridian, Standard Time, on the days of the week, except Saturdays and Sundays, during the months beginning with the month of October in 1 year and ending with the month of April in the next year.

III. Area No. 2—Natural Seed Bed Area.

C. 50:3-16.10. Natural Seed Bed Area.

10. Area No. 2—Natural Seed Bed Area is described as follows: beginning at a point (X = 1,910,289.85) (Y = 95,221.74) said point being the intersection of the Clam Line with the Brandywine-Dennis Creek Line; and running thence S 67°-38′-05.3″ E. 12,007.03 feet along the Clam Line to a point (X = 1,921,393.68) (Y = 90,652.96) the same being the northwest corner of Area No. 1—Tongers Area; thence S 27°-51′-02.8″ W 21,767.00 feet along the western side of Area No. 1 to a point (X = 1,911,224.78) (Y = 71,407.29); thence N 6°-50′-30″ W 17,638.66 feet to a point (X = 1,895,821.35) (Y = 80,001.28) said point located on the Brandywine-Dennis Creek Line;

thence along this line N 43°-32′-56.9″ E 21,000.00 feet to the place of beginning.

C. 50:3-16.11. Exception.

11. It shall be lawful to catch or take oysters in that portion of the Delaware bay hereinbefore described as Area No. 2 in the same manner and under the same circumstances as the now prescribed, for the catching or taking of oysters from natural oyster beds or grounds where oysters naturally spawn and grow under the other parts of the tidal waters of the Delaware river, the Delaware bay or the Maurice River Cove, above the southwest line, by chapters 1, 2 and 3 of Title 50 of the Revised Statutes and the amendments thereof and supplements thereto, except that no oysters over 5″ from end to end may be taken from this area.

IV. Area No. 3—Oyster, Clam and Crab Dredging Area.

C. 50:3-16.12. Oyster, Clam, and Crab Dredging Area.

12. Area No. 3—Oyster, Clam and Crab Dredging Area is described as follows: beginning at a point (X = 1,895,821.35) (Y = 80,001.28) said point being on the Brandywine-Dennis Creek Line; and running thence S 6°-50′-30″ E 11,938.66 feet along the southern boundary line of Area No. 2 to a point (X = 1,906,247.10) (Y = 74,184.47) said point being on the western side of Area No. 1 and on the southern side of Area No. 2; thence along the western side of Area No. 1 S 05°-23′-37.6″ W 32,025.80 feet to a point (X = 1,903,236.69) (Y = 42,300.47) said point located on the Cape May Point Lighthouse-Brandywine Shoal Lighthouse Line; thence along said line N 65°-43′-09.6″ W 33,209.81 feet to Brandywine Shoal Lighthouse (X = 1,872,964.55) (Y = 55,956.58); thence along the Brandywine-Dennis Creek Line N 43°-32′-56.9″ E 33,175.00 feet to the place of beginning.

C. 50:3-16.13. Area 3 legal catch.

13. It shall be lawful to catch and take oysters, clams and crabs in that portion of the Delaware bay, hereinbefore described as Area No. 3, upon compliance with the provisions of chapters 1, 2, 3 and 5, of Title 50 of the Revised Statutes and the amendments thereof and supplements thereto, as

modified by the provisions of this act, and upon compliance with the provisions of this act.

C. 50:3-16.14. Special license required.

14. No person shall catch or take any shellfish from the natural Shellfish beds, contained within said Area 3, unless there shall have been first issued by the Shell Fisheries Council, Maurice River Cove Section, of the Division of Shell Fisheries in the Department of Conservation and Economic Development, for each boat or vessel, so to be used or employed therein, a special license authorizing the catching or taking of shellfish within said area, which shall be issued for a term not longer than 1 year and shall contain an agreement on the part of the holder thereof.

(a) That any person or officer authorized by regulation of said council to make inspections of such area may board said boat or vessel to inspect shellfish therein contained, and

(b) That such holder will deliver or cause to be delivered to said council the shells taken in said area in the process of opening or shucking, from 40% of all of the oysters taken from under the tidal waters of said area and delivered by such holder or for his account to any shucking houses, pursuant to chapter 39 of the laws of 1945, at the times and in the manner prescribed therein.

(c) That such holder will, in the case of oysters packed and shipped or otherwise sold in the shells by him to persons not required to be licensed under this act, pay to the State of New Jersey the true, fair, cash market value of the oyster shells so packed and shipped and otherwise sold, as fixed by the Council of Shell Fisheries, under the provisions of this act, on the basis of one bushel of shells for each bushel of oysters so sold or shipped which payments shall be made as statements are submitted.

All licenses issued under this act shall be numbered.

C. 50:3-16.15. Application form.

15. Application for such a license shall be made to said council on a form prescribed by the council by the owner of the vessel to be licensed or the

master or captain of such vessel acting for such owner, which application shall state, under oath, that such boat or vessel is wholly owned bona fide by a citizen or citizens or actual resident or residents of this State, who have been such for 12 months next preceding the making of said application, and shall contain a provision that the holder of the license applied for thereby consents to the agreements to be set forth in such license as prescribed by section 9 of this act. Said oath may be administered by any member of the council or the chief of the section and must be in writing signed by the person making the same in the presence of the person administering the same.

C. 50:3-16.16. Fee.

16. Each application for a license shall be accompanied by a license fee in an amount to be fixed by the council but not exceeding $4.00 per ton on the gross tonnage measurement of the boat or vessel to be licensed but a minimum fee of $50.00 shall be charged for each boat or vessel licensed. In event that the license is refused, the license fee accompanying the application shall be returned to the applicant.

C. 50:3-16.17. Revocation of license.

17. The council may revoke any license issued under this act by reason of a false oath made by any owner or master in applying therefor, after due hearing.

C. 50:3-16.18. Exception.

18. No oyster, which shall measure less than 3 inches from hinge to bill, shall at any time be taken from the waters of Area No. 3 or be possessed by any person after being so taken, except spats or blisters, adhering so closely as to be impossible to remove without destruction, not amounting in any case to more than 10% of any catch or cargo.

C. 50:3-16.19. Dates and times for harvesting or dredging.

19. No shellfish shall be dredged for or harvested in Area No. 3 except between the hours of 6 o'clock ante meridian and 2:30 o'clock post meridian, Standard Time, on the days of the week, except Saturdays and Sundays, during the months beginning with the month of October in 1 year and ending with the month of April in the next year.

C. 50:3-16.20. Restrictions.

20. No person shall use any dredge for the purpose of catching or taking shellfish from said Area 3, the tooth bar of which dredge measures more than 54 inches across from center of bolt hole to center of bolt hole where the frame thereof is fastened to the tooth bar, or any dredge which measures more than 5 feet 2 inches in width from the extreme outside to outside of frame, or any dredge which measures more than 21 inches from center of tooth bar to center of cross bar, or any dredge the bag of which contains more than 17 rows of 2-inch rings, or any dredge the rings of which are less than 2 inches in diameter, inside measurement, or any dredge the bag of which measures more than 5 feet around the bag from center of tooth bar to center of cross bar, or any dredge which weighs more than 190 pounds.

C. 50:3-16.21. Rules and regulations.

21. The council may, subject to the approval of the Commissioner of Conservation and Economic Development, by rule and regulation, prohibit the taking or catching of shellfish in such area at such times as, in the judgment of the council, may be necessary to close said beds or any part thereof for conservation purposes.

C. 50:3-16.22. Filing of licenses.

22. All applications for licenses made under this act shall be filed, and all licenses issued under this act shall be recorded, in books to be kept for said purposes in the office of the Division of Shell Fisheries in the Department of Conservation and Economic Development in Bivalve, New Jersey.

23. This act shall take effect immediately.

Approved May 25, 1966.

CHAPTER 53

AN ACT to amend the "Sales and Use Tax Act," approved April 27, 1966 (P. L. 1966, c. 30).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of the act of which this act is amendatory is amended to read as follows: Section amended.

3. Imposition of sales tax.—On and after July 1, 1966 there is hereby imposed and there shall be paid a tax of 3% upon: C. 54:32B-3. Imposition of sales tax.

(a) The receipts from every retail sale of tangible personal property, except as otherwise provided in this act.

(b) The receipts from every sale, except for resale, of the following services:

(1) Producing, fabricating, processing, printing or imprinting tangible personal property, performed for a person who directly or indirectly furnishes the tangible personal property, not purchased by him for resale, upon which such services are performed.

(2) Installing tangible personal property, or maintaining, servicing, repairing tangible personal property not held for sale in the regular course of business, whether or not the services are performed directly or by means of coin-operated equipment or by any other means, and whether or not any tangible personal property is transferred in conjunction therewith, except such services rendered by an individual who is engaged directly by a private homeowner or lessee in or about his residence and who is not in a regular trade or business offering his services to the public, and except any receipts from laundering, dry cleaning, tailoring, weaving, pressing, shoe repairing and shoe shining, and except for installing property which, when installed, will constitute an addition or capital improvement to real property, property or land.

(3) Storing all tangible personal property not held for sale in the regular course of business and the rental of safe deposit boxes or similar space.

(4) Maintaining, servicing or repairing real property, property or land, whether the services are performed in or outside of a building, as distinguished from adding to or improving such real property, property or land, by a capital improvement, but excluding services rendered by an in-

dividual who is not in a regular trade or business offering his services to the public, and excluding interior cleaning and maintenance services performed on a regular contractual basis for a term of not less than 30 days, other than window cleaning, and rodent and pest control.

Wages, salaries and other compensation paid by an employer to an employee for performing as an employee the services described in this subsection are not receipts subject to the taxes imposed under this subsection (b).

(c) Receipts from the sale of food and drink except alcoholic beverages as defined in the Alcoholic Beverage Tax Law, in or by restaurants, taverns or other establishments in this State, or by caterers, including in the amount of such receipts any cover, minimum, entertainment or other charge made to patrons or customers:

(1) in all instances where the sale is for consumption on the premises where sold;

(2) in those instances where the vendor or any person whose services are arranged for by the vendor, after the delivery of the food or drink by or on behalf of the vendor for consumption off the premises of the vendor, serves or assists in serving, cooks, heats or provides other services with respect to the food or drink; and

(3) in those instances where the sale is for consumption off the premises of the vendor, and consists of a meal, or food prepared and ready to be eaten, of a kind obtainable in restaurants as the main course of a meal, including a sandwich, except where food other than sandwiches is sold in an unheated state and is of a type commonly sold in the same form and condition in food stores other than those which are principally engaged in selling prepared foods.

The tax imposed by this subsection (c) shall not apply to food or drink which is sold to an air line for consumption while in flight.

(d) The rent for every occupancy of a room or rooms in a hotel in this State, except that the tax

shall not be imposed upon (1) a permanent resident, or (2) where the rent is not more than at the rate of $2.00 per day.

(e) (1) Any admission charge where such admission charge is in excess of $0.75 to or for the use of any place of amusement in the State, including charges for admission to race tracks, baseball, football, basketball or exhibitions, dramatic or musical arts performances, motion picture theatres, except charges to a patron for admission to, or use of, facilities for sporting activities in which such patron is to be a participant, such as bowling alleys and swimming pools. For any person having the permanent use or possession of a box or seat or a lease or a license, other than a season ticket, for the use of a box or seat at a place of amusement, the tax shall be upon the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by the holder, licensee or lessee, and shall be paid by the holder, licensee or lessee.

(2) The amount paid as charges of a roof garden, cabaret or other similar place in this State, to the extent that a tax upon such charges has not been paid pursuant to subsection (c) hereof.

2. Section 5 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 54:32B-5. Transitional provisions.

5. Transitional provisions.—(a) The taxes imposed under subsections (a), (b) and (c) of section 3 shall be paid upon receipts received on or after July 1, 1966 from all sales made and services rendered although made on or rendered under a contract entered into prior to said date, except that in the case of payment for a delivery or transfer of possession of tangible personal property made after July 1, 1966 pursuant to an agreement for the sale of said property made before May 9, 1966 such receipts shall not be subject to tax if; (1) such agreement for the sale of said property was made in writing, (2) the particular item or items of property so sold or agreed to be sold were segregated, before May 9, 1966, from any other similar

property in the possession of the vendor and identified as having been appropriated to such sale or agreement of sale, and (3) the purchaser, before July 1, 1966 shall have paid to the vendor not less than 10% of the sale price of said property. Upon written application, made in accordance with applicable rules and regulations, the director may waive the requirement for segregation where it is demonstrated to the satisfaction of the director that in view of the nature of the transaction such segregation would have been impossible.

(b) The tax imposed under subsection (d) of section 3 shall be paid upon any occupancy on and after July 1, 1966, although such occupancy is pursuant to a prior contract, lease or other arrangement. Where rent is paid on a weekly, monthly or other term basis, the rent shall be subject to the tax imposed under such subsection (d) to the extent that it covers any period on and after July 1, 1966 and such rent shall be apportioned on the basis of the ratio of the number of days falling within said period to the total number of days covered thereby.

(c) Except as otherwise hereinafter provided, the tax imposed under subsection (e) of section 3 shall be applicable to any admission to or the use of facilities of a place of amusement occurring on or after July 1, 1966, whether or not the admission charge has been paid prior to such date unless the tickets were actually sold and delivered (other than for resale) prior to July 1, 1966.

(d) Sales made to contractors, subcontractors or repairmen of materials, supplies, or services for use in erecting structures for others, or building on, or otherwise improving, altering or repairing real property of others shall be exempt from the taxes imposed by subsections (a) and (b) of section 3 and section 6 hereof, provided such structure, building, improvement, alteration or repair is the subject of a written bid or contract duly tendered or entered into by such contractor, subcontractor, or repairman before May 9, 1966, provided, further,

that the director shall be empowered to promulgate rules and regulations and procedures to be followed by persons seeking to qualify for this exemption.

(e) No tax shall be imposed under subsections (a), (b) and (c) of section 3 upon receipts received on or after July 1, 1966 in the case of sales made or services rendered, where delivery of the property which was the subject matter of the sale has been completed or such services have been entirely rendered, prior to July 1, 1966.

Section amended.

3. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-6. Imposition of compensating use tax.

6. Imposition of compensating use tax.—Unless property or services have already been or will be subject to the sales tax under this act, there is hereby imposed on every person a use tax for the use within this State on and after July 1, 1966, except as otherwise exempted under this act, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property manufactured, processed or assembled by the user, if items of the same kind of tangible personal property are offered for sale by him in the regular course of business, and (C) of any tangible personal property, however, acquired, where not acquired for purposes of resale, upon which any taxable services described in subsections (b) (1) and (2) of section 3 have been performed. For purposes of clause (A) of this section, the tax shall be at the rate of 3% of the consideration given or contracted to be given for such property or for the use of such property, but excluding any credit for property of the same kind accepted in part payment and intended for resale, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser. For the purposes of clause (B) of this section, the tax shall be at the rate of 3% of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping,

retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him. For purposes of clause (C) of this section, the tax shall be at the rate of 3% of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser.

Section amended.

4. Section 8 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-8. Exempt sales.

8. Exempt sales. Receipts from the following shall be exempt from the tax on retail sales imposed under subsection (a) of section 3 and the use tax imposed under section 6:

(a) Sales of medicine, drugs, crutches, artificial limbs, artificial eyes, artificial hearing devices, corrective eyeglasses, prosthetic aids, artificial teeth or dentures, braces, and orthopedic appliances, sold pursuant to a doctor's prescription for human use, and wheel chairs;

(b) Sales of food, food products, beverages except liquors, wines and sparkling wines as defined in the Alcoholic Beverage Tax Law, dietary foods and health supplements, sold for human consumption off the premises where sold but not including (i) candy and confectionery, (ii) fruit drinks which contain less than 70% of natural fruit juice and (iii) soft drinks, sodas and beverages such as are ordinarily dispensed at soda fountains or in connection therewith (other than coffee, tea and cocoa) all of which shall be subject to the retail sales and compensating use taxes, whether or not the item is sold in liquid form. Nothing herein shall be construed as exempting food or drink from the tax imposed under subsection (c) of section 3;

(c) Sales of food sold in an elementary or secondary school cafeteria, sales of food sold in an institution of higher education or in a fraternity,

sorority or eating club operated in connection therewith, to students of such an institution;

(d) Sales of articles of clothing and footwear for human use where the sales price is not more than $50.00. Articles of clothing customarily sold in combination such as, but not limited to, a suit of men's clothing consisting of a coat and trousers shall, for the purpose of determining the dollar limitation herein, be treated as a single sale. The director shall prescribe regulations to carry out the provisions of this subsection;

(e) Sales of newspapers, magazines and periodicals;

(f) Casual sales except as to sales of motor vehicles, whether for use on the highways or otherwise, and except as to sales of boats or vessels registered or subject to registration under the New Jersey Boat Act of 1962 (chapter 73, laws of 1962 and all amendments thereto);

(g) Sales of gas, water, steam, fuel, electricity, telephone or telegraph services delivered to consumers through mains, lines, pipe, or in containers or bulk;

(h) Sales of motor fuels as motor fuels are defined for purposes of the New Jersey Motor Fuel Tax Law; and sales of fuel to an airline for use in its airplanes or to a railroad for use in its locomotives;

(i) Tangible personal property sold through coin-operated vending machines at $0.10 or less, provided the retailer is primarily engaged in making such sales and maintains records satisfactory to the director;

(j) Sales not within the taxing power of this State under the Constitution of the United States;

(k) The transportation of persons or property;

(l) Sales, repairs, alterations or conversion of commercial ships, barges and other vessels of 50-ton burden or over, primarily engaged in interstate or foreign commerce, and of governmentally-owned ships, barges and other vessels and property used by or purchased for the use of such vessels for

fuel, provisions, supplies, maintenance and repairs (other than articles purchased for the original equipping of a new ship);

(m) (1) Sales of machinery, apparatus or equipment for use or consumption directly and primarily in the production of tangible personal property by manufacturing, processing, assembling or refining;

(2) Sales of machinery, apparatus or equipment for use or consumption directly and primarily in the production, generation, transmission or distribution of gas, electricity, refrigeration, steam or water for sale;

(3) Sales of telephone lines, cables, central office equipment or station apparatus, or other machinery, equipment or apparatus, or comparable telegraph equipment, for use directly and primarily in receiving at destination or initiating, transmitting and switching telephone or telegraph communication;

(4) The exemptions granted under this subsection shall not be construed to apply to sales, otherwise taxable, of machinery, equipment or apparatus whose use is incidental to the activities described in paragraphs (1), (2) and (3) of this subsection.

(5) The exemptions granted in this subsection (m) shall not apply to motor vehicles or to parts with a useful life of 1 year or less or tools or supplies used in connection with the machinery, equipment or apparatus described in this subsection.

(n) Sales of tangible personal property purchased for use or consumption directly and exclusively in research and development in the experimental or laboratory sense. Such research and development shall not be deemed to include the ordinary testing or inspection of materials or products for quality control, efficiency surveys, management studies, consumer surveys, advertising, promotions or research in connection with literary, historical or similar projects.

(o) Sales or use of wrapping paper, wrapping twine, bags, cartons, tape, rope, labels, nonreturnable containers, reusable milk containers and all

other wrapping supplies when such use is incidental to the delivery of any personal property.

(p) Sales of tangible personal property (except automobiles, trucks, trailers, and truck-trailer combinations, and except property incorporated in a building or structure) for use and consumption directly and exclusively in the production for sale of tangible personal property on farms, including stock, dairy, poultry, fruit, fur-bearing animals, and truck farms, ranches, nurseries, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards;

(q) Sales of tangible personal property sold by a mortician, undertaker or funeral director. However, all tangible personal property sold to a mortician, undertaker or funeral director for use in the conducting of funerals shall not be deemed a sale for resale and shall not be exempt from the tax imposed by this act;

(r) Sales of films, records, tapes or any type of visual or sound transcribing to theatres and radio and television broadcasting stations or networks;

(s) Sales of tangible personal property and services taxable under any municipal ordinance heretofore adopted pursuant to chapter 71, laws of 1947, which is in effect on April 27, 1966, but only to the extent such sales are taxable under said ordinance;

(t) Sales of materials, such as chemicals and catalysts, used to induce or cause a refining or chemical process, where such materials are an integral or essential part of the processing operation, but do not become a component part of the finished product.

(u) Sales of school textbooks for use by students in a school, college, university or other educational institution, approved as such by the Department of Education, when the educational institution, upon forms and pursuant to regulations prescribed by the director, has declared the books are required for school purposes and the purchaser has supplied the vendor with the form at the time of the sale.

(v) Sales not for resale of catalogs, sales price lists, point of purchase advertising, sales pamphlets or handbills, commonly known as commercial advertising, when produced upon special order of the purchaser.

(w) Sales made to contractors, subcontractors or repairmen of materials, supplies or services for exclusive use in erecting structures, or building on, or otherwise improving, altering or repairing real property of organizations described in subsections (a) and (b) of section 9 of this act, provided any person seeking to qualify for this exemption shall do so pursuant to such rules and regulations and upon such forms as shall be prescribed by the director.

Section amended.

5. Section 9 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-9. Exempt organizations.

9. Exempt organizations.—(a) Except as to motor vehicles sold by any of the following, any sale, service or amusement charge by or to any of the following or any use or occupancy by any of the following shall not be subject to the sales and use taxes imposed under this act:

(1) The State of New Jersey, or any of its agencies, instrumentalities, public authorities, public corporations (including a public corporation created pursuant to agreement or compact with another State) or political subdivisions where it is the purchaser, user or consumer, or where it is a vendor of services or property of a kind not ordinarily sold by private persons;

(2) The United States of America, and any of its agencies and instrumentalities, insofar as it is immune from taxation where it is the purchaser, user or consumer, or where it sells services or property of a kind not ordinarily sold by private persons;

(3) The United Nations or any international organization of which the United States of America is a member where it is the purchaser, user or consumer, or where it sells services or property of a kind not ordinarily sold by private persons.

(b) Except as otherwise provided in this section any sale or amusement charge by or to any of the following or any use or occupancy by any of the following shall not be subject to the sales and use taxes imposed under this act:

(1) Any corporation, association, trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

(c) Nothing in this section shall exempt the sale of a motor vehicle by an organization described in subsection (b) (1) of this section or retail sales of tangible personal property by any shop or store operated by such organization from the taxes imposed hereunder, unless the purchaser is an organization exempt under this section.

(d) Any organization enumerated in subsection (b) (1) hereof shall not be entitled to the exemption herein granted unless it has complied with such requirements for obtaining a tax immunity authorization as may be provided in this act.

(e) Where any organization described in subsection (b) (1) hereof carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

(f) (1) Except as provided in paragraph (2) of this subsection, any admissions all of the proceeds of which inure exclusively to the benefit of the

following organizations shall not be subject to any of the taxes imposed under subsection (e) of section 3.

(A) an organization described in subsection (b) (1) of this section;

(B) a society or organization conducted for the sole purpose of maintaining symphony orchestras or operas and receiving substantial support from voluntary contributions;

(C) national guard organizations, posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units or societies are organized in this State, and if no part of their net earnings inures to the benefit of any private stockholder or individual; or

(D) a police or fire department of a political subdivision of the State, or a voluntary fire or ambulance company, or exclusively to a retirement, pension or disability fund for the sole benefit of members of a police or fire department or to a fund for the heirs of such members.

(2) The exemption provided under paragraph (1) of this subsection shall not apply in the case of admissions to:

(A) Any athletic game or exhibition unless the proceeds shall inure exclusively to the benefit of elementary or secondary schools or unless in the case of an athletic game between 2 elementary or secondary schools, the entire gross proceeds from such game shall inure to the benefit of one or more organizations described in subsection (b) (1) of this section;

(B) Carnivals, rodeos, or circuses in which any professional performer or operator participates for compensation;

(3) Admission charges for admission to the following places or events shall not be subject to any of the taxes imposed under subsection (e) of section 3:

(A) Any admission to agricultural fairs if no part of the net earnings thereof inures to the benefit of any stockholders or members of the association conducting the same; provided the proceeds therefrom are used exclusively for the improvement, maintenance and operation of such agricultural fairs.

(B) Any admission to a home or garden which is temporarily open to the general public as a part of a program conducted by a society or organization to permit the inspection of historical homes and gardens; provided no part of the net earnings thereof inures to the benefit of any private stockholder or individual.

(C) Any admissions to historic sites, houses and shrines, and museums conducted in connection therewith, maintained and operated by a society or organization devoted to the preservation and maintenance of such historic sites, houses, shrines and museums; provided no part of the net earnings thereof inures to the benefit of any private stockholder or individual.

Section amended.

6. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-11. Exemptions from use tax.

11. Exemptions from use tax.—The following uses of property shall not be subject to the compensating use tax imposed under this act:

(1) In respect to the use of property used by the purchaser in this State prior to July 1, 1966.

(2) In respect to the use of property purchased by the user while a nonresident of this State, except in the case of tangible personal property which the user, in the performance of a contract, incorporates into real property located in the State. A person while engaged in any manner in carrying on in this State any employment, trade, business or profession, shall not be deemed a nonresident with respect to the use in this State of property in such employment, trade, business or profession.

(3) In respect to the use of property or services upon the sale of which the purchaser would be

expressly exempt from the taxes imposed under subsection (a) or (b) of section 3.

(4) In respect to the use of property which is converted into or becomes a component part of a product produced for sale or for market sampling by the purchaser.

(5) In respect to the use of paper in the publication of newspapers and periodicals.

(6) In respect to the use of property or services to the extent that a retail sales or use tax was legally due and paid thereon, without any right to a refund or credit thereof, to any other State or jurisdiction within any other State but only when it is shown that such other State or jurisdiction allows a corresponding exemption with respect to the sale or use of tangible personal property or services upon which such a sales tax or compensating use tax was paid to this State. To the extent that the tax imposed by this act is at a higher rate than the rate of tax in the first taxing jurisdiction, this exemption shall be inapplicable and the tax imposed by section 6 of this act shall apply to the extent of the difference in such rates.

Section amended.

7. Section 14 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-14. Liability for the tax.

14. Liability for the tax.—(a) Every person required to collect any tax imposed by this act shall be personally liable for the tax imposed, collected or required to be collected under this act. Any such person shall have the same right in respect to collecting the tax from his customer or in respect to nonpayment of the tax by the customer as if the tax were a part of the purchase price of the property or service, amusement charge or rent, as the case may be, and payable at the same time; provided, however, that the director shall be joined as a party in any action or proceeding brought to collect the tax.

(b) Where any customer has failed to pay a tax imposed by this act to the person required to collect the same, then in addition to all other rights, obligations and remedies provided, such tax shall be

payable by the customer directly to the director and it shall be the duty of the customer to file a return with the director and to pay the tax to him within 20 days of the date the tax was required to be paid.

(c) The director may, whenever he deems it necessary for the proper enforcement of this act, provide by regulation that customers shall file returns and pay directly to the director any tax herein imposed, at such times as returns are required to be filed and payment over made by persons required to collect the tax.

(d) No person required to collect any tax imposed by this act shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the tax is not considered as an element in the price, amusement charge or rent payable by customer, or that he will pay the tax, that the tax will not be separately charged and stated to the customer or that the tax will be refunded to the customer. Upon written application duly made and proof duly presented to the satisfaction of the director showing that in his particular business it would be impractical for the vendor to separately charge the tax to the customer, the director may waive the application of the requirement herein as to such vendor.

Section amended.

8. Section 17 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-17. Returns.

17. Returns.—(a) Every person required to collect or pay tax under this act shall on or before August 28, 1966, and on or before the twenty-eighth day of each month thereafter, make and file a return for the preceding month with the director. The return of a vendor of tangible personal property or services shall show his receipts from sales and also the aggregate value of tangible personal property and services sold by him, the use of which is subject to tax under this act, and the amount of taxes required to be collected with respect to such sales and use. The return of a recipient of amusement charges shall show all such charges and the

amount of tax thereon, and the return of a person required to collect tax on rents shall show all rents received or charged and the amount of tax thereon.

(b) The director may permit or require returns to be made covering other periods and upon such dates as he may specify. In prescribing such other periods, the director may take into account the dollar volume of tax involved as well as the need for insuring the prompt and orderly collection of the taxes imposed.

(c) The form of returns shall be prescribed by the director and shall contain such information as he may deem necessary for the proper administration of this act. The director may require amended returns to be filed within 20 days after notice and to contain the information specified in the notice.

Section amended.

9. Section 24 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-24. General powers of the Director.

24. General powers of the director.—In addition to the powers granted to the director in this act, he is hereby authorized and empowered:

1. To make, adopt and amend rules and regulations appropriate to the carrying out of this act and the purposes thereof;

2. To extend, for cause shown by general regulation or individual authorization, the time of filing any return for a period not exceeding 3 months on such terms and conditions as he may require; and for cause shown, to remit penalties but not interest computed at the rate of 6% per annum;

3. To delegate his functions hereunder to any officer or employee of his division such of his powers as he may deem necessary to carry out efficiently the provisions of this act, and the person or persons to whom such power has been delegated shall possess and may exercise all of the power and perform all of the duties herein conferred and imposed upon the director;

4. To prescribe methods for determining the amount of receipt, amusement charges, or rents and for determining which of them are taxable and which are nontaxable;

5. To require any person required to collect tax to keep detailed records of all receipts, amusement charges, or rents received, charged or accrued, including those claimed to be nontaxable, and also of the nature, type, value and amount of all purchases, sales, services rendered, admissions, occupancies, names and addresses of customers, and other facts relevant in determining the amount of tax due and to furnish such information upon request to the director;

6. To assess, determine, revise and readjust the taxes imposed by this act;

7. To publish and maintain, as he deems necessary, lists of specific items of tangible personal property which are found to be foods and drugs exempt from tax under section 8.

8. To enter into agreements with other States and the District of Columbia, providing for the reciprocal enforcement of the sales and use tax laws imposed by the States entering into such an agreement. Such agreement may empower the duly authorized officer of any contracting State, which extends like authority to officers or employees of this State, to sue for the collection of that State's sales and use taxes in the courts of this State.

10. This act shall take effect immediately.

Approved May 25, 1966.

CHAPTER 54

AN ACT creating a Division of Parks, Forestry and Recreation in the Department of Conservation and Economic Development, prescribing its functions, powers and duties and amending and supplementing the "Department of Conservation and Economic Development Act of 1948," approved October 25, 1948 (P. L. 1948, c. 448), and P. L. 1950, chapter 338 and P. L. 1961, chapter 51 supplementry thereto.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 13:1B-15.100. Creation of Division.

1. Division of Parks, Forestry and Recreation. Within the Department of Conservation and Economic Development there shall be a Division of Parks, Forestry and Recreation.

The division shall be under the immediate supervision of a director, who shall be a person qualified by academic training and at least 7 years of responsible professional experience in the management of public parks, forests, and outdoor recreation facilities to direct the work of such division. The director of such division shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve during the term of office of the Governor appointing him and until the director's successor is appointed and qualified.

C. 13:1B-15.101. Powers and duties.

2. Powers and Duties. The division shall, under the direction and supervision of the commissioner:

a. Develop, improve, protect, manage and administer all State forests, State parks, State recreation areas, State historic sites, and State natural areas, excepting those regulated by interstate compact.

b. Protect all forests, brush lands and marshes from damage by fire, insects and disease, and promote the use of good forest management principles on all forest lands.

c. Administer the program for licensing of certified tree experts in accordance with the "Tree Expert Act" (P. L. 1940, c. 100).

d. Administer the program of the Bureau of Recreation in accordance with P. L. 1950, chapter 338, effective July 24, 1950.

e. Administer the program of the natural areas section in accordance with P. L. 1961, chapter 51.

f. Manage the properties of the Morris Canal and Banking Company in accordance with Revised Statutes 13:12–1 to 13:12–29.

g. Administer the historic sites program as in this act provided and in accordance with Revised Statutes 28:1–4 to 28:1–11, 28:1–13, 28:1–17, 28:2–7 to 28:2–14, 28:2–17 and 28:2–18, P. L. 1945, chapter 22 and P. L. 1948, chapter 448.

h. Provide liaison between the Federal and the lesser governmental levels in matters pertaining to forestry, conservation, recreation, historic sites and other appropriate fields.

i. Perform such other functions of the department as the commissioner may prescribe.

C. 13:1B-102. Organization.

3. Division Organization. The functions of the division shall be administered by the director, under the direction and supervision of the commissioner, within such bureaus as may be necessary.

The commissioner shall have authority to create and organize such bureaus as may be appropriate for the efficient and effective administration of this act. The commissioner may designate a deputy director to assist the director and to exercise the duties of the director in event of the absence or disability of the director or of a vacancy in that office.

C. 13:1B-15.103. Advisory Council.

4. Advisory Council. Within the division there shall be a Parks, Forestry and Recreation Council consisting of 11 members. Each member of the council shall be appointed by the Governor with the advice and consent of the Senate to serve for a term of 4 years from the date of his appointment, except that of those first appointed, one shall be appointed for a term of 1 year, 2 for 2 years, 4 for 3 years,

and 4 for 4 years. Members of the council shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties. The Governor shall designate one of its members to serve as the chairman, and the council shall organize and adopt procedures for the conduct of its business. The director or an employee of the division designated by him shall serve as secretary of the council. The chairman of the council shall be its presiding officer. Any vacancies in the membership of said council occurring other than by expiration of term shall be filled by the Governor, with the advice and consent of the Senate, for the unexpired term only. Any member of the council may be removed from office by the Governor, for cause, upon notice and opportunity to be heard.

C. 13:1B-15.104. Functions.

5. Functions of the Council. The Parks, Forestry and Recreation Council shall consult with and advise the commissioner and the director with respect to the work of the division.

The council, in addition to other powers and duties vested in it, shall recommend programs and policies for:

a. The acquisition, development, use, improvement and extension of State parks, forests, historic sites and recreation areas.

b. The development of a broad recreational program on a State-wide and local basis.

c. The protection, preservation, conservation and management of all forest resources within the State.

d. A State-wide comprehensive plan for meeting the needs of the public for outdoor recreation.

e. The formulation of plans to aid the county and municipal governments in the acquisition and development of lands for public outdoor recreation.

C. 13:1B-15.105. Additional functions.

6. In addition to other functions, powers and duties vested in it by this or any other law, the Division of Parks, Forestry and Recreation shall administer the State's program concerned with the interpretation of New Jersey's heritage through

its historic sites and structures and perform the following functions and such other duties as the commissioner may direct:

a. Formulate comprehensive policies for the preservation, restoration and public presentation of all historic sites within the State.

b. Make the necessary research, prepare exhibits and furnish the services required for a proper and adequate interpretive program.

c. Prepare and disseminate informational materials to inform the public wtih respect to New Jersey's historic sites.

d. Consult and co-operate with groups and organizations in order to advance the purposes of the historic sites program.

7. Section 5 of P. L. 1948, chapter 448 is amended to read as follows: Section amended.

5. There is hereby established in the Department of Conservation and Economic Development, a Division of Resource Development, a Division of Economic Development, a Division of Veterans' Services, a Division of Fish and Game, a Division of Shell Fisheries, a Division of Water Policy and Supply, a Division of State and Regional Planning and a Division of Parks, Forestry and Recreation. C. 13:1B-5. Additional Division.

The commissioner shall have authority to organize and maintain in his offices an administrative division and to assign to employment therein such secretarial, clerical and other assistants in the department as his office and the internal operations of the department shall require, and the commissioner shall have authority to direct and co-ordinate the uses of all public lands under the jurisdiction of the department.

8. Section 11 of P. L. 1948, chapter 448 is amended to read as follows: Section amended.

11. The Resource Development Council shall, subject to the approval of the commissioner: C. 13:1B-11. Approval of Council.

a. Formulate comprehensive economic policies for the development and use of the natural and economic resources of the State.

b. Formulate comprehensive policies for the prevention and control of beach erosion.

Section amended.

9. Section 1 of P. L. 1950, chapter 338 is amended to read as follows:

C. 13:1B-15.1. Additional Bureau; functions.

1. There shall be within the Division of Parks, Forestry and Recreation of the Department of Conservation and Economic Development, a Bureau of Recreation. The Bureau of Recreation shall, under the supervision of the Director of the Division of Parks, Forestry and Recreation and subject to the approval of the Commissioner of Conservation and Economic Development:

a. Promote and encourage the expansion and development of recreational programs on a State-wide and local basis.

b. Disseminate informational and related materials to governmental and other agencies engaged in fostering recreational programs.

Section amended.

10. Section 3 of P. L. 1961, chapter 51 is amended to read as follows:

C. 13:1B-15.6. Creation of natural areas section; function.

3. There is hereby created in the department a natural areas section in the Division of Parks, Forestry and Recreation, the function of which shall be, under the direction of the commissioner, to administer and enforce the provisions of this act and to perform such other duties as the commissioner may direct or as may be provided by law.

In addition to other functions, powers and duties vested in it by this and any other law, the Division of Parks, Forestry and Recreation shall, through the natural areas section:

a. Make periodic State-wide surveys to determine the availability of land that should be preserved as natural areas or as wild life preserves and recommend an over-all program of acquisition.

b. Recommend the acquisition of specific lands or interests in lands which are suitable for natural areas.

c. Maintain and operate lands being preserved as natural areas.

d. Prepare and disseminate literature and other materials to inform the public with respect to New Jersey's natural area program.

e. Consult with and co-operate with conservation and naturalists groups and organizations in the acquisition and maintenance of natural areas.

C. 13:1B-15.106. Transfer of appropriation.

11. The transfer of any appropriation and other moneys available or of any employee, files, records, books, papers, tools, equipment and other property required by the adoption of this act shall be done in the same manner as is provided in P. L. 1948, chapter 448.

C. 13:1B-15.107. Repealed.

12. The provisions of any other act or acts inconsistent with the provisions of this act are to the extent of such inconsistency hereby repealed.

Note: Effective date.

13. This act shall take effect July 1, 1966.

Approved May 27, 1966.

CHAPTER 55

AN ACT concerning the Superior Court, amending section 2A:2–1 of the New Jersey Statutes and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:2–1 of the New Jersey Statutes is amended to read as follows:

Number of judges; salaries.

2A:2–1. The Superior Court shall consist of 78 judges. Each judge shall receive an annual salary of $27,000.00.

Appropriation $1,000,000.00.

2. There is hereby appropriated from the General Treasury for the fiscal period ending June 30, 1967, the sum of $1,000,000.00, or so much thereof as may be required to implement and carry out the provisions of this act.

3. This act shall take effect immediately.

Approved May 31, 1966.

CHAPTER 56

AN ACT concerning working hours of female labor, and amending section 34:2–28 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 34:2–28 of the Revised Statutes is amended to read as follows:

Employment before seven in morning or after twelve in evening prohibited; exceptions; suspension of provisions.

34:2–28. In order to protect the health of females employed in manufacturing establishments, bakeries and laundries and by providing an adequate period of rest at night, no female shall be employed or permitted to work in any manufacturing establishment, bakery, or laundry in this State before 7 o'clock in the morning or after 12 o'clock in the evening of any day; provided, that nothing herein contained shall apply to canneries engaged in the packing of perishable products such as fruits and vegetables or to glass manufacturing establishments; and provided, further, that the commissioner shall, upon application, by special order, authorize employment of females over 21 years of age before 7 o'clock in the morning and after 12 o'clock in the evening of any day in a manufacturing establishment, or bakery which operates on multiple shifts, if he finds that working conditions, including those related to safety in, and adequacy of transportation to, such establishment, or bakery are adequate for the protection of the health and welfare of the employees proposed to be so employed. The provisions contained in this section relating to hours of employment may be suspended by the Governor, on his own order or upon application to him, in time of war or other serious national emergency, which order shall be limited to a particular period of time, and shall be limited to a particular manufacturing establishment.

2. This act shall take effect immediately.

Approved June 2, 1966.

CHAPTER 57

AN ACT concerning school elections, amending section 18:7–35 of the Revised Statutes and chapter 106 of the laws of 1960, and supplementing article 3 of chapter 7 of Title 18 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C. 18:7-18.1. Additional polling places.

1. Whenever a board of education anticipates an unusually heavy vote in a specific annual or special school election, the board may provide an additional polling place or places for that particular election to assure the orderly processing of voters by election officials and challengers and to minimize delay and inconvenience to the voters; and whenever a petition signed by at least 100 registered voters of the school district requesting the provision of an additional polling place or places for a particular election shall have been filed with the secretary of the board at least 20 days prior to the date of the election, the board shall provide an additional polling place or places for that election.

Section amended.

2. Section 18:7–35 of the Revised Statutes is amended to read as follows:

Opening of election; election officers; compensation; challengers, appointment and duties; interference with orderly conduct of election as misdemeanor.

18:7–35. The board shall make public proclamation, through a board member or other person qualified to vote in the school district designated by the president of said board of the opening of the election. A chairman who shall also be judge of elections, a secretary, and 2 tellers shall be appointed, and assistant tellers not to exceed in number one for every 2 signature copy registers used in the polling district may be appointed by the board of education at the regular January meeting of the board from the qualified voters of the district other than regularly nominated candidates, board members, or employees and they shall be notified accordingly. The chairman, secretary and 2 tellers shall hold office until the next regular January

meeting of the board. In case of any vacancy in such offices at the time of the opening of the election, the person authorized to open the election shall appoint from among those present to fill the vacancy. Thereupon the election shall be open and the balloting shall continue without recess in accordance with the instructions printed upon the ballot and the provisions of this article until the hour of closing has arrived. The board of education may pay each such election officer a compensation not to exceed $2.00 per hour for each hour that the polls are open, but in no event shall the board pay such election officer less than $10.00, for his services in connection with the election.

Each candidate nominated by petition may act as a challenger and may appoint also one challenger for each municipal election district included within each school election polling district in which he is to be voted for. In addition to the number of challengers provided for above, if at such election the polls shall be scheduled to be open for more than 4 hours, each candidate may appoint additional challengers, as alternates, in such number as to permit periodic relief from duty of challengers not more often than every 2 hours. The appointment of challengers shall be in writing under the hand of the person making the same and shall specify the names and addresses of the challengers and the polling district for which they are severally appointed. The appointment of the challengers shall be filed with the secretary of the board not later than 5 days preceding the annual election. No person shall be appointed challenger who is not a legal voter of the school district and no challenger shall serve in any polling district other than that to which he is appointed. The secretary of the board shall certify such appointed challengers, and such certification shall be submitted by the challengers to the election officials of the respective polling districts to which they are assigned. Each challenger shall wear a mark of identification as a challenger which shall be furnished to him by the

secretary of the board. The challengers shall have power to challenge the right to vote therein of any person claiming such right at any time before the person's ballot shall have been deposited in the ballot box and shall have the right to ask all necessary questions to determine this right. They may be present while the votes cast at any election are being counted, may stand where they can see the markings on the ballots, provided they do not interfere with the orderly counting of votes, and shall have the right to challenge the counting or rejecting of any ballot or any part of a ballot. The election officers are authorized to maintain order in the polling place and to require to leave the polling room all persons other than challengers, candidates, and persons in the process of voting, and to prohibit electioneering in the building in which the election is being conducted. Any person interfering with the orderly conduct of the election shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding $500.00, or by imprisonment not exceeding 1 year, or both.

Section amended.

3. Section 1 of chapter 106 of the laws of 1960 is amended to read as follows:

C. 18:7-35.1. Submission of public question at election; appointment of challenger.

1. In event that any public question is to be submitted at any school election, challengers may be appointed to act for each polling place within the district for the voters favoring the adoption of such question and challengers may be appointed to act for each such polling place for the voters opposing the adoption of such question. The petitions naming the challengers for the proponents and the opponents may each name as many challengers as there are municipal election districts included within each school election polling district, and if at such election the polls shall be scheduled to be open for more than 4 hours, sufficient additional challengers, as alternates, may be named in such number as to permit periodic relief from duty of challengers not more often than every 2 hours.

4. This act shall take effect immediately.

Approved June 2, 1966.

CHAPTER 58

AN ACT concerning alcoholic beverages, amending section 33:1–43 and supplementing chapter 1 of Title 33 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 33:1–43 of the Revised Statutes is hereby amended to read as follows:

Interest in both brewery, distillery or wholesaling, etc., and in retailing prohibited.

33:1–43. It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever interested in any way whatsoever in any brewery, winery, distillery or rectifying and blending plant, or any wholesaler of alcoholic beverages, to conduct, own either in whole or in part, or be directly or indirectly interested in the retailing of any alcoholic beverages except as provided in this chapter, and such interest shall include any payments or delivery of money or property by way of loan or otherwise accompanied by an agreement to sell the product of said brewery, winery, distillery, rectifying and blending plant or wholesaler. Prior to June 6, 1941, the ownership of or mortgage upon or any other interest in licensed premises if such ownership, mortgage or interest existed on December 6, 1933, shall not be deemed to be an interest in the retailing of alcoholic beverages. On and after June 6, 1941, the ownership of or mortgage upon or any other interest in licensed premises if such ownership, mortgage or interest existed on December 6, 1933, shall not be deemed to be an interest in the retailing of alcoholic beverages; provided, none of the products of the brewery, winery, distillery, rectifying and blending plant, or wholesaler, is sold directly or indirectly at the licensed premises.

It shall be unlawful for any owner, part owner, stockholder or officer or director of any corpora-

tion, or any other person or corporation whatsoever interested in any way whatsoever in any winery, distillery, or rectifying and blending plant, to conduct, own either whole or in part, or be directly or indirectly interested in the business of any licensee for the sale at wholesale to licensed retailers in New Jersey of any alcoholic beverages, other than malt alcoholic beverages, and such interest shall include any payments or delivery of money or property by way of loan or otherwise accompanied by an agreement to sell the product of said winery, distillery or rectifying and blending plant; except that the foregoing shall not apply in the case of a licensee for the sale at wholesale who on July 1, 1965, and thereafter until the effective date of this act, shall have filed for publication by the Division of Alcoholic Beverage Control price listings for brands of alcoholic beverages pursuant to the rules and regulations of the Division of Alcoholic Beverage Control.

It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever, interested in any way whatsoever in the retailing of alcoholic beverages to conduct, own either in whole or in part, or to be a shareholder, officer or director of a corporation or association, directly or indirectly, interested in any brewery, winery, distillery, rectifying and blending plant, or wholesaling or importing interests of any kind whatsoever outside of the State.

No interest in the retailing of alcoholic beverages shall be deemed to exist by reason of the ownership, delivery or loan of interior signs designed for and exclusively used for advertising the product of or product offered for sale by such brewery, winery, distillery or rectifying and blending plant or wholesaler.

It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person or corporation whatsoever interested in any way whatsoever in the

wholesaling of alcoholic beverages, other than malt alcoholic beverages, to own either in whole or in part, or to be a stockholder, officer or director of a corporation or association, directly or indirectly, interested in, any winery, distillery or rectifying and blending plant, or wholesaling or importing interests of any kind whatsoever outside of the State, unless such relationship with respect to such winery, distillery or rectifying and blending plant or wholesaling or importing interests of any kind whatsoever outside the State shall have been in existence on July 1, 1965 and shall have continued to be in effect on the effective date of this act.

C. 33:1-43a. Acquisition of interest in corporation.

2. Nothing in this act shall affect the right of any person having any interest whatsoever in the wholesaling in this State of alcoholic beverages, other than malt alcoholic beverages, to hold or acquire an interest of not more than 10% of any corporation, the shares of which are traded on a national securities exchange or regularly traded in an over-the-counter market by one or more members of a national or affiliated securities association.

3. This act shall take effect immediately.

Approved June 2, 1966.

CHAPTER 59

AN ACT concerning alcoholic beverages, supplementing chapter 1 of Title 33 of the Revised Statutes and repealing chapter 264 of the laws of 1942.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 33:1-93.6. Discrimination in sale.

1. There shall be no discrimination in the sale of any nationally advertised brand of alcoholic bever-

age other than malt alcoholic beverage, by importers, blenders, distillers, rectifiers and wineries, to duly licensed wholesalers of alcoholic beverages who are authorized by such importers, blenders, distillers, rectifiers and wineries to sell such nationally advertised brand in New Jersey.

C. 33:1-93.7. Refusal to sell.

2. In the event any such importer, blender, distiller, rectifier or winery shall refuse to sell alcoholic beverages other than malt alcoholic beverages, to any such individual wholesaler or comply with the provisions of this act, then such wholesaler shall petition the director setting forth the facts and demanding a hearing thereon to determine whether or not said refusal to sell was discriminatory.

C. 33:1-93.8. Determination if discriminatory.

3. If the director shall determine that said refusal to sell is discriminatory and shall be satisfied with the ability of the wholesaler to pay for such merchandise as ordered, he shall order the importer, blender, distiller, rectifier or winery to complete said sale of alcoholic beverages other than malt alcoholic beverages, to the wholesaler.

C. 33:1-93.9. Penalty.

4. In the event said importer, blender, distiller, rectifier or winery refuses to complete said sale or to comply with the terms of the director's order, the director shall issue an order to every licensed wholesaler prohibiting purchase by such wholesaler of any alcoholic beverages other than malt alcoholic beverages, of said importer, blender, distiller, rectifier or winery directly or indirectly until there is strict compliance by said importer, blender, distiller, rectifier or winery with the order of the director.

C. 33:1-93.10. Rules and Regulations.

5. The director shall adopt and promulgate such rules and regulations as may be necessary to carry out and insure compliance with the provisions of this act.

C. 33:1-93.11. Repealed.

6. "An act concerning alcoholic beverages, and supplementing chapter 1 of Title 33 of the Revised Statutes," approved June 25, 1942, is repealed.

7. This act shall take effect immediately.

Approved June 2, 1966.

CHAPTER 60

AN ACT concerning firearms and other dangerous weapons and revising, repealing and supplementing parts of the statutory law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:151–1 of the New Jersey Statutes is amended to read as follows:

Definitions.

2A:151–1. The following definitions apply to this chapter:

a. Firearm or firearms includes any pistol, revolver, rifle, shotgun, machine gun, automatic and semiautomatic rifle, or other firearm as the term is commonly used, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectile, ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances.

It shall also include, without limitation, any firearm which is in the nature of any air gun, spring gun or pistol, carbon dioxide or compressed air gun or pistol, or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas, or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than $\frac{3}{8}$ of an inch in diameter, with sufficient force to injure the person.

b. Pistol or revolver includes any firearm with an over-all length less than 26 inches, or a shotgun having a barrel or barrels of a length less than 18 inches, or a rifle having a barrel length less than 16 inches.

c. Rifle and shotgun includes all other firearms with over-all length of 26 inches or greater, provided the length of the barrel or barrels, if a shot-

gun, is 18 or more inches, and if a rifle is 16 or more inches but does not include machine guns or automatic rifles as defined in section 2A:151–49.

d. Person includes any individual, corporation, partnership, firm or association of any kind or nature whatsoever; any public entity of any kind or nature; the plural as well as the singular and any gender.

e. Superintendent means the Superintendent of State Police.

f. Manufacturer includes all persons who receive or obtain raw materials or parts and process them into firearms or finished parts of firearms, except those persons who exclusively process grips, stocks and other nonmetal parts of firearms. It shall not include those persons who repair existing firearms or who receive and use raw materials or parts solely for the repair of existing firearms.

g. Wholesale dealer includes all persons except the manufacturer, who sell, transfer or assign firearms, or parts of firearms, to persons who are reasonably understood not to be the ultimate consumer, and shall include persons, except the manufacturer, who receive finished parts of firearms and assemble them into completed or partially completed firearms, in furtherance of such purpose, except that it shall not include those persons dealing exclusively in grips, stocks and other nonmetal parts of firearms.

h. Retail dealer includes all persons except the manufacturer and wholesale dealer who sell, transfer or assign for a fee or profit any firearm or parts of firearms which they have purchased or obtained with the intention, or for the purpose, of reselling or reassigning to persons who are reasonably understood to be the ultimate consumer. It shall also include any person who sells any firearm to satisfy a debt secured by the pledge of a firearm.

i. Explosive includes any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible materials or other

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ingredients, in such proportions, quantities or packing that an ignition by fire, by friction, by concussion or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects. The term shall not include small arms ammunition, or explosives in the form prescribed by the official United States Pharmacopoeia.

Section amended.

2. Section 2A:151–2 of the New Jersey Statutes is amended to read as follows:

Pawnbrokers not to deal in weapons.

2A:151–2. Any pawnbroker who sells or possesses for sale or to lend or give away, any firearm or dangerous instrument of any kind usually known as a blackjack, sling shot, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or knife as defined in chapter 5, laws of 1952 (C. 2A:151–62), stiletto, cestus, or similar band studded with metal for fitting on the knuckles, loose wool imbedded with metal filings, razor blades imbedded in wood slivers, handcuffs, iron claws, grenade, bomb or other explosive is guilty of a high misdemeanor.

Section amended.

3. Section 2A:151–4 of the New Jersey Statutes is amended to read as follows:

Sale by persons other than retail or wholesale dealers; penalty.

2A:151–4. Any person becoming the lawful possessor of any firearm who sells, gives or transfers the same to any other person except in the manner provided by this chapter, is guilty of a misdemeanor.

Section amended.

4. Section 2A:151–5 of the New Jersey Statutes is amended to read as follows:

Additional sentence for armed criminals.

2A:151–5. Any person who commits or attempts to commit an assault, robbery, larceny, burglary, breaking and entering, rape, murder, mayhem, arson, abduction, extortion, kidnapping, sodomy or treason, or who is a fugitive from justice, when armed with or having in his possession any firearm, whether or not capable of being discharged or dangerous instrument of any kind usually known as a blackjack, sling shot, slung shot, billy, sandclub,

sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife or knife as defined in chapter 5 of the laws of 1952 (C. 2A:151–62), razor, stiletto, cestus, or similar band studded with metal for fitting on the knuckles, loose wool imbedded with metal filings, razor blades imbedded in wood slivers, handcuffs, iron claws, grenade, bomb or other explosive or any object or device, whether toy or imitation, having an appearance similar to or capable of being mistaken for any of the foregoing, shall, in addition to the punishment provided for the crime, be punished on a first conviction by imprisonment for not less than one nor more than 10 years; upon a second conviction by imprisonment for not less than 3 nor more than 15 years; upon a third conviction by imprisonment for not less than 5 nor more than 20 years; and upon a fourth or subsequent conviction, by imprisonment for not less than 10 years nor more than for life, in the discretion of the court. No such additional punishment shall be imposed unless the indictment shall have averred that the person was armed with or had in his possession any such instrument and conviction was had thereon.

Section amended.

5. Section 2A:151–6 of the New Jersey Statutes is amended to read as follows:

Arms as evidence of intent.

2A:151–6. In the trial of any person for committing or attempting to commit any crime enumerated in section 2A:151–5, the fact that he was armed with or had in his possession any firearm or any dangerous instrument enumerated in section 2A:151–5 is prima facie evidence of his intention to commit said crime with said firearm or dangerous instrument.

Section amended.

6. Section 2A:151–7 of the New Jersey Statutes is amended to read as follows:

Firearms in vehicles.

2A:151–7. The presence of a firearm or any grenade, bomb or other explosive in a vehicle is presumptive evidence of possession by all persons occupying the vehicle at the time.

Section amended.

7. Section 2A:151–8 of the New Jersey Statutes is amended to read as follows:

Convicted person not to have weapons; penalty.

2A:151–8. Any person, having been convicted in this State or elsewhere of any crime enumerated in section 2A:151–5, whether or not armed with or having in his possession any firearm or dangerous instrument enumerated in section 2A:151–5, or any person who has ever been committed for a mental disorder to any hospital, mental institution or sanitarium unless he possesses a certificate of a medical doctor or psychiatrist licensed in New Jersey or other satisfactory proof that he is no longer suffering from a mental disorder which interferes with or handicaps him in the handling of a firearm, or any person who has been convicted for the unlawful use, possession or sale of a narcotic or nonnarcotic drug or who is registered as a narcotic drug offender under chapter 230 of the laws of 1952, who purchases, owns, possesses or controls any firearm or any of the said dangerous instruments, is guilty of a misdemeanor.

Whenever any person shall have been convicted in another State, territory, commonwealth or other jurisdiction of the United States, or of any country in the world, in a court of competent jurisdiction, of a crime which in said State, jurisdiction or country shall be equal to or comparable or the same as one of the crimes designated in 2A:151–5, then that person shall be subject to the provisions of this section.

Section amended.

8. Section 2A:151–9 of the New Jersey Statutes is amended to read as follows:

Sale of weapons to idiot, those with physical defects; penalty.

2A:151–9. Any person shall have the right to refuse to sell any firearm or dangerous instrument to any other person, provided however that any person who knowingly sells any firearm to a person who does not possess and exhibit to the seller a permit to purchase in the case of a pistol or revolver or a firearms purchaser identification card in the case of a rifle or shotgun; or where the seller has reason to believe that the person is of unsound mind or suffers from a physical defect or sickness which would make it unsafe for him to handle firearms, is guilty of a misdemeanor. The presentation

of a permit for the purchase of a pistol or revolver, or the signing of a certification and presentation of a firearms purchaser identification card for the purchase of a rifle or shotgun as set forth in section 2A:151–32, shall be prima facie evidence of compliance with the requirements of this chapter.

Section amended.

9. Section 2A:151–10 of the New Jersey Statutes is amended to read as follows:

Sale of weapons or loaded blank cartridges to minors; penalty.

2A:151–10. Any person who knowingly offers, sells, lends, leases or gives to any person under the age of 18 years, any firearm, grenade, bomb or other explosive instrument, or a toy pistol or other instrument from which a loaded or blank cartridge may be fired, or any loaded or blank cartridge therefor, is guilty of a misdemeanor; provided however that a person may lend a firearm to a minor who may borrow same for the purpose of carrying, firing or using said firearm under section 2A:151–11, and provided further said minor furnishes the owner with written consent to his use thereof by his parent or legal guardian.

Section amended.

10. Section 2A:151–11 of the New Jersey Statutes is amended to read as follows:

Acquisition or use of firearms by minors; exceptions.

2A:151–11. Any person under the age of 18 years who purchases, barters, borrows, acquires or exchanges any firearm, grenade, bomb or other explosive, except a firearm as provided in section 2A:151–33, is guilty of a misdemeanor or an act of juvenile delinquency as may be provided otherwise in the statutes; except that any such person may carry, fire or use any firearm in the actual presence or under the direct supervision of his father, mother, guardian or some other person who is himself a holder of a permit to carry a pistol or revolver or a firearms purchaser identification card, or for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, or for the purpose of competition or target practice in and upon a firing range approved by the governing body or the chief of police of the municipality in which such range is located or the National Rifle

Association and which is under competent supervision at the time of such competition or target practice, and except further that a minor under the age of 18 years who has successfully completed a hunter's safety course taught by a qualified instructor or conservation officer and carries in his possession a certificate indicating the successful completion of such a course and has a valid hunting license in his own name, may carry and use a rifle or shotgun as otherwise provided in this chapter, for the purpose of hunting provided the regularly designated hunting season.

Section amended.

11. Section 2A:151–12 of the New Jersey Statutes is amended to read as follows:

Manufacture or sale of dangerous instruments prohiibted.

2A:151–12. a. Any person who manufactures or causes to be manufactured, or sells or keeps for sale, or offers, gives or disposes of any dangerous instrument of the kinds usually known as a sling shot, slung shot, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, knife as defined in chapter 5 of the laws of 1952 (C. 2A:151–62), stiletto, grenade, bomb, or other explosive, cestus, or similar band studded with metal for fitting on the knuckles, loose wool imbedded with metal filings, razor blades imbedded in wood slivers, to any person, except in accordance with Federal or State law is guilty of a misdemeanor.

b. Any person who manufactures or causes to be manufactured, or sells or keeps for sale, or offers, gives or disposes of any dangerous instrument of the kind usually known as blackjack, billy, handcuffs or iron claws, except to any law enforcement officer as enumerated in section 2A:151–43 and provided they are acting within their official capacity and in the performance of their duty, is guilty of a misdemeanor.

Section repealed.

12. Section 2A:151–13 of the New Jersey Statutes is repealed.

Section amended.

13. Section 2A:151–15 of the New Jersey Statutes is amended to read as follows:

Altering serial number, etc., of firearm; sale.

2A:151–15. Any person who alters, changes, removes, disfigures, obliterates or defaces the name

of the maker, model, manufacturer's or serial number, or other mark of identification of any firearm; and any person who sells, leases or transfers any firearm whose serial number has been altered, changed, disfigured or defaced is guilty of a misdemeanor.

Section amended.

14. Section 2A:151–16 of the New Jersey Statutes is amended to read as follows:

Property rights in firearms; forfeiture.

2A:151–16. No property right exists in firearms unlawfully possessed, carried, acquired or used, and all such firearms are declared to be nuisances and forfeited to the State. When such forfeited firearms are taken from any person, they shall be surrendered to the sheriff of the county in which taken, or to the head of the police department in municipalities, or to the office of the county prosecutor and may be disposed of when they are no longer needed for evidential purposes and after they have been inventoried and their disposition witnessed and recorded by the head of the agency having possession or his representative designated for this purpose. If any such firearms are found to be the property of an innocent owner prior to their disposition, they shall be returned to him if and when no longer needed for evidential purposes.

Section amended.

15. Section 2A:151–18 of the New Jersey Statutes is amended to read as follows:

Antiques and ornaments excepted.

2A:151–18. This chapter does not apply to antique firearms which are incapable of being fired or discharged or which do not fire fixed ammunition, or those manufactured before 1898 for which cartridge ammunition is not commercially available, and are possessed as curiosities or ornaments or for their historical significance or value.

Section amended.

16. Section 2A:151–19 of the New Jersey Statutes is amended to read as follows:

Manufacturers and wholesalers of weapons to be registered.

2A:151–19. No person shall manufacture or sell at wholesale any firearm until he has registered with the superintendent and has furnished him with such particulars as may be prescribed by law and by rules and regulations promulgated by the superintendent for registration. The application for

registration shall be accompanied by a fee of $50.00 and may be renewed annually upon payment of a fee of $25.00.

The superintendent shall prescribe standards and qualifications for registration of manufacturers and wholesalers of firearms, for the protection of the public safety, health and welfare. If the superintendent is satisfied that an applicant for registration cannot be permitted to carry on business as a manufacturer or wholesale dealer in firearms without danger to the public health, safety or welfare, he may refuse to register the applicant.

The superintendent shall furnish a certificate of registration to every person registered under this section.

Section amended.

17. Section 2A:151–22 of the New Jersey Statutes is amended to read as follows:

Manufacturer and wholesale dealer to keep record of sales.

2A:151–22. Every manufacturer and wholesale dealer shall keep a detailed record of each firearm enumerated in section 2A:151–19 sold by him. The record shall include the date of sale, the name and address of purchaser, description of each firearm and the serial number thereof. The information contained in the record shall be available at all reasonable hours for inspection by any law enforcement officer as enumerated in section 2A:151–24 of this chapter.

Section amended.

18. Section 2A:151–24 of the New Jersey Statutes is amended to read as follows:

Licenses for retail dealers; by whom granted; conditions license granted.

2A:151–24. No retail dealer shall sell or expose for sale, or possess with intent to sell, any firearm, except that a retail dealer may be licensed to sell firearms as hereinafter provided.

The superintendent shall prescribe standards and qualifications for retail dealers of firearms for the protection of the public safety, health and welfare.

A judge of the County Court of the county wherein the retail dealer has his place of business shall grant licenses in form prescribed by the superintendent, to applicants who meet such standards and qualifications, effective for not more than 1 year from the date of issue, permitting the li-

censee to sell firearms at retail within a specified municipality, provided that the application shall be accompanied by a fee of $10.00 payable to the superintendent and may be renewed annually upon payment of a fee of $5.00.

No license shall be granted to any person under the age of 21 years or to any person who could not qualify to obtain a permit to purchase a pistol or revolver or firearms purchaser identification card under section 2A:151–33 of this chapter, or to any corporation, partnership or other business organization in which a controlling or dominating interest is held or possessed by such a person or persons.

Licenses shall be granted subject to the following conditions, for breach of any of which the license shall be subject to revocation on application of any law enforcement officer and after hearing by the issuing court.

a. The business shall be carried on only in the building or buildings designated in the license, provided that repairs may be made by the dealer or his employees outside of such premises;

b. The license or a copy certified by the issuing authority shall be displayed in a conspicuous place on the premises in which the business is conducted where it can be easily read;

c. No firearm or imitation thereof shall be placed in any window or in any part of the premises where it can readily be seen from the outside;

d. No pistol or revolver shall be delivered to any person:

1. Unless the person has obtained a permit to purchase under the provisions of sections 2A:151–32 through 2A:151–39;

2. Until 7 days have elapsed after the date of the application for the permit;

3. Unless the person either is personally known to the seller or presents evidence of his identity;

4. Unless the pistol or revolver is unloaded and securely wrapped;

e. A true record of every pistol or revolver sold, given or otherwise delivered or disposed of shall be kept by the retail dealer in accordance with the provisions of section 2A:151–25 to 2A:151–29 of this Title.

f. No rifle or shotgun shall be delivered to any person;

1. Unless the person has obtained a firearms purchaser identification card under the provisions of this chapter;

2. Unless the person has exhibited his firearms purchaser identification card and furnished the seller, on a form prescribed by the superintendent, a certification signed by him which shall contain among other things the name, permanent home address and firearms purchaser identification card number of said person. The certification shall be retained by the dealer and shall for law enforcement purposes be made available for inspection by regular police officers of an organized police department of the county in which the retail business is located, county prosecutors and members of their staffs authorized by them, and members of the State Police.

Section amended.

19. Section 2A:151–25 of the New Jersey Statutes is amended to read as follows:

Record of sales to be kept; inspection of register.

2A:151–25. Every person engaged in the retail business of selling, leasing or otherwise transferring a pistol, or revolver, whether such seller, lessor or transferor is a retail dealer or otherwise, shall keep a register in which shall be entered the time of the sale, lease or other transfer, the date thereof, the name, age, date of birth, complexion, occupation, residence and a physical description including distinguishing physical characteristics, if any, of the purchaser, lessee or transferee, the name and permanent home address of the person making the sale, lease or transfer, the place of the transaction, and the make, model, manufacturers' number, caliber or other marks of identification on such pistol or revolver and such other information as the superintendent shall deem necessary for the proper en-

forcement of this chapter. The register shall be retained by the dealer and shall be made available at all reasonable hours for the inspection of any law enforcement officer as enumerated in section 2A:151–24 of this chapter.

Section amended.

20. Section 2A:151–26 of the New Jersey Statutes is amended to read as follows:

Preparation and furnishing of register.

2A:151–26. The superintendent shall prepare the form of the register as described in 2A:151–25 and furnish the same in triplicate to each person licensed to be engaged in the business of selling, leasing or otherwise transferring firearms.

Section amended.

21. Section 2A:151–27 of the New Jersey Statutes is amended to read as follows:

Signatures on register.

2A:151–27. The purchaser, lessee or transferee of any pistol or revolver shall sign, and the dealer shall require him to sign his name to the register, in triplicate, and the person making the sale, lease or transfer shall affix his name, in triplicate, as a witness to the signature. The signatures shall constitute a representation of the accuracy of the information contained in the register.

Section amended.

22. Section 2A:151–28 of the New Jersey Statutes is amended to read as follows:

Copies delivered to chief of police and superintendent.

2A:151–28. Within 5 days of the date of the sale, assignment or transfer, the dealer shall deliver or mail by certified mail, return receipt requested to the office of the chief of police of the municipality in which the purchaser resides, or to the office of the captain of the precinct of the municipality in which the purchaser resides, and to the superintendent, legible copies of the entries in the register on the duplicate copies of the register forms. If hand delivered a receipt shall be given to the dealer therefor.

Where a sale, assignment or transfer is made to a purchaser who resides in a municipality having no chief of police, the dealer shall, within 5 days of the transaction, mail a duplicate copy of the register sheet to the clerk of the county within which the purchaser resides.

Section repealed.

23. Section 2A:151–29 of the New Jersey Statutes is repealed.

Section repealed.

24. Section 2A:151–30 of the New Jersey Statutes is repealed.

Section amended.

25. Section 2A:151–32 of the New Jersey Statutes is amended to read as follows:

Purchaser must have permit.

2A:151–32. A. No person shall sell, give, transfer, assign or otherwise dispose of, nor receive, purchase or otherwise acquire a pistol or revolver unless the purchaser, assignee, donee, receiver or holder is licensed as a dealer under this chapter or has first secured a permit to purchase a pistol or revolver as provided by this article.

B. No person shall sell, give, transfer, assign or otherwise dispose of nor receive, purchase or otherwise acquire a rifle or shotgun unless the purchaser, assignee, donee, receiver or holder is licensed as a dealer under this chapter or possesses a valid firearms purchaser identification card, and first, exhibits said card to the seller, donor, transferor or assignor, and unless the purchaser, assignee, donee, receiver or holder signs a written certification, on a form prescribed by the superintendent, which shall indicate that he presently complies with the requirements of section 2A:151–33, and shall contain his name, address and firearms purchaser identification card number or dealer's registration number, and which shall be retained by the seller as provided in section 2A:151–24, provided that a person who is not a dealer may file the certification with the chief of police of the municipality in which he resides or with the superintendent.

C. Notwithstanding any other provision of this section concerning the transfer, receipt or acquisition of a firearm, a permit to purchase or a firearms purchaser identification card shall not be required for the passing of a firearm upon the death of an owner thereof to his heir or legatee whether the same be by testamentary bequest or by the laws of intestacy except that the person who shall so receive or acquire said firearm shall be subject to all other provisions of this chapter; provided fur-

ther that if the heir or legatee of such firearm does not qualify to possess or carry same under this act, the firearm may be possessed by him for the purpose of sale for a period not exceeding 180 days, or for such further limited period as may be approved by the chief law enforcement officer of the municipality in which the heir or legatee resides or the superintendent.

Section amended.

26. Section 2A:151–33 of the New Jersey Statutes is amended to read as follows:

Permit to purchase; who may obtain.

2A:151–33. No person of good character and who is of good repute in the community in which he lives, and who is not subject to any of the disabilities set forth in this section or other sections of this chapter, shall be denied a permit to purchase a pistol or revolver or a firearms purchaser identification card, except as hereinafter set forth:

a. No pistol or revolver purchase permit or firearms purchaser identification card shall be issued to any person who has ever been convicted of any crime, to any person addicted to narcotics, or who is a habitual user of goofballs or pep pills, to any person who is confined for a mental disorder to a hospital, mental institution or sanitarium, or to any person who is presently a habitual drunkard; or

b. To any person who suffers from a physical defect or sickness which would make it unsafe for him to handle firearms, to any person who has ever been confined for a mental disorder, or to any alcoholic, unless any of the foregoing persons produce a certificate of a medical doctor or psychiatrist licensed in New Jersey, or other satisfactory proof, that he is no longer suffering from that particular disability in such a manner that would interfere with or handicap him in handling of firearms; or

c. To any person under the age of 18 years; or

d. To any person where the issuance would not be in the interest of the public health, safety or welfare.

Section amended.

27. Section 2A:151–34 of the New Jersey Statutes is amended to read as follows:

Permit to purchase; by whom granted.

2A:151–34. The chief of police of an organized full-time police department of the municipality where the applicant resides or the superintendent in all other cases shall, upon application, issue to any person qualified under the provisions of section 2A:151–33, a permit to purchase a pistol or revolver or a firearms purchaser identification card.

Any person aggrieved by the denial of a permit or identification card may request a hearing in the County Court of the county in which he resides if he is a resident of New Jersey or in the County Court of the county in which his application was filed if he is a nonresident. The request for a hearing shall be made in writing within 30 days of the denial of the application for a permit or identification card. The applicant shall serve a copy of his request for a hearing upon the chief of police of the municipality in which he resides if he is a resident of New Jersey and upon the superintendent in all cases. The hearing shall be held and a record made thereof within 30 days of the receipt of the application for such hearing by the judge of the County Court. No formal pleading and no filing fee shall be required as a preliminary to such hearing. Appeals from the results of such hearing shall be in accordance with law.

Section amended.

28. Section 2A:151–35 of the New Jersey Statutes is hereby amended to read as follows:

Application for permit; contents; blanks obtainable.

2A:151–35. Applications for permits to purchase a pistol or revolver and for firearms purchaser identification cards shall be in the form prescribed by the superintendent and shall set forth the name, residence, place of business, age, date of birth, occupation, sex and physical description including distinguishing physical characteristics, if any, of the applicant, and shall state whether the applicant is a citizen, whether he is an alcoholic, habitual drunkard, addicted to narcotic drugs or is a habitual user of goofballs or pep pills, whether he has ever been confined or committed to a mental institution or hospital for treatment or observation of a mental or psychiatric condition on a temporary, interim or

permanent basis, giving the name and location of the institution or hospital and the dates of such confinement or commitment, whether he has been attended, treated or observed by any doctor or psychiatrist or at any hospital or mental institution on an inpatient or outpatient basis for any mental or psychiatric condition giving the name and location of the doctor, psychiatrist, hospital or institution and the dates of such occurrence, whether he presently or ever has been a member of any organization, which advocates or approves the commission of acts of force and violence either to overthrow the Government of the United States or of this State, or which seeks to deny others their rights under the Constitutions of either the United States or the State of New Jersey, whether he has ever been convicted of a crime, or disorderly persons offense, and such other information as the superintendent shall deem necessary for the proper enforcement of this chapter. The application shall be signed by the applicant and shall contain as reference the names and addresses of 2 reputable citizens personally acquainted with him.

Application blanks shall be obtainable from the superintendent and from any other officer authorized to grant such permit or identification card, and may be obtained from licensed retail dealers.

The chief police officer or the superintendent shall obtain the fingerprints of the applicant and shall have them compared with any and all records of fingerprints in the municipality and county in which the applicant resides and also the records of the State Bureau of Identification and the Federal Bureau of Investigation, provided that an applicant for a pistol or revolver purchase permit who possesses a valid firearms purchaser identification card, or who has previously obtained a pistol or revolver purchase permit from the same licensing authority for which he was previously fingerprinted, and who provides other reasonably satisfactory proof of his identity, need not be fingerprinted again; however, the chief police officer or

the superintendent shall proceed to investigate the application to determine whether or not the applicant has become subject to any of the disabilities set forth in this chapter.

Section amended.

29. Section 2A:151–36 of the New Jersey Statutes is amended to read as follows:

Granting of permit fee.

2A:151–36. The application for the permit to purchase a pistol or revolver, or for the firearms purchase identification card, together with a fee of $2.00 shall be delivered or forwarded to the licensing authority who shall investigate the same and, unless good cause for the denial thereof appears, shall grant the permit, or the identification card, or both, if application has been made therefor, within 10 days from the date of receipt of the application for residents of this State and within 15 days for nonresident applicants. A permit to purchase a pistol or revolver shall be valid for a period of 90 days from the date of issuance and may be renewed by the issuing authority for good cause for an additional 90 days. A firearms purchaser identification card shall be valid permanently or until such time as the holder becomes subject to any of the disabilities set forth in section 2A:151–33, whereupon the card shall be void and shall be returned within 5 days by the holder to the superintendent, who shall then advise the licensing authority. Failure of the holder to return the firearms purchaser identification card to the superintendent within the said 5 days shall be a misdemeanor. Any firearms purchaser identification card may be revoked by the judge of the County Court of the county wherein the card was issued, after hearing upon notice, and upon a finding that the holder thereof no longer qualifies for the issuance of such permit. The county prosecutor of any county, the chief police officer of any municipality or any citizen may apply to such judge at any time for the revocation of such card.

There shall be no further conditions or requirements added to the form or content of the application, or required by the licensing authority for the

issuance of a permit or identification card, other than those that are specifically set forth in this chapter.

Section amended.

30. Section 2A:151–38 of the New Jersey Statutes is amended to read as follows:

Form of permit; quadruplicate; disposition of copies.

2A:151–38. The permit shall be in the form prescribed by the superintendent and shall be issued to the applicant in quadruplicate. Prior to the time he receives the pistol or revolver from the seller, the applicant shall deliver to the seller the permit in quadruplicate and the seller shall complete all of the information required on the form. Within 5 days of the date of the sale, the seller shall forward the original copy to the superintendent and the second copy to the chief of police of the municipality in which the purchaser resides, except that in a municipality having no chief of police, such copy shall be forwarded to the clerk of the county wherein the municipality is located. The third copy shall then be returned to the purchaser with the pistor or revolver and the fourth copy shall be kept by the seller as a permanent record.

Section amended.

31. Section 2A:151–39 of the New Jersey Statutes is amended to read as follows:

One pistol for each permit.

2A:151–39. A person shall not be restricted as to the number of pistols or revolvers he may purchase, if he applies for and obtains permits to purchase the same, but only one pistol or revolver shall be purchased or delivered on each permit, except that a person shall not be restricted as to the number of rifles or shotguns he may purchase provided he possesses a valid firearms purchaser identification card and provided further that he signs the certification required in section 2A:151–32B for each transaction.

Section amended.

32. Section 2A:151–41 of the New Jersey Statutes is amended to read as follows:

Carrying weapons; penalty; license to carry.

2A:151–41. Except as hereinafter provided, any person who carries, holds or possesses in any automobile, carriage, motor cycle or other vehicle, or on or about his clothes or person, or otherwise in his possession, or in his possession or under his control in any public place or public area:

a. A pistol or revolver without first having obtained a permit to carry the same in accordance with the provisions of this chapter; or

b. A rifle or shotgun without first having obtained a firearms purchaser identification card in accordance with the provisions of this chapter; or

c. Any dangerous instrument of the kinds known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, cestus or similar leather band studded with metal for fitting on the knuckles, loose wool impregnated with metal filings, or razor blades imbedded in wood slivers, dagger, dirk, dangerous knife or knife as defined in chapter 5 of the laws of 1952 (C. 2A:151–62), stiletto, grenade, bomb or other explosive, other than fixed ammunition, except as such person may be licensed to carry, hold or possess explosives under the provisions of Title 21 of the Revised Statutes and amendments thereto, is guilty of a misdemeanor.

Section amended.

33. Section 2A:151–42 of the New Jersey Statutes is amended to read as follows:

Carrying weapons about one's premises or for purposes of hunting and target practice.

2A:151–42. Nothing contained in section 2A:151–41 shall be construed:

a. to prevent a person from keeping or carrying about his place of business, dwelling house, premises, or on land possessed by him, any firearm or from carrying the same from any place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from any place where repairing is done, to have the same repaired; nor

b. to prevent any person from carrying a firearm or knife in the woods or fields or upon the waters of this State for the purpose of hunting, target practice, or fishing; nor

c. to prevent any person from transporting any firearm while traveling directly to or from any place for the purpose of hunting provided such person has in his possession a valid hunting license or while traveling directly to or from any target range or other authorized place for the purpose of practice, match, target, trap or skeet shooting

or shooting exhibitions, provided in all cases that during the course of traveling for the purposes set forth in this section, the firearm is unloaded and contained in a closed and fastened case, gunbox, securely tied package, or locked in the trunk of the automobile in which the person is transporting the firearm, and provided further that the course of travel to or from said areas may include such deviations as may be reasonable or necessary under the circumstances; and provided further that nothing contained in this chapter shall be considered as an exemption or exception from the requirements or provisions of Title 23 of the Revised Statutes and amendments thereto or any rules and regulations promulgated thereunder.

Section amended.

34. Section 2A:151–43 of the New Jersey Statutes is amended to read as follows:

Exceptions from provisions of section 2A:151-41.

2A:151–43. Section 2A:151–41 of this Title does not apply to:

a. The United States Marshal or his deputies;

b. Members of the Armed Forces of the United States or of the National Guard when on duty;

c. Any sheriff, undersheriff, county prosecutor, assistant prosecutor or prosecutor's detective;

d. The regularly employed members, including detectives, of the police department of any county or municipality or of any State, interstate, municipal or county park police force or of any county boulevard police force at all times, while within the State of New Jersey, or any special policeman appointed by the governing body of any county or municipality or by the commission or other board or body having control of any county park police force or any county boulevard police force while engaged in the actual performance of his official duties and when specifically authorized by the governing body to carry firearms;

e. Any member of the State Police, or any motor vehicle inspector;

f. Any jailer, constable, railway police, or any other peace officer, when in discharge of his duties;

g. The members of the Fish and Game Council, or conservation officers, or full-time employees of the Division of Shell Fisheries having the power of arrest and authorized to carry weapons;

h. Any person or jail wardens or their deputies, or any guard or keeper of any penal institution in this State, while engaged in the actual performance of the duties of their positions and when so required by their superior officers to carry firearms;

i. Any court attendant serving as such under appointment by the sheriff of the county or by the judge of or magistrate of any court of this State while in the performance of his duties;

j. (Deleted by amendment.)

k. Any guard in the employ of any railway express company, banking or building and loan or savings and loan institution of this State while in the performance of his duties;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any legally recognized military organization when under orders, or any member thereof when going to or from the place of meeting of the organization, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting as set forth in section 2A:151–42;

o. Members of government or civilian rifle or pistol clubs duly organized in accordance with the rules prescribed by the National Board for the Promotion of Rifle Practice, in going to or from their several places of target practice and carrying weapons necessary for such practice; provided further that a copy of the charter is filed with the superintendent and a list of the members of the club is submitted annually to the superintendent;

p. The director, deputy directors, inspectors and investigators of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety;

q. Employees of public utility corporations actually engaged in the transportation of explosives;

r. Any civil employee of the United States Government under the supervision of the commanding officer of any post, camp, station, base or other military or naval installation located within this State who is required, in the performance of his official duties, to carry firearms, and who is authorized to carry such firearms by said commanding officer, while such civil employee is engaged in the actual performance of his official duties; or

s. Law enforcement officers employed by governmental agencies outside of the State of New Jersey who are engaged in their official duties provided that they have first notified the chief law enforcement officer of the municipality or the county prosecutor of the county in which they are engaged or the superintendent.

35. Section 2A:151–44 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:151–44. Any person desiring to obtain a permit to carry a pistol or revolver shall in the first instance make application therefor either to the chief police officer of the municipality in which the applicant resides or to the superintendent if there is no chief police officer in the municipality where the applicant resides. No permit shall be issued to any person who suffers from any disability which would preclude his obtaining a permit to purchase a pistol or revolver as provided in section 2A:151–33 and provided that he produces proof of his familiarity with the handling and use of firearms and of the need therefor. Permit to carry firearms; application; investigation of fingerprints; fee.

On all such applications the chief police officer or the superintendent, as the case may be, shall have the fingerprints of the applicant taken and compared with any and all records of fingerprints in the municipality and county in which the applicant is a resident and also the records of the State Bureau of Identification and the Federal Bureau of Investigation. He may also require reasonable proof that the applicant is of sufficient maturity and

possesses sufficient skill and knowledge in the handling of firearms. On applications for a permit to carry a pistol or revolver he shall also inquire into and determine the name and address of the manufacturer of the weapon, any and all manufacturer's identification numbers, letters and marks, and a complete description of the kind and type of revolver or pistol which the applicant intends to carry.

If such application is approved by the chief police officer or by the superintendent, as the case may be, the applicant shall then present the same to a judge of the County Court of the county in which the applicant resides. Upon being satisfied of the sufficiency of the application and that the applicant has never been convicted of a crime, is a person of good character, and is not subject to any of the disabilities set forth in section 2A:151–33, and of the need of the applicant to carry a pistol or revolver, the judge shall issue a permit therefor.

Each applicant for a permit shall at the time of granting the same pay to the clerk of the county in which he resides and in which the application is made, a license fee of $3.00.

One permit shall be sufficient for such revolvers, pistols or other firearms as the applicant may possess.

Failure of the issuing authority to deny the application or issue a permit within 60 days shall be deemed to be approval thereof, unless the applicant waives the time period herein provided or agrees to an extension thereof in writing.

36. Any person aggrieved by the denial by the chief of police or the superintendent of approval for a permit to carry may request a hearing in the County Court of the county in which he resides if he is a resident of New Jersey or in the County Court of the county in which the application is made if he is a nonresident. The request for a hearing shall be made in writing within 30 days of the denial of the application for a permit. The applicant shall serve a copy of his request for a hear-

ing upon the chief of police of the municipality in which he resides if he is a resident of New Jersey and upon the superintendent in all cases. The hearing shall be held and a record made thereof within 30 days of the receipt of the application for such hearing by the judge of the County Court. No formal pleading and no filing fee shall be required as a preliminary to such hearing. Appeals from the results of such hearing shall be in accordance with law. If the superintendent or police chief approves the application and the County Court denies the application, then the appeal from the denial of such application by the County Court shall be in accordance with law.

37. Applications for permits to carry a pistol or revolver and for any renewals thereof shall be on forms prescribed by the superintendent and shall set forth the name, residence, place of business, age, date of birth, occupation, sex and physical description including distinguishing physical characteristics, if any, of the applicant; and shall state whether the applicant is a citizen; whether he is an alcoholic or addicted to drugs or is an habitual user of goofballs or pep pills; whether he has ever been confined or committed to a mental institution or hospital for treatment or observation of a mental or psychiatric condition on a temporary, interim or permanent basis, giving the name and location of the institution or hospital and the dates of such confinement or commitment; whether he has been attended, treated or observed by any doctor or psychiatrist or at any hospital or mental institution on an inpatient or outpatient basis for any mental or psychiatric condition giving the name and location of the doctor, psychiatrist, hospital or institution and the dates of such occurrence; whether he presently is or ever has been a member of any organization which advocates or approves the commission of acts of force and violence either to overthrow the Government of the United States or of this State, or which seeks to deny others their rights under the Constitutions of either the United

States or the State of New Jersey; and whether he has ever been convicted of a crime or disorderly persons offense and such other information as the superintendent may prescribe for the proper enforcement of this chapter. The application shall be signed by the applicant under oath and shall contain the names, addresses and indorsement of the applicant, as a person of good moral character and behavior, by 3 reputable persons who have been personally acquainted with the applicant for a period of at least 3 years next preceding the date of the application and who shall sign their indorsement on the application. There shall be no further conditions or requirements added to the form or content of the application, or required by the licensing authority for the issuance of a permit than those set forth by the superintendent and those that are specifically set forth in this chapter.

Application blanks shall be obtainable from the superintendent and from the chief police officer of the municipality in which the applicant resides.

Section amended.

38. Section 2A:151–45 of the New Jersey Statutes is amended to read as follows:

Permit to carry firearms; authority; expiration and renewal; revocation.

2A:151–45. A permit issued under section 2A:151–44 of this chapter shall be sufficient authority for the holder thereof to carry a revolver or pistol in all parts of the State. Except as herein otherwise provided, all permits to carry a pistol or revolver issued pursuant to this chapter shall expire on December 31 subsequent to the date of issue, and may thereafter be renewed annually in the same manner and subject to the same provisions by which the original permit was obtained, provided that the permit shall be void at such time as the holder thereof becomes subject to any of the disabilities set forth in section 2A:151–44, in which event the holder thereof shall return the permit to the superintendent who shall then advise the licensing authority. Failure of the holder to return the permit to the superintendent within the said 5 days shall be a misdemeanor. All permits so issued to an employee of an armored car com-

pany rendering armored car service shall continue to be in full force and effect so long as the said employee continues in his employment with the armored car company and renewal of the permit shall not be required, but if the said employee ceases to be in such employment he shall surrender the permit to the authority which issued it.

Any permit may be revoked by a judge of the County Court of the county wherein the permit was issued, after hearing upon notice, and upon a finding that the holder thereof no longer qualifies for the issuance of such permit. The county prosecutor of any county, the chief police officer of any municipality or any citizen may apply to such judge at any time for the revocation of any such permit.

Section amended.

39. Section 2A:151–48 of the New Jersey Statutes is amended to read as follows:

False representations in permit applications or in purchases.

2A:151–48. Any person who gives or causes to be given any false information, or signs a fictitious name or address, in applying for a firearms purchaser identification card or a permit to purchase or a permit to carry a pistol, revolver, or other firearm, or in completing the certificate or any other instrument required by this act in purchasing or otherwise acquiring delivery of any rifle, shotgun, pistol, revolver or other firearm, is guilty of a high misdemeanor.

Section amended.

40. Section 2A:151–49 of the New Jersey Statutes is amended to read as follows:

Machine gun or automatic rifle defined.

2A:151–49. The term "machine gun or automatic rifle," as used in this chapter, means any weapon, mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir, belt or other means of storing and carrying ammunition, which can be loaded into the weapon, mechanism or instrument and fired therefrom.

Section amended.

41. Section 2A:151–53 of the New Jersey Statutes is amended to read as follows:

Record of delivery of license.

2A:151–53. Upon the issuance of the license, the judge shall send or deliver it to the superintendent who shall enter a record of the license and forward

the license to the local police chief of the municipality where the licensee resides. The chief shall, in a book provided for that purpose, enter a record of the license, stating the date of its issuance, and the name and address of the person to whom it was issued. After making such record the chief of police shall deliver the license to such person.

C. 2A:151-57.1. Incendiary ammunition prohibited.

42. No incendiary or tracer type ammunition shall be discharged anywhere in this State except for law enforcement purposes by law enforcement officers in the course of their official duties or by members of legally recognized military organizations during the actual course of their official duties in or upon military establishments or ranges constructed or maintained for such purposes and except that nonincendiary shotgun tracer ammunition may be used on a trap or skeet field for target purposes. Nothing in this chapter shall prohibit the carrying or possession for distress signal purposes of flare type guns aboard boats, or ships in open tidewater or upon aircraft.

C. 2A:151-57.2. Provisions not affected.

43. If any provision of this act, or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or other provisions of the act, which reasonably can be given effect despite the invalidity.

C. 2A:151-57.3. Penalties.

44. All violations of this chapter where no specific penalty is otherwise prescribed shall be considered to be misdemeanors.

Note: Effective date.

45. This act shall take effect 60 days after enactment.

Approved June 6, 1966.

CHAPTER 61

AN ACT to amend the title of "An act concerning the aging among the residents of the State, creating a division of the aging, the New Jersey State Commission on Aging and the New Jersey Citizens Council on Aging and prescribing the powers and duties of the said division, commission and council," approved June 6, 1957 (P. L. 1957, c. 72), so that the same shall read "An act concerning the aging among the residents of the State and creating a division on aging and prescribing the powers and duties of the said division," and to amend and supplement the body of said act and repealing certain sections thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title amended.

1. The title of "An act concerning the aging among the residents of the State, creating a division of the aging, the New Jersey State Commission on Aging and the New Jersey Citizens Council on Aging and prescribing the powers and duties of the said division, commission and council," approved June 6, 1957 is amended to read "An act concerning the aging among the residents of the State and creating a division on aging and prescribing the powers and duties of the said division."

C. 26:1A-107. Division on aging; establishment; composition.

2. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. There is hereby established in the Department of State, a division on aging, consisting of a director and the New Jersey State Commission on Aging.

Section amended.

3. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 26:1A-108. Creation; composition.

2. There is hereby created the New Jersey State Commission on Aging, consisting of 9 members.

Section amended.

4. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 26:1A-109. Members; director; appointment; terms; vacancies.

3. The members of the Commission on Aging and the director shall be appointed by the Governor, with the advice and consent of the Senate. The members of the commission shall be selected from among the citizens of the State who have demonstrated interest in the problems of aging. There shall be 2 legislative ex-officio members of the commission, one appointed by the President of the Senate and one appointed by the Speaker of the General Assembly. The legislative ex-officio members shall be appointed for their term of office. The director shall be an ex-officio member of the advisory commission and shall serve as its chairman.

Three members of the commission shall be appointed for 1 year, 3 for 2 years and 3 for 3 years, and their successors shall be appointed for terms of 3 years. All members may holdover and serve on the commission after the expiration of their respective terms, until their respective successors are appointed and shall qualify. Vacancies occurring other than by expiration of term shall be filled for the unexpired term.

Section amended.

5. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 26:1A-110. Compensation of members; expenses.

4. The members of the Commission on Aging shall serve without compensation, but the members of the commission shall be entitled to reimbursement for their necessary expenses incurred in the performance of their duties as such members.

Section amended.

6. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 26:1A-111. Director; compensation; term.

5. The director shall be deemed to be a full-time State official and he shall be paid such compensation as shall be provided by law. The director shall serve during the term of office of the Governor but he shall continue in office after the expiration of his term until his successor shall be appointed and shall qualify; provided, however, that the director in office on the effective date of this act shall complete the term to which he was appointed.

7. Section 7 of the act of which this act is amendatory is amended to read as follows:

Section amended.

7. The division shall:

C. 26:1A-113. Powers and duties of division.

(1) Maintain a continuous study, analysis and interpretation of all information, data, programs and developments pertaining to the aging processes and the needs of the older residents of New Jersey;

(2) Maintain a continuous inventory of resources in any way available which can be drawn upon to carry out the program of the division in the performance of its functions and duties;

(3) Serve as the central permanent agency for the planning and coordination of programs and services for the older residents in the State, particularly in respect to those which multiple governmental agencies or private organizations may contribute;

(4) Provide leadership and administrative direction to such efforts from one central source so that those who need help or who may provide help on any of the aspects of aging shall have a central point of contact;

(5) Serve as a communications clearing house for information in the large and complex fields of human relationships in respect to aging;

(6) Disseminate and publicize organized information of value to the public generally and to all groups concerned in any way with the diverse subject of aging;

(7) Consult with, advise and otherwise provide professional assistance to organized efforts by communities, organizations, associations and groups who are working toward any and all forms of assistance to the aging;

(8) Hold public hearings when necessary to further the objectives consonant with the provisions of this act;

(9) Co-operate and consult with such other departments of State or Federal Government to the extent necessary to attain the objectives of this act.

Section amended.

8. Section 8 of the act of which this act is amendatory is amended to read as follows:

C. 26:1A-114. Staff; qualifications; services.

8. The staff of the division should be qualified to provide consultative and advisory assistance to other State agencies and to local agencies or organizations which are developing or improving their particular services to the aging. In addition to the director and necessary clerical personnel, the staff should include such professionally trained persons as shall be necessary to carry out the purposes of this act.

C. 26:1A-113.1. Commission duties.

9. The commission shall:

(1) Furnish consultation and advice to the Division on Aging on programs designed to carry out the division's mandate.

(2) Provide leadership in the field of aging.

(3) Make recommendations to the Governor and Legislature regarding new legislation needed in areas related to aging.

(4) Maintain liaison with other commissions and groups whose activities relate to the broad field of aging.

C. 26:1A-115.1. Agreements with Federal Government.

10. The Secretary of State, subject to the approval of the Governor, is authorized, on behalf of the State of New Jersey, to enter into agreements with the Federal Government or any agency thereof, under which the Division on Aging (1) will provide or otherwise secure the adoption of such programs consonant with the objectives of this act and (2) will receive reimbursement from the United States for any such costs incurred, expenses paid or allowances and benefits paid in connection with said programs in accordance with said agreement and the laws of this State or of the United States.

Repealers.

11. Sections 10, 11, 12, 13 and 14 of the act to which this act is amendatory and supplementary are hereby repealed.

12. This act shall take effect immediately.

Approved June 6, 1966.

CHAPTER 62

AN ACT concerning boards of chosen freeholders in certain counties and supplementing chapter 20 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:20-35.1. Boards of freeholders; members.

1. The board of chosen freeholders in all counties governed by article 3, chapter 20 of Title 40 of the Revised Statutes as of January 1, 1966, shall consist of 7 members to be elected by the voters of the county at the general election next following the effective date of this act. At the said election there shall be elected 2 members for 1 year, 2 members for 2 years and 3 members for 3 years and the ballots shall designate which members are to serve for the terms of 1, 2 and 3 years respectively. At succeeding elections, all members shall be elected for a term of 3 years.

C. 40:20-35.2. Election; organization.

2. (a) Each board of chosen freeholders constituted and elected under the provisions of section 1 of this act, shall organize at the first annual stated meeting of the board next after the election of the members thereof, and at the annual stated meeting in each year thereafter.

(b) Except as otherwise provided in this act, each such board of chosen freeholders shall be subject to and governed by the provisions of article 2, chapter 20 of Title 40 of the Revised Statutes.

C. 40:20-35.3. Term of office.

3. (a) All members of existing boards of chosen freeholders in counties subject to the provisions of this act shall hold office until 12 o'clock noon of the day of the first annual stated meeting of the newly constituted board next after the election of the members thereof at which time the terms of office of such existing members shall expire and they shall be discharged from office.

(b) No elections to existing boards of chosen freeholders in counties subject to the provisions

of this act shall be held after the effective date of this act unless such elections are necessary to insure a quorum of members for the board in which case all existing vacancies may be filled in accordance with the provisions of article 3, chapter 20 of Title 40 of the Revised Statutes for the term specified in subsection (a) hereof.

C. 40:20-35.4. Salary.

4. Each member of a board of chosen freeholders in counties subject to the provisions of this act shall receive an annual salary of not less than $4,000.00 nor more than $6,000.00, and the director shall receive, in addition to his salary as a member, a sum not exceeding $500.00 per annum. Such salaries, including any additional compensation to directors, shall be in lieu of all fees or other compensation, excepting additional compensation for premiums on group insurance authorized under P. L. 1960, chapter 180, and shall be paid in equal monthly installments by the county treasurer. The salaries to be paid to the members of each board, including any additional compensation to the director, shall, within the limits prescribed in this section, be fixed by the respective boards referred to herein by resolution.

5. This act shall take effect immediately.

Approved June 6, 1966.

CHAPTER 63

AN ACT relating to the transfer and civil service status of certain employees of the New Jersey Agricultural Experiment Station.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 4:1-43.1. Transfer and curb service status; Department of Agriculture.

1. Upon the establishment July 1, 1966 in the Department of Agriculture of the offices of State Chemist and State Seed Analyst, in accordance with P. L. 1965, chapter 80, all positions or employ-

ments theretofore held with the chemist of the New Jersey Agricultural Experiment Station in the exercise of the functions, powers and duties prescribed by chapters 4 and 9 of Title 4 of the Revised Statutes and chapter 316 of the laws of 1951 and with the seed analyst of said experiment station in the exercise of the functions, powers and duties prescribed by chapters 125 of the laws of 1961 and 29 of the laws of 1963, which can be allocated to the classified service, in accordance with the provisions of Title 11 of the Revised Statutes, shall be so allocated under appropriate titles, by the Civil Service Commission; and all persons regularly employed by said chemist and seed analyst prior to July 1, 1966, who consent to their transfer to the Department of Agriculture in implementation of P. L. 1965, chapter 80, shall be recorded, without examination, as having been permanently appointed thereto as of the dates of their respective original appointments by said chemist or seed analyst, under said titles, and shall thereafter hold the same under and subject to the provisions of Title 11 of the Revised Statutes relating to the classified service.

2. This act shall take effect immediately.

Approved June 6, 1966.

CHAPTER 64

AN ACT to amend "An act for the uniform control and licensing of dogs and kennels to aid in preventing the spread of rabies, and repealing sections 4:19–10, 4:19–11, 4:19–12, 4:19–13, 4:19–14, 4:19–15, 40:52–5 and 40:52–6 of the Revised Statutes," approved May 24, 1941 (P. L. 1941, c. 151).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 4:19-15.3. Fees; renewals; expiration of licenses; "Seeing eye" dogs; acceptance by all municipalities of license.

3. The persons applying for the license and registration tag shall pay the fee fixed or authorized to be fixed in section 12 of this act, and the sum of $0.50 for the registration tag of each dog; and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag; and said licenses, registration tags and renewals thereof shall expire on January 31 in each year.

Only one license and registration tag shall be required in any licensing year for any dog owned in New Jersey and such license and tag shall be accepted by all municipalities as evidence of compliance with this section.

Dogs used as guides for blind persons and commonly known as "seeing-eye" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

License forms and uniform official metal registration tags designed by the State Department of Health shall be furnished by the municipality and shall be numbered serially and shall bear the year of issuance and the name of the municipality.

Section amended.

2. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 4:19-15.11. Disposition of fees collected.

11. License fees and other moneys collected or received under the provisions of sections 3, 8, 9 and 16 of this act, except registration tag fees, shall be forwarded to the treasurer of the municipality within 30 days after collection or receipt and shall be placed in a special account separate from any of the other accounts of the municipality and shall be used for the following purposes only; for collecting, keeping and disposing of dogs liable to seizure under this act or under local dog-control ordinances; for local prevention and control of rabies; for providing antirabic treatment under the direc-

tion of the local board of health for any person known or suspected to have been exposed to rabies, for payment of damage to or losses of poultry and domestic animals, except dogs and cats, caused by a dog or dogs and for administering the provisions of this act. Any unexpended balance remaining in such special account shall be retained therein until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of the said third fiscal year following, and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the municipality any amount then in such account which is in excess of the total amount paid into said special account during the last 2 fiscal years next preceding.

The registration tag fee of $0.50 for each dog shall be forwarded within 30 days after collection by the clerk or other official designated to license dogs to the State Department of Health which department shall forward said sum to the State Treasurer who shall place all such moneys in a special account for use only by the State Department of Health in administering this act and for the prevention and control of rabies throughout the State, and such account is hereby declared to be a trust fund not subject to legislative appropriation. At the end of the third fiscal year following the adoption of this act and at the end of each fiscal year thereafter, there shall be withdrawn from this trust fund and transferred to the general funds of the State any amount then in such fund which is in excess of the total amount paid into such fund during the last 2 fiscal years next preceding.

3. Section 12 of the act of which this act is amendatory is amended to read as follows: Section amended.

12. The governing body of each municipality may, by ordinance, fix the sum to be paid annually for a dog license and each renewal thereof, as required by section 3 of this act, which sum shall be not less than $1.50 nor more than $3.50. In the C. 4:19-15.12. Fees fixed by ordinance.

absence of such a local ordinance, the license fee shall be $1.50.

Note: Effective date.

4. This act shall take effect January 1, 1967.

Approved June 6, 1966.

CHAPTER 65

AN ACT concerning workmen's compensation and amending section 34:15–94 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 34:15–94 of the Revised Statutes is amended to read as follows:

Payments to Commr. Labor and Industry; amount of fund; payment to State Treasurer.

34:15–94. Each mutual association or stock company writing compensation or employer's liability insurance in this State, and each self-insurer, shall pay to the Commissioner of Labor and Industry a sum equal to 2% of the total compensation paid out by such mutual association, stock company or self-insurer during the calendar year next preceding the due date of such payment, payable 1% on or before March 1 in each year and 1% on or before September 1 in each year. Such sum shall be paid by the Commissioner of Labor and Industry to the State Treasurer.

When the total amount of all such payments into the fund, together with the accumulated interest thereon, exceeds $1,250,000.00, an amount not to exceed $50,000.00 of such excess over $1,250,000.00 in any 1 fiscal year, may be applied toward the cost of administration of the Division of Workmen's Compensation in the Department of Labor and Industry when authorzied and appropriated by the Legislature.

When the total amount of all such payments into the fund, together with the accumulated interest thereon, equals or exceeds $1,500,000.00, no further

contributions to said fund shall be required to be made; but whenever, thereafter, the amount of such sum shall be reduced below $1,500,000.00 by reason of payments out of such funds pursuant to this section and section 34:15–95 of this Title, and the provisions of chapter 364 of the laws of 1947, as amended by chapter 342 of the laws of 1950, then such contributions to such fund shall be resumed in conformity with the provisions of this section and shall continue annually thereafter until such sum shall again amount to $1,500,000.00, together with accumulated interest thereon.

2. This act shall take effect immediately.

Approved June 6, 1966.

CHAPTER 66

AN ACT to amend and supplement the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37) and repealing section 68 thereof, P. L. 1956, chapter 218, P. L. 1960, chapter 123, P. L. 1962, chapter 108 and P. L. 1964, chapter 190.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 17 of chapter 37 of the laws of 1955 is amended to read as follows: Section amended.

17. The expenses of administration of the retirement system shall be paid by the State of New Jersey. Each employing school district shall reimburse the State for a proportionate share of the amount paid by the State for administrative expense. This proportion shall be computed as the number of members under the jurisdiction of such employing school district bears to the total number C. 18:13-112.19. State pays expenses.

of members in the system. The pro rata share of the cost of the administrative expense shall be included with the certification by the board of trustees to the Commissioner of Education, the State Treasurer and to each employing school district. The Commissioner of Education shall deduct the amount so certified from the certification, to the State Treasurer and the Director of the Division of Budget and Accounting, of State aid payable to such employing school district under the provisions of chapter 85, P. L. 1954.

Section amended.

2. Section 39 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.41. Disability retirement.

39. a. A member, under 60 years of age, who has 10 or more years of credit for New Jersey service, shall, upon the application of his employer or upon his own application or the application of one acting in his behalf, be retired for ordinary disability by the board of trustees. The physician or physicians designated by the board shall have first made a medical examination of him at his residence or at any other place mutually agreed upon and shall have certified to the board that the member is physically or mentally incapacitated for the performance of duty and should be retired.

The service requirement provisions of subsection a of this section as altered by this amendatory and supplementary act shall not become effective for 5 years following the effective date of the act.

b. A member, under 65 years of age, shall, upon the application of his employer or upon his own application or the application of one acting in his behalf, be retired by the board of trustees, if said member is permanently and totally disabled as a direct result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties, on an accidental disability allowance.

The application to accomplish such retirement must be filed within 5 years of the original traumatic event, but the board of trustees may consider an application filed after the 5-year period if it

can be factually demonstrated to the satisfaction of the board of trustees that the disability is due to the accident and the filing was not accomplished within the 5-year period due to a delayed manifestation of the disability or to circumstances beyond the control of the member.

Permanent and total disability resulting from a cardiovascular, pulmonary or musculo-skeletal condition which was not a direct result of a traumatic event occurring in the performance of duty shall be deemed an ordinary disability.

Before consideration of an application for accidental disability allowance by the board of trustees, the physician or physicians designated by the board shall have first made a medical examination of the member at his residence or at any other place mutually agreed upon and shall have certified to the board that he is physically or mentally incapacitated for the performance of duty, and should be retired, and the employer shall have certified to the board that the member is permanently and totally disabled as a direct result of a traumatic event occurring during and as a result of the performance of his regular and assigned duties, the time and place where the duty causing the disability was performed, that the disability was not the result of his willful negligence and that the member should be retired.

Section amended.

3. Section 40 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.42 Conditions of disability, retirement, examination, restoration to service.

40. a. Once each year the board of trustees may, and upon his application shall, require any disability beneficiary who is under the age of 60 years to undergo medical examination by a physician or physicians designated by the board. The examination shall be made by the beneficiary's personal physician or a physician designated by the board at the residence of the beneficiary or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the board that the disability beneficiary is not totally incapacitated either physically or mentally for the

performance of duty, or if he is engaged in an occupation, then the amount of his pension shall be reduced to an amount which, when added to the amount then earned by him, shall not exceed the amount of the salary now attributable to his former position. If his earnings have changed since the date of his last examination, then the amount of his pension may be further altered; but the new pension shall not exceed the amount of pension originally granted.

If a disability beneficiary, while under age of 60 years, refuses to submit to at least one medical examination in any year by a physician or physicians designated by the board, his pension shall be discontinued until withdrawal of his refusal. If the report of the medical board shall show that such beneficiary is able to perform either his former duty or other comparable duty which his former employer is willing to assign to him, the beneficiary shall report for duty. If the beneficiary fails to return to duty within 10 days after being ordered so to do, or within such further time as may be allowed by the board of trustees for valid reason, as the case may be, the pension shall be discontinued during such default.

b. Upon application to the employer by whom he was employed at the time of his retirement, any beneficiary, while under the age of 60 years, may, in the discretion of the employer, be restored to active service. No disability beneficiary restored to service shall be compelled or permitted to become a member, or to receive any benefits other than those previously awarded to him, as long as his annual rate of compensation is less than his final compensation at the time of his retirement. Any beneficiary under the age of 60 years, who is restored to active service at an annual rate of compensation equal to or greater than his final compensation at the time of his retirement, or whose annual rate of compensation is increased at any time after his restoration to service, to a rate equal to or greater than his final compensation at

the time of his retirement, shall thereupon again become a member of the retirement system. His retirement allowance shall be canceled, and notwithstanding anything in this act to the contrary, the appropriate reserves shall be transferred as provided in section 23. Deductions shall be made from his compensation at the rate applicable to him prior to his retirement. Any service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and he shall be credited with all service as a member standing to his credit at the time of his retirement; except that such a beneficiary again becoming a member shall receive a retirement allowance on subsequent retirement based on all his service as a member since his last return to membership, and in addition he shall receive a retirement allowance equal to the retirement allowance on which he was retired at the time of his last retirement, but the total retirement allowance upon subsequent retirement shall not be a greater proportion of his final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

The provisions of subsection b of this section pertaining to a beneficiary restored to service, as altered by this amendatory and supplementary act, shall not become effective for 5 years following the effective date of the act.

4. Section 41 of chapter 37 of the laws of 1955 is amended to read as follows: Section amended.

41. A member upon retirement for ordinary disability shall receive a retirement allowance which shall consist of: C. 18:13-112.43. Ordinary disability allowances.

(a) an annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement together with regular interest after January 1, 1956 and

(b) a pension in the amount which, when added to the member's annuity, will provide a total retirement allowance of 1½% of final compensation

multiplied by his number of years of creditable service; and provided further, that in no event shall the allowance be less than 40% of final compensation, except that in no case shall the rate of allowance exceed $\frac{9}{10}$ of the rate of allowance which the member would have received had he remained in service to age 60.

Except as provided in section 69, upon the receipt of proper proofs of the death of a member who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to $1\frac{1}{2}$ times the compensation received by the member in the last year of creditable service if such death occurs before the member shall have reached 60 years of age but if such death occurs thereafter an amount equal to $\frac{3}{16}$ of the compensation received by the member in the last year of creditable service. The death benefits provided in this section shall apply to any member who has retired or shall retire on or after January 1, 1956.

Section amended.

5. Section 42 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.44. Accidental disability allowances.

42. A member under 65 years of age upon retirement for accidental disability shall receive a retirement allowance which shall consist of:

(a) an annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement together with regular interest after January 1, 1956; and

(b) a pension, in addition to the annuity, of $\frac{2}{3}$ of his actual annual compensation for which contributions were being made at the time of the occurrence of the accident.

Except as provided in section 69, upon the receipt of proper proofs of the death of a member who has retired on an accidental disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written desig-

nation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to 1½ times the compensation received by the member in the last year of creditable service if such death occurs before the member shall have reached 60 years of age but if such death occurs thereafter an amount equal to 3/16 of the compensation received by the member in the last year of creditable service. The death benefits provided in this section shall apply to any member who has retired or shall retire on or after January 1, 1956.

Section amended.

6. Section 43 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.45. Retirement for service—age limits.

43. Retirement for service shall be as follows:

(a) A member who shall have reached 60 years of age may retire from service by filing with the board of trustees a written statement, duly attested, stating at which time subsequent to the execution and filing thereof he desires to be retired. The board of trustees shall retire him at the time specified or at such other time within 30 days after the date so specified as the board finds advisable.

(b) Each and every member who shall have reached 70 years of age shall be retired by the board of trustees for service forthwith, or at such time within 1 year thereafter as it deems advisable.

Section amended.

7. Section 48 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.50. Monthly payments; payment upon death.

48. A pension, an annuity or a retirement allowance granted under the provisions of this act shall be effective only on the first day of a month, shall be paid in equal monthly installments, and shall not be decreased, increased, revoked, or repealed, except as otherwise provided in this act; provided, however, that at the time any benefit becomes payable, any unpaid balance of a loan or arrearage outstanding shall be deducted from any benefit otherwise payable.

Upon the death of a retirant, any unpaid benefits due him shall be paid in one lump sum to such person, if living, as he shall have nominated by

written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the retirant's estate. No pension, annuity or retirement allowance shall be due to a retirant or a beneficiary unless it constitutes a payment for an entire month.

Section amended.

8. Section 56 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.58. Board of trustees; terms, oaths, expenses, etc.

56. Subject to the provisions of chapter 70 of the laws of 1955, the general responsibility for the proper operation of the Teachers' Pension and Annuity Fund and for making effective the provisions of this act shall be vested in the board of trustees. Subject to the limitations of the law, the board shall, from time to time, establish rules and regulations for the administration and transaction of its business and for the control of the funds created by this act and shall perform any other functions required for the execution of this act. The membership of the board shall consist of the following:

(a) The State Treasurer or the Deputy State Treasurer, when designated for that purpose by the State Treasurer;

(b) One trustee appointed by the Governor for a term of 3 years;

(c) Three trustees from among the members of the retirement system, elected by the membership or by delegates elected for this purpose by the membership, one of whom shall be elected each year for a 3-year term commencing on January 1, following such election in such manner as the board of trustees may prescribe;

(d) One trustee not a teacher nor an officer of the State, elected by the other trustees for a term of 3 years.

The terms of office of the members of the board of trustees on the effective date of this act shall continue for the periods for which they were appointed or elected. A vacancy occurring in the board of trustees shall be filled for the unexpired term in the same manner as provided in this section

for regular appointment or election to the position where the vacancy exists.

Each member of the board shall, upon appointment or election, take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the board's affairs, and that he will not knowingly violate or willfully permit to be violated any provision of law applicable to this act. The oath shall be subscribed to by the member making it, certified by the officer before whom it is taken and filed immediately in the office of the Secretary of State.

Each trustee shall be entitled to one vote in the board and a majority of all the votes of the entire board shall be necessary for a decision by the board of trustees at a meeting of the board. The board shall keep a record of all its proceedings, which shall be open to public inspection.

The members of the board shall serve without compensation but shall be reimbursed for any necessary expenditures. No employee shall suffer loss of salary or wages through serving on the board.

The board of trustees shall designate a medical board to be composed of 3 physicians as the board shall designate who are not eligible to participate in the retirement system. The medical board shall pass upon all medical examinations required under the provisions of this act, shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

9. Section 57 of chapter 37 of the laws of 1955 is amended to read as follows: Section amended.

57. The board shall elect annually from its membership a chairman and may also elect a vice-chairman, who shall have all the power and authority of the chairman in the event of the death, absence or disability of the chairman. It shall appoint an actuary. C. 18:13-112.59. Board selects chairman, actuary, secretary.

The actuary shall be the technical adviser of the board on matters regarding the operation of the funds created by the provisions of this act and shall perform such other duties as are required in connection therewith.

The Attorney General shall be the legal adviser of the retirement system.

The Chief or Assistant Chief of the Office of Secretarial Services of the Division of Pensions of the State Department of the Treasury, shall be the secretary of the board. The Chief and Assistant Chief of the Office of Secretarial Services shall be in the competitive division of the State classified service. The secretary presently in office shall hold the position as Chief of the Office of Secretarial Services subject to all of the provisions of Title 11 of the Revised Statutes and shall not be removed from said office except in the manner provided under the provisions of said Title relating to permanent employees in the competitive division of the State classified service. The board of trustees shall select its secretary from among the eligible candidates.

Section amended.

10. Section 67 of chapter 37 of the laws of 1955 is amended to read as follows:

C. 18:13-112.69. Members' social security contributions.

67. Prior to January 1, 1960, amounts equal to the social security contributions by each member upon compensation upon which such member's contributions to the retirement system are based shall be deducted from the contributions required to be paid to the retirement system by such member as provided in section 29 of this act. On and after January 1, 1960, and prior to January 1, 1967, amounts equal to the social security contributions by each member upon compensation upon which such member's contributions to the retirement system are based shall be deducted from the contributions required to be paid to the retirement system by such member to the extent of the social security rate of contributions in effect on December 31, 1959. Effective January 1, 1967, and thereafter, an amount equal to 2% of the compensation subject

to social security, upon which such member's contributions to the retirement system are based, shall be deducted from the contributions required to be paid to the retirement system by such member as provided in sections 29 and 70 of this act. Any change in the rate of contribution to the social security fund after December 31, 1959, shall result in a corresponding change in the amount of contributions payable by the member to social security.

Contributions by members of the retirement system to the social security fund shall be made in the manner prescribed by the State agency for social security. Contributions to the social security fund shall not be subject to any provision of this act dealing with the withdrawal of contributions, loans, or the payment of any annuities, pension, disability or death benefits.

In the event a member of the retirement system is also a member of another retirement system, supported in whole or in part by the State or by an interstate instrumentality in which this State participates, which provides for a reduction in the amount of the retirement allowance by the amount of the member's social security benefit, the amount of the social security contribution to be deducted from the member's contribution to this retirement system shall be computed on the basis of the proportion that the member's compensation subject to this retirement system bears to the member's total compensation subject to such systems.

11. The following acts and parts of acts are repealed, effective July 1, 1966:

C. 18:13-112.70f. Repealed.

P. L. 1955, c. 37, s. 68;

C. 18:13-112.70. Repealed.

P. L. 1956, c. 218;

C. 18:13-112.70a. Repealed.

P. L. 1960, c. 123;

C. 18:13-112.70b. Repealed.

P. L. 1962, c. 108; and

C. 18:13-112.70c. Repealed.

C. 18:13-112.70d. Repealed.

P. L. 1964, c. 190.

C. 18:13-112.70e. Repealed.

The repeal of the aforesaid section and acts shall not be construed to provide for any retroactive effect. Where a member's retirement allowance was reduced by the amount of the old age insurance benefit under Title II of the Social Security Act,

paid or payable to him, whether received or not, or if such reduction is to be made upon the member's attainment of 65, on or after July 1, 1966 such reductions shall cease or no reduction shall be made.

C. 18:13-112.35a. Increased liabilities.

12. The liabilities established pursuant to section 33(a) of the act to which this act is amendatory and supplementary on account of veteran members employed as teachers on January 1, 1955 shall be proportionately increased for each such school district to cover the additional liabilities created by section 11 of this act for all veterans who were employed as teachers on January 1, 1955 and who are employed as teachers on June 30, 1966. Such increased liabilities shall be paid annually in the manner prescribed by section 33(a) of the act to which this act is amendatory and supplementary over the remainder of the 30-year period established for the liquidation of the liabilities.

C. 18:13-112.35b. Computation of liabilities.

13. a. In addition to the amounts required of the State and other employers pursuant to sections 18 and 33 of the act to which this act is amendatory and supplementary, the additional liabilities created by the provisions of this amendatory and supplementary act, except for those provided for under section 12 of this act, shall be computed by the actuary and shall be paid by the State beginning July 1, 1967 through (1) an increase in the normal rate of contribution and (2) an accrued liability contribution, which, if paid in each fiscal year, for a period of 30 years, will provide for this accrued liability.

b. The liability created by P. L. 1962, chapter 108, shall be recomputed by the actuary and added to the additional liabilities created by the provisions of this amendatory and supplementary act. The recomputed liability shall be paid by the State as part of the payment established by subsection (a) of this section, allowing a credit for the payments already made by the State towards the funding of this liability.

14. This act shall take effect immediately.

Approved June 8, 1966.

CHAPTER 67

AN ACT to amend and supplement the "Public Employees' Retirement-Social Security Integration Act," approved June 28, 1954 (P. L. 1954, c. 84) and repealing section 59 thereof; amending "An act supplementing 'An act to provide coverage for certain State, county, municipal, school district and public employees, under the provisions of Title II of the Federal Social Security Act, as amended; repealing chapters 14 and 15 of Title 43 of the Revised Statutes including acts amendatory thereof and supplementary thereto; granting refund of accumulated deductions paid thereunder or membership in the Public Employees' Retirement System created hereunder, specifying contributions to be paid and benefit rights therein,' approved June 28, 1954 (P. L. 1954, c. 84) and providing for benefits and rates of contribution of State law enforcement officers," approved January 6, 1956 (P. L. 1955, c. 257) and repealing P. L. 1956, c. 219, P. L. 1960, c. 124, and P. L. 1962, c. 171.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 17 of chapter 84 of the laws of 1954 is amended to read as follows: Section amended.

17. Subject to the provisions of chapter 70 of the laws of 1955, the general responsibility for the proper operation of the Public Employees' Retirement System and for making effective the provisions of this act shall be vested in the board of trustees. Subject to the limitations of the law, the board shall, from time to time, establish rules and regulations for the administration and transaction C. 43:15A-17. Board of Trustees.

of its business and for the control of the funds created by this subtitle and shall perform any other functions required for the execution of this act. The membership of the board shall consist of the following:

a. Two trustees appointed by the Governor, who shall serve at the pleasure of the Governor and until their successors are appointed.

b. The State Treasurer or the Deputy State Treasurer, when designated for that purpose by the State Treasurer.

c. Three trustees elected for a term of 3 years from among and by the member employees of the State in a manner prescribed by the board of trustees.

d. One trustee elected for a term of 3 years from among and by the member employees of counties and the same method of holding an election from time to time used for the State employees' representatives shall be followed in elections held for county representatives.

e. Two trustees elected for a term of 3 years from among and by the member employees of municipalities and the same method of holding an election from time to time used for the State employees' representatives shall be followed in elections held for municipal representatives; provided, however, at the first election for municipal representation, one trustee shall be elected to serve for a term of 2 years and the other trustee shall be elected to serve for a term of 3 years.

A vacancy occurring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his predecessor.

Each member of the board shall, upon appointment or election, take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the board's affairs, and that he will not knowingly violate or willfully permit to be violated any provision of law applicable to this act. The oath shall be subscribed to by the member

making it, certified by the officer before whom it is taken and filed immediately in the office of the Secretary of State.

Each trustee shall be entitled to one vote in the board and a majority of all the votes of the entire board shall be necessary for a decision by the trustees at a meeting of the board. The board shall keep a record of all its proceedings, which shall be open to public inspection.

The members of the board shall serve without compensation but shall be reimbursed for any necessary expenditures. No employee shall suffer loss of salary or wages through the serving on the board.

For the purpose of organizing the Public Employees' Retirement System, the members of the board of trustees of the former "State Employees' Retirement System," as of the effective date of the repeal of that system, shall constitute the initial membership of the board of trustees of the Public Employees' Retirement System, for the remainder of the terms for which they were appointed or elected as the case may be.

The board of trustees shall designate a medical board to be composed of 3 physicians as the board shall designate who are not eligible to participate in the retirement system. The medical board shall pass upon all medical examinations required under the provisions of this act, shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

Section amended.

2. Section 18 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-18. Officers and employees; actuary; legal adviser.

18. The board shall elect annually from its membership a chairman and may also elect a vice-chairman, who shall have all the power and authority of the chairman in the event of the death, absence or disability of the chairman. It shall appoint an actuary.

The actuary shall be the technical adviser of the board on matters regarding the operation of the funds created by the provisions of this act and shall perform such other duties as are required in connection therewith.

The Attorney General shall be the legal adviser of the retirement system.

The Chief or Assistant Chief of the Office of Secretarial Services of the Division of Pensions of the State Department of the Treasury, shall be the secretary of the board. The Chief and Assistant Chief of the Office of Secretarial Services shall be in the competitive division of the State classified service. The Secretary presently in office shall hold the position as Assistant Chief of the Office of Secretarial Services subject to all of the provisions of Title 11 of the Revised Statutes and shall not be removed from said office except in the manner provided under the provisions of said Title relating to permanent employees in the competitive division of the State classified service. The board of trustees shall select its secretary from among the eligible candidates.

Section amended.

3. Section 42 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-42. Ordinary disability retirement.

42. A member, under 60 years of age, who has 10 or more years of credit for New Jersey service, shall, upon the application of the head of the department in which he shall have been employed or upon his own application or the application of one acting in his behalf, be retired for ordinary disability by the board of trustees. The physician or physicians designated by the board shall have first made a medical examination of him at his residence or at any other place mutually agreed upon and shall have certified to the board that the member is physically or mentally incapacitated for the performance of duty and should be retired.

The service requirement provisions of this amendatory and supplementary act shall not become effective for 5 years following the effective date of the act.

4. Section 43 of chapter 84 of the laws of 1954 is amended to read as follows: Section amended.

43. A member who has not attained age 65 shall, upon the application of the head of the department in which he is employed or upon his own application or the application of one acting in his behalf, be retired by the board of trustees, if said employee is permanently and totally disabled as a direct result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties, on an accidental disability allowance. C. 43:15A-43. Accident disability retirement.

The application to accomplish such retirement must be filed within 5 years of the original traumatic event, but the board of trustees may consider an application filed after the 5-year period if it can be factually demonstrated to the satisfaction of the board of trustees that the disability is due to the accident and the filing was not accomplished within the 5-year period due to a delayed manifestation of the disability or to circumstances beyond the control of the member.

Permanent and total disability resulting from a cardiovascular, pulmonary or musculo-skeletal condition which was not a direct result of a traumatic event occurring in the performance of duty shall be deemed an ordinary disability.

Before consideration of the application by the board of trustees, the physician or physicians designated by the board shall have first made a medical examination of the member at his residence or at any other place mutually agreed upon and shall have certified to the board that he is physically or mentally incapacitated for the performance of duty, and should be retired, and the appointing authority shall have certified to the board that the member is permanently and totally disabled as a direct result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties, the time and place where the duty causing the disability was performed, that the disability was not the result of his willful negligence and that the member should be retired.

Section amended.

C. 43:15A-44. Annual examination of disability beneficiary; alteration of pension; refusal to be examined; restoration to service.

5. Section 44 of chapter 84 of the laws of 1954 is amended to read as follows:

44. a. Once each year the board of trustees may, and upon his application shall, require any disability beneficiary who is under the age of 60 years to undergo medical examination by a physician or physicians designated by the board. The examination shall be made by the beneficiary's personal physician or a physician designated by the board at the residence of the beneficiary or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the board that the disability beneficiary is not totally incapacitated either physically or mentally for the performance of duty, or if he is engaged in an occupation, then the amount of his pension shall be reduced to an amount which, when added to the amount then earned by him, shall not exceed the amount of the salary now attributable to his former position. If his earnings have changed since the date of his last examination, then the amount of his pension may be further altered; but the new pension shall not exceed the amount of pension originally granted.

If a disability beneficiary, while under age of 60 years, refuses to submit to at least one medical examination in any year by a physician or physicians designated by the board, his pension shall be discontinued until withdrawal of his refusal. If the report of the medical board shall show that such beneficiary is able to perform either his former duty or other comparable duty which his former employer is willing to assign to him, the beneficiary shall report for duty. If the beneficiary fails to return to duty within 10 days after being ordered so to do, or within such further time as may be allowed by the board of trustees for valid reason, as the case may be, the pension shall be discontinued during such default.

b. Upon application to the head of the department in which he was employed at the time of his retirement, any beneficiary, while under the age of

60 years, may, in the discretion of the head of the department, be restored to active service as an employee. No disability beneficiary restored to service shall be compelled or permitted to become a member of the retirement system, or to receive any benefits other than those previously awarded to him, as long as his annual rate of compensation is less than his final compensation at the time of his retirement. Any beneficiary under the age of 60 years, who is restored to active service at an annual rate of compensation equal to or greater than his final compensation at the time of his retirement, or whose annual rate of compensation is increased at any time after his restoration to service, to a rate equal to or greater than his final compensation at the time of his retirement, shall thereupon again become a member of the retirement system. His retirement allowance shall be canceled, and notwithstanding anything in this act to the contrary, his annuity reserve shall be transferred from the retirement reserve fund to his individual account in the annuity savings fund. Deductions shall be made from his compensation at the rate applicable to him prior to his retirement. Any service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and he shall be credited with all service as a member standing to his credit at the time of his retirement; except that such a beneficiary again be coming a member shall receive a retirement allowance on subsequent retirement based on all his service as a member since his last return to membership, and in addition he shall receive a retirement allowance equal to the retirement allowance on which he was retired at the time of his last retirement, but the total retirement allowance upon subsequent retirement shall not be a greater proportion of his final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

The provisions of subsection b of this section pertaining to a beneficiary restored to service, as altered by this amendatory and supplementary act, shall not become effective for 5 years following the effective date of the act.

Section amended.

6. Section 45 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-45. Allowance on ordinary disability retirement.

45. A member upon retirement for ordinary disability shall receive a retirement allowance, which shall consist of:

a. An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement together with regular interest and

b. A pension in the amount which, when added to the member's annuity, will provide a total retirement allowance of 1½% of final compensation multiplied by his number of years of creditable service; provided, however, that in no event shall the allowance be less than 40% of final compensation, except that in no case shall the rate of allowance exceed $\frac{9}{10}$ of the rate of the allowance which the member would have received had he remained in service to age 60.

c. Upon the receipt of proper proofs of the death of a member who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to 1½ times the compensation received by the member in the last year of creditable service if such death occurs before the member shall have reached 60 years of age but if such death occurs thereafter an amount equal to $\frac{3}{16}$ of the compensation received by the member in the last year of creditable service.

Section amended.

7. Section 46 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-46. Allowance on accident disability retirement.

46. A member under 65 years of age upon retirement for accidental disability shall receive a retirement allowance which shall consist of:

a. An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement together with regular interest; and

b. A pension, in addition to the annuity, of ⅔ of his actual annual compensation for which contributions were being made at the time of the occurrence of the accident.

c. Upon the receipt of proper proofs of the death of a member who has retired on an accidental disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to 1½ times the compensation received by the member in the last year of creditable service if such death occurs before the member shall have reached 60 years of age but if such death occurs thereafter an amount equal to 3/16 of the compensation received by the member in the last year of creditable service.

8. Section 51 of chapter 84 of the laws of 1954 is amended to read as follows: Section amended.

51. A pension, an annuity or a retirement allowance granted under the provisions of this act shall be effective only on the first day of a month, shall be paid in equal monthly installments, and shall not be decreased, increased, revoked or repealed, except as otherwise provided in this act; provided, however, that at the time any benefit becomes payable any unpaid balance of a loan or arrearage outstanding shall be deducted from any benefit otherwise payable. C. 43:15A-51. Monthly payments.

Upon the death of a retirant, any unpaid benefits due him shall be paid in one lump sum to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the retirant's estate. No pension, annuity or retirement allowance shall be due to a retirant or beneficiary unless it constitutes a payment for an entire month.

Section amended.

9. Section 58 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-58. Social security contributions.

58. Prior to January 1, 1960, contributions to the social security fund by members of the retirement system shall be deducted from the contributions required to be paid to the retirement system by such members as provided in section 25 of this act. On and after January 1, 1960, and prior to January 1, 1967, amounts equal to the social security contributions by each member upon compensation upon which such member's contributions to the retirement system are based shall be deducted from the contributions required to be paid to the retirement system by such member to the extent of the social security rate of contribution in effect on December 31, 1959. Effective January 1, 1967, and thereafter, an amount equal to 2% of the compensation subject to social security, upon which such member's contributions to the retirement system are based, shall be deducted from the contributions required to be paid to the retirement system by such member as provided in sections 25 and 60 of this act.

Contributions by members of the retirement system to the social security fund shall be made in the manner prescribed by the State agency for social security. Contributions to the social security fund shall not be subject to any provisions of this act, dealing with the withdrawal of contributions, loans, or the payment of any annuities, pensions, disability or death benefits. Any change in the rate of contribution to the social security fund after December 31, 1959, shall result in a corresponding change in the amount of contributions payable by the members to social security.

In the event a member of the retirement system is also a member of another retirement system, supported in whole or in part by the State or by an interstate instrumentality in which the State participates, which provides for a reduction in the amount of the retirement allowance by the amount of the member's social security benefit, the amount

of the social security contribution to be deducted from the member's contribution to this retirement system shall be computed on the basis of the proportion that the member's compensation subject to this retirement system bears to the member's total compensation subject to such systems.

C. 43:15A-59.5. Repealed.

10. The following acts and parts of acts are repealed, effective July 1, 1966:

C. 43:15A-59. Repealed.

P. L. 1954, c. 84, s. 59;

C. 43:15A-59.1. C. 43:15A-59.2. Repealed.

P. L. 1956, c. 219;

C. 43:15A-59.3. Repealed.

P. L. 1960, c. 124; and

C. 43:15A-59.4. Repealed.

P. L. 1962, c. 171.

The repeal of the aforesaid section and acts shall not be construed to provide for any retroactive effect. Where a member's retirement allowance was reduced by the amount of the old age insurance benefit under Title II of the Social Security Act, paid or payable to him, whether received or not, or if such a reduction is to be made upon the member's attainment of age 65, on or after July 1, 1966 such reduction shall cease or no reduction shall be made.

Section amended.

11. Section 6 of chapter 257 of the laws of 1955 is amended to read as follows:

C. 43:15A-102. Ordinary disability retirement; eligibility.

6. Any member who shall have been a law enforcement officer for 5 years immediately preceding his retirement shall have full rights to, and shall be subject to, the provisions governing ordinary disability retirement as set forth in sections 42, 44 and 45 of said act to which this act is amendatory and supplementary.

C. 43:15A-37.1. Computation of additional liabilities.

12. a. In addition to the amounts required of the State and other employers pursuant to sections 24, 60, 68 and 81 of the act to which this act is amendatory and supplementary and to section 9 of P. L. 1956, c. 169, the additional liabilities created by the provisions of this amendatory and supplementary act shall be computed by the actuary and shall be paid by the State and other employers beginning July 1, 1967 through (1) an increase in the normal rates of contribution and (2) an accrued liability

contribution, which, if paid in each fiscal year, for a period of 30 years, will provide for this accrued liabiilty.

b. The liability created by P. L. 1962, c. 171, shall be recomputed by the actuary and added to the additional liabilities created by the provisions of this amendatory and supplementary act. The recomputed liability shall be paid by the State and other employers as part of the payment established by subsection (a) of this section, allowing a credit for the payments already made by the State and other employers towards the funding of this liability.

13. This act shall take effect immediately.

Approved June 8, 1966.

CHAPTER 68

AN ACT fixing the compensation of guards, keepers, orderlies and industrial officers in the county jails, houses of detention and penitentiaries in certain counties of the first class.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 30:8-13.4. Compensation of guards, keepers, etc.

1. Notwithstanding the provisions of any other law, the salaries of the guards, keepers, industrial officers and guard orderlies, employed in the jails, houses of detention and penitentiaries in counties of the first class having less than 700,000 inhabitants, shall be not less than $5,500.00 per annum and shall not exceed $7,600.00 per annum, with provision for increments in salary between the minimum and maximum of such salaries to be fixed by the board of chosen freeholders.

This section shall not be construed to permit the decrease of any salaries now authorized by law to be paid to any of the guards, keepers, industrial

officers and guard orderlies, affected by this section nor decrease the amount of each increment now being paid.

2. This act shall take effect immediately.

Approved June 8, 1966.

CHAPTER 69

AN ACT concerning the salaries of court attendants in certain first-class counties, and amending section 2A:11–34 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2A:11–34 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:11–34. In counties of the first class having between 700,000 and 800,000 inhabitants, the compensation of the court attendants attached, or assigned to the Superior Court, the County Courts, the juvenile and domestic relations court and to the grand jury, and to the various bureaus and departments in the office of the sheriffs of said counties, or to such executive or official as may be in charge of such duties, shall be not less than $4,500.00 per annum and shall not exceed $6,000.00 per annum, and in counties of the first class having less than 700,000 inhabitants the compensation of said court attendants shall be not less than $5,500.00 per annm and shall not exceed $7,600.00 per annum, with provision for increments in salary between the minimum and maximum of such salaries to be fixed by the board of chosen freeholders on recommendation of the sheriff, and shall be paid in equal semimonthly installments by the county treasurer of each of such counties from the judiciary fund of the county. Salaries of court attendants in other first class counties.

This section shall not be construed as permitting the decrease of any salaries authorized by law to be paid to any court attendant.

2. This act shall take effect immediately.

Approved June 8, 1966.

CHAPTER 70

AN ACT to supplement "An act concerning elections and amending section 19:34–38 of the Revised Statutes and supplementing chapter 34 of Title 19 of the Revised Statutes," approved May 27, 1963 (P. L. 1963, c. 57).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 19:34-38.5. Material distributed in violation of Act.

1. Any material held for distribution in violation of the act of which this act is a supplement may be seized by the Attorney General or the prosecutor of the county in which it is found and proceeded against by a summary action in rem in the Superior or County Court. If the court shall find that the material is held for distribution in violation of said act it shall order the Attorney General or prosecutor to destroy it. No compensation in respect of such material shall be paid to any person whatsoever, whether he be an owner, lienholder or otherwise have or claim an interest in such material. A habitual violator of this said act may be restrained from further violations at the suit of the Attorney General in the Superior Court. The remedies provided by this act shall be in addition to other remedies provided by law.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 71

AN ACT to amend the "Public Employees' Retirement-Social Security Integration Act," approved June 28, 1954 (P. L. 1954, c. 84).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 65 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 43:15A-65. All employees of public agencies eligible to participate in retirement system contributions.

65. (a) All employees of any public agency or organization of this State, which employs persons engaged in service to the public, shall be eligible to participate in the Public Employees' Retirement System provided, the employer consents thereto by resolution and files a certified copy of such resolution with the board of trustees of the Public Employees' Retirement System and the board of trustees approves thereof by resolution. Such organization shall be referred to in this act as the employer. If the participation of such employees is so approved then the employer shall contribute to the contingent reserve fund on account of its members at the same rate per centum as would be paid by the State if the members were State employees.

(b) Notwithstanding the provisions of paragraph (a) of this section, every person becoming an employee of a public agency or organization of this State, which employs persons engaged in service to the public, after June 30, 1966, who is not eligible to become a member of any other retirement system, shall be required to participate in the Public Employees' Retirement System. Notwithstanding the provisions of paragraph (a) of this section, membership in the Public Employees' Retirement System shall be optional with any person in the employ of any such public agency or organization on June 30, 1966, provided such person is not required to be a member pursuant to

another provision of this act, and provided further, that such person is not eligible to be a member of any other retirement system. The provisions of this subsection shall not apply to any person whose position is temporary or seasonal, nor to any person in office, position or employment for which the annual salary or remuneration is fixed at less than $500.00, nor to any person whose position is not covered by the old age and survivors' insurance provisions of the Federal Social Security Act. The public agency or organization employing any such person who becomes a member of the retirement system pursuant to this paragraph shall contribute to the contingent reserve fund on account of such employees at the same rate per centum as would be paid by the State if the members were State employees.

Section amended.

2. Section 66 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-66. Effective date of participation.

66. (a) If the employer shall so consent to the enrollment of its employees and the board of trustees shall so approve, participation in the retirement system shall become effective on the date fixed by such board, but not later than 6 months following such approval by the board of trustees of the retirement system. In such event, all service rendered to the employer by its employees previous to the effective date of such participation or previous to July 1, 1966, whichever is earlier, shall be credited to its employees who file application for membership within 1 year from such effective date and such credit to its employees shall be known as prior service credit, and the obligation of the employer on account of such credit shall be known as the accrued liability. Membership shall be compulsory for all employees entering the service of the employer after the effective date of such participation or after June 30, 1966, whichever is earlier.

(b) No credit shall be allowed for service rendered to the employer prior to July 1, 1966 to any person becoming a member of the retirement

system pursuant to subsection b of section 65 of this act unless the employer consents thereto by resolution pertaining to all eligible employees and files a certified copy of such resolution with the board of trustees of the Public Employees' Retirement System and the said board of trustees approves thereof.

Section amended.

3. Section 67 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-67. Duties of employer's chief fiscal officer.

67. The chief fiscal officer of the employer shall submit to the board of trustees such information and shall cause to be performed in respect to each of the employees of the employer such duties as would be performed in the State service by the head of a department of the State employing members of the retirement system.

Section amended.

4. Section 68 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-68. Information as to rates, etc., certified to chief fiscal officer; payment of charge and contributions.

68. The board of trustees of the Public Employees' Retirement System shall certify to the chief fiscal officer of the employer the rates of contributions payable by members, as if they were State employees. The board shall further certify the contributions, including the accrued liability contribution similar to the State accrued liability contribution, payable by the employer to the Contingent Reserve Fund on behalf of these members, as if they were State employees, and a pro rata share of the cost of the administration of the retirement system, based upon the payroll of the members who are employees of the employer. The initial actuarial expense incident to the determination of the accrued liability contribution, payable by the employer, shall be paid by the employer. The amount certified by the board of trustees as payable by such employer to the Contingent Reserve Fund shall be included in the next budget subsequent to the certification by the board of trustees. The treasurer or corresponding officer shall pay on July 1 in each year to the State Treasurer the amount of the employer's charges so certified. If payment of the full amount of such

obligation is not made within 30 days after July 1, interest at the rate of 4% per annum shall commence to run against the unpaid balance thereof on the first day after such thirtieth day. The treasurer or corresponding officer shall also pay to the State Treasurer the amount of the deductions from the compensation of the members who are employees of the employer in accordance with the rules and regulations established by the board of trustees. The State Treasurer shall credit these amounts to the appropriate fund or account.

Section amended.

5. Section 74 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-74. State retirement system extended to county and municipal employees; referendum; prior service certificates.

74. Except as otherwise provided in the case of public employee veterans or in subsection b of section 75 of this act, this act shall not become effective in any county or municipality which has not previously been covered by the former "State Employees' Retirement System" until its governing body shall, by resolution, have directed that the question of adoption by that county or municipality shall be submitted to the qualified voters thereof at a general election and a majority of the voters voting on the question at such election shall have voted in favor of its adoption. This act shall be effective without referendum in any county or municipality in which chapter 15 of Title 43 of the Revised Statutes has been adopted. Any employee of any such county or municipality who prior to July 1, 1955, has filed an application covering service rendered to such county or municipality prior to the date upon which chapter 15 of Title 43 of the Revised Statutes became effective therein shall be entitled to a prior service certificate covering such service.

Section amended.

6. Section 75 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-75. Effective date; membership; prior service.

75. (a) If this act is so adopted it shall become effective in the county or municipality adopting it on June 30 of the following year. Membership in the Public Employees' Retirement System shall be optional with the employees of the county or mu-

nicipality in the service on the day the act so becomes effective or on June 30, 1966, whichever is earlier, in such county or municipality except in the case of public employee veterans who on such date are members. An employee who elects to become a member within 1 year after this act so takes effect shall be entitled to a prior service certificate covering service rendered to the county or municipality prior to July 1, 1966 or prior to the date this act so becomes effective, whichever is earlier. Membership shall be compusory for all employees entering the service of the county or municipality on July 1, 1966 or after the date this act becomes effective, whichever is earlier. Where any such employee entering the service of the county or municipality after the date this act so becomes effective has had prior service for which evidence satisfactory to the board of trustees is presented, as an employee in such county or municipality before the date upon which this act so becomes effective, or July 1, 1966, whichever is earlier, such employee shall be entitled to a prior service certificate covering service rendered to the county or municipality prior to the date this act so becomes effective, or July 1, 1966, whichever is earlier.

(b) Notwithstanding the provisions of section 74 of this act and subsection (a) of this section, every person, other than a nonveteran elected official, becoming an employee of a county, municipality or school district after June 30, 1966 who is not eligible to become a member of another retirement system, shall be required to become a member of the Public Employees' Retirement System. Notwithstanding the provisions of section 74 of this act and subsection (a) of this section, membership in the retirement system shall be optional with any elected official who is not a veteran, regardless of the date he assumes office, and with any other person in the employ of any county, municipality or school district on June 30, 1966, provided such elected official or other person is not then a member and is not required to be a member of the retirement system

pursuant to another provision of this act, and provided further that such person is not eligible to be a member of another retirement system. The provisions of this subsection shall not apply to any person whose position is temporary or seasonal, nor to any person in office, position or employment for which the annual salary or remuneration is fixed at less than $500.00, nor to any person whose position is not covered by the old age and survivors' insurance provisions of the Federal Social Security Act. No credit shall be allowed to any person becoming a member of the retirement system pursuant to this subsection for service rendered to the employer prior to July 1, 1966, until the provisions of section 74 of this act have been complied with, in which event such credit shall be allowed in accordance with the provisions of subsection (a) of this section.

Section amended.

7. Section 77 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-77. Employees of school district coterminous with municipality adopting law in first-class counties.

77. Every employee of any school district including school districts in counties of the first class the boundaries of which are coterminous with those of a municipality, or more than one municipality, in which chapter 15 of Title 43 of the Revised Statutes has been adopted, or in which this act is adopted, who is not a member of or eligible to join the Teachers' Pension and Annuity Fund, except an employee required upon employment or appointment to become a member of some other pension fund, shall be entitled to receive the same benefits as employees of such municipality or municipalities are entitled to receive and the school district shall have the same obligations with respect to such employees as the municipality has to its own employees under this act; provided, such employee has been admitted to receive the benefits of the fund established under chapter 15 of Title 43 of the Revised Statutes, or shall make application to be admitted to such benefits within 6 months from January 2, 1955, or within 1 year from the effective date of said chapter 15 of Title 43 of the Revised

Statutes in such municipality or municipalities, whichever is later.

Any school district which is comprised of 2 or more municipalities may be deemed a municipality for the purposes of this act if all municipalities comprising such school district have not either adopted the provisions of chapter 15 of Title 43 of the Revised Statutes or complied with the provisions of section 74 of this act. In any such case the board of education of such school district may direct that the question of adopting the retirement system shall be submitted to the qualified voters of the school district at a school election.

Section amended.

8. Section 80 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-80. Information required.

80. The chief fiscal officer of the county or municipality or the secretary of the board of education of the school district shall submit to the board of trustees of the Public Employees' Retirement System such information and shall cause to be performed in respect to each of the employees of the county, municipality or school district such duties as would be performed in the State service by the head of a department of the State employing members of the retirement system.

Section amended.

9. Section 81 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-81. Rates of contributions; budget requirements; payments to State Treasurer.

81. The board of trustees of the Public Employees' Retirement System shall certify to each employer the rates of contributions payable by members who are county, municipal or school district employees, as if they were State employees. The board shall further certify the contributions, including the accrued liability contribution similar to the State accrued liability contribution, payable by the county, municipality or school district to the contingent reserve fund on behalf of these members, as if they were State employees, and a pro rata share of the cost of the administration of the retirement system, based upon the payroll of the members who are employees of the county, municipality or school district. The initial actuarial ex-

pense incident to the determination of the accrued liability contribution, payable by the county, municipality or school district, shall be paid by the county, municipality or school district. The amount certified by the board of trustees as payable by the county, municipality or school district to the contingent reserve fund shall be included in the next budget subsequent to the certification by the board of trustees and levied and collected as any other taxes are levied and collected. The treasurer or corresponding officer of any county, municipality or school district shall pay on or before July 1 in each year to the State Treasurer the amount of the county, municipal or school district charges so certified. If payment of the full amount of such obligation is not made within 30 days after July 1, interest at the rate of 4% per annum shall commence to run against the unpaid balance thereof on the first day after such thirtieth day. The treasurer or corresponding officer shall also pay to the State Treasurer the amount of the deductions from the compensation of the members who are employees of the county, municipality or school district in accordance with the rules and regulations established by the board of trustees. The State Treasurer shall credit these amounts to the appropriate fund or account.

10. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 72

AN ACT concerning the veto power of the Governors of the State of New Jersey and of the Commonwealth of Pennsylvania over the actions of their respective commissioners appointed to the Delaware River Port Authority.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

C. 32:3-4.1. Minutes of meeting.

1. The minutes of every meeting of the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the State of New Jersey and the Commonwealth of Pennsylvania, and the express consent of the Congress of the United States, shall be forthwith transmitted, by and under the certification of the secretary thereof, to the Governors of the State of New Jersey and the Commonwealth of Pennsylvania at their respective executive chambers.

No action taken at any such meeting by the commission shall have force or effect for a period of 10 days after the minutes shall have been so transmitted and delivered. The Governor's veto powers shall not be construed to affect in any way the covenants contained in the bond indentures of the Delaware River Port Authority.

C. 32:3-4.2. Return of minutes.

2. The Governor of New Jersey and the Governor of the Commonwealth of Pennsylvania shall, respectively, within 10 days after the minutes shall have been so delivered, cause the same to be returned to the Delaware River Port Authority either with or without his veto on any action therein recited as having been taken by any commissioner appointed from his State. If said Governors shall not return the minutes within said 10-day period, any action therein recited shall have force and effect according to the wording thereof.

C. 32:3-4.3. Effect of veto.

3. If the Governor of New Jersey or the Governor of the Commonwealth of Pennsylvania, within said 10-day period, returns the minutes with a veto against the action of any commissioner from his State recited therein, the action of such commissioner shall be null and of no effect.

C. 32:3-4.4. Effective date.

4. This act shall take effect upon the enactment into law by the Commonwealth of Pennsylvania of legislation having a substantially similar effect as this act, but if the Commonwealth of Pennsylvania shall have already enacted such legislation, this act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 73

AN ACT providing for an interstate compact in regard to driver licenses, and matters incidental thereto, between the State of New Jersey and other States.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Driver License Compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

C. 39:5D-1. Findings and declaration of policy.

DRIVER LICENSE COMPACT

ARTICLE I

FINDINGS AND DECLARATION OF POLICY

(a) The party States find that:

(1) The safety of their streets and highways is materially affected by the degree of compliance with State laws and local ordinances relating to the operation of motor vehicles.

(2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property.

(3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

(b) It is the policy of each of the party States to:

(1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles.

(2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the over-all compliance

with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party States.

ARTICLE II

C. 39:5D-2. Definitions.

DEFINITIONS

As used in this compact:

(a) "State" means a State, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(b) "Home State" means the State which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

(c) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by State law, municipal ordinance or administrative rule or regulation, or a forfeiture of bail, bond or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

ARTICLE III

C. 39:5D-3. Reports of conviction.

REPORTS OF CONVICTION

The licensing authority of a party State shall report each conviction of a person from another party State occurring within its jurisdiction to the licensing authority of the home State of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the for-

feiture of bail, bond or other security; and shall include any special findings made in connection therewith.

C. 39:5D-4. Effect of conviction.

ARTICLE IV

EFFECT OF CONVICTION

(a) The licensing authority in the home State, for the purposes of suspension, revocation or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article III of this compact, as it would if such conduct had occurred in the home State, shall apply the penalties of the home State or of the State in which the violation occurred, in the case of convictions for:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

(2) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle;

(3) Any felony in the commission of which a motor vehicle is used;

(4) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

(b) As to other convictions, reported pursuant to Article III, the licensing authority in the home State shall give such effect to the conduct as is provided by the laws of the home State.

(c) If the laws of a party State do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this article, such party State shall construe the denominations and descriptions appearing in subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature and the laws of such party State shall contain such provisions as may be necessary to ensure that full force and effect is given to this article.

ARTICLE V

C. 39:5D-5. Applications for new licenses.

APPLICATIONS FOR NEW LICENSES

Upon application for a license to drive, the licensing authority in a party State shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party State. The licensing authority in the State where application is made shall not issue a license to drive to the applicant if:

(1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated.

(2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of 1 year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways.

(3) The applicant is the holder of a license to drive issued by another party State and currently in force unless the applicant surrenders such license.

ARTICLE VI

C. 39:5D-6. Applicability of other laws.

APPLICABILITY OF OTHER LAWS

Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party State to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other co-operative arrangement between a party State and a nonparty State.

C. 39:5D-7. Compact administrator and interchange of information.

ARTICLE VII

COMPACT ADMINISTRATOR AND INTERCHANGE OF INFORMATION

(a) The head of the licensing authority of each party State shall be the administrator of this compact for his State. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this compact.

(b) The administrator of each party State shall furnish to the administrator of each other party State any information or documents reasonably necessary to facilitate the administration of this compact.

C. 39:5D-8. Entry into force and withdrawal.

ARTICLE VIII

ENTRY INTO FORCE AND WITHDRAWAL

(a) This compact shall enter into force and become effective as to any State when it has enacted the same into law.

(b) Any party State may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until 6 months after the executive head of the withdrawing State has given notice of the withdrawal to the executive heads of all other party States. No withdrawal shall affect the validity or applicability by the licensing authorities of States remaining party to the compact of any report of conviction occurring prior to the withdrawal.

C. 39:5D-9. Construction and severability.

ARTICLE IX

CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party State or of the United States or the applicability thereof to any government, agency,

person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any State party thereto, the compact shall remain in full force and effect as to the remaining States and in full force and effect as to the State affected as to all severable matters.

C. 39:5D-10. Definition.

2. As used in the compact, the term "licensing authority" with reference to this State, shall mean the Division of Motor Vehicles, Department of Law and Public Safety. Said division shall furnish to the appropriate authorities of any other party State any information or documents reasonably necessary to facilitate the administration of Articles III, IV and V of the compact.

C. 39:5D-11. Compensation; expenses.

3. The compact administrator provided for in Article VII of the compact shall not be entitled to any additional compensation on account of his service as such administrator, but shall be entitled to expenses incurred in connection with his duties and responsibilities as such administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of his office or employment.

C. 39:5D-12. Definition.

4. As used in the compact, with reference to this State, the term "executive head" shall mean the Governor.

C. 39:5D-13. Reports.

5. Any court or other agency of this State, or a subdivision thereof, which has jurisdiction to take any action suspending, revoking or otherwise limiting a license to drive, shall report any such action and the adjudication upon which it is based to the Division of Motor Vehicles within 3 days on forms furnished by the division.

C. 39:5D-14. Suspension of compact.

6. If it is determined by the Director of Motor Vehicles of the State of New Jersey that the provisions of the compact, in full or in part, are not being implemented with respect to violations reported from the State of New Jersey by any other party State, the director with the approval of the

Governor of New Jersey, may suspend the enforcement of the provisions of this agreement as against such party State until such time as he shall determine that such implementation by the other party State is being had.

Note: Effective date.

7. This act shall take effect January 1, 1967.

Approved June 14, 1966.

CHAPTER 74

AN ACT concerning food and drugs, and revising parts of the statutory laws.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 24:1–1 of the Revised Statutes is amended to read as follows:

Definitions.

24:1–1. As used in this Title:

a. "State department," "department of health" and "department" mean the "State Department of Health."

b. "Council" means the Public Health Council in the State Department of Health.

c. "Local board" or "local board of health" means the board of health of any municipality, or the boards, bodies, or officers in such municipality lawfully exercising the powers of a local board of health under the laws governing such municipality, and includes any consolidated local board of health or county local board of health created and established pursuant to law.

d. "Food" means (1) articles used for food or drink for man or other animals (2) chewing gum and (3) articles used for components of any such article.

e. "Drug" means (1) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement

to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; and (3) articles (other than food) intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any article specified in clause (1), (2), or (3); but does not include devices or their components, parts, or accessories.

f. "Package" or "container" means wrapper, case, basket, hamper, can, bottle, jar, tube, cask, vessel, tub, firkin, keg, jug, barrel, or other receptacles, but the word, "package" shall not include open containers which permit a visual and physical inspection by the purchaser at retail, nor bags and other receptacles which are filled in the presence of the purchaser at retail.

g. "Device" means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; or (2) to affect the structure or any function of the body of man or other animals.

h. "Cosmetic" means (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles; except that such term shall not include soap.

i. "New drug" means (1) any drug the composition of which is such that such drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of drugs, as safe for use under the conditions prescribed, recommended, or suggested in the labeling thereof, and (2) any drug the composition of which is such that such drug, as a result of investigations to determine its safety for use under such conditions, has become so recognized, but

which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions.

j. "Label" means a display of written, printed, or graphic matter upon the immediate container of any article; and a requirement made by or under authority of this subtitle that any word, statement or other information appear on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if any there be, of the retail package of such article, or is easily legible through the outside container or wrapper. The term "immediate container" does not include package liners.

k. "Labeling" means all labels and other written, printed or graphic matter (1) upon an article or any of its containers or wrappers, or (2) accompanying such article.

l. "Official compendium" means the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or any supplement to any of them.

m. If an article is alleged to be misbranded because the labeling is misleading, then in determining whether such labeling is misleading there shall be taken into account (among other things) not only representations made or suggested by statement, word, design, or any combination thereof, but also the extent to which such labeling fails to reveal facts material in the light of such representations or material with respect to consequences which may result from the use of the article to which such labeling relates under the conditions of use prescribed in the labeling thereof or under such conditions of use as are customary or usual.

n. The representation of a drug as an antiseptic shall be considered to be a representation that it is a germicide, except in the case of a drug purporting to be, or represented as, an antiseptic for inhibitory use as a wet dressing, ointment, dusting

powder, or such other use as involves prolonged contact with the body.

o. The provisions of this act regarding the selling of food, drugs, devices, or cosmetics, shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession, and holding of any such article for sale; and the sale, dispensing, and giving away of any such article and the supplying or applying of any such articles in the conduct of any food, drug or cosmetic establishment.

p. The term "Federal Act" means the Federal Food, Drug and Cosmetic Act (Title 21, U. S. C. 301 et seq.: 52 Stat. 1040 et seq.).

Section amended.

2. Section 24:2–1 of the Revised Statutes is amended to read as follows:

Enforcement by State department; rules and regulations.

24:2–1. The State department shall execute and enforce the provisions of this subtitle and make and publish all necessary rules and regulations providing for the enforcement and carrying into effect of any provision of this subtitle and for the government of its officers and employees. The State department is hereby authorized to adopt, insofar as applicable, the regulations from time to time promulgated under the Federal Act.

Section amended.

3. Section 24:2–6 of the Revised Statutes is amended to read as follows:

Interference with officials.

24:2–6. No person shall obstruct or interfere with the State department or the local board, or any officer or employee thereof, in the performance of any duty imposed by this subtitle.

Any person who shall violate the provisions of this section shall be liable to a penalty of not more than:

a. $100.00 for each first offense.

b. $300.00 for each second and subsequent offense.

Section amended.

4. Section 24:5–4 of the Revised Statutes is amended to read as follows:

Guaranty by nonresident.

24:5–4. If the guaranty is signed by a person who resides outside of this State, the State department shall report the facts in the case to the proper

officer appointed for the enforcement of the Federal legislation specified in section 24:5–2 of this Title.

Section amended.

5. Section 24:5–8 of the Revised Statutes is amended to read as follows:

Definitions.

24:5–8. For the purposes of this subtitle food shall be deemed adulterated:

A. (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance such food shall not be considered adulterated under this clause if the quantity of such substance in such food does not ordinarily render it injurious to health, or

(2) If it bears or contains any added poisonous or added deleterious substance which is unsafe within the meaning of regulations promulgated by the Department of Health limiting the quantity therein or thereon to such extent as the Department of Health of the State of New Jersey finds necessary for the protection of the public health; or

(3) If it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for food; or

(4) If it has been produced, prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; or

(5) If it is in whole or in part the product of an animal which has not been inspected, and the meat of such animal passed as fit for food,

(a) by an official Federal inspector, or

(b) By such officer or person as shall be qualified for such purpose in accordance with, and in such manner as shall be prescribed by, regulations adopted by the State department, if such inspection is required by such regulations, or if it is in whole or in part the product of an animal which has died otherwise than by slaughter; or

(6) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

B. (1) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or

(2) If any substance has been substituted wholly or in part therefor; or

(3) If damage or inferiority has been concealed in any manner; or

(4) If any substance has been added thereto or mixed or packaged therewith so as to increase its bulk or weight, or reduce its quality or strength or make it appear better or of greater value than it is.

C. If it falls below the standard of purity, quality or strength which it purports or is represented to possess.

D. If it bears or contains a coal-tar color other than one from a batch that has been certified under the Federal Act.

Section amended.

6. Section 24:5–9 of the Revised Statutes is amended to read as follows:

Confectionery adulterations.

24:5–9. For the purposes of this subtitle, confectionery shall be deemed adulterated if it bears or contains any alcohol, or nonnutritive article or substance except harmless coloring, or if a coal-tar color one from a batch which has been certified under the Federal Act, harmless flavoring, harmless resinous glaze not in excess of $\frac{4}{10}$ of 1%, natural gum and pectin; provided, that this paragraph shall not apply to any confectionery by reason of its containing less than $\frac{1}{2}$ of 1% by volume of alcohol derived solely from the use of flavoring extracts, or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances.

Section amended.

7. Section 24:5–10 of the Revised Statutes is amended to read as follows:

General drug or device adulterations.

24:5–10. For the purposes of this subtitle a drug or device shall be deemed adulterated:

a. (1) If it consists in whole or in part of any filthy, putrid, or decomposed substance; or (2) if it has been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth, or whereby it may have been

rendered injurious to health; or (3) if it is a drug and its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; or (4) if it is a drug and it bears or contains, for purposes of coloring only, a coal-tar color other than one from a batch which has been certified under the Federal Act.

b. If it purports to be or is represented as a drug the name of which is recognized in an official compendium, and its strength differs from, or its quality or purity falls below the standard set forth in such compendium. Such determination as to strength, quality, or purity shall be made in accordance with tests or methods of assay set forth in such compendium or in the absence of or inadequacy of such tests or methods of assay, those prescribed by the agency enforcing the Federal Act. Whenever a drug is recognized in both the United States Pharmacopoeia and the Homeopathic Pharmacopoeia of the United States it shall be subject to the requirements of the United States Pharmacopoeia unless it is labeled and offered for sale as a homeopathic drug, in which case it shall be subject to the provisions of the Homeopathic Pharmacopoeia of the United States and not to those of the United States Pharmacopoeia.

c. If it is not subject to the provisions of paragraph (b) of this section and its strength differs from, or its purity or quality falls below that which it purports or is represented to possess.

d. If it is a drug and any substance has been (1) mixed or packed therewith so as to reduce its strength, quality, or purity; or (2) substituted wholly or in part therefor.

e. If it is dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended, or suggested in the labeling thereof.

Section amended.

8. Section 24:5–11.1 added to the Revised Statutes by section 23 of P. L. 1939, c. 320 is amended to read as follows:

Definitions.

24:5–11.1. For the purpose of this subtitle a cosmetic shall be deemed to be adulterated:

a. If it bears or contains any poisonous or deleterious substance which may render it injurious to users under the conditions of use prescribed in the labeling thereof, or under such conditions of use as are customary or usual; provided, that this provision shall not apply to coal-tar hair dye, the label of which bears the following legend conspicuously displayed thereon: "Caution —This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness," and the labeling of which bears adequate directions for such preliminary testing. For the purpose of this paragraph and paragraph e the term "hair dye" shall not include eyelash dyes or eyebrow dyes.

b. If it consists in whole or in part of any filthy, putrid, or decomposed substance.

c. If it has been produced, prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

d. If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

e. If it is not a hair dye and it bears or contains a coal-tar color other than one from a batch that has been certified under the Federal Act.

Section amended.

9. Section 24:5–17 of the Revised Statutes is amended to read as follows:

Food misbrandings.

24:5–17. For the purposes of this subtitle a food shall also be deemed to be misbranded:

a. If its labeling is false or misleading in any particular.

b. If it is offered for sale or distributed under the name of another food.

c. If it is an imitation of another food, unless its label bears, in type of uniform size and prominence,

the word "imitation" and, immediately thereafter, the name of the food imitated.

d. If its container is so made, formed, or filled as to be misleading.

e. If in package form, unless it bears a label or tag containing the name and place of business of the manufacturer, packer, or distributor.

f. If any word, statement, or other information required by or under authority of this act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, or designs, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

g. If it purports to be or is represented as a food for which a definition and standard of identity is established in this subtitle or has been adopted by the Department of Health pursuant to section 24:6–1 unless (1) it conforms to such definition and standard, and (2) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such definition and standard, the common names of optional ingredients (other than spices, flavoring and coloring) present in such food.

h. If it purports to be or is represented as a food for which a standard of quality has been prescribed by the Department of Health, pursuant to section 24:6–1, and its quality falls below such standard, unless such label bears, in such manner and form as specified by the Department of Health a statement that it falls below such standard.

i. If it is not subject to the provisions of paragraph g of this section, unless its label bears (1) the common or usual name of the food, if any there be, and (2) in case it is fabricated from 2 or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings, other than those sold as such, may be designated as spices, flavorings, and color-

ings, without naming each; provided, that, to the extent that compliance with the requirements of clause (2) of this paragraph is impractical, or results in deception, exemptions shall be established by regulations promulgated by the Department of Health ; provided, further, that the requirements of clause (2) of this paragraph shall not apply to any carbonated nonalcoholic drink the ingredients of which have been fully and correctly disclosed, to the extent prescribed by said clause (2), to the Department of Health in an affidavit.

j. If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Department of Health determines to be, and by regulations prescribes as necessary in order fully to inform purchasers as to its value for such uses.

k. If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact; provided, that to the extent that compliance with the requirements of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the Department of Health. The provisions of this paragraph and paragraphs g and i with respect to artificial coloring shall not apply in the case of butter, cheese, or ice cream.

10. Section 24:5–21 of the Revised Statutes is amended to read as follows: Section amended.

24:5–21. No person other than a common carrier shall transport nor shall any person, sell, or offer or expose for sale, or in anywise aid in the selling or offering or exposing for sale, any horse flesh unless every carcass, piece and parcel thereof shall have conspiculously attached thereto a label or tag not less than 3 inches wide and 4 inches long, on which shall be printed or stamped, in letters not less than one inch in height, the words "horse flesh." Horse flesh; labeling.

Any person who shall violate the provisions of this section shall be liable to the following penalties:

a. For each first offense, a penalty of $500.00.

b. For each second and subsequent offense, a penalty of $1,000.00, which penalties shall be recovered and enforced pursuant to chapter 17 of this Title.

Section amended.

11. Section 24:6–1 of the Revised Statutes is amended to read as follows:

Establishment of standards.

24:6–1. If the definition or standard of identity, purity, quality, or strength of a particular food, drug, cosmetic or device has not been fixed by any law of this State, but such definition or standard has been or may hereafter be established under the Federal Act, the State Department of Health may adopt the definition or standard so established and published.

If such definition or standard shall be changed at any time by the agency administering the Federal Act, after the adoption of the definition or standard, it shall not continue in effect in this State after such change has become operative.

Section amended.

12. Section 24:6–2 of the Revised Statutes is amended to read as follows:

Publication; time of taking effect.

24:6–2. Such definition or standard shall be filed with the Secretary of State by the State Commissioner of Health, and shall be published at the end of the first volume of the session laws of the Legislature published after the filing of the definition or standard and shall take effect when so published.

Section amended.

13. Section 24:11–1 of the Revised Statutes is amended to read as follows:

License.

24:11–1. No person shall operate or conduct an establishment where the business of breaking eggs is carried on, whether such eggs are broken for use as food or for other purposes, unless a license to conduct such business has first been issued by the State department to the owner, operator or manager of such establishment. No such license shall be issued for more than 1 year and all such licenses shall expire on June 30 of each year.

14. Section 24:12–1 of the Revised Statutes is amended to read as follows: Section amended.

24:12–1. As used in this chapter, "nonalcoholic drink" includes carbonated beverages of all flavors, sarsaparilla, ginger ale, soda water of all flavors, lemonade, orangeade, root beer, grape juice, and all other beverages of any kind or character, whether similar or not to any beverage specifically mentioned above, either containing no alcohol at all or containing not more than 1% of alcohol, and shall include beverages purported to be for special dietary uses except where hereinafter in this chapter specifically excepted. "Nonalcoholic drink" defined.

15. Section 24:12–2 of the Revised Statutes is amended to read as follows: Section amended.

24:12–2. No person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute or sell, any nonalcoholic drink, except beverages purported to be for special dietary uses, which contains glucin, saccharin, sodium cyclamate, calcium cyclamate or other nonnutritive sweeteners. Prohibited adulterations.

The provisions of this section shall not prohibit the manufacture of, or the sale, distribution or possession of, nonalcoholic drinks which contain water obtained from a public water supply, treated with fluorides in a manner approved by the State Department of Health.

16. Section 24:12–7 of the Revised Statutes is amended to read as follows: Section amended.

24:12–7. The State department, after a hearing upon notice, may revoke the license issued to any person to bottle water or any nonalcoholic drink if any laws or rules and regulations of the department have been violated. Revocation of license.

The license issued to any person to bottle water or any nonalcoholic drink may be suspended at any time when such action is necessary to abate a present or threatened menace to public health. A person whose license has been so suspended shall be afforded a hearing within 7 days after the sus-

pension, or thereafter at such person's option, to show cause why the suspension should be lifted.

Section amended.

17. Section 24:15–1 of the Revised Statutes is amended to read as follows:

"Food establishment" defined.

24:15–1. As used in this chapter, "food establishment" includes any place used in the production, preparation, manufacture, packing, storage, transportation or handling of food intended for sale or distribution.

A "drug establishment" includes any place used in the production, preparation, manufacture, packing, storage, transportation and handling of drugs intended for sale or distribution.

A "cosmetic establishment" includes any place used in the production, preparation, manufacture, packing, storage, transportation and handling of cosmetics intended for sale or distribution but not including pharmacies licensed by the New Jersey Board of Pharmacy.

Section amended.

18. Section 24:15–2 of the Revised Statutes is amended to read as follows:

Cleanliness, lighting, plumbing and ventilation.

24:15–2. Every room in the building of a food, drug or cosmetic establishment shall be properly lighted, drained, plumbed and ventilated and the operations carried on therein shall be conducted in such a manner that the purity, quality and wholesomeness of the food, drug or cosmetic therein produced, manufactured, prepared, packed, stored, sold or distributed shall not be impaired.

Section amended.

19. Section 24:15–3 of the Revised Statutes is amended to read as follows:

Construction of walls, floors.

24:15–3. The side walls of every room in a food, drug or cosmetic establishment wherein food or drugs are produced, manufactured, packaged, stored or handled, shall be made of or coated with a suitable washable surface.

Every room of a food, drug or cosmetic establishment in which food, drugs or cosmetics are exposed shall have a tight floor made of cement or of tile laid in cement, brick, hard wood or other suitable material which can be properly cleaned.

20. Section 24:15–4 of the Revised Statutes is amended to read as follows: Section amended.

24:15–4. (a) The floors, side walls, ceilings, furniture, receptacles, implements and machinery of every food, drug or cosmetic establishment and all vehicles used in the transportation of food products, drugs or cosmetics shall be kept in a clean and sanitary condition. No person shall transport food, drugs or cosmetics in such manner that the purity, quality or wholesomeness thereof shall be impaired. Cleanliness of walls, floors, furniture and machinery.

(b) No polishes or substances containing hydrocyanic acid or salts thereof shall be used for the cleaning or polishing of articles or utensils used for the service or preparation of food or foodstuffs in any food establishment or articles used in the processing, packing or storage of drugs or cosmetics in a drug or cosmetic establishment.

(c) An adequate supply of running water under pressure shall be easily accessible to all rooms in which food, drugs or cosmetics are prepared, manufactured, packed, stored or handled and shall be provided in all rooms in which utensils and equipment are washed.

(d) All multi-use utensils, equipment, tools and receptacles in a food, drug or cosmetic establishment, used in connection with the processing, manufacture, packing, storage or handling of food, drugs or cosmetics intended for distribution or sale, shall be thoroughly cleaned and sanitized immediately after each usage.

21. Section 24:15–5 of the Revised Statutes is amended to read as follows: Section amended.

24:15–5. All food, drugs or cosmetics intended for distribution or sale in the process of production, manufacture, preparation, packing, storing or transportation shall be securely protected from flies, vermin, dust, dirt and so far as possible, by the use of all reasonable means, from all other foreign or injurious contamination. The refuse, dirt and waste products subject to decomposition or fermentation shall be removed daily. Protection of food from contamination; removal of refuse.

Section amended.

22. Section 24:15–6 of the Revised Statutes is amended to read as follows:

Clothing of employees to be kept clean.

24:15–6. The clothing worn by all persons while engaged in work in any food, drug or cosmetic establishment shall be in a clean condition at all times.

Section amended.

23. Section 24:15–7 of the Revised Statutes is amended to read as follows:

Toilet facilities for and personal cleanliness of employees.

24:15–7. All employees of a food, drug or cosmetic establishment who handle the material from which food, drug or cosmetics intended for distribution or sale are prepared, or the finished product shall, before beginning work and after visiting the toilet, wash their hands and arms thoroughly with clean water and soap. Every person owning or operating a food, drug or cosmetic establishment shall provide adequate facilities for such washing and shall take all reasonable means to compel such employees to perform such washing.

Adequate, conveniently located toilet facilities shall be provided for employees on the premises of a food, drug or cosmetic establishment.

All toilet rooms shall be separate from the rooms where any processes incident to the production, manufacture, preparation, packing, storage, sale or distribution of food, drugs or cosmetics are carried on and shall be kept in a clean and sanitary condition.

Section amended.

24. Section 24:15–8 of the Revised Statutes is amended to read as follows:

Expectorating prohibited.

24:15–8. No person shall expectorate in any room in a food, drug or cosmetic establishment used for the production, manufacture, preparation, packing, storage, sale or distribution of food, drugs or cosmetics.

Section amended.

25. Section 24:15–9 of the Revised Statutes is amended to read as follows:

Sleeping in rooms prohibited.

24:15–9. No person shall be allowed to live or sleep in any room where food, drugs or cosmetics intended for sale or distribution are produced, manufactured, packed, stored, distributed or sold.

26. Section 24:15–10 of the Revised Statutes is amended to read as follows: Section amended.

24:15–10. No employer shall require, permit or allow any person to work, nor shall any person work in any food, drug or cosmetic establishment who is ill or infected with a communicable disease as defined in section 26:4–1 of the Revised Statutes. Persons with communicable disease.

27. Section 24:15–12 of the Revised Statutes is amended to read as follows: Section amended.

24:15–12. Every person conducting a food, drug or cosmetic establishment shall upon request be furnished by the State department with an abstract of this chapter. The person receiving such abstract shall keep it posted in plain view in such place so that it can be easily read by the employees entering and leaving the establishment. Furnishing and posting abstract of law.

28. Section 24:17–5 of the Revised Statutes is amended to read as follows: Section amended.

24:17–5. Except as otherwise specifically provided, any and all penalties prescribed by any provision of this subtitle shall be sued for and recovered in a civil action by and in the name of the State Department of Health, or by and in the name of the local board of health, as the case may be, as plaintiff. Recovery of penalties; plaintiff.

Jurisdiction of proceedings to collect such penalties is vested in the County Court, the county district court and the municipal court in any county or municipality where the defendant may be apprehended or where he may reside. Process shall be either a summons or warrant and shall be prosecuted in a summary manner pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

29. Sections 24:3–7, 24:3–8, 24:3–10, 24:5–12, 24:5–15, 24:5–20, 24:6–4, 24:6–5, 24:6–6, 24:6–7, 24:7–1 to 24:7–4 inclusive, 24:8–3, 24:12–3, 24:13–1 to 24:13–3 inclusive, and 24:13–5 to 24:13–9 inclusive, of the Revised Statutes are repealed. Repealed.

30. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 75

AN ACT providing for an interstate compact for education between the State of New Jersey and other States.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:26-1. Preamble.

1. The Compact for Education is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

COMPACT FOR EDUCATION

PREAMBLE

WHEREAS, The proper education of all citizens is one of the most important responsibilities of the States to preserve a free and open society in the United States; and,

WHEREAS, The increasing demands of our whole national life for improving and expanding educational services require a broad exchange of research data and information concerning the problems and practices of education; and,

WHEREAS, There is a vital need for strengthening the voices of the States in the formulation of alternative nationwide educational policies,

The States affirm the need for close and continuing consultation among our several States on all matters of education, and do hereby establish this Compact for Education.

ARTICLE I. PURPOSE AND POLICY

C. 18:26-2. Purpose and policy.

A. It is the purpose of this compact to:

1. Establish and maintain close co-operation and understanding among executive, legislative, professional educational and lay leadership on a nationwide basis at the State and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of State Government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of State and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and State initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and States.

C. The party States recognize that each of them has an interest in the quality and quantity of education furnished in each of the other States, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each State are supplied in significant part by persons educated in other States.

ARTICLE II. STATE DEFINED

C. 18:26-3 Definition.

As used in this compact, "State" means a State, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

C. 18:26-4. The commission.

ARTICLE III. THE COMMISSION

A. The Education Commission of the States, hereinafter called "the commission," is hereby established. The commission shall consist of 7 members representing each party State. One of such members shall be the Governor; 2 shall be members of the State Legislature selected by its respective houses and serving in such manner as the Legislature may determine; and 4 shall be appointed by and serve at the pleasure of the Governor, unless the laws of the State otherwise provide. If the laws of a State prevent legislators from serving on the commission, 6 members shall be appointed by and serve at the pleasure of the Governor, unless the laws of the State otherwise provide. In addition to any other principles or requirements which a State may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party State shall be that the members representing such State shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the State Government, higher education, the State education system, local education, lay and professional, public and nonpublic educational leadership. Of those appointees, one shall be the head of a State agency or institution, designated by the Governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party States, there may be not to exceed 10 nonvoting commissioners selected by the steering committee for terms of 1 year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless

taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(j).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members a chairman, who shall be a Governor, a vice-chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party States, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of 2 or more of the party jurisdictions or their subdivisions.

G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any State, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (f) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party States.

J. The commission annually shall make to the Governor and Legislature of each party State a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

C. 18:26-5. Powers.

Article IV. Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.

2. Encourage and foster research in all aspects of education, but with special reference to the de-

sirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.

3. Develop proposals for adequate financing of education as a whole and at each of its many levels.

4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.

5. Formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V. Co-operation With Federal Government

C. 18:26-6. Co-operation with Federal Government.

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the Federal Government, the United States may be represented on the commission by not to exceed 10 representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to Federal law, and may be drawn from any one or more branches of the Federal Government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the Federal Government concerning the common educational policies of the States, and may advise with any such agencies or officers concerning any matter of mutual interest.

C. 18:26-7.
Committees.

Article VI. Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of 30 members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. One-third of the voting membership of the steering committee shall consist of Governors, and the remainder shall consist of other members of the commission. A Federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of 2 years, except that members elected to the first steering committee of the commission shall be elected as follows: 15 for 1 year and 15 for 2 years. The chairman, vice-chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than 2 terms as a member of the steering committee: provided that service for a partial term of 1 year or less shall not be counted toward the 2 term limitation.

B. The commission may establish advisory and technical committees composed of State, local, and Federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the States concerned, be established to consider any matter of special concern to 2 or more of the party States.

C. The commission may establish such additional committees as its bylaws may provide.

ARTICLE VII. FINANCE

C. 18:26-8. Finance.

A. The commission shall advise the Governor or designated officer or officers of each party State of its budget and estimated expenditures for such period as may be required by the laws of that party State. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party States.

B. The total amount of appropriation requests under any budget shall be apportioned among the party States. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party States.

C. The commission shall not pledge the credit of any party States. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III (g) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to Article III (g) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party States adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly con-

stituted officers of the party States and by any persons authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

C. 18:26-9. Eligible parties; entry into and withdrawal.

ARTICLE VIII. ELIGIBLE PARTIES; ENTRY INTO AND WITHDRAWAL

A. This compact shall have as eligible parties all States, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a Governor, the term "Governor," as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any State or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same: provided that in order to enter into initial effect, adoption by at least 10 eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the Governor; provided that in the absence of enactment, adherence by the Governor shall be sufficient to make his State a party only until December 31, 1967. During any period when a State is participating in this compact through gubernatorial action, the Governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his State, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party State may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until 1 year after the Governor of the withdrawing State has given notice in writing of the withdrawal to

the Governors of all other party States. No withdrawal shall affect any liability already incurred by or chargeable to a party State prior to the time of such withdrawal.

ARTICLE IX. CONSTRUCTION AND SEVERABILITY

C. 18:26-10. Construction and severability.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the Constitution of any State or of the United States, or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any State participating therein, the compact shall remain in full force and effect as to the State affected as to all severable matters.

C. 18:26-11. Membership.

2. New Jersey shall be represented on the commission established by Article III of the compact by the Governor, 4 members appointed by the Governor from among the citizens of this State who will serve at the pleasure of the Governor, and one Senator to be named by the President of the Senate and one Assemblyman to be named by the Speaker of the General Assembly. Legislative members of the commission shall be appointed for terms coincident with the terms for which they were elected to the Senate or General Assembly. The New Jersey members will serve without compensation but shall be entitled to be reimbursed for all necessary expenses incurred in the performance of their duties. Vacancies in the membership shall be filled in the same manner as the original appointments were made.

C. 18:26-12. Filing of bylaws.

3. Pursuant to Article III (I) of the compact, the commission shall file a copy of its bylaws and any amendments thereto with the Secretary of State.

4. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 76

AN ACT concerning the licensing and bonding of commission merchants, dealers, and brokers, and amending sections 4:11–15, 4:11–16, 4:11–19, 4:11–20, 4:11–21 and supplemeting article 2 of chapter 11 of Title 4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 4:11–15 of the Revised Statutes is amended to read as follows:

Definitions.

4:11–15. As used in this article:

"Agent" means any person receiving, buying, soliciting or negotiating the sale of any perishable agricultural commodity or hay, straw or grain or any one or more of them from the grower thereof for or on behalf of any commission merchant, dealer or broker.

"Agricultural commodity" means any perishable agricultural commodity or hay, straw or grain or any one or more of them, as the case may be.

"Broker" means any person engaged in the business of soliciting or negotiating the sale of any perishable agricultural commodity or hay, straw or grain or any one or more of them on behalf of the grower.

"Commission merchant" means any person engaged in the business of soliciting or receiving any perishable agricultural commodity for sale on commission on behalf of the grower thereof.

"Dealer" means any person engaged in the business of buying any agricultural commodity from the grower thereof for the purpose of shipping or for sale, resale or manufacture.

"Cash buyer" means any dealer, broker or agent who pays cash in United States currency at time of transaction for goods received.

"Eggs" means avian eggs of the kind produced and used for human food including the eggs of chickens, turkeys, ducks, geese and guineas, but not those sold or resold for purposes of laboratory or biological uses.

"Grower" means any person engaged in the business of growing or producing any agricultural commodity in this State, or any agricultural co-operative association organized pursuant to the provisions of chapter 13 of this Title.

"Perishable agricultural commodity" means any fruit or vegetable of every kind, including those frozen or packed in ice, and any poultry product.

"Poultry product" means live poultry and eggs as defined in this act, when purchased in wholesale quantities from a grower, or his agent, or a marketing association for sale or resale for human consumption or hatching purposes.

"Poultry" means domestic fowl, including all marketing classifications of chickens, turkeys, ducks, geese and guineas, not sold for show or breeding purposes.

"Secretary" means the Secretary of Agriculture.

"Board" means the State Board of Agriculture.

Section amended.

2. Section 4:11–16 of the Revised Statutes is amended to read as follows:

Article inapplicable to certain transactions.

4:11–16. This article shall not apply to any duly incorporated agricultural co-operative association in its dealings with its members or to any agent, broker, commission merchant or dealer who purchases only poultry products exclusively from duly incorporated agricultural co-operative associations.

Section amended.

3. Section 4:11–19 of the Revised Statutes is amended to read as follows:

Application for license; license fee.

4:11–19. A person before engaging in such business shall on or before April 1 of each year, file an application for a license with the secretary, on a form prescribed by him, and pay an application fee of $15.00 which shall not be returned if the license is not granted, for a license to transact such business.

The application shall state the nature of the business, the kinds of agricultural commodities which the applicant proposes to handle and if they be perishable agricultural commodities then the kinds of perishable agricultural commodities which the applicant proposes to handle, the full name of the person applying for the license, and if the applicant be a firm, association, partnership, or corporation, the full name of each member of the firm, partnership or association, or officers of the corporation, and the name of the local agent of the person, firm, association, partnership or corporation, the municipality and street address, if any, or post-office address, where the business is to be conducted, and such other facts as the secretary shall prescribe.

The applicant shall satisfy the secretary of his character, financial responsibility and good faith in seeking to engage in the business.

Section amended.

4. Section 4:11–20 of the Revised Statutes is amended to read as follows:

Bond accompanying application; securities in lieu of bond; additional bond; distribution of proceeds.

4:11–20. A license shall not be issued except to a cash buyer unless and until the applicant has filed a good and sufficient surety bond executed in favor of the secretary in his official capacity, for the benefit of all growers with whom the applicant shall transact business, by a surety company duly authorized to transact business in this State in the sum of at least $3,000.00, except that any bond for a license to engage in or carry on the business of agent, broker, commission merchant, or dealer for the purchase of eggs only shall be in the sum of at least $1,000.00, conditioned for the payment of all moneys due and owing by the licensee to such grower or growers during the period that the license is in force. The bond shall be executed upon a form prescribed by the secretary and shall be subject to his approval as to form and sufficiency. The applicant may in lieu of the bond deposit with the secretary United States Government securities in an amount equal to the sum secured by the bond required to be filed as herein provided. Such

securities so deposited with the secretary shall constitute a separate fund and shall be held in trust for and applied exclusively to the payment of claims arising under the provisions of this article against the licensee making such deposit for the period for which such license is issued. All proceeds from surety bonds, money or securities shall be distributed to the grower-creditors by the secretary.

The secretary may require a licensee to file an additional bond, to be executed as provided in this section, in the sum to be determined by the secretary, but the maximum amount of the bond shall not exceed $25,000.00.

Section amended.

5. Section 4:11–21 of the Revised Statutes is amended to read as follows:

Issuance of license; expiration.

4:11–21. Upon the filing and approval of the application and bond or securities, as the case may be, or upon the filing and approval of the application of a cash buyer, the secretary shall thereupon issue to the applicant or his agent a license entitling the applicant or the agent to conduct the business of receiving, buying, soliciting or negotiating the sale of perishable agricultural or other agricultural commodities on behalf of the grower, of the kind or kinds, and the place named in the application, which license shall expire on April 30 next following its date of issuance.

C. 4:11-33.1. Rules and regulations.

6. The board may make such rules and regulations as may be necessary for the proper enforcement of the provisions of this article.

Note: Effective date.

7. This act shall take effect May 1, 1967.

Approved June 14, 1966.

CHAPTER 77

AN ACT concerning soil conservation districts, amending sections 4:24–18 and 4:24–22, and supplementing chapter 24 of Title 4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 4:24-17.1. Changing districts; public hearing.

1. Whenever the supervisors of a soil conservation district which has been created for more than 1 year determine it advisable to divide the district into 2 or more separate districts, or whenever the supervisors of 2 or more contiguous districts determine it advisable to combine such districts, the supervisors of the district or districts shall call a public hearing on such proposal.

C. 4:24-17.2. Approval.

2. Following such public hearing the supervisors of the district or districts may adopt a resolution requesting approval by the State Soil Conservation Committee of a division of the district or the combination of separate districts into a single district, the proposed boundaries of the proposed district or districts being annexed to said resolutions. If the State Soil Conservation Committee approves the proposal and so notifies the supervisors, the supervisors shall file with the Secretary of State a statement or statements setting forth the revised name or names and boundaries of the district or districts so approved and the date upon which such changes are to become effective.

C. 4:24-17.3. Terms of supervisors.

3. Upon the effective date of a division of a district or the combination of 2 or more districts, the terms of office of the supervisors theretofore in office shall terminate and new supervisors, appointed by the State Soil Conservation Committee in accordance with Revised Statutes 4:24–12, shall take office as the governing body of the district or districts so created.

C. 4:24-17.4. Provisions.

4. The State Soil Conservation Committee shall make such provisions as are necessary for the continuance in effect of all contracts, liabilities, regulations and other matters of the district or districts to be divided or combined and shall designate the manner in which these contracts, liabilities, regulations and other matters are to be assumed by the districts simultaneously with its granting of approval for division or combining of a district.

5. Section 4:24–18 of the Revised Statutes is amended to read as follows: Section amended.

4:24–18. The governing body of the district shall consist of 3 supervisors, appointed as provided herein above. The 3 supervisors shall be legal residents and landowners of the district. Members.

At any time after 1 year following the organization of a district, the supervisors of such district may recommend a change in the number of supervisors from 3 to 5 or from 5 to 3 for said district after holding a public hearing on the proposal to change the number of supervisors and thereafter obtaining the approval of the State Soil Conservation Committee for such change. Any additional supervisors shall be appointed by the State Soil Conservation Committee in the same manner as hereinabove provided for appointment of supervisors. Upon reduction in the number of supervisors the committee shall designate the supervisors to remain in office.

6. Section 4:24–22 of the Revised Statutes is amended to read as follows: Section amended.

4:24–22. A soil conservation district organized under the provisions of this chapter shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this chapter: Subdivision of State; powers.

a. To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in co-operation with the agricultural experiment stations or any other agency of this State, as may be dealing with allied problems;

b. To conduct in co-operation with existing State agencies, projects within the district on lands owned or controlled by this State or any of its agencies, with the co-operation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner thereof, or those who have rights or interests in such lands, in order to demonstrate methods of soil erosion control;

c. To carry out preventive and control measures within the district including but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, on lands owned or controlled by this State or any of its agencies, with the co-operation of the agency administering and having jurisdiction thereof, and on any other lands within the district;

d. To co-operate, or enter into agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to, any agency, governmental or otherwise, or any owner of lands within the district, in the carrying on of erosion control and prevention operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

e. To acquire machinery and other necessary personal property, to make provision for its safekeeping and to dispose of said property when no longer needed.

f. To make available, on such terms as it shall prescribe, to landowners within the district, agricultural and engineering machinery and equipment, as will assist such landowners to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion;

g. To construct, improve, and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

h. To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specifications of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of land; and to publish such plans and information and bring them to the attention of owners of lands within the district;

i. To act as agent for the United States, or any of its agencies, or for this State or any of its agencies, in connection with any soil-conservation, erosion-control, or erosion-prevention project within its boundaries; to accept payments, donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this State or any of its agencies, or from any governmental subdivision or its agencies, or from any corporation, association, group or individual, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

j. To sue and be sued in the name of the district; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules and regulations, not inconsistent with this chapter, to carry into effect its purposes and powers;

k. To acquire, by gift, devise, purchase or condemnation, any real property located within the district, or any interest or estate therein, which is required for the proper exercise by the district of its powers; provided, however, that the district shall not acquire any real property, or interest or estate therein, by condemnation without first

obtaining the approval of the Secretary of Agriculture and the Commissioner of Conservation and Economic Development.

l. As a condition to the extending of any benefits under this chapter, to, or the performance of work upon, any lands not owned or controlled by this State or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require landowners to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon;

m. To borrow money for the purchase of equipment, either with or without security;

n. No provisions with respect to the acquisition, operations, or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the Legislature shall specifically so state.

7. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 78

AN ACT to amend "An act authorizing the State Board of Agriculture to certify agricultural seeds and tubers; to prohibit the use of the words 'certified,' 'inspected,' 'registered,' 'foundation,' or similar terms in conjunction with the sale of agricultural seeds and tubers unless such seeds and tubers were inspected and certified as provided for in this act; to relieve the Department of Agriculture of all financial responsibility for debts incurred by co-operating organizations; and to prescribe penalties," approved May 24, 1952 (P. L. 1952, c. 298).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

Section amended.

1. The State Board of Agriculture is authorized to establish rules and regulations for the inspection, grading and certification of agricultural seeds, tubers, grass sod, grass sod plugs, and grass stolons grown in this State.

C. 4:1-21.7. Rules and regulations.

2. Section 4 of the act of which this act is amendatory is amended to read as follows:

Section amended.

4. Every person, firm, association or corporation desiring to co-operate with the State Board of Agriculture in certifying agricultural seeds, tubers, grass sod, grass sod plugs, and grass stolons shall first have received the approval of the State Board of Agriculture. Upon the receipt of such approval, every firm, association or corporation subject to the provisions of this act shall observe, conform and comply with all rules and regulations fixed and established by the State Board of Agriculture.

C. 4:1-21.10. Approval of firms desiring to co-operate with State board.

3. Section 5 of the act of which this act is amendatory is amended to read as follows:

Section amended.

5. It shall be unlawful for any person, firm, association or corporation to offer for sale in New Jersey, orally, or in writing. or to represent by certificate, advertisement, label, or brand, or any other description, real or implied, any agricultural seeds, tubers, grass sod, grass sod plugs, and grass stolons as "certified," "inspected," "registered," "foundation," or similar terms, unless and until such seed, tubers, grass sod, grass sod plugs, and grass stolons shall have been duly inspected and certified by the official certifying agency of the state of origin; and it shall be unlawful to offer or expose for sale agricultural seeds, tubers, grass sod, grass sod plugs, and grass stolons with a tag or seal similar in size and color that could in any way be mistaken for an official tag or seal.

C. 4:1-21.11. Offering for sale.

4. Section 8 of the act of which this act is amendatory is amended to read as follows:

Section amended.

8. The Secretary of Agriculture may withhold certification for a period not exceeding 2 years

C. 4:1-21.14. Withholding certification.

from any grower of agricultural seeds, tubers, grass sod, grass sod plugs, or grass stolons who is or has been engaging in, or attempting to engage in dishonest practice for the purpose of evading the provisions of this act, including standards, rules and regulations established by the State Board of Agriculture.

5. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 79

AN ACT to supplement "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:9A-18.1. Bank employees convicted of crime.

1. Except with the written consent of the commissioner, no person who has been convicted, or who is hereafter convicted of any crime involving dishonesty or a breach of trust, shall thereafter serve as an officer, director or employee of a bank or savings bank; provided, however, the pendency of an appeal from said conviction shall stay the operation of the prohibition until the appeal is decided or dismissed.

C. 17:9A-18.2. Penalty.

2. For each willful violation of this prohibition, the bank or savings bank shall be liable to a penalty of not more than $100.00 a day, for each day this prohibition is violated.

3. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 80

AN ACT to supplement article 5 of the "Savings and Loan Act (1963)," approved August 30, 1963 (P. L. 1963, c. 144).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:12B-67.1. Savings and loan association employees convicted of crime.

1. Except with the written consent of the commissioner, no person who has been convicted, or who is hereafter convicted, of any crime involving dishonesty or a breach of trust, shall thereafter serve as an officer, director or employee of an association; provided, however, the pendancy of an appeal from said conviction shall stay the operation of the prohibition until the appeal is decided or dismissed.

C. 17:12B-67.2. Penalty.

2. For each willful violation of this prohibition, the association shall be liable to a penalty of not more than $100.00 a day, for each day this prohibition is violated.

3. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 81

AN ACT to repeal "An act creating a special board in the State Department of Law and Public Safety, consisting of representatives of the State Board of Architects, the State Board of Professional Engineers and Land Surveyors, the New Jersey Society of Architects, and the New Jersey Society of Professional Engineers, and of the Attorney General or a Deputy Attorney General; providing for hearings and actions by said special board in relation to certain violations of law, and for the judicial review thereof, in certain cases," approved June 12, 1952 (P. L. 1952, c. 307).

C. 52:17B-55 to C. 52:17B-65. Repealed.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Chapter 307 of the laws of 1952 is repealed.

2. Any offense committed and liability, penalty or forfeiture incurred by a licensed engineer for the alleged illegal practice of architecture or by a licensed architect for the alleged illegal practice of engineering shall not be discharged, released or affected by this act and shall be commenced or continued and be proceeded with in all respects in accordance with the provisions of chapter 3 of Title 45 of the Revised Statutes in those matters involving a licensed engineer allegedly practicing architecture illegally and in accordance with the provisions of chapter 342 of the laws of 1938 in those matters involving a licensed architect allegedly practicing engineering illegally.

3. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 82

AN ACT to amend "An act concerning institutions and agencies, amending, supplementing and repealing parts of Title 30 of the Revised Statutes and supplements thereto," approved May 27, 1965 (P. L. 1965, c. 59).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 13 of the act of which this act is amendatory is amended to read as follows: Section amended.

13. Application for admission of an eligible mentally retarded person to functional services of the department may be made under any of the following classes: C. 30:4-25.1. Classes for application for admission of eligible mentally retarded persons to functional services.

Class F. Application to the commissioner by the parent, guardian or person or agency having care and custody of the person of a minor or by the guardian of the person of a mentally deficient adult;

Class G. Application to the commissioner by a mentally retarded person over 18 years of age on his own behalf;

Class H. Application to the commissioner by a juvenile court having jurisdiction over an eligible mentally retarded minor;

Class I. Application to the commissioner with an order of commitment to the custody of the commissioner issued by a court of competent jurisdiction during or following criminal process involving the eligible mentally deficient person.

Application shall be made on such forms and accompanied by such relevant information as may be specified from time to time by the commissioner.

2. Section 86 of the act of which this act is amendatory is amended to read as follows: Section amended

C. 30:4-165.3. Notice to county adjuster of admissions of mentally retarded person to residential services; determination of legal settlement.

86. Whenever any mentally retarded person is admitted to residential services the commissioner or his designated agent shall notify the county adjuster of the county in which that person is resident who shall proceed to determine legal settlement in accordance with 30:4–49 and 30:4–73 of this Title. The State, the county of settlement, if any, the mentally retarded person or his estate and his legally responsible relatives shall be responsible for the costs of his care in residential services, except that any order for payment shall be issued independently of any order of commitment to the care and custody of the commissioner or to guardianship.

If arrangements are made which are satisfactory to the institution for payment of the cost of care and treatment of the mentally retarded person and if the chief executive officer or his designated agent is satisfied that the mentally retarded person requires residential services and should be admitted then he shall be so admitted without reference of the matter to the county adjuster for presentation to the court.

Section amended.

3. Section 89 of the act of which this act is amendatory is amended to read as follows:

C. 30:4-165.6. Mentally retarded minors receiving residential functional services under order of commitment.

89. Any mentally retarded person under the age of 18 years who, on the effective date of this act, is receiving residential functional services under order of commitment of any court shall continue to receive residential care as if admitted under Class F of this act, unless within 30 days of the effective date of this act the commissioner shall apply to the juvenile court of the county from which such person was committed or to the juvenile court of the county of which his parents or guardian, if any, are de facto residents, for an order of commitment to care and custody as provided herein. Persons over the age of 18 for whom a guardian of the person has been appointed and who are receiving residential functional services shall be considered to have been admitted under Class F of this act. Where no guardian has been appointed for a per-

son who is over the age of 18 who is receiving residential functional services on the effective date of this act, the last prior order issued with respect to him shall continue in force and effect for 1 year following the effective date of this act, unless prior to that time either (1) the mentally retarded person has been discharged or (2) a guardian of his person has been appointed, or (3) application has been made by a court of competent jurisdiction for his admission to care under Class I as provided herein.

Any order for payment of maintenance issued under prior provisions of Title 30 in effect on the effective date of this act shall remain in force and effect.

4. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 83

AN ACT concerning elections, and amending section 19:31–7 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 19:31–7 of the Revised Statutes is amended to read as follows: Section amended.

19:31–7. For the convenience of the voters the respective municipal clerks or their duly authorized clerk or clerks and the members of the several district boards in all municipalities shall also be empowered to register applicants for permanent registration up to and including the fortieth day preceding any election and after any such election. Registration of applicants shall be accepted at the offices of the respective municipal clerks and at such place or places within the election districts as shall be designated by the respective boards in the manner indicated above, subject to such rules and regulations as may be prescribed by the com- Registration by municipal clerks.

missioner, in counties having a superintendent of elections, and the county board in all other counties. Duly authorized clerk as used in this section shall mean a clerk who resides within the municipality and has been approved by the commissioner or the county board as the case may be. For this purpose the commissioner shall forward to each municipal clerk a sufficient supply of the original and duplicate permanent registration forms for use by the clerk and the district board or boards within the municipality. The commissioner shall keep a record of the serial numbers of these forms and shall periodically make such checks as are necessary to accurately determine if all such forms are satisfactorily accounted for. Each district board at the close of each of its registration sessions, shall deliver to the municipal clerk all filled out registration forms of applicants who were registered by the board during such session. Each municipal clerk shall transmit daily to the commissioner in a stamped envelope to be prepared and supplied by the commissioner all of the filled out registration forms that he may have in his office at the time including those delivered to him by any district board. Each district board or any member thereof shall deliver to the municipal clerk written notice designating the place or places and the dates and hours that the board or any of its members shall be available for the registration of eligible voters and the municipal clerk shall cause such notice to be published in a newspaper circulating in the municipality within at least 10 days before the time or times so designated.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 84

AN ACT creating a commission to make a study of the causes and prevention of crime in New Jersey, and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Creation of Commission to Study Causes and Prevention of Crime in N. J.

1. There is hereby created a commission to be known as the Commission to Study the Causes and Prevention of Crime in New Jersey, consisting of 15 members to be appointed as follows: 5 by the Governor, 5 by the President of the Senate and 5 by the Speaker of the General Assembly. All such appointees shall be appointed from among the public at large and no more than 3 of each group of 5 appointees shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman and a vice-chairman from among its members. The commission also may appoint an executive secretary, a legal counsel, and such other staff members as may be necessary to assist the commission in the performance of its duties. Such staff members may be compensated within the limits of the appropriation hereinafter provided.

3. The commission shall:

(a) Make a comprehensive study of the causes of crime and juvenile delinquency, including but not limited to those environmental, psychological and sociological factors which tend to encourage disrespect for law and disregard of the social order;

(b) Develop standards and make recommendations for actions which can be taken by the State, county and municipal governments, and by private persons and organizations, to prevent criminal behavior and to increase respect for law, including, but not limited to, improvements in correction and rehabilitation of convicted offenders and juvenile delinquents; promotion of better understanding between law enforcement and correction officials and other members of the community; and development of community action programs to encourage lawful behavior by all members of the community.

4. All State, county and municipal departments and agencies shall cooperate with the commission and shall furnish it such information, assistance and services, not inconsistent with law, as it may require in the performance of its duties. The commission shall consult, as it deems appropriate, with Federal, State and local law enforcement officials and members of the judiciary concerning matters of common interest.

5. The commission shall have all the powers of a joint committee of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes and may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature. The commission shall make its report to the Governor and the Legislature on January 1, 1968, and its report may include recommendations and specific changes or additions to the statutory law relating to the prevention and reduction of crime in New Jersey.

6. There is hereby appropriated from the General Treasury the sum of $25,000.00 to enable the commission to carry out its duties under this act.

7. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 85

AN ACT relating to deposits of securities by insurance companies and supplementing chapter 20 of Title 17 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:20-6. Deposit of securities.

1. Whenever the Commissioner of Banking and Insurance is required or permitted to receive and hold deposits of securities from any insurance company under the provisions of Title 17 of the Re-

vised Statutes, such securities may be deposited in the custody of such bank or trust company or national bank within this State as may be designated by the company depositing them and as may be approved by the commissioner, and said securities shall be held for account of the commissioner in trust for such beneficiaries as may be specified under the applicable provision of law. Securities so deposited may be maintained in bearer form at the option of the company depositing them.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 86

AN ACT concerning municipal courts, and amending section 2A:8–22 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2A:8–22 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:8–22. Each municipal court, and the magistrate or magistrates thereof, shall also have jurisdiction of the following crimes or offenses occurring within the territorial jurisdiction of the court, where the person charged shall in writing waive indictment and trial by jury: Jurisdiction of specified offenses where indictment and trial by jury are waived; exception.

a. All cases of malicious mischief or other similar offense, brought under chapter 122 of Title 2A of the New Jersey Statutes, and larceny or other stealing, brought under chapter 119 of said Title 2A and embezzlement, conversion, or misappropriation, brought under any of sections 2A:102–2 to 2A:102–12 inclusive of the New Jersey Statutes, where the price or value of the article, property or thing alleged to have been taken or stolen or the damage alleged to have been in-

flicted, or the sum, or price or value of the thing alleged to have been embezzled, converted or misappropriated, is under $500.00;

b. Obtaining money or property under false pretenses where the amount or value of the article, property or thing alleged to have been obtained is under $500.00;

c. Receiving stolen property where the value of the article, property or thing alleged to have been received is under $500.00;

d. Unlawful conversion, where the property or thing alleged to have been converted is under the value of $500.00;

e. Fornication and adultery;

f. Defrauding hotel keepers and landlords;

g. Overdrawing credit on checking account in amounts of $200.00 or more;

h. Other criminal offenses where the penalty that may be imposed therefor does not exceed a fine of $1,000.00 or imprisonment for a term not exceeding 1 year; provided, that where the magistrate is not an attorney-at-law the municipal court shall not have such jurisdiction to try and determine an indictable offense even through the person charged offers to waive in writing indictment and trial by jury. In such case, and in any case in which the municipal magistrate is not required by this section to try the same, the municipal magistrate may commit, or if the offense charged is bailable in law, admit the person charged to bail with sufficient surety to appear before such court as shall have jurisdiction in such case to hear and determine the crime or offense charged, but in any case in which any person so waiving indictment and trial by jury is charged with a violation of any offense above described under subsections a to h, both inclusive, of this section, if the municipal magistrate is an attorney at law, such person shall be tried therefor in the municipal court.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 87

AN ACT to amend the "State Competitive Scholarship Act," passed May 25, 1959 (P. L. 1959, c. 46).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 12 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 18:22-14.13. Examinations; basis of award.

12. The State Scholarship Commission shall provide for the conduct of annual competitive examinations for State competitive scholarships. On the basis of the scholastic records and the results achieved on the required examinations the commission shall award scholarships to qualified applicants for whom financial need has been established, except that the commission shall give preference to any qualified applicant who is the son or daughter of a policeman or fireman who died on or after January 1, 1961 as the result of injuries received in the performance of his duties.

"Policeman or fireman," as used herein shall mean any member of the State Police, any volunteer or exempt fireman, any permanent full-time active uniformed employee, and any active permanent and full-time employee who is a detective, lineman, fire alarm operator or inspector of combustibles, of any police or fire department of a municipality or a fire department of a fire district located in a township or a county police department in this State.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 88

AN ACT to amend "An act concerning accounts maintained in banking institutions in the names of 2 individual depositors in trust for or as trustees for a named beneficiary, and supplementing 'An act concerning banking and banking institutions (Revision of 1948), approved April 29, 1948 (P. L. 1948, c. 67),' " approved July 19, 1965 (P. L. 1965, c. 145).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-218.1. Deposits in names of two individual depositors; payments by banking institution.

1. When a time or demand deposit account is maintained in a banking institution, as defined in section 1 of the act of which this act is a supplement, in the names of 2 individual depositors, payable to either or to the survivor, in trust for or as trustees for a named beneficiary, the banking institution shall pay any moneys to the credit of the account from time to time to, or pursuant to the order of, either of the individual depositors, or to the survivor of them, in the same manner as if the account were in the sole name of such of the 2 individual depositors to whom, or pursuant to whose order, the moneys are paid.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 89

AN ACT concerning services performed by licensed podiatrists (chiropodists).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The services of a podiatrist (chiropodist) which he is authorized by law to perform shall be considered as medical or surgical services under the Workmen's Compensation Act, or any standard health and accident, disability, sickness or other insurance policy, or coverage under labor-management trustee plan, union welfare plan, employee organization plan, employee benefit plan, or any private insurance or welfare plan, for which he shall be entitled to compensation under said act, or under any such policy or plan if such policy or plan provides compensation for medical or surgical services and does not exclude services which, under the law, such podiatrist (chiropodist) is authorized to perform. C. 45:5-20. Services of podiatrist.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 90

AN ACT to amend "An act concerning fraternal benefit societies," approved November 12, 1959 (P. L. 1959, c. 167).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 29 of the act of which this act is amendatory is amended to read as follows: Section amended.

29. Agents of societies shall be licensed in accordance with the provisions of this section. C. 17:44A-29. Licensing of agents.

(1) Insurance Agent Defined. The term "insurance agent" as used in this section means any authorized or acknowledged agent of a society who acts as such in the solicitation, negotiation or procurement or making of a life insurance, accident and health insurance or annuity contract, except that the term "insurance agent" shall not include:

(a) any regular salaried officer or employee of a licensed society who devotes substantially all of his services to activities other than the solicitation of fraternal insurance contracts from the public, and who receives for the solicitation of such contracts no commission or other compensation directly dependent upon the amount of business obtained; or

(b) any agent or representative of a society who devotes, or intends to devote, less than 50% of his time to the solicitation and procurement of insurance contracts for such society. Any person who in the preceding calendar year has solicited and procured life insurance contracts on behalf of any society in an amount of insurance in excess of $50,000.00, or, in the case of any other kind or kinds of insurance which the society might write, on the persons of more than 25 individuals and who has received or will receive a commission or other compensation, therefor, shall be presumed to be devoting, or intending to devote, 50% of his time to the solicitation or procurement of insurance contracts for such society.

(2) License Required. No person shall act in this State as an insurance agent, as defined in subsection (1) hereof, for a society without having authority so to do by virtue of a license issued and in force pursuant to the provisions of this section.

(3) Payment of Commissions Forbidden. No society doing business in this State shall pay any commission or other compensation to any person for any services in obtaining in this State any new contract of life, accident or health insurance, or any new annuity contract, except to a licensed insurance agent of such society and except an agent exempted under subsection (1) (b) of this section.

(4) Prerequisites, Issuance and Renewal of Insurance Agent's Licenses.

(a) The commissioner may issue a license to any person who has complied with the requirements of this section, authorizing the licensee

to act as an insurance agent on behalf of any society named in such license which is authorized to do business in this State. The annual fee for each license issued shall be $2.00.

(b) Before any insurance agent's license shall be issued there shall be on file in the office of the commissioner the following documents:

(1) a written application by the prospective licensee in such form or forms and supplements thereto, and containing such information, as the commissioner may prescribe; and

(2) a certificate by the society which is to be named in such license, stating that such society has satisfied itself that the named applicant is trustworthy and competent to act as such insurance agent and that the society will appoint such applicant to act as its agent if the license applied for is issued by the commissioner. Such certificates shall be executed and acknowledged by an officer or managing agent of such society.

(c) No written or other examination shall be required of any individual seeking to be named as a licensee to represent a fraternal benefit society as its agent.

(d) The commissioner may refuse to issue or renew any insurance agent's license if in his judgment the proposed licensee is not trustworthy and competent to act as such agent, or has given cause for revocation or suspension of such license, or has failed to comply with any prerequisite for the issuance or renewal, as the case may be, of such license.

(e) Every license issued pursuant to this section, and every renewal thereof, shall expire on December 31 of each year.

(f) If the application for renewal license shall have been filed with the commissioner on or before December 31 of the year in which the existing license is to expire, such applicant

named in such existing license may continue to act as insurance agent under such existing license, unless same shall be revoked or suspended, until the issuance by the commissioner of the renewal license or until the expiration of 5 days after he shall have refused to renew such license and shall have served written notice of such refusal on the applicant. If the applicant shall, within 30 days after such notice is given, notify the commissioner in writing of his request for a hearing on such refusal, the commissioner shall, within a reasonable time after receipt of such notice, grant such hearing, and he may, in his discretion, reinstate such license.

(g) Any such renewal license of an insurance agent may be issued upon the application of a society named in the existing license. Such application shall be in the form or forms prescribed by the commissioner and shall contain such information as he may require. Such application shall contain a certificate executed by the president, or by a vice-president, a secretary, an assistant secretary, or corresponding officer by whatever name known, or by an employee expressly designated and authorized to execute such certificate of a domestic or foreign society or by the United States manager of an alien society, stating that the addresses therein given of the agents of such society for whom renewal licenses are requested therein have been verified in each instance immediately preceding the preparation of the application. Notwithstanding the filing of such application, the commissioner may, after reasonable notice to any such society, require that any or all agents of such society to be named as licensees in renewal licenses shall execute and file separate applications for the renewal of such licenses, as hereinbefore specified, and he may also require that each such application shall be accompanied by the certificate specified in paragraph (b) (2) of subsection (4) of this section.

(5) Notice of Termination of Appointment of Insurance Agent. Every society doing business in this State shall, upon the termination of the appointment of any insurance agent licensed to represent it in this State, forthwith file with the commissioner a statement, in such form as he may prescribe, of the facts relative to such termination and the cause thereof. Every statement made pursuant to this section shall be deemed a privileged communication.

(6) Revocation or Suspension of Insurance Agent's License.

(a) The commissioner may revoke, or may suspend for such period as he may determine, any insurance agent's license if, after notice and hearing as specified in this section, he determines that the licensee has:

(1) violated any provision of, or any obligation imposed by, this section, or has violated any law in the course of his dealings as agent;

(2) made a material misstatement in the application for such license;

(3) been guilty of fraudulent or dishonest practices;

(4) demonstrated his incompetency or untrustworthiness to act as an insurance agent; or

(5) been guilty of rebating as defined by the laws of this State applicable to life insurance companies.

(6) The revocation or suspension of any insurance agent's license shall terminate forthwith the license of such agent. No individual whose license has been revoked shall be entitled to obtain any individual agent's license under the provisions of this section for a period of 1 year after such revocation or, if such revocation be judicially reviewed, for 1 year after the final

determination thereof affirming the action of the commissioner in revoking such license.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 91

AN ACT to amend "An act providing for the service of process, in civil actions, upon nonresident operators or pilots, and nonresident owners, of aircraft operated, on or over the land or waters or through the air space of the State of New Jersey, without being licensed under the provisions of the laws of the State, and providing that such operation thereof, or the causing of such aircraft to be so operated, shall make and constitute the Secretary of State as agent for the acceptance of such process and providing for the execution of powers of attorney to that effect in certain cases," approved May 16, 1952 (P. L. 1952, c. 199).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 6:5-4. Manner of service upon Secretary of State; notice.

4. Service of process upon the Secretary of State shall be made by leaving the original and a copy of the summons and 2 copies of the complaint, with a fee of $20.00 in the hands of the Secretary of State, or someone designated by him in his office, and such service shall be sufficient service upon the nonresident operator, pilot or owner, if

(a) Notice of such service and a copy of the summons, with a copy of the complaint, are forth-

with sent by registered mail to the defendant by the Secretary of State, or someone designated by him in his office; and

(b) Defendant's return receipt and the affidavit of the Secretary of State, or such person in his office acting for him, of the compliance herewith, including a statement of the date of such mailing and of the receipt of the return card, are appended to the original of the summons and the other copy of the complaint and filed in the office of the clerk of the court wherein the action may be pending; or

(c) Notice of such service, with a copy thereof and the original and a copy of the summons and 2 copies of the complaint, are forthwith sent by registered mail by the Secretary of State, or the person in his office acting for him, to the sheriff or other process server in the jurisdiction in which the defendant resides, with directions that such sheriff or process server, or someone acting for such sheriff or process server, shall serve the same upon the defendant in the same manner as that in which service is legally effected in that jurisdiction, and the return of such sheriff or process server, or the person acting for such sheriff or process server in such jurisdiction, shall be appended to or endorsed, upon the original summons and a copy of the complaint, and returned to the Secretary of State, and thereafter filed in the office of the clerk of the court wherein the action may be pending in this State; or

(d) Notice of such service and a copy of the summons and complaint may be served on the defendant, personally, by an official or private individual, wherever such service may be made, and, upon service being so made, an affidavit shall be taken by the person effecting such service, showing the person served and time and place of such service, which affidavit shall be appended, to the original summons and one copy of the complaint, and returned to the Secretary of State, and be thereafter filed in the office of the clerk of the court wherein the action may be pending in this State;

(e) Notice of such service and a copy of the summons and complaint may be served on the defendant in any other manner which the court wherein the case is pending shall deem sufficient and expedient.

If, by direction of plaintiff, notice of service is given as provided by paragraph "c" of this section, plaintiff shall, in addition to the fee of $20.00 required by the first paragraph of this section, deposit with the Secretary of State sufficient money to effectuate the same.

If notice of service is given as provided by paragraph "d" of this section, plaintiff shall pay the cost thereof.

Section amended.

2. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 6:5-6. Fee.

6. The fee of $20.00 paid by the plaintiff to the Secretary of State at the time of service and the cost of giving notice as provided in this act shall be taxed in plaintiff's costs if he prevails in the action.

Note: Effective date.

3. This act shall take effect July 1, 1966.

Approved June 14, 1966.

CHAPTER 92

AN ACT concerning charges for insurance, and amending laws of 1944, chapter 175, section 18.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 18 of the laws of 1944, chapter 175, is amended to read as follows:

C. 17:22-6.18. Compensation to persons, etc., not licensed forbidden; exceptions; insurance contracts not countersigned forbidden.

18. No insurance company or licensee shall pay any money or commission or brokerage or give or allow any valuable consideration (except compensation to salaried employees or to supervising general agents, of any insurance company lawfully authorized to transact business in this State), to any person, partnership, association or corporation, other than a licensee, for or because of service rendered or performed in this State in negotiating

or effecting in this State a contract of insurance on any property, or insurable interests, or business activities located within or transacted within this State (except reinsurance); provided, however, that any insurer participating in a plan for assignment of automobile bodily injury and property damage liability insurance or workmen's compensation insurance, which plan has been approved in writing by the commissioner, may pay a commission or service fee to a duly qualified agent who is authorized to act as agent for any insurer participating in such plan when such agent is designated by the assured as the producer of record under such plan and pursuant to which a policy is issued; nor shall any insurance company effect or issue any such contract of insurance unless it is countersigned or an appropriate countersignature endorsement (except as provided in section 15 of this act) is signed by duly licensed agent as herein defined.

No insurance broker shall have any right to compensation, other than commissions deductible from premiums on insurance policies or contracts, from any insured or prospective insured for or on account of the negotiation or procurement of, or other services in connection with, any contract of insurance made or negotiated in this State or for any other services on account of such insurance policies or contracts, including adjustment of claims arising therefrom, unless such right to compensation is based upon a written memorandum, signed by the party to be charged and specifying or clearly defining the amount or extent of such compensation. The amount of any such compensation must bear a reasonable relationship to the nature of the services performed and must not be discriminatory.

In no event shall the amount of compensation specified in such written memorandum be effective or enforceable to the extent that it exceeds the amount that is authorized under or pursuant to any regulation of the Commissioner of Banking and Insurance.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 93

AN ACT to amend "An act to provide for the examination and licensing, under the direction of the Department of Health of the State of New Jersey, of superintendents or operators of public water treatment plants, public sewage treatment plants and public water supply systems," approved May 6, 1946 (P. L. 1946, c. 295).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-18.10. Definitions.

1. Definitions. As used in this act:

(a) "Public water treatment plant" means any structure or structures by means of which water prior to discharge into a public water supply system is subjected to the addition or abstraction of a substance or substances in order to enhance the safeness, palatability, public health or aesthetic qualities, or reduce the corrosive or hazardous properties of the water used for potable or domestic purposes.

(b) "Public sewage treatment plant" means any structure or structures by means of which domestic wastes are subjected to any artificial process in order to remove or so alter constituents as to render the wastes less offensive or dangerous to the public health, comfort or property of any of the inhabitants of this State before the discharge of the plant effluent into any of the waters of this State; this definition includes plants for the treatment of industrial wastes as well as a combination of domestic and industrial wastes.

(c) "Public water supply system" means a system comprising structures which operating alone or with other structures result in the derivation, conveyance (or transmission) or distribution of

water for potable or domestic purposes to consumers in 20 or more dwellings or properties; this definition does not include a public water treatment plant.

(d) "Superintendents or operators" means all persons under any local titles or other designations who are now or shall hereafter be in direct general charge of public water treatment plants, public sewage treatment plants or public water supply systems and who are responsible for and supervise the condition, operation and effectiveness of the structures comprising the said plants or systems and who are responsible for the safeness or quality of the effluents discharged or delivered from said plants or said systems and who are experienced in the operation of the structures and have knowledge of the methods and controls used in the treatment of water or sewage or the deliverance or conveyance of water for potable or domestic purposes.

(e) "Department" means the Department of Health of the State of New Jersey.

(f) "Rules and regulations" means the rules and regulations adopted by the Department of Health of the State of New Jersey for the conduct of examinations for the licensing of superintendents or operators and may include qualifications for admittance to examinations and classifications based upon: the capacity of the plant or system, the amount of water supplied or sewage treated, the method of treatment, the source of water supply, the method of water distribution, the method of sewage collection, the nature or use of the waters prior to the use of said waters for potable or domestic purposes, the nature or use of the waters receiving the effluents from sewage treatment plants, and the limitation of the use of licenses issued pursuant to this act.

(g) "Waters of this State" means the ocean and its estuaries, all springs, streams and bodies of surface waters, whether natural or artificial, within the boundaries of this State or subject to its jurisdiction.

(h) All other words or phrases shall be defined and construed as provided by chapter 1 of Title 1 of the Revised Statutes.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 94

AN ACT to amend "An act to provide for the examination and licensing, under the direction of the Department of Health of the State of New Jersey, or superintendents or operators of public water treatment plants, public sewage treatment plants and public water supply systems," approved May 6, 1946 (P. L. 1946, c. 295), and to repeal section 10 of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Sections amended.

1. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-18.13. License fee; expiration; renewal.

4. The department shall issue a license upon payment of a license fee to any applicant who, in the opinion of the department, has satisfactorily met all the requirements of this act. The license fee shall be $10.00, of which $5.00 shall accompany the application, the remainder to be paid upon notification that the applicant is entitled to a license. Should the department deny admittance to the examination or the issuance of a license to any applicant the initial fee of $5.00 shall be retained. Licenses shall expire on September 30 following issuance or renewal. Licensees shall apply for renewal on or before September 30 of each year. Renewal may be effected at any time during the month of September by the payment of a fee of

$5.00. The failure on the part of the licensee to renew his license annually in the month of September as required shall not deprive such person of the right of renewal but the fee to be paid for renewal of a license after September 30 shall be $1.00 for every 3 months or fraction thereof that payment of renewal is delinquent in addition to the annual renewal fee of $5.00. The failure on the part of the licensee to renew his license within 2 years from the date of expiration of said license will automatically revoke such license.

Section amended.

2. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-18.14. Revocation; hearing.

5. The department may revoke or suspend the license of any superintendent or operator of a public water treatment plant or public sewage treatment plant or public water supply system if, after a hearing held by the department or its director at which the superintendent or operator shall have had an opportunity to be heard, either in person or by counsel, the department determines that the superintendent or operator is incompetent to manage the plant or system, or that he has willfully neglected his duty in supervising the operation of the plant or system, or that he has disregarded or disobeyed the lawful orders, rules or regulations of the department. Any person whose license shall have been revoked shall be ineligible for admission to any examination authorized by this act for a period of not less than 6 months nor more than 2 years.

Section amended.

3. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-18.15. Violations; penalties.

6. Any municipality, corporation or person owning or operating a public water treatment plant, a public sewage treatment plant or a public water supply system who shall violate any of the provisions of this act, or any person commencing or continuing to discharge the duties of a superintendent or operator of a public water treatment plant, a public sewage treatment plant or a public water supply system without first having obtained a li-

cense or having failed to renew his license as provided in this act, or discharging the duties of a superintendent or operator of such plants or system contrary to any of the provisions of this act, lawful orders, rules or regulations of the department, shall be subject to a fine of $10.00 for each day on which the violation has occurred. The penalty shall be recovered in the manner hereinafter provided.

C. 58:11-18.19. Repealed.

4. Section 10 of "An act to provide for the examination and licensing, under the direction of the Department of Health of the State of New Jersey, of superintendents or operators of public water treatment plants, public sewage treatment plants and public water systems," approved May 6, 1946, is repealed.

5. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 95

AN ACT concerning education and amending section 18:14–113 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 18:14–113 of the Revised Statutes is amended to read as follows:

Provision for salary and expenses.

18:14–113. The salary of the supervisor shall be paid in equal semimonthly installments. The Director of the Division of Budget and Accounting shall on order of the commissioner draw his warrant for such salary on the State Treasurer. All claims for expenses of the supervisor not exceeding in any 1 year the sum of $750.00, shall be paid after being audited by the county superintendent on orders issued by the county superintendent and drawn on the county treasurer.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 96

AN ACT concerning education and amending section 18:13–21 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 18:13–21 of the Revised Statutes is amended to read as follows: Section amended.

18:13–21. Whenever the commissioner deems it advisable, he may appoint a helping teacher to aid and direct the teachers in the schools of 2 or more districts, but no appointment shall be effective until it is approved by the State Board of Education. The commissioner, with the approval of the State board, shall fix the salary of a helping teacher, and shall fix an allowance for his traveling expenses, which allowance shall not exceed $750.00 a year. Appointment, salary and expenses.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 97

AN ACT concerning education and amending section 18:4–4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 18:4–4 of the Revised Statutes is amended to read as follows: Section amended.

18:4–4. A county superintendent of schools shall receive in addition to his salary, the actual expenses incurred by him in the performance of his official duties. Expenses.

Such expenses shall be paid by the treasurer of the county on the order of the commissioner; but the commissioner shall not draw an order in favor of any county superintendent who has not performed faithfully, during the period in which such expenses have been incurred, all the duties imposed upon him by this Title, nor until he has furnished to the commissioner an itemized statement of the expenses incurred, certified under his oath, together with proper vouchers.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 98

AN ACT to amend "An act requiring the annual registration of certain aircraft based in the State of New Jersey, prescribing fees for such registration which shall be in lieu of assessment and taxation of aircraft as personal property, providing for the administration of its provisions by the Commissioner of the Department of Conservation and Economic Development, and providing penalties for violations," approved July 1, 1964 (P. L. 1964, c. 128).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 15 of the act of which this act is amendatory is amended to read as follows:

C. 6:1-77. Violations; penalties.

15. Any person violating any provision of this act or any rule or regulation authorized hereby and any person who owns or is entitled to the exclusive use of an aircraft and any person who operates an aircraft, required to be registered under this act, which is not currently registered is

a disorderly person and shall be subject to a fine of not less than $25.00 or more than $1,000.00.

All fines or penalties levied for violations of this act shall be accounted for by the judge or hearing magistrate and forwarded to the Chief of the Bureau of Aeronautics, Department of Conservation and Economic Development, who shall deposit the same with the State Treasurer. The State Treasurer shall account for and dispose of said moneys in the same manner as provided for the disposition of registration fees by section 11, chapter 128, laws of 1964.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 99

AN ACT to amend "An act requiring the annual registration of certain aircraft based in the State of New Jersey, prescribing fees for such registration which shall be in lieu of assessment and taxation of aircraft as personal property, providing for the administration of its provisions by the Commissioner of the Department of Conservation and Economic Development, and providing penalties for violation," approved July 1, 1964 (P. L. 1964, c. 128).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 12 of the act of which this act is amendatory is amended to read as follows: Section amended.

12. (a) The commissioner may by regulation provide for the general registration of aircraft of manufacturers of aircraft and dealers in new or used aircraft and for the identification of aircraft under their ownership or control for flight testing, demonstration, sale or delivery to others. C. 6:1-74. Registration and identification of aircraft of manufacturers and dealers; fee.

(b) No person shall engage in the business of buying, selling or dealing in new or used aircraft in this State unless he is authorized to do so under the provisions of this chapter. The commissioner may, upon application in such form and standards as he prescribes, license any proper person as such dealer.

No person who has been convicted of a crime arising out of fraud or misrepresentation in the sale or financing of an aircraft shall be eligible to receive a license, and each applicant for a license shall at the time such license is issued have established and maintained, or by said application shall agree to establish and maintain, within 90 days after the issuance thereof, a place of business consisting of a permanent building located in the State of New Jersey to be used principally for the servicing or display of aircraft.

(c) The license of the aircraft dealer shall be renewed annually upon application made 30 days before the expiration of the license to be renewed. Each applicant for such a license or the renewal of such a license shall be required to pay a fee of $25.00 to the Bureau of Aeronautics in the Department of Conservation and Economic Development. The commissioner may by regulation pro rate an initial license fee at the rate of $8.00 for each quarter or portion thereof remaining in the licensing year. All such fees shall be paid to the State Treasurer by the bureau for use of the State.

(d) An aircraft dealer licensed to do business in this State, and each aircraft manufacturer will for each and every aircraft under their ownership and control for flight testing, demonstration, sale or delivery to others, annually obtain and display general registration certificates and registration decals therefor as provided for by regulation of the commissioner. Such general registration decals shall not be placed in or upon aircraft used for hire.

(e) The annual fee for a set of 5 certificates of general registration together with 5 general regis-

tration decals shall be $75.00. Each succeeding set of 5 certificates of general registration and registration decals shall be an additional $75.00.

The commissioner may by regulation pro rate the fees for succeeding sets at the rate of $20.00 for each quarter or portion thereof remaining in the licensing year.

(f) When a dealer or manufacturer of aircraft doing business within this State transfers title in or exclusive possession of an aircraft to another person residing in the State of New Jersey, he shall within 10 days after transferring title or delivering exclusive possession, file a notice in such form and content as the commissioner shall prescribe regarding such sale or transfer.

(g) The licensing year commences on July 1 and ends on June 30 of the following year.

2. This act shall take effect July 1, 1966. Note: Effective date.

Approved June 14, 1966.

CHAPTER 100

AN ACT to amend "An act to regulate aeronautics over and within this State," approved March 30, 1938 (P. L. 1938, c. 48).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 10 of the act of which this act is amendatory is amended to read as follows: Section amended.

10. Except as otherwise specifically provided by law, the Commissioner of Conservation and Economic Development shall promote progress and education in and shall have supervision over aeronautics within this State, including, but not by way of limitation, the avigation, flight and operation of C. 6:1-29. Powers and duties of the commission; adoption of rules and regulations and orders.

aircraft, the establishment, location, maintenance, operation, size, design, repair, management and use of airports, landing fields, landing strips, heliports and helistops, sport parachuting centers, air markings and other avigational facilities, and the establishment, operation, management and equipment of fixed base operators. The commissioner may adopt and promulgate reasonable rules, regulations and orders regulating air traffic and establishing minimum standards for aircraft, pilots, fixed base operators, airports, landing fields, landing strips, heliports and helistops, sport parachuting centers, air markings and all avigational facilities within the State and establishing minimum altitudes of flight commensurate with the needs of public safety, the safety of persons operating or using aircraft and the safety of persons and property on the ground, and to develop and promote aeronuatics within this State. The commissioner shall have power to promulgate and adopt any reasonable rules and regulations that may be necessary to effectuate the purposes of this act in the interest of public safety and the development of aeronautics in this State.

The rules, regulations and orders of the commissioner shall be kept in conformity as nearly as may be with the laws, rules and regulations of the United States Government concerning aeronautics. The commissioner, the Director of Resource Development, the Chief, Bureau of Aeronautics, the supervisory inspector and designated members of said Bureau of Aeronautics shall be peace officers and have authority to make arrests and issue a summons and complaint for violations of the provisions of this act, or any acts amendatory hereof or supplementary hereto, or of any rules, orders and regulations established thereunder. The commissioner may employ such expert assistance as he shall deem necessary to perform his duties under this act.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 101

AN ACT to amend "An act to regulate aeronautics over and within this State," approved March 30, 1938 (P. L. 1938, c. 48).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 40 of the act of which this act is amendatory is amended to read as follows: Section amended.

40. Any person willfully violating any of the provisions of this chapter, or the rules, regulations or orders issued pursuant thereto, except provisions, rules, regulations or orders pertaining to the organization or operation of the Department of Conservation and Economic Development, is a disorderly person and shall be subject to a fine of not less than $25.00 or more than $1,000.00. This section does not apply to provisions in this act, or any acts amendatory hereof or supplementary hereto wherein specific penalties are provided for violation thereof. C. 6:1-59. Penalties.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 102

AN ACT concerning education and amending sections 18:6–66 and 18:7–91 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 18:6–66 of the Revised Statutes is amended to read as follows: Section amended.

Maturity of bonds as dependent upon purpose of issuance.

18:6–66. All bonds issued under this article shall mature within a period not to exceed the following number of years for the following classes of purposes:

a. For the acquisition or construction of schoolhouses or other buildings or structures whether including or not including the original furnishings, equipment, machinery, or apparatus, required for the proper equipment of such buildings, if such buildings be:

1. Of frame construction—that is, a building or structure of which the structural members, exterior walls, or a portion thereof, are constructed of wood, or other combustible material, or a building sheathed with combustible material and partially or entirely covered with 4 inches or less masonry or other noncombustible material—20 years;

2. Of noncombustible construction—that is, a building or structure of which the outer walls, columns, piers, beams, lintels, girders and interior bearing partitions are of noncombustible materials (laminated wood beams, columns or trusses of not less than 6″ x 10″ nominal dimensions shall be permitted)—30 years;

3. Of fire resistive construction—that is, a building or structure of which all structural members including walls, partitions, columns, piers, beams, lintels, girders, trusses and floors are of noncombustible materials, and in which the floors, stair towers and all places of assembly are built entirely of noncombustible materials, and in which no woodwork, supporting material or other combustible material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair towers and corridors, wooden floorings and sleepers laid directly on top of a fire resistive floor, or having wooden doors, window sash, wooden jambs, frames, casing or trim in other than stair towers, corridors and exit passages, or wooden rafters—40 years.

b. For acquiring land for school purposes and for grading, drainage, or otherwise improving or embellishing the land thus acquired—40 years.

c. For construction of an addition or additions to schoolhouses or other buildings or structures, and for the reconstruction of schoolhouses or other buildings or structures if the schoolhouse or other building or structure to which an addition or reconstruction is made is a building:

1. Of the character described in paragraph "a1," of this section—15 years;

2. Of the character described in paragraph "a2," of this section—20 years;

3. Of the character described in paragraph "a3," of this section—30 years;

d. For furnishing, refurnishing, equipment, or apparatus or renewal of any or all of these things, when not in connection with the original furnishing, equipment, or apparatus—10 years.

2. Section 18:7–91 of the Revised Statutes is amended to read as follows: Section amended.

18:7–91. All bonds issued under this article, other than refunding bonds, shall mature within a period not to exceed the following number of years for the following classes of purposes: Maturity of bonds as dependent upon purpose of issuance.

a. For the acquisition or construction of schoolhouses, whether including or not including the original furnishings, equipment, machinery, or apparatus required for the proper equipment of the building, if the building be:

1. Of frame construction—that is, a building or structure of which the structural members, exterior walls, or a portion thereof, are constructed of wood, or other combustible material, or a building sheathed with a combustible material and partially or entirely covered with 4 inches or less masonry or other noncombustible material—20 years;

2. Of noncombustible construction—that is, a building or structure of which the outer walls, columns, piers, beams, lintels, girders, and interior bearing partitions are of noncombustible materials

(laminated wood beams, columns or trusses of not less than 6″ x 10″ nominal dimension shall be permitted)—30 years;

3. Of fire resistive construction—that is, a building or structure of which all structural members including walls, partitions, columns, piers, beams, lintels, girders, trusses and floors are of noncombustible materials, and in which the floors, stair towers and all places of assembly are built entirely of noncombustible materials, and in which no woodwork, supporting material or other combustible material is used in any of the partitions, floorings or ceilings; but this definition shall include a building in which there is used, elsewhere than in the stair towers and corridors, wooden floorings and sleepers laid directly on top of a fire resistive floor, or having wooden doors, window sash, wooden jambs, frames, casing or trim in other than stair towers, corridors and exit passages, or wooden rafters—40 years.

b. For acquiring land for school purposes and for grading, drainage, or otherwise improving or embellishing the same—40 years.

c. For construction of an addition or additions to schoolhouses and for the reconstruction of schoolhouses, if the schoolhouse to which an addition or reconstruction is made, is a building:

1. Of the character described in paragraph "a1" of this section—15 years;

2. Of the character described in paragraph "a2" of this section—20 years;

3. Of the character described in paragraph "a3" of this section—30 years.

d. For furnishing, refurnishing, equipment, or apparatus, or renewal, or any or all thereof, when not in connection with the original furnishings, equipment, or apparatus—10 years.

3. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 103

AN ACT to amend and supplement the "State Competitive Scholarship Act," passed May 25, 1959 (P. L. 1959, c. 46).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 9 of the act of which this act is amendatory is amended to read as follows: Section amended.

9. Each State competitive scholarship is for a period of 4 academic years, except that in the case of a scholarship holder who is enrolled in a course of undergraduate study required by the institution to cover 5 academic years, the period of the scholarship shall be the length of time regularly required for the completion of such course, but each and every State competitive scholarship shall remain in effect only during such period as the holder thereof achieves satisfactory academic progress, continues to have financial need, and is regularly enrolled as a full-time student in an institution of collegiate grade as described in section 10. C. 18:22-14.10. Duration of scholarship.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 104

AN ACT to amend "An act concerning municipalities, and supplementing Title 40 of the Revised Statutes," approved July 21, 1941 (P. L. 1941, c. 277).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

C. 40:47-12.1. Assistance to other municipalities; injuries to or death of policeman or fireman assisting.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. In the event of emergency or widespread conflagration, it shall be lawful for the chief or other head of the fire or police department of any municipality, upon the request of the chief of the fire or police department or the mayor of any other municipality for assistance, to provide and render such assistance, by supplying fire and police aid, or both, in the protection of life and property, or to assist in quelling any riot or disorder or in suppressing any conflagration, and while so acting the members of the fire or police department supplying such aid shall have the same powers and authority as have the members of the fire or police department of the municipality in which such aid is being rendered.

Any member of a fire or police department rendering assistance or aid, as contemplated by this act, who shall meet death in the performance of duty, or who shall suffer sickness, injury or death in carrying out the provisions of this act, shall be entitled to all pension rights and compensation as though such sickness, injury or death had occurred in his own municipality.

2. This act shall take effect immediately.

Approved June 14, 1966.

CHAPTER 105

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1, Section 301 of the act of which this act is amendatory is amended to read as follows:

301. Tax imposed; rate. C. 54:40A-8. Tax imposed; rate.

A tax is hereby imposed on the sale, use or possession for sale or use within this State of all cigarettes at the rate of $0.055 for each 10 cigarettes or fraction thereof.

2. Section 401 of the act of which this act is amendatory is amended to read as follows: Section amended.

401. Director to provide revenue stamps. C. 54:40A-11. Director to provide revenue stamps.

The taxes imposed and levied by this act shall be paid through the use of stamps, except as provided in section 205 (Consumers) of this act. The director shall secure stamps of such designs and denominations as he shall prescribe, suitable to be affixed to packages, and provide for the sale thereof to licensed distributors. Only licensed distributors shall affix and cancel stamps and no distributor shall affix or cancel any stamp except at the tax rate in effect on the date of such affixing or cancellation. The director shall not authorize any person to sell revenue stamps except his duly constituted agents and assistants. On sales of revenue stamps the director shall allow, as compensation for the services and expenses of the distributor in affixing and handling of such stamps, a discount of 2.5% of the face amount of any sale of $100.00 or more; provided, that the distributor has complied with all the provisions of this act. No discount shall be allowed on any sale of less than $100.00 and stamps shall not be sold in blocks of less than 100 stamps.

3. The sum of $75,000.00 is hereby appropriated for the purpose of carrying out the provisions of this act for the period from the date of enactment to June 30, 1967. Appropriation.

4. This act shall take effect at 12:01 A. M. on the day following approval thereof. Note: Effective date.

Approved June 15, 1966.

CHAPTER 106

AN ACT to provide student dormitory and related facilities at the State University and State public colleges and dormitory and related facilities and other educational facilities for the benefit and use of students, faculty and staff at private colleges and universities in the State, establishing the New Jersey Educational Facilities Authority for such purposes, and providing an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:22B-1. Purpose of act.

1. It is hereby declared that a serious public emergency exists affecting and threatening the welfare, comfort, health, safety and prosperity of the people of the State and resulting from the fact that financial resources are lacking with which to construct required dormitory and other educational facilities at public and private institutions of higher education; that it is essential that this and future generations of youth be given the fullest opportunity to learn and to develop their intellectual and mental capacities; that it is essential that institutions for higher education within the State be provided with appropriate additional means to assist such youth in achieving the required levels of learning and development of their intellectual and mental capacities; that it is essential that all resources of the State be employed in order to meet the tremendous demand for higher educational opportunities; that all institutions of higher education in the State, both public and private, are an integral part of the total educational effort in the State for providing higher educational opportunities, and that it is the purpose of this act to provide a measure of assistance and an alternative

method to enable institutions of higher education in the State to provide the facilities which are sorely needed to accomplish the purposes of this act, all to the public benefit and good, to the extent and manner provided herein.

ARTICLE 1

C. 18:22B-2. Title of Act.

2. This act shall be known and may be cited as the "New Jersey Educational Facilities Authority Act."

C. 18:22B-3. Definitions.

3. As used in this act, the following words and terms shall have the following meanings, unless the context indicates or requires another or different meaning or intent:

"Authority" means the New Jersey Educational Facilities Authority created by this act or any board, body, commission, department or officer succeeding to the principal functions thereof or to whom the powers conferred upon the authority by this act shall be given by law;

"Bond" means bonds or notes of the authority issued pursuant to this act;

"Dormitory" means a housing unit with necessary and usual attendant and related facilities and equipment;

"Educational facility" means a structure suitable for use as a dormitory, dining hall, student union, administration building, academic building, library, laboratory, research facility, classroom, athletic facility, health care facility, and parking maintenance, storage or utility facility and other structures or facilities related thereto or required or useful for the instruction of students or the conducting of research or the operation of an institution for higher education, and the necessary and usual attendant and related facilities and equipment, but shall not include any facility used or to be used for sectarian instruction or as a place for religious worship;

"Participating college" means a public college or private college which, pursuant to the provisions

of this act, participates with the authority in undertaking the financing and construction or acquisition of a project;

"Project" means a dormitory or an educational facility or any combination thereof;

"Private college" means an institution for higher education other than a public college, situated within the State and which, by virtue of law or charter, is a nonprofit educational institution empowered to provide a program of education beyond the high school level;

"Public college" means Rutgers, The State University, the State colleges, the Newark College of Engineering, the New Jersey College of Medicine and Dentistry, the county community colleges and any other public university or college now or hereafter established or authorized by law.

C. 18:22B-4. Establishment of N. J. Educational Facilities Authority.

4. (a) There is hereby established in the Department of Education a public body corporate and politic, with corporate succession to be known as the "New Jersey Educational Facilities Authority." The authority shall constitute a political subdivision of the State established as an instrumentality exercising public and essential governmental functions, and the exercise by the authority of the powers conferred by this act shall be deemed and held to be an essential governmental function of the State.

(b) The authority shall consist of 7 members, 2 of whom shall be the Commissioner of Education, ex officio, and the State Treasurer, ex officio, or when so designated by them, their deputies, and 5 citizens of the State to be appointed by the Governor with the advice and consent of the Senate for terms of 5 years; provided that the terms of the members first appointed shall be arranged by the Governor so that one of such terms shall expire on April 30 in each successive year ensuing after such appointments. Each member shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. Any vacancy among the members appointed by the Gov-

ernor shall be filled by appointment for the unexpired term only. A member of the authority shall be eligible for reappointment.

(c) Any member of the authority appointed by the Governor may be removed from office by the Governor for cause after a public hearing.

(d) The members of the authority shall serve without compensation, but the authority may reimburse its members for necessary expenses incurred in the discharge of their duties.

(e) The authority, upon the first appointment of its members and thereafter on or after April 30 in each year, shall annually elect from among its members a chairman and a vice-chairman who shall hold office until April 30 next ensuing and until their respective successors shall have been appointed and qualified. The authority may also appoint, retain and employ, without regard to the provisions of Title 11, Civil Service, of the Revised Statutes, such officers, agents, employees and experts as it may require, and it shall determine their qualifications, terms of office, duties, services and compensation.

(f) The powers of the authority shall be vested in the members thereof in office from time to time and a majority of the total authorized membership of the authority shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the authority at any meeting thereof by the affirmative vote of a majority of the members present, unless in any case the by-laws of the authority shall require a larger number. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

(g) Before the issuance of any bonds under the provisions of this act, the members and the officer of the authority charged with the handling of the authority's moneys shall be covered by a surety bond or bonds in a penal sum of not less than $25,000.00 per person conditioned upon the faithful

performance of the duties of their respective offices, and executed by a surety company authorized to transact business in the State of New Jersey as surety. Each such bond shall be submitted to the Attorney General for his approval and upon his approval shall be filed in the office of the Secretary of State prior to the issuance of any bonds by the authority. At all times after the issuance of any bonds by the authority the officer of the authority charged with the handling of the authority's moneys and each member shall maintain such surety bonds in full force and effect. All costs of such surety bonds shall be borne by the authority.

(h) Notwithstanding any other law to the contrary, it shall not be or constitute a conflict of interest for a trustee, director, officer or employee of a participating college to serve as a member of the authority; provided such trustee, director, officer or employee shall abstain from discussion, deliberation, action and vote by the authority under this act in specific respect to such participating college of which such member is a trustee, director, officer or employee.

(i) A true copy of the minutes of every meeting of the authority shall be forthwith delivered by and under the certification of the secretary thereof, to the Governor. No action taken at such meeting by the authority shall have force or effect until 10 days after such copy of the minutes shall have been so delivered. If, in said 10-day period, the Governor returns such copy of the minutes with veto of any action taken by the authority or any member thereof at such meeting, such action shall be null and of no effect. If the Governor shall not return the minutes within said 10-day period, any action therein recited shall have force and effect according to the wording thereof. At any time prior to the expiration of the said 10-day period, the Governor may sign a statement of approval of any such action of the authority, in which case the action so approved shall not thereafter be disapproved.

Notwithstanding the foregoing provisions of this paragraph (i), with regard to the sale and award of bonds of the authority, the authority shall furnish to the Governor a certified copy of the minutes of the meeting at which said bonds are sold and awarded forthwith upon the taking of such action and the Governor shall indicate his approval or disapproval of such action prior to the end of the business day upon which such action of the authority was taken.

The powers conferred in this paragraph (i) upon the Governor shall be exercised with due regard for the rights of the holders of bonds of the authority at any time outstanding, and nothing in, or done pursuant to, this paragraph (i) shall in any way limit, restrict or alter the obligation or powers of the authority or any representative or officer of the authority to carry out and perform in every detail each and every covenant, agreement or contract at any time made or entered into by or on behalf of the authority with respect to its bonds or for the benefit, protection or security of the holders thereof.

C. 18:22B-5. Authority powers.

5. The authority shall have power:

(a) to adopt by-laws for the regulation of its affairs and the conduct of its business;

(b) to adopt and have an official common seal and alter the same at pleasure;

(c) to maintain an office at such place or places within the State as it may designate;

(d) to sue and be sued in its own name, and plead and be impleaded;

(e) to borrow money and to issue bonds and notes and other obligations of the authority and to provide for the rights of the holders thereof as provided in this act;

(f) to acquire, lease as lessee, hold and dispose of real and personal property or any interest therein, in the exercise of its powers and the performance of its duties under this act;

(g) to acquire in the name of the authority by purchase or otherwise, on such terms and conditions

and in such manner as it may deem proper, or by the exercise of the power of eminent domain, any land or interest therein and other property which it may determine is reasonably necessary for any project, including any lands held by any county, municipality or other governmental subdivision of the State; and to hold and use the same and to sell, convey, lease or otherwise dispose of property so acquired, no longer necessary for the authority's purposes;

(h) to receive and accept, from any Federal or other public agency or governmental entity, grants or loans for or in aid of the acquisition or construction of any project, and to receive and accept aid or contributions from any other source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants, loans and contributions may be made;

(i) to prepare or cause to be prepared plans, specifications, designs and estimates of costs for the construction and equipment of projects for participating colleges under the provisions of this act, and from time to time to modify such plans, specifications, designs or estimates;

(j) by contract or contracts or by its own employees to construct, acquire, reconstruct, rehabilitate and improve, and furnish and equip, projects for participating colleges; provided, however, that in any contract or contracts undertaken by the authority for the construction, reconstruction, rehabilitation or improvement of any public college project where the cost of such work will exceed $25,000.00, the person preparing the plans and specifications for such work shall prepare separate plans and specifications for (1) the plumbing and gas fitting, and all work and materials kindred thereto, (2) the steam and hot water heating and ventilating apparatus, steam power plants and all work and materials kindred thereto, (3) the electrical work, (4) structural steel and ornamental iron work and materials and (5) all other work and ma-

terials required to complete the building, and the authority shall execute separate contracts for each of said branches of the work;

(k) to determine the location and character of any project to be undertaken pursuant to the provisions of this act, and to construct, reconstruct, maintain, repair, operate, lease, as lessee or lessor, and regulate the same; to enter into contracts for any or all such purposes; to enter into contracts for the management and operation of a project, and to designate a participating college as its agent to determine the location and character of a project undertaken by such participating college under the provisions of this act and, as the agent of the authority, to construct, reconstruct, maintain, repair, operate, lease, as lessee or lessor, and regulate the same, and, as agent of the authority, to enter into contracts for any and all such purposes including contracts for the management and operation of such project;

(l) to establish rules and regulations for the use of a project or any portion thereof and to designate a participating college as its agent to establish rules and regulations for the use of a project undertaken by such participating college;

(m) generally to fix and revise from time to time and to charge and collect rates, rents, fees and other charges for the use of and for the services furnished or to be furnished by a project or any portion thereof and to contract with holders of its bonds and with any other person, party, association, corporation or other body, public or private, in respect thereof;

(n) to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the authority or to carry out any power expressly given in this act.

(o) to invest any moneys held in reserve or sinking funds, or any moneys not required for immediate use or disbursement, at the discretion of

the authority, in such obligations as are authorized by law for the investment of trust funds in the custody of the State Treasurer.

C. 18:22B-6. Expenses.

6. All expenses incurred in carrying out the provisions of this act shall be payable from funds provided the authority therefor, and no liability or obligation shall be incurred by the authority hereunder beyond the extent to which moneys shall have been provided therefor.

C. 18:22B-7. Issuance of notes.

7. The authority is authorized from time to time to issue its negotiable notes for any corporate purpose and renew from time to time any notes by the issuance of new notes, whether the notes to be renewed have or have not matured. The authority may issue notes partly to renew notes or to discharge other obligations then outstanding and partly for any other purpose. The notes may be authorized, sold, executed and delivered in the same manner as bonds. Any resolution or resolutions authorizing notes of the authority or any issue thereof may contain any provisions which the authority is authorized to include in any resolution or resolutions authorizing bonds of the authority or any issue thereof, and the authority may include in any notes any terms, covenants or conditions which it is authorized to include in any bonds. All such notes shall be payable from the revenues or other moneys of the authority, subject only to any contractual rights of the holders of any of its notes or other obligations then outstanding.

C. 18:22B-8. Issuance of bonds.

8. (a) The authority is authorized from time to time to issue its negotiable bonds for any corporate purpose. In anticipation of the sale of such bonds the authority may issue negotiable bond anticipation notes and may renew the same from time to time, but the maximum maturity of any such note, including renewals thereof, shall not exceed 5 years from the date of issue of the original note. Such notes shall be paid from any revenues or other moneys of the authority available therefor and not otherwise pledged, or from the proceeds of sale of the bonds of the authority in anticipation of

which they were issued. The notes shall be issued in the same manner as the bonds. Such notes and the resolution or resolutions authorizing the same may contain any provisions, conditions or limitations which a bond resolution of the authority may contain.

(b) Except as may otherwise be expressly provided by the authority, every issue of its bonds or notes shall be general obligations of the authority payable from any revenues or moneys of the authority, subject only to any agreements with the holders of particular bonds or notes pledging any particular revenues or moneys. Notwithstanding that bonds and notes may be payable from a special fund, they shall be fully negotiable within the meaning of the Uniform Commercial Code, subject only to the provisions of the bonds and notes for registration.

(c) The bonds may be issued as serial bonds or as term bonds, or the authority, in its discretion, may issue bonds of both types. The bonds shall be authorized by resolution of the members of the authority and shall bear such date or dates, mature at such time or times, not exceeding 50 years from their respective dates, bear interest at such rate or rates, not exceeding 6% per annum, be payable at such time or times, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States of America at such place or places, and be subject to such terms of redemption, as such resolution or resolutions may provide. The bonds or notes may be sold at public or private sale for such price or prices as the authority shall determine, but which shall not at the time of sale yield more than 6% per annum computed according to standard tables of bond values. Pending preparation of the definitive bonds, the authority may issue interim receipts or certificates which shall be exchanged for such definitive bonds.

(d) Any resolution or resolutions authorizing any bonds or any issue of bonds may contain provisions, which shall be a part of the contract with the holders of the bonds to be authorized, as to:

(i) pledging all or any part of the revenues of a project or any revenue producing contract or contracts made by the authority with any individual, partnership, corporation or association or other body, public or private, to secure the payment of the bonds or of any particular issue of bonds, subject to such agreements with bondholders as may then exist;

(ii) the rentals, fees and other charges to be charged, and the amounts to be raised in each year thereby, and the use and disposition of the revenues;

(iii) the setting aside of reserves or sinking funds, and the regulation and disposition thereof;

(iv) limitations on the right of the authority or its agent to restrict and regulate the use of a project;

(v) limitations on the purpose to which the proceeds of sale of any issue of bonds then or thereafter to be issued may be applied and pledging such proceeds to secure the payment of the bonds or any issue of the bonds;

(vi) limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured and the refunding of outstanding bonds;

(vii) the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given;

(viii) limitations on the amount of moneys derived from a project to be expended for operating, administrative or other expenses of the authority; and

(ix) defining the acts or omissions to act which shall constitute a default in the duties of the authority to holders of its obligations and providing the rights and remedies of such holders in the event of a default.

(e) Neither the members of the authority nor any person executing the bonds or notes shall be liable personally on the bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof.

(f) The authority shall have power out of any funds available therefor to purchase its bonds or notes. The authority may hold, pledge, cancel or resell such bonds, subject to and in accordance with agreements with bondholders.

C. 18:22B-9. Trust agreement; provisions.

9. In the discretion of the authority, any bonds issued under the provisions of this act may be secured by a trust agreement by and between the authority and a corporate trustee or trustees, which may be any trust company or bank having the powers of a trust company within or without the State. Such trust agreement or the resolution providing for the issuance of such bonds may pledge or assign the revenues or other moneys to be received or proceeds of any contract or contracts pledged. Such trust agreement or resolution providing for the issuance of such bonds may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including particularly such provisions as have hereinabove been specifically authorized to be included in any resolution or resolutions of the authority authorizing bonds thereof. Any bank or trust company incorporated under the laws of this State which may act as depositary of the proceeds of bonds or of revenues or other moneys may furnish such indemnifying bonds or pledge such securities as may be required by the authority. Any such trust agreement may set forth the rights and remedies of the bondholders and of the trustee or trustees, and may restrict the individual right

of action by bondholders. In addition to the foregoing, any such trust agreement or resolution may contain such other provisions as the authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement or resolution may be treated as a part of the cost of construction or operation of a project.

C. 18:22B-10. Debt or liability.

10. Bonds issued under the provisions of this act shall not be deemed to constitute a debt or liability of the State or of any political subdivision thereof or a pledge of the faith and credit of the State or of any such political subdivision, but shall be payable solely from the funds herein provided. All such bonds shall contain on the face thereof a statement to the effect that neither the State of New Jersey nor the authority shall be obligated to pay the same or the interest thereon except from revenues or other moneys of the authority and that neither the faith and credit nor the taxing power of the State of New Jersey or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds. The issuance of bonds under the provisions of this act shall not directly or indirectly or contingently obligate the State or any political subdivision thereof to levy or to pledge any form of taxation whatever therefor.

C. 18:22B-11. Rates, rents, fees, charges.

11. The authority is authorized to fix, revise, charge and collect rates, rents, fees and charges for the use of and for the services furnished or to be furnished by each project and to contract with any person, partnership, association or corporation, or other body, public or private, in respect thereof. Such rates, rents, fees and charges shall be fixed and adjusted in respect of the aggregate of rents, rates, fees and charges from such project so as to provide funds sufficient with other revenues or moneys, if any:

(a) to pay the cost of maintaining, repairing and operating the project and each and every portion thereof, to the extent that the payment of such cost has not otherwise been adequately provided for;

(b) to pay the principal of and the interest on outstanding bonds of the authority issued in respect of such project as the same shall become due and payable; and

(c) to create and maintain reserves required or provided for in any resolution authorizing, or trust agreement securing, such bonds of the authority. Such rates, rents, fees and charges shall not be subject to supervision or regulation by any department, commission, board, body, bureau or agency of this State other than the authority. A sufficient amount of the revenues derived in respect of a project, except such part of such revenues as may be necessary to pay the cost of maintenance, repair and operation and to provide reserves for renewals, replacements, extensions, enlargements and improvements as may be provided for in the resolution authorizing the issuance of any bonds of the authority or in the trust agreement securing the same, shall be set aside at such regular intervals as may be provided in such resolution or trust agreement in a sinking or other similar fund which is hereby pledged to, and charged with, the payment of the principal of and the interest on such bonds as the same shall become due, and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time when the pledge is made; the rates, rents, fees and charges and other revenues or other moneys so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the authority. The use and disposition of moneys to the credit of such sinking or other similar fund

shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of such trust agreement. Except as may otherwise be provided in such resolution or such trust agreement, such sinking or other similar fund shall be a fund for all such bonds issued to finance projects at a participating college without distinction or priority of one over another; provided the authority in any such resolution or trust agreement may provide that such sinking or other similar fund shall be the fund for a particular project at a participating college and for the bonds issued to finance a particular project and may, additionally, permit and provide for the issuance of bonds having a subordinate lien in respect of the security herein authorized to other bonds of the authority and, in such case, the authority may create separate sinking or other similar funds in respect of such subordinate lien bonds.

C. 18:22B-12. Moneys deemed as trust funds.

12. All moneys received pursuant to the authority of this act, whether as proceeds from the sale of bonds or as revenues, shall be deemed to be trust funds to be held and applied solely as provided in this act. Any officer with whom, or any bank or trust company with which, such moneys shall be deposited shall act as trustee of such moneys and shall hold and apply the same for the purposes hereof, subject to such regulations as this act and the resolution authorizing the bonds of any issue or the trust agreement securing such bonds may provide.

C. 18:22B-13. Restrictions.

13. Any holder of bonds issued under the provisions of this act or any of the coupons appertaining thereto, and the trustee or trustees under any trust agreement, except to the extent the rights herein given may be restricted by any resolution authorizing the issuance of, or any such trust agreement securing, such bonds, may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce any and all rights under the laws of the State or granted hereunder or under such resolution or trust agreement, and may en-

force and compel the performance of all duties required by this act or by such resolution or trust agreement to be performed by the authority or by any officer, employee or agent thereof, including the fixing, charging and collecting of the rates, rents, fees and charges herein authorized and required by the provisions of such resolution or trust agreement to be fixed, established and collected.

C. 18:22B-14. Refunding and redemption of bonds.

14. (a) The authority is hereby authorized to provide for the issuance of bonds of the authority for the purpose of refunding any bonds of the authority then outstanding, including the payment of any redemption premium thereon and any interest accrued or to accrue to the earliest or subsequent date of redemption, purchase or maturity of such bonds, and, if deemed advisable by the authority, for the additional purpose of paying all or any part of the cost of constructing and acquiring additions, improvements, extensions or enlargements of a project or any portion thereof.

(b) The proceeds of any such bonds issued for the purpose of refunding outstanding bonds may, in the discretion of the authority, be applied to the purchase or retirement at maturity or redemption of such outstanding bonds either on their earliest or any subsequent redemption date or upon the purchase or at the maturity thereof and may, pending such application, be placed in escrow to be applied to such purchase or retirement at maturity or redemption on such date as may be determined by the authority.

(c) Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations of or guaranteed by the United States of America, or in certificates of deposit or time deposits secured by obligations of or guaranteed by the United States of America, maturing at such time or times as shall be appropriate to assure the prompt payment, as to principal, interest and redemption premium, if any, of the outstanding bonds to be so refunded. The interest, income and profits, if any, earned or realized on any such investment may also

be applied to the payment of the outstanding bonds to be so refunded. After the terms of the escrow have been fully satisfied and carried out, any balance of such proceeds and interest, income and profits, if any, earned or realized on the investments thereof may be returned to the authority for use by it in any lawful manner.

(d) The portion of the proceeds of any such bonds issued for the additional purpose of paying all or any part of the cost of constructing and acquiring additions, improvements, extensions or enlargements of a project may be invested and reinvested in obligations of or guaranteed by the United States of America, or in certificates of deposit or time deposits secured by obligations of or guaranteed by the United States of America, maturing not later than the time or times when such proceeds will be needed for the purpose of paying all or any part of such cost. The interest, income and profits, if any, earned or realized on such investment may be applied to the payment of all or any part of such cost or may be used by the authority in any lawful manner.

(e) All such bonds shall be subject to the provisions of this act in the same manner and to the same extent as other bonds issued pursuant to this act.

C. 18:22B-15. Bonds and notes made securities.

15. Bonds and notes issued by the authority under the provisions of this act are hereby made securities in which the State and all political subdivisions of the State, their officers, boards, commissions, departments or other agencies, all banks, bankers, savings banks, trust companies, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever who now are or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any

funds, including capital belonging to them or within their control; and said bonds, notes or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the State for any purpose for which the deposit of bonds or other obligations of the State is now or may hereafter be authorized by law.

C. 18:22B-16. Issuance of bonds.

16. Bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau, agency or officer of the State, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specifically required by this act.

C. 18:22B-17. Mortgage.

17. The authority shall not have power to mortgage any of its real property or projects.

ARTICLE 2

C. 18:22B-18. Additional powers.

18. In addition to the foregoing powers, the authority with respect to private colleges, shall have power:

(a) upon application of the participating college to construct, acquire or otherwise provide projects for the use and benefit of the participating college and the students, faculty and staff of such participating college. The participating college for which such a project is undertaken by the authority shall approve the plans and specifications and location of such project;

(b) to operate and manage any project provided pursuant to this section, or the authority may lease any such project to the participating college for which such project is provided. At such time as the liabilities of the authority incurred for any such project have been met and the bonds of the authority issued therefor have been paid, or such liabilities and bonds have otherwise been discharged, the authority shall transfer title to all the real and personal property of such project vested in the

authority, to the participating college in connection with which such project is then being operated, or to which such project is then leased; provided, however, that if at any time prior thereto such participating college ceases to offer educational facilities, then such title shall vest in the State of New Jersey.

Any lease of a project authorized by this section shall be a general obligation of the lessee and may contain provisions, which shall be a part of the contract with the holders of the bonds of the authority issued for such project, as to:

(i) pledging all or any part of the moneys, earnings, income and revenues derived by the lessee from such project or any part or parts thereof, or other personal property of the lessee, to secure payments required under the terms of such lease;

(ii) the rates, rentals, fees and other charges to be fixed and collected by the lessee, the amounts to be raised in each year thereby, and the use and disposition of such moneys, earnings, income and revenues;

(iii) the setting aside of reserves and the creation of special funds and the regulation and disposition thereof;

(iv) the procedure, if any, by which the terms of such lease may be amended, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given;

(v) vesting in a trustee or trustees such specified properties, rights, powers and duties as shall be deemed necessary or desirable for the security of the holders of the bonds of the authority issued for such project;

(vi) the obligations of the lessee with respect to the replacement, reconstruction, maintenance, operation, repairs and insurance of such project;

(vii) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the lessee, and providing

for the rights and remedies of the authority and of its bondholders in the event of such default;

(viii) any other matters, of like or different character, which may be deemed necessary or desirable for the security or protection of the authority or the holders of its bonds.

C. 18:22B-19. Additional powers.

19. The authority also shall have power:

(a) to make loans to any private college for the construction of projects in accordance with a loan agreement and plans and specifications approved by the authority. No such loan shall exceed the total cost of such project and the equipment therefor as determined by the authority. Each such loan shall be premised upon an agreement between the authority and the private college as to payment, security, maturity, redemption, interest and other appropriate matters;

(b) to make loans to any private college to refund existing bonds, mortgages or advances given or made by such private college for the construction of projects to the extent that this will enable such private college to offer greater security for loans for new project construction.

C. 18:22B-20. Power to mortgage.

20. For the purpose of obtaining and securing loans under section 19 of this act every private college shall, notwithstanding the provisions of any other law, have power to mortgage and pledge any of its real or personal property, and to pledge any of its income from whatever source to repay the principal of and interest on any loan made to it by the authority or to pay the interest on and principal and redemption premium, if any, of any note, bond or other evidence of indebtedness evidencing the debt created by any such loan; provided that the foregoing shall not be construed to authorize actions in conflict with specific legislation, trusts, endowment, or other agreements relating to specific properties or funds.

C. 18:22B-21. Deposited in account.

21. Moneys of the authority received from any private college in payment of any sum due to the authority pursuant to the terms of any loan or

other agreement or any bond, note or other evidence of indebtedness, shall be deposited in an account in which only moneys received from private colleges shall be deposited and shall be kept separate and apart from and not commingled with any other moneys of the authority. Moneys deposited in such account shall be paid out on checks signed by the chairman of the authority or by such other person or persons as the authority may authorize.

C. 18:22B-22. Authority responsibilities.

22. (a) Whenever the authority under section 18 of this act undertakes to construct, acquire or otherwise provide and operate and manage a project, the authority shall be responsible for the direct operation and maintenance costs of such project, but each private college in connection with which such a project is provided and operated and managed shall be responsible at its own expense for the over-all supervision of each project, for the overhead and general administrative costs of the private college which are incurred because of such project and for the integration of each project operation into the institution's educational program.

(b) Whenever the authority under section 18 of this act undertakes to construct, acquire or otherwise provide a project and to lease the same to a private college, the lessee shall be responsible for the direct operation and maintenance costs of such project and, in addition, shall be responsible for the over-all supervision of each project, for the overhead and general administrative costs of the lessee which are incurred because of such project and for the integration of each project operation into the lessee's educational program.

(c) Whenever the authority under section 19 of this act makes loans for the construction of a project, the private college at which such project is located shall be responsible for the direct operation and maintenance costs of such project and, in addition, shall be responsible for the over-all supervision of each project, for the overhead and general administrative costs of the private college which

are incurred because of such project and for the integration of each project operation into the institution's educational program.

C. 18:22B-23. Valid pledges.

23. Any pledge of moneys, earnings, income or revenues authorized with respect to private colleges, pursuant to the provisions of this act, shall be valid and binding from the time when the pledge is made. The moneys, earnings, income or revenues so pledged and thereafter received by the pledgor shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the pledgor irrespective of whether such parties have notice thereof. No instrument by which such a pledge is created need be filed or recorded in any manner.

ARTICLE 3

C. 18:22B-24. Essential public function.

24. The exercise of the powers granted by this act will be in all respects for the benefit of the people of this State, for the increase of their commerce, welfare and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of a project by the authority or its agent will constitute the performance of an essential public function, neither the authority nor its agents shall be required to pay any taxes or assessments upon or in respect of a project or any property acquired or used by the authority or its agent under the provisions of this act or upon the income therefrom, and any bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the State and by the municipalities and other political subdivisions in the State.

C. 18:22B-25. Agreement with bondholders.

25. The State of New Jersey does pledge to and agree with the holders of the bonds, notes and other obligations issued pursuant to authority con-

tained in this act, and with those parties who may enter into contracts with the authority pursuant to the provisions of this act, that the State will not limit, alter or restrict the rights hereby vested in the authority and the participating colleges to maintain, construct, reconstruct and operate any project as defined in this act or to establish and collect such rents, fees, receipts or other charges as may be convenient or necessary to produce sufficient revenues to meet the expenses of maintenance and operation thereof and to fulfill the terms of any agreements made with the holders of bonds authorized by this act, and with the parties who may enter into contracts with the authority pursuant to the provisions of this act, or in any way impair the rights or remedies of the holders of such bonds or such parties until the bonds, together with interest thereon, are fully paid and discharged and such contracts are fully performed on the part of the authority. The authority as a public body corporate and politic shall have the right to include the pledge herein made in its bonds and contracts.

C. 18:22B-26. Annual report.

26. On or before March 31 in each year, the authority shall make an annual report of its activities for the preceding calendar year to the Governor and the Legislature. Each such report shall set forth a complete operating and financial statement covering the authority's operations during the year. The authority shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants.

C. 18:22B-27. Penalty.

27. Except as otherwise expressly provided in this act, any member, officer, agent or employee of the authority who is interested, either directly or indirectly, in any contract of another with the authority, or in the sale of any property, either real or personal, to the authority, shall be guilty of a misdemeanor.

C. 18:22B-28. Examination of accounts.

28. The comptroller of the treasury and his legally authorized representatives are hereby authorized and empowered from time to time to

examine the accounts and books of the authority, including its receipts, disbursements, contracts, sinking funds, investments and any other matters relating to its financial standing.

C. 18:22B-29. Inspection and examination.

29. The State Board of Education, or the Commissioner of Education, or their representatives, may visit, examine into and inspect, the authority as an institution under the educational supervision of the State, and may require, as often as desired, duly verified reports therefrom giving such information and in such form as the board or the Commissioner of Education shall prescribe.

C. 18:22B-30. Use of services and personnel of other departments.

30. The authority shall be entitled to call to its assistance and avail itself of the services of such employees of any State department or agency as it may require and as may be available to it for said purpose.

C. 18:22B-31. Additional and alternative method.

31. The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing; provided, however, that the issuance of bonds or refunding bonds under the provisions of this act need not comply with the requirements of any other law applicable to the issuance of bonds.

C. 18:22B-32. Purposes of act.

32. This act, being necessary for the welfare of the State and its inhabitants, shall be liberally construed to effect the purposes thereof.

C. 18:22B-33. Provisions judged invalid.

33. If the provisions of any title, section or clause of this act or the application thereof to any person, party, corporation, public or private, shall be judged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any title, section or clause of this act or the application of any part thereof to any other person, party, corporation or circumstance and, to this end, the provisions of

each title, section and clause of this act are hereby declared to be severable.

C. 18:22B-34. Exercise of powers.

34. The powers granted to the authority by this act may be exercised without regard or reference to any department or agency of the State. All other general or special laws, or parts thereof, inconsistent with this act are hereby declared to be inapplicable to the provisions of this act.

C. 18:22B-35. Provisions not subject to.

35. In carrying out the provisions of this act the authority shall not be subject to the provisions of section 4 of P. L. 1945, chapter 51.

Appropriation.

36. There is hereby appropriated to the New Jersey Educational Facilities Authority the sum of $250,000.00 to carry out the purposes of this act.

37. This act shall take effect immediately.

Approved June 16, 1966.

CHAPTER 107

AN ACT concerning education and supplementing chapter 2 of Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:2-7.1. Definitions.

1. As used in this act, the following words and terms shall have the following meanings, unless the text indicates or requires another or different meaning or intent:

"Authority" means the New Jersey Educational Facilities Authority created by the New Jersey Educational Facilities Authority Act.

"Existing dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which was erected, constructed or installed prior to the making of such conveyance, lease or sublease.

"New dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which is erected, constructed or installed after the making of such conveyance, lease or sublease.

C. 18:2-7.2. Powers and duties of board.

2. In order to provide new dormitories and to enable the construction and financing thereof, to refinance indebtedness hereafter created by the authority for the purpose of providing a dormitory or dormitories or additions or improvements thereto which are located on land owned by, or owned by the State and held for, the department or on lands of the institutions under the jurisdiction of the department or by the authority, or for any one or more of said purposes, but for no other purpose unless authorized by law, the State board has the following powers and duties:

a. The power to sell and to convey to the authority title in fee simple in any land and any existing dormitories thereon owned by the department or owned by the State and held for the department or of any of the institutions under the jurisdiction of the department for such consideration and upon such terms and conditions as the State board shall determine.

b. The power to lease to the authority for a term or terms not exceeding 50 years each any land and any existing dormitories thereon owned by the department or owned by the State and held for the department or of any of the institutions under the jurisdiction of the department upon such terms and conditions as the State board shall determine.

c. The power to lease or sublease from the authority, and to make available, any such land and existing dormitories conveyed or leased to the authority under subsections 2(a) and (b), and any new dormitories erected upon such land or upon any other land owned by the authority, upon such terms, conditions and rentals, subject to available appropriations, as the State board shall determine.

d. The power and duty, upon receipt of notice of any assignment by the authority of any lease or sublease made under subsection 2(c), or of any of its rights under any such lease or sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by the authority.

C. 18:2-7.3. Debt, liability, loan or pledge of credit.

3. Nothing contained in this act shall be deemed or construed to create or constitute a debt, liability, or a loan or pledge of the credit, of the State.

C. 18:2-7.4. Exercise of powers and duties.

4. All powers and duties conferred upon the State board or the department pursuant to this act shall be exercised and performed by resolution of the State board. All conveyances, leases and subleases made pursuant to this act, when authorized pursuant to resolution of the State board, shall be made, executed and delivered in the name of the Department of Education and shall be signed by the commissioner and sealed with the seal of the department.

C. 18:2-7.5. Supplemental and additional powers.

5. The foregoing sections of this act shall be deemed to provide an additional and alternative method for doing the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws.

C. 18:2-7.6. Provisions judged invalid.

6. If the provisions of any section or clause of this act or the application thereof to any person, party, corporation, public or private, shall be judged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any section or clause of this act or the application of any part thereof to any other person, party, corporation or circumstance and, to this end, the provisions of each section and clause of this act are hereby declared to be severable.

7. This act shall take effect immediately.

Approved June 16, 1966.

CHAPTER 108

AN ACT to supplement the "Rutgers, The State University Act of 1956," approved June 1, 1956 (P. L. 1956, c. 61).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:22-15.42a. Definitions.

1. As used in this act, the following words and terms shall have the following meanings, unless the text indicates or requires another or different meaning or intent:

"Authority" means the New Jersey Educational Facilities Authority created by the New Jersey Educational Facilities Authority Act.

"Existing dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which was erected, constructed or installed prior to the making of such conveyance, lease or sublease.

"New dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which is erected, constructed or installed after the making of such conveyance, lease or sublease.

"Rutgers" means Rutgers, The State University.

C. 18:22-15.42b. Powers and duties of board.

2. In order to provide new dormitories and to enable the construction and financing thereof, to refinance indebtedness hereafter created by the authority for the purpose of providing a dormitory or dormitories or additions or improvements thereto which are located on land owned by Rutgers, or for any one or more of said purposes, but for no other purpose unless authorized by law, the board of governors has the following powers and duties,

subject to the provisions of the act to which this act is a supplement:

a. The power to sell and to convey to the authority such title as Rutgers may have in any land and any existing dormitories thereon and upon such terms and conditions as the board of governors shall determine.

b. The power to lease to the authority for a term or terms not exceeding 50 years each any land and any existing dormitories thereon owned by Rutgers upon such terms and conditions as the board of governors shall determine.

c. The power to lease or sublease from the authority, and to make available, any such land and existing dormitories conveyed or leased to the authority under subsections 2(a) and (b), and any new dormitories erected upon such land or upon any other land owned by the authority, upon such terms, conditions and rentals, such rentals to be payable from available funds of Rutgers other than moneys appropriated to it by the State, as the board of governors shall determine.

d. The power to pledge and assign all or any part of the revenues derived from the operation of such new dormitories as security for the payment of rentals due and to become due under any lease or sublease of such new dormitories under subsection 2(c).

e. The power to covenant and agree in any lease or sublease of such new dormitories made under subsection 2(c) to impose fees, rentals or other charges for the use and occupancy or other operation of such new dormitories in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

f. The power to apply all or any part of the revenues derived from the operation of any dormitories to the payment of rentals due and to become due under any lease or sublease made under subsection 2(c).

g. The power to pledge and assign all or any part of the revenues derived from the operation of any dormitories to the payment of rentals due and to become due under any lease or sublease made under subsection 2(c).

h. The power to covenant and agree in any lease or sublease made under subsection 2(c) to impose fees, rentals or other charges for the use and occupancy or other operation of any dormitories in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

i. The power and duty, upon receipt of notice of any assignment by the authority of any lease or sublease made under subsection 2(c), or of any of its rights under any such lease or sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by the authority.

j. Rutgers shall approve the plans and specifications and location of each dormitory prior to the undertaking thereof by the authority.

C. 18:22-15.42c. Debt, liability, loan or pledge of credit.

3. Nothing contained in this act shall be deemed or construed to create or constitute a debt, liability, or a loan or pledge of the credit, of the State.

C. 18:22-15.42d. Exercise of powers and duties.

4. To the extent not otherwise expressly provided under existing law, all powers and duties conferred upon Rutgers pursuant to this act shall be exercised and performed by resolution of the board of governors. All conveyances, leases and subleases made pursuant to this act, when duly authorized, shall be made, executed and delivered in the name of Rutgers and shall be signed by the president or a vice-president and sealed with the seal of the university.

C. 18:22-15.42e. Supplemental and additional powers.

5. The foregoing sections of this act shall be deemed to provide an additional and alternative method for doing the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws.

C. 18:22-15.42f. Provisions judged invalid.

6. If the provisions of any section or clause of this act or the application thereof to any person, party, corporation, public or private, shall be judged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any section or clause of this act or the application of any part thereof to any other person, party, corporation or circumstance and, to this end, the provisions of each section and clause of this act are hereby declared to be severable.

7. This act shall take effect immediately.

Approved June 16, 1966.

CHAPTER 109

AN ACT concerning the Newark College of Engineering and supplementing article 4 of chapter 15 of Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:15-21.1. Definitions.

1. As used in this act, the following words and terms shall have the following meanings, unless the text indicates or requires another or different meaning or intent:

"Authority" means the New Jersey Educational Facilities Authority created by the New Jersey Educational Facilities Authority Act.

"Existing dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which was erected, constructed or installed prior to the making of such conveyance, lease or sublease.

"New dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which is erected, constructed or installed after the making of such conveyance, lease or sublease.

"College" means the Newark College of Engineering.

C. 18:15-21.2. Powers and duties of board.

2. In order to provide new dormitories and to enable the construction and financing thereof, to refinance indebtedness hereafter created by the authority for the purpose of providing a dormitory or dormitories or additions or improvements thereto which are located on land owned by the college, or for any one or more of said purposes, but for no other purpose unless authorized by law, the board of trustees has the following powers and duties, subject to the provisions of the act to which this act is a supplement:

a. The power to sell and to convey to the authority such title as the college may have in any land and any existing dormitories thereon and upon such terms and conditions as the board of trustees shall determine.

b. The power to lease to the authority for a term or terms not exceeding 50 years each any land and any existing dormitories thereon owned by the college upon such terms and conditions as the board of trustees shall determine.

c. The power to lease or sublease from the authority, and to make available, any such land and existing dormitories conveyed or leased to the authority under subsection 2(a) and (b), and any new dormitories erected upon such land or upon any other land owned by the authority, upon such terms, conditions and rentals, such rentals to be payable from available funds of the college other than moneys appropriated to it by the State, as the board of trustees shall determine.

d. The power to pledge and assign all or any part of the revenues derived from the operation of such

new dormitories as security for the payment of rentals due and to become due under any lease or sublease of such new dormitories under subsection 2(c).

e. The power to covenant and agree in any lease or sublease of such new dormitories made under subsection 2(c) to impose fees, rentals or other charges for the use and occupancy or other operation of such new dormitories in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

f. The power to apply all or any part of the revenues derived from the operation of any dormitories to the payment of rentals due and to become due under any lease or sublease made under subsection 2(c).

g. The power to pledge and assign all or any part of the revenues derived from the operation of any dormitories to the payment of rentals due and to become due under any lease or sublease made under subsection 2(c).

h. The power to covenant and agree in any lease or sublease made under subsection 2(c) to impose fees, rentals or other charges for the use and occupancy or other operation of any dormitories in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

i. The power and duty upon receipt of notice of any assignment by the authority of any lease or sublease made under subsection 2(c), or of any of its rights under any such lease or sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by the authority.

j. The college shall approve the plans and specifications and location of each dormitory prior to the undertaking thereof by the authority.

3. Nothing contained in this act shall be deemed or construed to create or constitute a debt, liability, or a loan or pledge of the credit, of the State. C. 18:15-21.3. Debt, liability, loan or pledge of credit.

4. To the extent not otherwise expressly provided under existing law, all powers and duties conferred upon the college pursuant to this act shall be exercised and performed by resolution of the board of trustees. All conveyances, leases and subleases made pursuant to this act, when duly authorized, shall be made, executed and delivered in the name of the college and shall be signed by the president or a vice-president and sealed with the seal of the college. C. 18:15-21.4. Exercise of powers and duties.

5. The foregoing sections of this act shall be deemed to provide an additional and alternative method for doing the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws. C. 18:15-21.5. Supplemental and additional powers.

6. If the provisions of any section or clause of this act or the application thereof to any person, party, corporation, public or private, shall be judged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any section or clause of this act or the application of any part thereof to any other person, party, corporation or circumstance and, to this end, the provisions of each section and clause of this act are hereby declared to be severable. C. 18:15-21.6. Provisions judged invalid.

7. This act shall take effect immediately.

Approved June 16, 1966.

CHAPTER 110

A SUPPLEMENT to the "New Jersey Medical and Dental College Act of 1964," approved December 22, 1964 (P. L. 1964, c. 231).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:22-158.1. Definitions.

1. As used in this act, the following words and terms shall have the following meanings, unless the text indicates or requires another or different meaning or intent:

"Authority" means the New Jersey Educational Facilities Authority created by the New Jersey Educational Facilities Authority Act.

"Existing dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which was erected, constructed or installed prior to the making of such conveyance, lease or sublease.

"New dormitory" in relation to any conveyance, lease or sublease made under subsections 2(a), (b) and (c) of this act means a housing unit with necessary and usual attendant and related facilities and equipment which is erected, constructed or installed after the making of such conveyance, lease or sublease.

"College" means the New Jersey College of Medicine and Dentistry.

C. 18:22-158.2. Powers and duties of board.

2. In order to provide new dormitories and to enable the construction and financing thereof, to refinance indebtedness hereafter created by the authority for the purpose of providing a dormitory or dormitories or additions or improvements thereto which are located on land owned by the college, or for any one or more of said purposes, but for no other purpose unless authorized by law, the board of trustees has the following powers and duties, subject to the provisions of the act to which this act is a supplement:

a. The power to sell and to convey to the authority such title as the college may have in any land and any existing dormitories thereon and upon such terms and conditions as the board of trustees shall determine.

b. The power to lease to the authority for a term or terms not exceeding 50 years each any land and

any existing dormitories thereon owned by the college upon such terms and conditions as the board of trustees shall determine.

c. The power to lease or sublease from the authority, and to make available, any such land and existing dormitories conveyed or leased to the authority under subsections 2(a) and (b), and any new dormitories erected upon such land or upon any other land owned by the authority, upon such terms, conditions and rentals, such rentals to be payable from available funds of the college other than moneys appropriated to it by the State, as the board of trustees shall determine.

d. The power to pledge and assign all or any part of the revenues derived from the operation of such new dormitories as security for the payment of rentals due and to become due under any lease or sublease of such new dormitories under subsection 2(c).

e. The power to covenant and agree in any lease or sublease of such new dormitories made under subsection 2(c) to impose fees, rentals or other charges for the use and occupancy or other operation of such new dormitories in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

f. The power to apply all or any part of the revenues derived from the operation of any dormitories to the payment of rentals due and to become due under any lease or sublease made under subsection 2(c).

g. The power to pledge and assign all or any part of the revenues derived from the operation of any dormitories to the payment of rentals due and to become due under any lease or sublease made under subsection 2(c).

h. The power to covenant and agree in any lease or sublease made under subsection 2(c) to impose fees, rentals or other charges for the use and occupancy or other operation of any dormitories in an amount calculated to produce net revenues sufficient

to pay the rentals due and to become due under such lease or sublease.

i. The power and duty, upon receipt of notice of any assignment by the authority of any lease or sublease made under subsection 2(c), or of any of its rights under any such lease or sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by the authority.

C. 18:22-158.3. Debt, liability, loan or pledge of credit.

3. Nothing contained in this act shall be deemed or construed to create or constitute a debt, liability, or a loan or pledge of the credit, of the State.

C. 18:22-158.4. Exercise of powers and duties.

4. To the extent not otherwise expressly provided under existing law, all powers and duties conferred upon the college pursuant to this act shall be exercised and performed by resolution of the board of trustees. All conveyances, leases and subleases made pursuant to this act, when duly authorized, shall be made, executed and delivered in the name of the college and shall be signed by the president and sealed with the seal of the college.

C. 18:22-158.5. Supplemental and additional powers.

5. The foregoing sections of this act shall be deemed to provide an additional and alternative method for doing the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws.

C. 18:22-158.6. Provisions judged invalid.

6. If the provisions of any section or clause of this act or the application thereof to any person, party, corporation, public or private, shall be judged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any section or clause of this act or the application of any part thereof to any other person, party, corporation or circumstance and, to this end, the provisions of each section and clause of this act are hereby declared to be severable.

7. This act shall take effect immediately.

Approved June 16, 1966.

CHAPTER 111

AN ACT concerning higher education, providing for the creation, award and administration of State educational incentive grants for use by qualified students for undergraduate study in institutions of collegiate grade located in New Jersey, and supplementing the "State Competitive Scholarship Act," approved May 28, 1959, P. L. 1959, chapter 46.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:22-14.18. Legislature findings.

1. The Legislature finds:

(a) one of the most serious problems our country faces is the increasing demand for, and importance of, a college education. Contemporary society has become so complex that its progress demands an ever-increasing supply of highly-educated men and women. The amount and quality of his education often determines an individual's contribution to the economy;

(b) simultaneously with the increase in demand for a college education has arisen a barrier to its attainment. Costs of attending college have been rising steadily for more than a decade and all signs indicate they will continue to do so. Many promising college prospects are finding it financially impossible to further their education; and

(c) The existing State scholarship program does not provide a sufficient amount to cover the cost of tuition and fees at many of the institutions of higher education which customarily make provision for New Jersey students thereby tending to reduce the student's choice of college. The creation of State educational incentive grants will make it possible for many students, who might otherwise be limited in their selection of appropriate colleges for economic reasons, to attend the colleges of their choice.

C. 18:22-14.19. Program for incentive grants.

2. There is hereby established a program for the award of State educational incentive grants for undergraduate study leading to a baccalaureate or associate degree to students at institutions of higher education located in New Jersey, and approved by the State Board of Education. This program shall be maintained by the State and administered by the State Scholarship Commission.

C. 18:22-14.20. Awarding of grant.

3. A State educational incentive grant may be awarded annually upon application to the State Scholarship Commission to any student who has received a State competitive scholarship and who will be or is attending an institution of collegiate grade located in New Jersey and approved for this purpose by the State Board of Education.

C. 18:22-14.21. Requirements.

4. Any student applying for a State incentive scholarship grant shall demonstrate to the satisfaction of the State Scholarship Committee that he:

(a) is and has been a resident of the State for at least 12 months prior to receiving the grant;

(b) will be or is a full-time undergraduate student;

(c) has demonstrated financial need for such grant, as determined by standards and procedures to be established by the State Scholarship Commission, in accordance with the provisions of this act;

(d) has demonstrated high moral character, good citizenship, and dedication to American ideals;

(e) has complied with all rules and regulations adopted pursuant to this act, by the State Scholarship Commission, for the award, regulation and administration of the State educational incentive grant.

C. 18:22-14.22. Amount of grant.

5. Each State educational incentive grant shall be made in such amounts in each case as shall be determined by the State Scholarship Commission, in accordance with rules and regulations adopted pursuant to this act but in no event in excess of $500.00.

The commission shall take into consideration the financial resources available to the student to meet the cost of his college education and the tuition and

fees charged at the institution which the student is attending or to which he has been admitted. Payments under this act shall be made to the awardee by the State Treasurer, on the order of the chairman of the State Scholarship Commission in accordance with rules and regulations adopted by the commission.

C. 18:22-14.23. Period of grant.

6. Each State educational incentive grant is for a period of not more than 4 academic years unless the recipient is enrolled in an undergraduate program regularly requiring 5 academic years for completion, in which case the State Scholarship Commission may extend the grant to 5 years. The grant shall remain in effect only during such period as the holder thereof achieves satisfactory academic progress, and evidences continued eligibility under the terms of this act.

C. 18:22-14.24. Where grant used.

7. A State educational incentive grant may be used in any New Jersey institution of collegiate grade which offers a college curriculum leading to or accreditable toward an undergraduate degree and which is approved by the State Board of Education.

C. 18:22-14.25. Limits of grant.

8. No State educational incentive grant shall, when combined with a State competitive scholarship and any other scholarship which is paid out of State funds, other than a work scholarship, exceed the amount of tuition and fees charged at the institution where the grant is used. In no case may a combination of outside scholarship aid, other scholarships received from State funds and a State educational incentive grant exceed the total cost of room, board, tuition, books and fees at the college to be attended.

C. 18:22-14.26. Number of grants available.

9. State educational incentive grants shall be made by the State Scholarship Commission in such number and amount as shall be within the limits of funds appropriated or otherwise made available therefor from time to time.

C. 18:22-14.27. Powers and duties of Commission.

10. The State Scholarship Commission may employ such persons, contract for such services, make such expenditures, and adopt such rules and regula-

tions as may be necessary or appropriate for effectuating the provisions of this act. It may expend for the administration of this act such parts, as may be necessary, of any sums heretofore appropriated, or heretofore or hereafter appropriated for purposes of providing a State scholarship program, and State educational incentive grants or either thereof, and the administrative costs shall be included in the annual budget request of the commission.

C. 18:22-14.28. Definitions.

11. (a) An academic year for the purpose of this act means the period between the time the institution, which the student is attending opens after the general summer vacation until the beginning of the next succeeding summer vacation.

(b) In case a college operates on a full calendar-year program, the academic year shall be determined in accordance with rules adopted by the State Scholarship Commission, but in no case shall be less than 1/5 of the time required for the completion of a 5-year program, or 1/4 of the time required for the 4-year program in an institution operating on an academic year as defined in (a) above.

12. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 112

AN ACT concerning sanitary facilities for employees of railroad companies, express companies, car-loading and freight-forwarding companies and airline companies, which are common carriers of passengers and freight, or either, or both, conferring certain powers and imposing certain duties in connection therewith upon the Commissioner of Labor and Industry and providing penalties for violations.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 34:6-119.1. Definitions.

1. As used in this act, "company" and "companies" include corporations, associations, and any and all other legal entities.

C. 34:6-119.2. Required health facilities.

2. Every railroad company, express company, carloading and freight-forwarding company and airline company, which is a common carrier of passengers and freight, or either, or both, and which has or shall have in this State, a station, office, depot, shop, platform shelter houses, section headquarters, assembly points or other place incidental to the conduct of its business as a common carrier, where its employees are required to assemble or to be in attendance in the performance of their work as such employees, shall provide and maintain for its employees, in such cases as the Commissioner of Labor and Industry of New Jersey shall certify to be necessary, adequate facilities for the health and comfort of said employees, including rest rooms, rooms wherein lunches may be eaten, lockers, washrooms and toilets, with separate facilities for men and women where both men and women are employed. As used in this section, "stations" shall include stations for passengers and freight, "offices" shall include yard offices as well as other offices, "depots" shall include passenger and freight depots, "shops" shall include locomotive shops, diesel shops and other shops and "platforms" shall include platforms for loading or unloading of freight and express, or for either, or both. And "shelter houses, section headquarters, assembly points" shall include tool houses, car houses or any location used as an assembly point.

C. 34:6-119.3. Rules and Regulations.

3. The Commissioner of Labor and Industry shall have the authority to determine the adequacy of the said facilities and may order the furnishing and maintaining of adequate facilities of the kind prescribed by this act and fix the time, which shall not exceed 6 months, within which such facilities shall be provided. The Commissioner of Labor and In-

dustry may prescribe rules and regulations to administer and effectuate the purposes of this act. Such rules and regulations shall have the force and effect of law and shall be enforced in the same manner.

C. 34:6-119.4. Compliance with act.

4. The said companies shall comply with the provisions of this act within 6 months from the effective date of this act, except that in the case of any new constructions and installations, compliance with this act shall coincide with the commencement of the use of such constructions and installations.

C. 34:6-119.5. Investigations by Dept. of Health.

5. Nothing herein contained shall be deemed to preclude investigations and inquiries by the State Department of Health pursuant to section 26:2–34 of the Revised Statutes.

C. 34:6-119.6. Penalty.

6. Any company, the officers and agents thereof, and any other person who shall violate any of the provisions of this act or of any order made by the Commissioner of Labor and Industry pursuant to this act, shall be liable to a penalty of $50.00 for the first violation and $100.00 for each subsequent violation. In the case of a continuing violation, the violation on each day shall be deemed to be a separate violation. Any such penalty shall be enforced and collected in accordance with the "Penalty Enforcement Law" (N. J. S. 2A:58). Any such penalty may be collected or enforced by summary proceedings or in a summary manner. Any action to collect or enforce any such penalty shall be brought in the name of the Commissioner of Labor and Industry in the Superior Court or in any County Court or in any county district court of the county wherein the violation occurred or wherein process may be served upon the defendant. All penalties recovered under this act shall be paid into the treasury of this State.

7. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 113

AN ACT concerning minimum wage standards; providing for the enforcement of such standards and the orders and regulations made with respect thereto; prescribing penalties for the violation thereof, and supplementing Title 34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 34:11-56a. Declared policy.

1. It is declared to be the public policy of this State to establish a minimum wage level for workers in order to safeguard their health, efficiency, and general well-being and to protect them as well as their employers from the effects of serious and unfair competition resulting from wage levels detrimental to their health, efficiency and well-being.

C. 34:11-56a1. Definitions.

2. As used in this act:

(a) "Commissioner" means the Commissioner of Labor and Industry.

(b) "Director" means the director in charge of the bureau referred to in section 3 of this act.

(c) "Wage board" means a board created as provided in section 10 of this act.

(d) "Wages" means any moneys due an employee from an employer for services rendered or made available by the employee to the employer as a result of their employment relationship including commissions, bonus and piecework compensation and including any gratuities received by an employee for services rendered for an employer or a customer of an employer and the fair value of any food or lodgings supplied by an employer to an employee. The commissioner may, by regulation, establish the average value of gratuities received by an employee in any occupation and the fair

value of food and lodging provided to employees in any occupation which average values shall be acceptable for the purposes of determining compliance with this act in the absence of evidence of the actual value of such items.

(e) "Regularly hourly wage" means the amount that an employee is regularly paid for each hour of work as determined by dividing the total hours of work during the week into the employee's total earnings for the week, exclusive of overtime premium pay.

(f) "Employ" includes to suffer or to permit to work.

(g) "Employer" includes any individual, partnership, association, corporation or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

(h) "Employee' includes any individual employed by an employer.

(i) "Occupation" means any occupation, service, trade, business, industry or branch or group of industries or employment or class of employment in which employees are gainfully employed.

(j) "Minimum fair wage order" means a wage order promulgated pursuant to this act.

(k) "Fair wage" means a wage fairly and reasonably commensurate with the value of the service or class of service rendered and sufficient to meet the minimum cost of living necessary for health.

(l) "Oppressive and unreasonable wage" means a wage which is both less than the fair and reasonable value of the service rendered and less than sufficient to meet the minimum cost of living necessary for health.

C. 34:11-56a2. Bureau within the department.

3. The commissioner shall maintain a bureau in the department to which the administration of this act, and of any minimum wage orders or regulations promulgated hereunder, shall be assigned, said bureau to consist of a director in charge and such assistants and employees as the commissioner may deem desirable.

4. The employment of an employee in any occupation in this State at an oppressive and unreasonable wage is hereby declared to be contrary to public policy and any contract, agreement or understanding for or in relation to such employment shall be void. C. 34:11-56a3. Contracts void.

5. Every employer shall (a) on and after the expiration of 180 days following the date of enactment of this act pay to each of his employees wages at a rate of not less than $1.25 per hour, and (b) on and after January 1, 1968 at a rate of not less than $1.40 per hour, and (c) on and after January 1, 1969 at a rate of not less than $1.50 per hour for 40 hours of working time in any week and 1 and ½ times such employee's regular hourly wage for each hour of working time in excess of 40 hours in any week, except this overtime rate shall not include any individual employed in a bona fide executive, administrative, or professional capacity or, if an applicable wage order has been issued by the commissioner under section 17 of this act, not less than the wages prescribed in said order. The wage rates fixed in this section shall not be applicable to employees engaged in domestic service in the home of the employer, to persons under the age of 18 or to persons employed as outside salesmen as such term shall be defined and delimited in regulations adopted by the commissioner. C. 34:11-56a4. Minimum hourly wage rate.

The provisions of this section for the payment to an employee of not less than 1½ times such employee's regular hourly rate for each hour of working time in excess of 40 hours in any week shall not apply to employees engaged to labor on a farm, or employed in a hotel or to an employee of a common carrier of passengers by motor bus or employees engaged in labor relative to the raising or care of livestock.

6. For any occupation for which no wage order issued pursuant to section 17 of this act is in effect, the commissioner shall, within 6 months after the rate provided in section 5 is in effect, make such administrative regulations as he shall deem appro- C. 34:11-56a5. Regulations.

priate to carry out the purposes of this act or necessary to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates hereby established. Such regulations may include regulations defining and governing outside salesmen; learners and apprentices, their number, proportion and length of service; part-time pay; bonuses, overtime pay; special pay for special or extra work; or permitted charges to employees or allowances for board, lodging, apparel or other facilities or services customarily furnished by employers to employees; or allowances for such other special conditions or circumstances.

The commissioner shall publish such regulations as he proposes to issue and such regulations may be issued pursuant to this section only after a public hearing, subsequent to publication of notice of the hearing, at which any person may be heard.

Such administrative regulations shall remain in effect only until such time as a wage order governing the occupation or occupations concerned, and to the extent inconsistent therewith, has been promulgated and becomes effective as provided in this act.

C. 34:11-56a6. Powers and duties.

7. The commissioner, the director and their authorized representatives shall have the authority to:

(a) investigate and ascertain the wages of persons employed in any occupation in the State;

(b) enter and inspect the place of business or employment of any employer or employees in any occupation in the State, for the purpose of examining and inspecting any or all books, registers, payrolls and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such employees; copy any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such employees for the purpose of ascertaining whether the

provisions of this act and the orders and regulations issued hereunder have been and are being complied with; and

(c) require from such employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses and such other information pertaining to his employees and their employment as the commissiner, the director or their authorized representatives may deem necessary or appropriate.

C. 34:11-56a7. Investigations.

8. The commissioner shall have the power, on his own motion, and it shall be his duty upon the petition of 50 or more residents of the State, to cause the director to investigate any occupation to ascertain whether a substantial number of employees are receiving less than a fair wage.

C. 34:11-56a8. Appointment of wage board.

9. If the commissioner is of the opinion that a substantial number of employees in any occupation or occupations are receiving less than a fair wage, he shall appoint a wage board as provided in section 10 of this act to report upon the establishment of minimum fair wage rates for employees in such occupation or occupations.

C. 34:11-56a9. Composition of board.

10. A wage board shall be composed of not more than 3 representatives of the employers in any occupation, an equal number of representatives of the employees in such occupations and not more than 3 disinterested persons representing the public, one of whom shall be designated by the commissioner as chairman. The commissioner after conferring with the director shall appoint the members of the wage board, the representatives of the employers and employees to be selected so far as practicable from nominations submitted by the employers and employees. Two-thirds of the members shall constitute a quorum and the recommendations or report of the wage board shall require a vote of not less than a majority of all its members. The commissioner after conferring with the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent

with this act. The members of a wage board shall serve without pay but may be reimbursed for all necessary expenses.

C. 34:11-56a10. Powers and duties.

11. A wage board shall have power to administer oaths and to require by subpœna the attendance and testimony of witnesses, the production of all books, records, and other evidence relative to matters under investigation. Such subpœna shall be signed and issued by the chairman of the wage board and shall be served and have the same effect as if issued out of the Superior Court. A wage board shall have power to cause depositions of witnesses residing within or without the State to be taken in the manner prescribed for like dispositions in civil actions in the Superior Court.

C. 34:11-56a11. Presentation of matters to board.

12. The commissioner or the director shall present to a wage board promptly upon its organization all the evidence and information in the possession of the commissioner or director relating to the wages of employees in the occupations for which the wage board was appointed and all other information which the commissioner or the director deems relevant to the establishment of a minimum fair wage, and shall cause to be brought before the committee any witnesses whom the commissioner or the director deems material. A wage board may summon other witnesses or call upon the commissioner or the director to furnish additional information to aid it in its deliberations.

C. 34:11-56a12. Considerations in establishment of fair wage.

13. The commissioner and the wage board in establishing a minimum fair wage, shall not be bound by technical rules of evidence or procedure, but may consider all relevant circumstances affecting the value of the service or class of service rendered; may consider the wages paid in the State for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards; and may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered at the request of the employer without agreement as to amount of wages to be paid.

C. 34:11-56a13. Recommendations of board.

14. The report of the wage board shall recommend minimum fair wage rates, on an hourly, daily or weekly basis for the employees in the occupation or occupations for which the wage board was appointed. The wage board may recommend establishment or modification of the number of hours per week after which the overtime rate established in section 5 shall apply and may recommend the establishment or modification of said overtime rate. The board may also recommend permitted charges to the employees or allowances for board, lodging, apparel, or other facilities or services customarily furnished by the employer to the employee; or allowances for such other special conditions or circumstances excluding gratuities which may be usual in a particular employer-employee relationship. A wage board may differentiate and classify employments in any occupation according to the nature of the service rendered and recommend appropriate minimum fair wage rates for different employments. It may recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper.

A wage board may recommend a suitable scale of rates for learners and apprentices or students in any occupation which may be less than the regular minimum fair wage rates recommended for experienced employees.

C. 34:11-56a14. Submission of report.

15. Within 60 days of its organization a wage board shall submit to the commissioner a report including its recommendations as to minimum fair wage standards for the employees in the occupation or occupations the wage standards of which the wage board was appointed to investigate. If its report is not submitted within such time the commissioner may constitute a new wage board.

C. 34:11-56a15. Acceptance or rejection of report.

16. On submission of the report of a wage board the commissioner shall within 10 days confer with the director and accept or reject the report.

If he rejects the report, he shall resubmit the matter to the same wage board or to a new wage

board with a statement of his reasons for the rejection.

If he accepts the report, it shall be published within 30 days together with such proposed administrative regulations as the commissioner after conferring with the director may deem appropriate to supplement the report of the wage board and to safeguard the minimum fair wage standards to be established.

At the same time notice shall be given of a public hearing before the commissioner or the director, not sooner than 15 nor more than 30 days after such publication, at which all persons favoring or opposing the recommendations contained in the report or the proposed regulations may be heard.

C. 34:11-56a16. Procedure after submission of report.

17. Within 10 days after the hearing the commissioner shall confer with the director and approve or disapprove the report of the wage board. If the report is disapproved the commissioner may resubmit the matter to the same wage board or to a new wage board. If the report is approved, the commissioner shall make a wage order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the commissioner may deem appropriate to supplement the report of the wage board and to safeguard the minimum fair wage standards established. Such administrative regulations may include among other things, regulations defining and governing learners and apprentices, their rates, number, proportion or length of service; piece rates or their relations to time rates; overtime or part-time rates, bonuses or special pay for special or extra work; deductions for board, lodging, apparel or other items or services supplied by the employer; and other special conditions or circumstances excluding gratuities; and in view of the diversities and complexities of different occupations and the dangers of evasion and nullification, the commissioner may provide in such regulations without departing from the basic minimum rates

recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the commissioner may find appropriate to safeguard the basic minimum rates established. Said wage order shall take effect upon expiration of 180 days from the date of the issuance of the order.

C. 34:11-56a17. Provision for employment of learners, apprentices, students.

18. (a) The commissioner, to the extent necessary in order to prevent curtailment of opportunities for employment, shall by regulation provide for the employment of learners, apprentices and students, under special certificates issued pursuant to regulations of the commissioner, at such wages lower than the minimum wage applicable under the provisions of this act and subject to such limitations as to time, number, proportion and length of service as the commissioner shall prescribe.

(b) For any occupation for which minimum fair wage order rates are established by or pursuant to this act the commissioner or the director may cause to be issued to an employee, including a learner, apprentice or student whose earning capacity is impaired by age or physical or mental deficiency or injury, a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the commissioner or the director and stated in the license.

C. 34:11-56a18. Reconsideration of wage rates.

19. At any time after a minimum fair wage order has been in effect for 1 year or more, the commissioner may, on his own motion, after conferring with the director, and shall, on petition of 50 or more residents of the State, reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new board to recommend whether or not the rate, or rates, contained in such order, shall be modified. The report of such wage board shall be dealt with in the manner prescribed in sections 15, 16 and 17 of this act.

C. 34:11-56a19. Modifications or additions to regulations.

20. The commissioner may, from time to time after conference with the director and without re-

ference to a wage board, propose such modifications of or additions to any administrative regulations issued pursuant to sections 6 and 17 of this act as he may deem appropriate to effectuate the purposes of this article; provided, such proposed modifications or additions could legally have been included in the original regulation. Notice shall be given of a public hearing to be held by the commissioner or director not less than 15 days after such notice, at which all persons in favor of or opposed to the proposed modifications or additions may be heard. After the hearing the commissioner may make an order putting into effect the proposed modifications of or additions to the administrative regulations as he deems appropriate.

C. 34:11-56a20. Records kept.

21. Every employer of employees subject to this act shall keep a true and accurate record of the hours worked by each and the wages paid by him to each and shall furnish to the commissioner or the director or their authorized representative upon demand a sworn statement of the same. Such records shall be open to inspection by the commissioner or the director or their authorized representative at any reasonable time. No employer shall be found guilty of violating this provision for failure to keep a true and accurate record of the hours worked by outside salesmen, buyers of poultry, eggs, cream or milk in their natural or raw state or homeworkers legally employed in accordance with the laws of this State.

C. 34:11-56a21. Summaries.

22. Every employer subject to any provision of this act or of any regulations or orders issued under this act shall keep a summary of this act, approved by the commissioner, and copies of any applicable wage orders and regulations issued under this act, or a summary of such wage orders and regulations, posted in a conspicuous and accessible place in or about the premises wherein any person subject thereto is employed. Employers shall be furnished copies of such summaries, orders, and regulations by the State on request without charge.

C. 34:11-56a22. Penalty for violation.

23. Any employer who willfully hinders or delays the commissioner, the director or their authorized representatives in the performance of his duties in the enforcement of this act, or fails to make, keep, and preserve any records as required under the provisions of this act, or falsifies any such record, or refuses to make any such record accessible to the commissioner, the director or their authorized representatives upon demand, or refuses to furnish a sworn statement of such record or any other information required for the proper enforcement of this act to the commissioner, the director or their authorized representatives upon demand, or pays or agrees to pay wages at a rate less than the rate applicable under this act or any wage order issued pursuant thereto, or otherwise violates any provision of this act or of any regulation or order issued under this act shall be guilty of a misdemeanor and shall, upon conviction therefor, be fined not less than $100.00 nor more than $500.00 or by imprisonment of not less than 10 nor more than 90 days or by both such fine and imprisonment. Each week, in any day of which an employee is paid less than the rate applicable to him under this act or under a minimum fair wage order, and each employee so paid, shall constitute a separate offense.

C. 34:11-56a23. Payment of amounts due employees.

24. As an alternative to any other sanctions, herein or otherwise provided by law for violation of this act or of any rule or regulations duly issued hereunder, the Commissioner of Labor and Industry is authorized to supervise the payment of amounts due to employees under this act, and the employer may be required to make these payments to the commissioner to be held in a special account in trust for the employee, and paid on order of the commissioner directly to the employee or employees affected.

C. 34:11-56a24. Penalty for violation.

25. Any employer who discharges or in any other manner discriminates against any employee because such employee has made any complaint to his employer, to the commissioner, the director or to their authorized representatives that he has not

been paid wages in accordance with the provisions of this act, or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such employee has testified or is about to testify in any such proceeding, or because such employee has served or is about to serve on a wage board, shall be guilty of a misdemeanor and shall, upon conviction therefor, be fined not less than $50.00 nor more than $200.00. Such employer shall be required, as a condition of such judgment of conviction, to offer reinstatement in employment to any such discharged employee and to correct any such discriminatory action, and also to pay to any such employee in full, all wages lost as a result of such discharge or discriminatory action, under penalty of contempt proceedings for failure to comply with such requirement.

C. 34:11-56a25. Recovery by civil action.

26. If any employee is paid by an employer less than the minimum fair wage to which such employee is entitled under the provisions of this act or by virtue of a minimum fair wage order such employee may recover in a civil action the full amount of such minimum wage less any amount actually paid to him or her by the employer together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between such employee and the employer to work for less than such minimum fair wage shall be no defense to the action. An employee shall be entitled to maintain such action for and on behalf of himself or other employees similarly situated, and such employee and employees may designate an agent or representative to maintain such action for and on behalf of all employees similarly situated. At the request of any employee paid less than the minimum wage to which such employee was certified under the provisions of this act or under an order, the commissioner may take an assignment of the wage claim in trust for the assigning employee and may bring any legal action necessary to collect the

claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

C. 34:11-56a26. Right to bargain.

27. Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively through representatives of their own choosing in order to establish wages in excess of the applicable minima under this act.

C. 34:11-56a27. Provisions held invalid.

28. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application thereof, to other persons or circumstances shall not be affected thereby.

C. 34:11-56a28. Act supplements other provisions.

29. This act shall supplement the provisions of article 2 of chapter 11 of Title 34 of the Revised Statutes. Nothing herein shall be deemed to supersede any of the provisions of said article 2 of chapter 11, of Title 34, except insofar as the wages entitled to be received by any employee under the provisions of this act and the regulations and wage orders issued thereunder exceed the wages such employee is entitled to receive under the provisions of said article 2, of chapter 11, of Title 34 of the Revised Statutes and the regulations and wage orders issued pursuant thereto.

C. 34:11-56a29. Title of act.

30. This act shall be known as the "New Jersey State Wage and Hour Law."

31. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 114

AN ACT concerning disorderly persons and supplementing subtitle 12 of Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 2A:170-90.1. Penalty.

1. Any person who as an employer shall influence, request or require an employee to take or submit to a lie detector test as a condition of employment or continued employment, is a disorderly person.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 115

AN ACT concerning workmen's compensation and supplementing chapter 15 of Title 34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 34:15-15.2. Type of hospital care and service entitled to.

1. Whenever hospital service is required to cure or to relieve an injured workman of the effects of the injury or to restore the functions of the injured member or organ or to provide treatment for occupational disease in accordance with the provisions of the chapter hereby supplemented, the injured workman shall be entitled to hospital service of a quality and character no less than that provided for patients receiving services known as "semi-private" room care, and shall be entitled to such nursing service as may be deemed proper by the treating physician, the expense thereof to be paid or reimbursed, in accordance with the provisions of section 34:15–15 of the Revised Statutes and chapter 207 of the laws of 1953, by the employer. No hospital shall supply the injured workman with services of lesser quality or character than "semi-private" room care if a "semi-private" room or a "private room" is available.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 116

A SUPPLEMENT to the "unemployment compensation law," being chapter 21 of Title 43 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 43:21-19.4. Payments in lieu of gratuities.

1. Whenever payments are made to workers pursuant to an agreement entered into by their employer providing for a service charge measured by

(a) a percentage of the amount received by the employer for the furnishing of hotel, restaurant or catering facilities or services,

(b) the number of persons receiving such facilities or services, or

(c) the number of workers providing such services or facilities

for the distribution among the workers in lieu of customary gratuities or tips from the persons who are to use or to receive the said facilities or services, the said payments to workers, when made, shall be deemed to be remuneration paid by the employer to the workers for all the purposes of the unemployment compensation law (R. S. 43:21–1 et seq.) as amended and supplemented.

Note: Effective date.

2. This act shall take effect January 1, following its enactment.

Approved June 17, 1966.

CHAPTER 117

AN ACT concerning elections, amending section 19:31–2 of the Revised Statutes and "An act concerning elections, amending section 19:31–18 and repealing sections 19:30–1 and 19:30–2, and supplementing chapter 31 of Title 19 of the Revised Statutes," approved June 26, 1947 (P. L. 1947, c. 347).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 19:31–2 of the Revised Statutes is amended to read as follows:

Commissioner of registration; appointments; evening registration facilities; civil service; expenses; powers and duties.

19:31–2. In all counties having a superintendent of elections, the superintendent of elections is hereby constituted the commissioner of registration and in all other counties the secretary of the county board is hereby constituted the commissioner of registration.

The commissioner of registration in all counties having a superintendent of elections, and the county board in all other counties, shall have complete charge of the permanent registration of all eligible voters within their respective counties.

The commissioner of registration in counties of the first class having a superintendent of elections and having less than 800,000 inhabitants, and the county board in all other counties, shall have power to appoint temporarily, and the commissioner of registration in counties of the first class having more than 800,000 inhabitants shall have power to appoint on a permanent, or temporary basis, such number of persons, as in his or its judgment may be necessary in order to carry out the provisions of this Title. All persons appointed by the commissioner of registration in counties of the first class having more than 800,000 inhabitants to serve for

terms of more than 6 months in any 1 year shall be in the classified service of the civil service and shall be appointed, and hold their positions, in accordance with the provisions of Title 11, Civil Service. Persons appointed by the commissioner of registration in such counties to serve for terms of 6 months or less in any 1 year and persons appointed by the commissioner of registration, or by the county board of elections, in other counties shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service.

In each county, the commissioner of registration as defined in this section shall provide evening registration facilities for the registration of persons who are or may be entitled to vote at general elections in said counties. Such facilities shall include making available places for such registration which places shall be open for such purpose between the hours of 6 o'clock and 9 o'clock in the evening at least 3 days a week during each of the 9 weeks which precede the close of registration for each and every general election in a year when a President of the United States is to be elected. In all other years there shall be evening registration 5 days a week during the period of registration preceding the close of registration for each and every general election. During these periods evening registration facilities shall be made available at least once in each municipality in each county; provided, however, that such facilities shall be made available at least once in each election ward in each municipality which is divided into election wards. The commissioner of registration may dispense with evening registration facilities in municipalities having a population of less than 750 persons; provided, however, that such facilities are made available within a reasonable distance of said municipalities.

The commissioner of registration in counties having a superintendent of elections, and the county board in all other counties, shall provide such printed forms, blanks, supplies and office telephone and transportation equipment and shall prescribe

such reasonable rules and regulations as are necessary in the opinion of the commissioner or county board to carry out the provisions of this Title and any amendments or supplements thereto.

Subject to the limitations set forth in chapter 32 of this Title as hereby amended all necessary expenses incurred, as and when certified and approved by the commissioner of registration in counties having a superintendent of elections, and by the county board in all other counties, shall be paid by the county treasurer of the county.

Nothing in the provisions of subtitle 2 of the Title, Municipalities and Counties (40:16–1 et seq.), shall in anywise be construed to affect, restrict or abridge the powers herein conferred on the commissioners in counties having a superintendent of elections, and upon the county boards in all other counties.

All powers granted to the commissioner in all counties not having superintendents of elections by the provisions of this Title are hereby conferred on the county board in such counties, and any and all duties conferred upon the commissioner in all counties not having a superintendent of elections by the provisions of this Title shall only be exercised and performed by such commissioner under the instructions and directions of and subject to the approval of the county board of such counties.

Section amended.

2. Section 2 of chapter 347 of the laws of 1947 is amended to read as follows:

C. 19:31-18.1. Copies of registry lists; distribution.

2. The county clerk in all counties shall cause copies of the registry lists, certified and transmitted under section 19:31–18 of the Revised Statutes, to be printed in handbill form, and shall furnish to any voter applying for the same such copies, charging therefor $0.25 per copy of the list of voters of each election district. He shall also furnish 5 printed copies thereof to each district board, which shall within 2 days post 2 such registry lists, one in the polling place and one in another conspicuous place within the election district. The county clerk shall also forthwith deliver to the

superintendent of elections if any there be and the municipal clerk of each of the municipalities in the county for which the lists have been printed 5 copies of the lists of voters of each election district in such municipality, and to the county board 10 copies of the lists of voters of each election district in each of such municipalities. The county clerk shall also forthwith deliver to the chairmen of the State committees and to the chairmen of the county committees of the several political parties, 5 copies of the lists of voters of each election district in each of the municipalities in his county.

3. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 118

AN ACT to amend "An act relating to public works contracts in certain cases, providing for prevailing wages, imposing duties upon the Commissioner of Labor and Industry, and providing remedies and penalties," approved September 3, 1963 (P. L. 1963, c. 150).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of the act of which this act is amendatory is amended to read as follows: Section amended.

2. As used in this act: C. 34:11-56.26. Definitions.

(1) "Department" means Department of Labor and Industry of the State of New Jersey.

(2) "Locality" means any political subdivision of the State, combination of the same or parts thereof, or any geographical area or areas classified, designated and fixed by the commissioner from time to time, provided that in determining the

"locality" the commissioner shall be guided by the boundary lines of political subdivisions or parts thereof, or by a consideration of the areas with respect to which it has been the practice of employers of particular crafts or trades to engage in collective bargaining with the representatives of workmen in such craft or trade.

(3) "Maintenance work" means the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased.

(4) "Public body" means the State of New Jersey, any of its political subdivisions, except municipalities having a population of less than 25,000, any authority created by the Legislature of the State of New Jersey and any instrumentality or agency of the State of New Jersey or of any of its political subdivisions.

(5) "Public work" means construction, reconstruction, demolition, alteration, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program.

(6) "Commissioner" means the Commissioner of Labor and Industry or his duly authorized deputy or representatives.

(7) "Workman" includes laborer, mechanic, skilled or semiskilled, laborer and apprentices or helpers employed by any contractor or subcontractor and engaged in the performance of services directly upon a public work, regardless of whether their work becomes a component part thereof, but does not include material suppliers or their employees who do not perform services at the job site.

(8) "Work performed under a rehabilitation program" means work arranged by and at a State institution primarily for teaching and upgrading the skills and employment opportunities of the inmates of such institutions.

(9) "Prevailing wage" means the wage rate paid by virtue of collective bargaining agreements by employers employing a majority of workmen of

that craft or trade subject to said collective bargaining agreements, in the locality in which the public work is done.

(10) "Act" means the provisions of this act and the rules and regulations issued hereunder.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 119

AN ACT concerning railroads, and supplementing chapter 12 of Title 48 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 48:12-87.1. Installation exhaust fan; penalty.

1. Every company operating a railroad in this State shall equip each diesel locomotive in use upon its railroad with an exhaust fan for the ventilation of the cab of such locomotive or other ventilation device which will free the cab of exhaust gases in such cases as the Commissioner of Labor and Industry, after investigation, shall certify to be necessary for the health and safety of employees of said company.

Any such company refusing or neglecting to make such provision shall forfeit $100.00 for each violation.

Note: Effective date.

2. This act shall take effect immediately, but shall be inoperative for a period of 6 months after its enactment.

Approved June 17, 1966.

CHAPTER 120

AN ACT concerning elections, supplementing chapter 48 of Title 19 of the Revised Statutes, and providing for the rental of voting machines.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 19:48-8. Rental of voting machines.

1. The superintendent of elections of any county having a superintendent of elections or the county board of elections of any county not having a superintendent of elections may, upon application of any recognized association, club, fraternity, union or other group of persons whose constitution or by-laws requires the election of officers by secret ballot, rent to said association, club, fraternity, union or other group of persons, one or more voting machines owned by said county for the purpose of conducting said secret election, at a rental and upon such terms as may be determined upon by such superintendent of elections or county board of elections.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 121

AN ACT concerning disorderly persons and supplementing chapter 170 of Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 2A:170-90.2. Penalty.

1. In addition to any other penalty or punishment otherwise prescribed by law, any employer who is party to an agreement made with a collective bar-

gaining agent or with an individual employee which requires the payment of wages or of benefits, or contributions for the support of a fund out of which benefits may be paid, or other payments in connection with the employment of any employee or employees and who knowingly and willfully fails or refuses to make such payments within 30 days after such payments are required by said agreement to be made, or, in the case of wages, if the agreement fails to specify the time of payment, then within the time specified for the payment of wages by section 2, P. L. 1965, chapter 173, is a disorderly person. If such employer is a corporation, the officer or employee responsible for such willful failure or refusal is a disorderly person. Upon conviction such employer, officer or employee shall be punished by a fine not to exceed $500.00 or by imprisonment for not more than 1 year or by both such fine and imprisonment.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 122

AN ACT concerning unemployment compensation, and amending section 43:21–21 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 43:21–21 of the Revised Statutes is amended to read as follows: Section amended.

43:21–21. (a) The commissioner is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal Government whereby potential rights to benefits accumulated under the unemployment compensa- Reciprocal benefit arrangements.

tion laws of several States or under such a law of the Federal Government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the commissioner finds will be fair and reasonable as to all affected interests and will not result in any loss to the fund.

(b) The commissioner is authorized to enter into arrangements with the appropriate agencies of other States or of the Federal Government, or both, (1) whereby remuneration, upon the basis of which an individual may become entitled to benefits under the unemployment compensation law of another State or of the Federal Government, shall be deemed to be wages for the purposes of this chapter (R. S. 43:21–1 et seq.), and (2) whereby wages, on the basis of which an individual may become entitled to benefits under this chapter (R. S. 43:21–1 et seq.) shall be deemed to be remuneration on the basis of which benefits are payable under the unemployment compensation law of another State or of the Federal Government. No such arrangement shall be entered into unless it contains provision for reimbursement to the fund for such portion of benefits paid under this chapter (R. S. 43:21–1 et seq.) on the basis of such remuneration, and provision for reimbursement from the fund for that portion of benefits paid under such other law on the basis of such wages, as the commissioner finds will be fair and reasonable as to all affected interests. Subsection (f) 43:21–5 of this chapter (R. S. 43:21–1 et seq.) shall be inapplicable to an individual who files a claim for benefits under any such arrangement. Reimbursements paid from the fund pursuant to such arrangements shall be deemed to be benefits for the purposes of this chapter (R. S. 43:21–1 et seq.). The commissioner is hereby authorized to make to other State or Federal agencies, and to receive from such other State or Federal agencies, reimbursements from or to the fund in accordance with arrangements pursuant to this section.

(c) The commissioner is authorized to enter into reciprocal agreements with the appropriate agencies of other States covering services on vessels engaged in interstate or foreign commerce whereby such services performed for a single employer, under any contract of hire, partly within and partly without this State, shall be deemed to be performed in their entirety either within or without this State.

(d) The commissioner is authorized to enter into reciprocal arrangements with the appropriate and duly authorized agency of any other State or of the United States whereby (i) moneys due the commissioner for contributions, interest and penalties and paid to such agency shall be deemed to have been paid into the unemployment compensation fund of this State as of the date of payment to such agency and (ii) vice versa; provided, that such arrangements contain provisions for the reciprocal transfers of such moneys.

(e) The commissioner is authorized to enter into reciprocal arrangements with appropriate and duly authorized agencies of other States or of the Federal Government, or both, whereby services performed by an individual for a single employing unit for which services are customarily performed by such individual in more than one State shall be deemed to be services performed entirely within any one of the States (i) in which any part of such individual's services is performed or (ii) in which such individual has his residence or (iii) in which the employing unit maintains a place of business; provided, there is in effect, as to such services, an election, approved by the agency charged with the administration of such State's unemployment compensation law, pursuant to which all the services performed by such individual for such employing unit are deemed to be performed entirely within such State.

(f) To the extent permissible under the laws, treaties and Constitution of the United States, the commissioner is authorized to enter into or cooperate in arrangements whereby facilities and

services provided under this chapter (R. S. 43:21–1 et seq.), and facilities and services provided under the employment security law of any foreign government may be utilized for the taking of claims and payment of benefits under the employment security law of this State or under a similar law of such foreign government.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 123

AN ACT concerning railroads, and regulating the use of track motor cars operated on railroads, and supplementing chapter 12 of Title 48 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 48:12-90.1. Headlight equipment.

1. Every track motor car being operated on the rails of a railroad company, when such visibility cannot be afforded by daylight, shall be equipped with an electric headlight either permanently attached or, if portable, in a fixed bracket, capable of illuminating the roadway ahead a distance sufficient to permit safe operation of the track motor car and also with a permanently attached or portable electrically energized red tail light to protect the track motor car from any following movement.

C. 48:12-90.2. Windshield and equipment.

2. Every track motor car being operated on the rails of a railroad company shall be equipped with a windshield and a device for removing rainwater, snow and moisture from such windshield, which device shall be so constructed that it may be controlled in its use by the person who is operating such track motor car. Every such track motor car shall also be equipped with a top or such cover to

adequately protect the operator of the track motor car and such other persons who are riding thereon, from the direct rays of the sun, and from rain, snow and inclement weather. No such track motor car shall be operated on the rails at any time unless so equipped.

C. 48:12-90.3. Administration of Act; rules and regulations.

3. The Board of Public Utility Commissioners shall administer this act and shall prescribe such rules and regulations as may be necessary to effectuate its purpose.

C. 48:12-90.4. Penalty.

4. Any company violating any of the provisions of this act shall be subject to a penalty of $100.00, for each offense, to be recovered in an action, which shall be brought by the Attorney General in the name of and for the use of the State, and the procedure therein shall be in accordance with the provisions of the "Penalty Enforcement Law" (N. J. S. 2A:58-1 et seq.), as amended and supplemented, and the hearing in any such action shall be without a jury.

Note: Effective date.

5. This act shall take effect immediately but shall be inoperative to impose a penalty for any violation thereof until 6 months from the effective date of this act.

Approved June 17, 1966.

CHAPTER 124

AN ACT concerning unemployment compensation, and amending section 43:21-4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section aemnded.

1. Section 43:21-4 of the Revised Statutes is amended to read as follows:

Benefit eligibility conditions.

43:21-4. An unemployed individual shall be eligible to receive benefits with respect to any week only if it appears that:

(a) He has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the division may prescribe, except that the division may, by regulation, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs, and as to such other types of cases or situations with respect to which the division finds that compliance with such requirements would be oppressive, or would be inconsistent with the purpose of this act; provided, that no such regulation shall conflict with subsection (a) of section 43:21–3 of the Revised Statutes.

(b) He has made a claim for benefits in accordance with the provisions of subsection (a) of section 43:21–6 of the Revised Statutes.

(c) He is able to work, is available for work, and has demonstrated that he is actively seeking work, except as hereinafter provided in this subsection or in subsection (f) of this section:

(1) No woman shall be deemed to be able or available for work during the 4 weeks immediately before the expected birth of her child or the 4 weeks immediately following the birth of her child, in either of which cases the division may require the production of a doctor's certificate to establish such dates;

(2) The director may, in his discretion, modify the requirement of actively seeking work if, in his judgment, such modification of this requirement is warranted by economic conditions.

No individual, who is otherwise eligible, shall be deemed ineligible, or unavailable for work, because he is on vacation, without pay, during said week, if said vacation is not the result of his own action as distinguished from any collective action of a collective bargaining agent or other action beyond his individual control; nor subject to such limitations and conditions as the division may prescribe, shall any individual be deemed ineligible by reason of unavailability for work, failure to accept work,

or refusal to accept work, when the unavailability, failure or refusal is because he is attending a training program, with the approval of the division, to enhance his employment opportunities.

(d) He has been totally or partially unemployed for a waiting period of 1 week in the benefit year which includes that week. When benefits become payable with respect to the third consecutive week next following the waiting period, he shall be eligible to receive benefits as appropriate with respect to the waiting period. No week shall be counted as a week of unemployment for the purposes of this subsection:

(1) if benefits have been paid, or are payable with respect thereto; provided, that the requirements of this paragraph shall be waived with respect to any benefits paid or payable for a waiting period as provided in this subsection;

(2) if it has constituted a waiting period week under Temporary Disability Benefits Law;

(3) unless the individual fulfills the requirements of subsections (a) and (c) of this section;

(4) if it has constituted a week with respect to which it is found that his unemployment was due to a stoppage of work which exists because of a labor dispute, in accordance with the provisions of subsection (d) of section 43:21–5 of the Revised Statutes.

(e) With respect to a base year as defined in subsection (c) of section 43:21–19 of the Revised Statutes he has established at least 17 base weeks as defined in subsection (t) (1) of section 43:21–19 of the Revised Statutes.

(f) (1) He has suffered any accident or sickness not compensable under the Workmen's Compensation Law (Title 34 of the Revised Statutes) and resulting in his total disability to perform any work for remuneration, and would be eligible to receive benefits under this chapter (R. S. 43:21–1

et seq.) (without regard to the maximum amount of benefits payable during any benefit year) except for his inability to work and has furnished notice and proof of claim to the division, in accordance with its rules and regulations, and payment is not precluded by the provisions of section 43:21–3(d) of the Revised Statutes; provided, however, that no benefits shall be payable under this subsection to any individual:

(A) for any period during which such individual is not under the care of a legally licensed physician, dentist or chiropodist;

(B) for any period of disability due to pregnancy or resulting child-birth, miscarriage, or abortion, except for disability existing during the 4 weeks immediately before the expected birth of child, and the 4 weeks following the termination of the pregnancy;

(C) for any period of disability due to willfully or intentionally self-inflicted injury, or to injuries sustained in the perpetration by the individual of a high misdemeanor;

(D) for any week with respect to which or a part of which he has received or is seeking benefits under any unemployment compensation or disability benefit law of any other State or of the United States; provided, that if the appropriate agency of such other State or of the United States finally determines that he is not entitled to such benefits, this disqualification shall not apply;

(E) for the 2 weeks immediately following detachment from any maritime services performed under shipping articles;

(F) for any week with respect to which or part of which he has received or is seeking disability benefits under the Temporary Disability Benefits Law;

(G) for any period of disability commencing while such individual is a "covered individual" as defined in subsection 3(b) of the Temporary Disability Benefits Law (chapter 110, P. L. 1948).

(2) Benefit payments under this subsection shall be charged to and paid from the State Disability Benefits Fund established by the Temporary Disability Benefits Law, and shall not be charged to any employer account in computing any employer's experience rate for contributions payable under this chapter.

(g) Notwithstanding any other provision of this chapter, the director may, to the extent that he deems efficient and economical provide for consolidated administration by one or more representatives or deputies of claims made pursuant to subsection (f) of this section with those made pursuant to Article III (State plan) of the Temporary Disability Benefits Law.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 125

AN ACT to supplement "An act concerning hospital service corporations and regulating the establishment, maintenance and operation of hospital service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Hospital Service Corporations,'" approved June 14, 1938 (P. L. 1938, c. 366).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:48-1.7. Additional health care benefits.

1. Any hospital service corporation organized pursuant to the laws of this State, in addition to other powers conferred upon it, shall be authorized and empowered to include in its contracts benefits not only for hospital services but also benefits for such other related health care services and supplies or health care services or supplies for any and all

employees of an employer and which benefits have been agreed upon by such employer and a union, and which are approved for such inclusion by the Commissioner of Banking and Insurance. The commissioner may disapprove any contract which makes provision for such health care services and supplies or health care services or supplies if it provides for a type of coverage or contains other provisions which he determines to be unrelated health care services or unjust, unfair, inequitable, misleading, or contrary to law. All determinations of the commissioner under this section shall be subject to review by the Superior Court in a proceeding in lieu of a prerogative writ.

2. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 126

AN ACT concerning workmen's compensation, supplementing chapter 15 of Title 34 of the Revised Statutes, and revising parts of the statutory law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 34:15–12 of the Revised Statutes is amended to read as follows:

Schedule of payments.

34:15–12. Following is a schedule of compensation:

a. For injury producing temporary disability, 66 2/3% of the weekly wages received at the time of the injury, subject to a maximum compensation of 66 2/3% of the average weekly wages earned by all employees covered by the Unemployment Compensation Law (R. S. 43:21–1 et seq.) and a minimum of $15.00 a week. This compensation shall be paid during the period of such disability, not, however, beyond 300 weeks. The amount of the

maximum compensation shall be computed, determined, rounded out to the nearest dollar, and promulgated by the Commissioner of Labor and Industry on or before September 1 in each year based on said average weekly wages as of the calendar year preceding, and shall be effective as to injuries occurring in the calendar year following, such promulgation. In any year in which the maximum benefit rate based upon said computations would not be increased or decreased beyond $1.00 in amount, the rate promulgated theretofore shall continue.

b. For disability total in character and permanent in quality, 66 2/3% of the weekly wages received at the time of injury, subject to a maximum compensation as stated in paragraph "a" hereof, and a minimum of $15.00 per week. This compensation shall be paid for a period of 450 weeks, at which time compensation payments shall cease unless the employee shall have submitted to such physical or educational rehabilitation as may have been ordered by the rehabilitation commission, and can show that because of such disability it is impossible for him to obtain wages or earnings equal to those earned at the time of the accident, in which case further weekly payments shall be made during the period of such disability, the amount thereof to be the previous weekly compensation payment diminished by that portion thereof that the wage, or earnings, he is then able to earn, bears to the wages received at the time of the accident. If his wages or earnings equal or exceed wages received at the time of the accident, then his compensation rate shall be reduced to $5.00. In calculating compensation for this extension beyond 450 weeks the minimum provision of $15.00 shall not apply. This extension of compensation payments beyond 450 weeks shall be subject to such periodic reconsiderations and extensions as the case may require, and shall apply only to disability total in character and permanent in quality, and shall not apply to any accident occurring prior to July 4, 1923.

c. For disability partial in character and permanent in quality, weekly compensation shall be paid based upon the weekly wages received at the time of the injury, subject to a maximum compensation of $40.00 per week and a minimum of $10.00 per week in accordance with the following "Wage and Compensation Schedule":

Weekly Wage	Weekly Compensation
$15.00 or less	$10.00 min.
15.01–16.50	11.00
16.51–18.00	12.00
18.01–19.50	13.00
19.51–21.00	14.00
21.01–22.50	15.00
22.51–24.00	16.00
24.01–25.50	17.00
25.51–27.00	18.00
27.01–28.50	19.00
28.51–30.00	20.00
30.01–31.50	21.00
31.51–33.00	22.00
33.01–34.50	23.00
34.51–36.00	24.00
36.01–37.50	25.00
37.51–39.00	26.00
39.01–40.50	27.00
40.51–42.00	28.00
42.01–43.50	29.00
43.51–45.00	30.00
45.01–47.50	31.00
47.51–50.00	32.00
50.01–52.50	33.00
52.51–55.00	34.00
55.01–57.50	35.00
57.51–60.00	36.00
60.01–62.50	37.00
62.51–65.00	38.00
65.01–67.50	39.00
67.51 and over	40.00 max.

Said compensation shall be expressly subject to the provisions of Revised Statutes 34:15–37, and shall be paid to the employee for the period named in the following schedule (subparagraphs 1 to 23 inclusive):

Member Lost	Number of Weeks' Compensation
1. Thumb	75
2. First finger (commonly called index finger)	50
3. Second finger	40
4. Third finger	30
5. Fourth finger (commonly called little finger)	20
6. Great toe	40
7. Toe, other than a great toe	15
8. Hand, or thumb and first and second fingers (on one hand) or 4 fingers (on one hand)	230
9. Arm	300
10. Foot	200
11. Leg	275

12. The loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of ½ of such thumb or finger, and the compensation shall be ½ of the periods of time above specified. The loss of any portion of the thumb or any finger between the terminal joint and the end thereof shall be compensated for a like proportion of the period of time prescribed for the loss of the first phalange of such member.

13. The loss of the first phalange and any portion of the second shall be considered as the loss of the entire finger or thumb, but in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

14. The loss of the first phalange of any toe shall be considered to be equal to the loss of ½ of such toe, and compensation shall be for ½ of the period of time above specified.

15. The loss of the first phalange and any portion of the second shall be considered as the loss of the entire toe.

16. For the loss of vision of an eye, 200 weeks.

17. For the enucleation of an eye, 25 weeks, in addition to such compensation, if any, as may be allowable under subparagraph 16.

18. For the loss of a natural tooth, 4 weeks for each tooth lost.

19. For the total loss of hearing in one ear, 60 weeks. For the total loss of hearing in both ears by one accident, 200 weeks.

20. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any 2 thereof as the result of any one accident, shall constitute total and permanent disability to be compensated according to the provisions of paragraph "b."

21. Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation at the elbow shall be considered equivalent to the loss of the arm. Amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot, and amputation at the knee shall be considered equivalent to the loss of the leg.

22. In all lesser or other cases involving permanent loss, or where the usefulness of a member or any physical function is permanently impaired, the duration of compensation shall bear such relation to the specific periods of time stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule. In cases in which the disability is determined as a percentage of total and permanent disability the duration of the compensation shall be a corresponding portion of 550 weeks. Should the employer and employee be unable to agree upon the amount of compensation to be paid in cases not covered by the schedule, either party may appeal to the Division of Workmen's Compensation for a settlement of the controversy.

23. Where there is a traumatic hernia compensation will be allowed if notice thereof is given by the claimant to the employer within 48 hours after the occurrence of the hernia but any Sunday, Saturday or holiday shall be excluded from this 48-hour period.

d. If previous loss of function to the body, head, a member or an organ, due to any previous compensable accident or accidents, is established by competent evidence, and subsequently an injury arising out of and in the course of an employment occurs to that part of the body, head, member or organ, where there was a previous loss, then and in such case, the employer or his insurance carrier at the time of the subsequent injury shall not be liable for any loss for which compensation has previously been paid or awarded. In either event, credit shall be given the employer or his insurance carrier to the extent of the previous loss for which compensation has been paid.

e. In case of the death of the person from any cause other than the accident or occupational disease, during the period of payments for permanent injury, the remaining payments shall be paid to such of his or her dependents as are included in the provisions of said section 34:15–13 or, if no dependents, the remaining amount due, but not exceeding $750.00, shall be paid in a lump sum to the proper person for funeral expenses; but no compensation shall be due any other person than the injured employee on account of compensation being paid in excess of 450 weeks on account of disability total in character and permanent in quality as provided by paragraph "b" of this section.

Section amended.

2. Section 34:15–13 of the Revised Statutes is amended to read as follows:

Death, compensation for; computation and distribution.

34:15–13. Except as hereinafter provided, in case of death, compensation shall be computed, but not distributed, on the following basis:

a. For one dependent, 50% of wages.

b. For 2 dependents, 55% of wages.

c. For 3 dependents, 60% of wages.

d. For 4 dependents, 65% of wages.

e. For 5 or more dependents, 70% of wages.

f. The term "dependents" shall apply to and include any or all of the following who are dependent upon the deceased at the time of accident or the occurrence of occupational disease, or at the time of death, namely: Husband, wife, parent, stepparents, grandparents, children, stepchildren, grandchildren, child in esse, posthumous child, illegitimate children, brothers, sisters, half brothers, half sisters, niece, nephew. Legally adopted children shall, in every particular, be considered as natural children. Dependency shall be conclusively presumed as to the decedent's widow and to the natural children under 18 years of age of a male or female decedent who were actually a part of the decedent's household at the time of his death. Every provision of this article applying to one class shall be equally applicable to the other. Should any dependent of a deceased employee die during the period covered by such weekly payments the right of such dependent to compensation under this section shall cease but should the widow of a deceased employee remarry during such period and before the total compensation is paid, she shall be entitled to receive the remainder of the compensation which would have been due her had she not remarried, or $1,000.00 whichever is the lesser. The foregoing schedule applies only to persons wholly dependent, and in the case of persons only partially dependent, except in the case of the widow and children who were actually a part of the decedent's household at the time of his death, the compensation shall be such proportion of the scheduled percentage as the amounts actually contributed to them by the deceased for their support constituted of his total wages and the provision as to a $15.00 minimum shall not apply to such compensation. In determining the number of dependents, where the deceased employee was a minor, the number of persons dependent upon the deceased employee shall be determined in the same way as if the

deceased employee were an adult, notwithstanding any rule of law as to the person entitled to a minor's wages.

g. Compensation shall be computed upon the foregoing basis. Distribution shall be made among dependents, if more than one, according to the order of the Division of Workmen's Compensation, which shall, when applied to for that purpose determine, upon the facts being presented to it, the proportion to be paid to or on behalf of each rependent according to the relative dependency. Payment on behalf of infants shall be made to the surviving parent, if any, or to the statutory or testamentary guardian.

h. If death results from the accident or occupational disease, whether there be dependents or not, expenses of the last sickness of the deceased employee shall be paid in accordance with the provisions for medical and hospital service as set forth in section 34:15–15 of this Title. Also the cost of burial, not to exceed $750.00, shall be paid to the dependent or other person having paid said costs of burial. In the event that the said dependent or other person has paid less than $750.00 the said dependent or other person shall be reimbursed in the amount paid and, if the costs of burial exceed the amount so paid, the difference between the said amount and $750.00 or so much thereof as may be necessary to pay the cost of burial, shall be paid to the undertaker or embalmer. In the event that no part of the costs of burial has been paid, the amount of such cost of burial, not to exceed $750.00, shall be paid to the undertaker or embalmer.

i. In computing compensation to those named in this section, except husband, wife, parents and stepparents, only those under 18 or over 40 years of age shall be included and then only for that period in which they are under 18 or over 40; provided, however, that payments to such physically or mentally deficient persons as are for such reason dependent shall be made during the full compensation period of 450 weeks.

j. The maximum compensation in case of death shall be subject to the maximum compensation as stated in paragraph "a" of section 34:15–12 of this Title and a minimum of $15.00 per week, except in the case of partial dependency as provided in this section. This compensation shall be paid, in the case of a widow, during the entire period of widowhood except that any earnings from employment by the widow after 450 weeks of compensation have been paid shall be deducted from the compensation thereafter payable to the widow and, in the case of other dependents, during 450 weeks and if at the expiration of 450 weeks there shall be one or more dependents under 18 years of age compensation shall be continued for such dependents until they reach 18 years of age at the schedule provided under paragraphs "a" to "e" of this section.

Section amended.

3. Section 34:15–14 of the Revised Statutes is amended to read as follows:

Waiting period.

34:15–14. No compensation other than medical aid shall accrue and be payable until the employee has been disabled 7 days, whether the days of disability immediately follow the accident, or whether they be consecutive or not. These days shall be termed the waiting period. The day that the employee is unable to continue at work by reason of his accident, whether it be the day of the accident or later, shall count as one whole day of the waiting period. Should the total period of disability extend beyond 7 days, additional compensation shall at once become payable covering the above prescribed waiting period.

Section amended.

4. Section 34:15–16 of the Revised Statutes is amended to read as follows:

Compensation to run consecutively; payment for medical treatment, etc., by employer or insurance carrier after termination of liability.

34:15–16. Compensation for all classes of injuries shall run consecutively, and not concurrently, except as provided in this section and in section 34:15–15 of this Title, as follows: First, medical and hospital services and medicines as provided in said section 34:15–15. After the waiting period, compensation during temporary disability. If total

period of disability extends beyond 7 days, compensation to cover waiting period. Following both, either or none of the above, compensation consecutively for each permanent injury, except that permanent disability, total or partial, shall not be determined or awarded until after 26 weeks from the date of the employee's final active medical treatment, or until after 26 weeks from the date of the employee's return to work, whichever is earlier, or, if no time is lost or no treatment is rendered, then permanent disability, total or partial, shall not be determined or awarded until after 26 weeks from the date of the accident, except in cases of amputation or enucleation or death from other cause within that time and except when earlier determination of permanent disability is waived by the employer or his insurance carrier. Nothing herein contained shall prevent an employer or his insurance carrier from paying permanent disability compensation voluntarily prior to the expiration of the 26-week period. Following any or all or none of the above, if death results from the accident, expenses of last sickness and burial. Following which compensation to dependents, if any.

Where an employer or his insurance carrier desires to pay for or furnish compensation, medical, surgical, or hospital treatment, drugs, orthopedic or prosthetic appliances, after the date when payments under sections 34:15–12 and 34:15–13 of this Title have terminated, the employer or his insurance carrier may, in writing, reserve the defense of the jurisdictional limitations provided by sections 34:15–27, 34:15–34, 34:15–41 and 34:15–51 of this Title; provided, that the reservation is approved by a deputy director after advising the petitioner personally of his rights and of the effect of such reservation.

Section amended.

5. Section 34:15–34 of the Revised Statutes is amended to read as follows:

Time for claiming compensation for occupational disease.

34:15–34. All claims for compensable occupational disease shall be barred unless a petition is filed in duplicate with the secretary of the division in Trenton, within 2 years after the

date on which the employee ceased to be exposed in the course of employment with the employer to such occupational disease as hereinabove defined, or within 1 year after the employee knew or ought to have known the nature of his disability and its relation to his employment, whichever period is later in duration. In case an agreement of compensation for compensable occupational disease has been made between such employer and such claimant, then an employee's claim for compensation shall be barred unless a petition for compensation is duly filed with such secretary within 2 years after the failure of the employer to make payment pursuant to the terms of such agreement; or in case a part of the compensation has been paid by such employer, then within 2 years after the last payment of compensation.

Notwithstanding any provision of this section hereinabove set forth, all claims for compensation for compensable occupational disease hereunder shall be forever barred unless a petition is filed in duplicate with the secretary of the Division of Workmen's Compensation, in Trenton, within 5 years after the date on which the employee ceased to be exposed in the course of employment with the employer to such occupational disease; provided, however, that in the event of death of an employee who has been paid compensation on account of a compensable occupational disease, a petition on behalf of dependents, as defined in section 34:15–13f of the Revised Statutes, shall be timely if filed within 2 years after the date of last payment to the employee notwithstanding such period of 2 years or any part thereof extends beyond the 5-year period hereinabove set forth.

A payment or agreement to pay by the insurance carrier shall, for the purpose of this section, be deemed a payment or agreement by the employer.

In any case wherein claim is made for radiation poisoning as an occupational disease more than 2 years after the date upon which the employee

ceased to be exposed in the course of employment with exposure to such occupational disease, the aforesaid 5-year limitation shall not apply, excepting, however, that the claim petition must be filed in duplicate with the Secretary of the Division of Workmen's Compensation within 1 year after the employee knew or ought to have known the nature of the claimed disability and its relation to his employment.

Section amended.

6. Section 34:15–37 of the Revised Statutes is amended to read as follows:

Wages; computation.

34:15–37. "Wages," when used in this chapter, shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident. Board and lodging when furnished by the employer as part of the wages shall be included and valued at $25.00 per week, unless the money value of such advantages shall have been otherwise fixed by the parties at the time of hiring. Where prior to the accident, the rate of wages is fixed by the output of the employee, the daily wages shall be calculated by dividing the number of days the workman was actually employed into the total amount the employee earned during the preceding 6 months, or so much thereof as shall refer to employment by the same employer. When the rate of wages is fixed by the hour, the daily wage shall be found by multiplying the hourly rate by the customary number of working hours constituting an ordinary day in the character of the work involved. In any case the weekly wage shall be found by multiplying the daily wage by 5, or if the employee worked a greater proportion of the week regularly, then by 5½, 6, 6½ or 7, according to the customary number of working days constituting an ordinary week in the character of the work involved. Five days shall constitute a minimum week. Gratuities, received regularly in the course of employment from other than the employer, shall be included in determining the weekly wage only in those cases where the employer or employee has kept a regular

daily or weekly record of the amount of gratuities so received. In such cases the average weekly amount of gratuities over a period of 6 months, or for the entire time of employment, whichever period is less, shall be added to the fixed weekly wage to determine the employee's total weekly wage. If no such record has been kept, then the average amount of the weekly gratuities shall be fixed by the judge of compensation or the referee hearing the matter.

Section amended.

7. Section 34:15–38 of the Revised Statutes is amended to read as follows:

Method of calculating compensation for temporary disability.

34:15–38. To calculate the number of weeks and fraction thereof that compensation is payable for temporary disability, determine the number of calendar days of disability from and including as a full day the day that the employee is first unable to continue at work by reason of the accident, including also Saturdays, Sundays and holidays, up to the first working day that the employee is able to resume work and continue permanently thereat; subtract from this number the waiting period and any days and fraction thereof the employee was able to work during this time, and divide the remainder by 7. If, however, the total period of disability extends beyond 7 days, the waiting period shall not be subtracted from the number indicated above. The resulting whole number and sevenths will be the required period for which compensation is payable on account of temporary disability.

Section amended.

8. Section 34:15–79 of the Revised Statutes is amended to read as follows:

Penalty for failure to provide protection; contractor's liability for insurance.

34:15–79. An employer who shall fail to provide the protection prescribed in this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $1,000.00 or by imprisonment for not more than 60 days or by both such fine and imprisonment, and in cases where a workmen's compensation award in the Division of Workmen's Compensation of New Jersey against the defendant is not paid at the time of the sentence, the court may suspend sentence

upon such defendant and place him on probation for any period with an order to pay said compensation award to the claimant through the probation office of the county. Where the employer is a corporation, the president, secretary, and treasurer thereof who are actively engaged in the corporate business shall be liable for failure to secure the protection prescribed by this article. Any contractor placing work with a subcontractor shall, in the event of the subcontractor's failing to carry workmen's compensation insurance as required by this article, become liable for any compensation which may be due an employee or the dependents of a deceased employee of a subcontractor. The contractor shall then have a right of action against the subcontractor for reimbursement.

All fines collected under the terms of this clause shall be paid to the State Treasurer and credited on the records of the State Comptroller to the account of the Rehabilitation Commission for Physically Handicapped Persons, to be used in carrying out the provisions of chapter 16 of this Title 34:16–1, et seq.

The director or any officer or employee of the division designated by him, upon finding that an employer has failed for a period of not less than 10 consecutive days to make the provisions for payment of compensation required by sections 34:15–71 and 34:15–72 of this Title, may impose upon such employer, in addition to all other penalties, fines or assessments provided for in chapter 15 of Title 34 or in any supplement thereto, an assessment in the amount of $25.00 and when such period exceeds 20 days, an additional assessment of $25.00 for each period of 10 days thereafter, but no employer shall be assessed more than $100.00 at any one time. All assessments under this act shall be collectible in a court of competent jurisdiction in a summary civil proceeding and shall be paid into the uninsured employers fund.

9. Section 34:15–90 of the Revised Statutes is amended to read as follows: Section amended.

Insurance companies members of bureau.

34:15–90. No mutual association or stock company shall be authorized to write compensation or liability insurance in the State unless it is a member of the compensation rating and inspection bureau.

Each member of the bureau writing such insurance shall be represented by one representative and shall be entitled to one vote in the administration of bureau affairs.

The bureau shall adopt such rules and regulations for its procedure and provide such income as may be necessary for its maintenance and operation.

The Commissioner of Banking and Insurance shall appoint a special deputy to be ex-officio chairman of the bureau. Such deputy shall serve with the bureau solely as a representative of the Commissioner of Banking and Insurance and of the Department of Banking and Insurance and shall hold no other office with the bureau nor shall he receive any compensation from the bureau. In the absence of the chairman or his inability to serve, the Commissioner of Banking and Insurance shall designate another person to serve in his stead.

All officers, members of committees and employees of the bureau shall be subject to the approval and ratification of the Commissioner of Banking and Insurance.

C. 34:15-120.1. Creation of uninsured employer's fund.

10. There is hereby created a fund which shall be known as the "uninsured employer's fund" to provide for the payment of awards against uninsured defaulting employers in accordance with the provisions of this act.

For the purpose of establishing and maintaining this fund, the director, upon rendering a decision with respect to any claim for compensation under chapter 15 of Title 34 of the Revised Statutes that the employer liable therefor has failed to secure the payment of compensation with respect thereto in accordance with section 34:15–71 or section 34:15–72 of the Revised Statutes, shall impose an assessment in the sum of $150.00 against the em-

ployer and direct its payment into the fund in connection with each such claim. The director shall also impose an additional assessment of 15% of the award or awards made in each such claim, such additional assessment not to exceed, however, the sum of $1,500.00 in any one claim, and shall direct that such additional assessment also be paid into the fund.

If the employer shall fail to pay these assessments into the fund within 10 days after date of mailing of notice thereof to him, such default shall constitute a default in payment of compensation due pursuant to the provisions of section 40 of this act and judgment therefor shall be entered in accordance therewith, all other provisions of said section to be deemed applicable with respect thereto, except to the extent that said provisions may be clearly inconsistent with the provisions of this section. All sums collected from an uninsured employer with respect to any claim for compensation referred to in this section but not payable from the fund, whether such collection is made prior or subsequent to entry of judgment against such employer, shall be deemed in payment of and applicable first in satisfaction of any compensation and benefits due from such employer with respect to such claim and security demand, if any, in connection therewith and only when such obligations are satisfied in full shall the balance of said sums collected, if any, be deemed payment in satisfaction of and applicable to the assessments above prescribed in this section.

All sums recovered from uninsured employers on judgments entered for failure to pay assessments as hereinafter provided and for failure to pay compensation and benefits which were paid from the fund herein created, shall upon such recovery be paid into said fund.

C. 34:15-120.2. Payment of award.

11. In any case in which a claim for compensation is filed pursuant to the provisions of chapter 15 of Title 34 of the Revised Statutes and the employer has failed to secure the payment of compensation

as required by section 34:15–71 or section 34:15–72 of the Revised Statutes and to make payment of compensation according to the terms of any award within 45 days thereafter and fails or refuses to deposit with the director within 10 days after demand the commuted or estimated value of the compensation payable under the award as security for prompt and convenient payment of such compensation periodically as it accrues, then and in such event, unless a notice of appeal has been timely filed, the award shall be payable out of the "uninsured employers' fund," but no extra compensation or death benefit pursuant to section 34:15–10 shall be payable from the fund.

C. 34:15-120.3. Payment in case of default.

12. In case of default by an uninsured employer in the payment of any compensation due under an award for a period of 45 days after payment is due and payable and the uninsured employer fails or refuses to deposit with the director within 10 days after demand the commuted or estimated value of the compensation payable under the award as security for prompt and convenient payment of such compensation periodically as it accrues, or in case of failure by an employer, within 20 days after it is due to pay any assessment imposed by the director pursuant to section 34:15–79 of the Revised Statutes or section 38 of this act, the director in any such case may file with the Clerk of the Superior Court, (1) a statement containing the findings of fact, conclusions of law, award and judgment of the officer making the award which is in default together with a certified copy of the demand for deposit of security, or (2) a certified copy of the director's order imposing, and the demand for payment of, such assessment, and, thereupon, shall have the same effect and may be collected and docketed in the same manner as judgments rendered in causes tried in the Superior Court. The court shall vacate or modify such judgment to conform to any later award or decision by any authorized officer of the division upon presentation of a statement thereof as provided for above. The award may be

compromised by the Commissioner of Labor and Industry as in his discretion may best serve the interest of the persons entitled to receive the compensation or benefits.

C. 34:15-120.4. Approval by Commissioner of Labor and Industry.

13. Notwithstanding the provisions of any other section of this act, no payments shall be made from the uninsured employers' fund except upon application to and approval by the Commissioner of Labor and Industry. Review of any decision by the commissioner shall be in accordance with section 34:15–66 of the Revised Statutes. In no event, however, shall any payments be made from the fund until the total amount therein exceeds $100,000.00, and thereafter only to the extent of the amount in the fund exceeding $100,000.00, and, in any case, only for injuries and deaths resulting therefrom occurring after the fund reaches $100,000.00.

C. 34:15-120.5. Fund entitled to rights, powers and benefits.

14. To the extent of the compensation and benefits paid or payable to an employee or his dependents from the uninsured employers' fund, the fund, by subrogation, shall be entitled to all the rights, powers and benefits of the employee or his dependents against the employer arising under the provisions of chapter 15 of Title 34 of the Revised Statutes; and in any case or situation contemplated by section 34:15–40 of the Revised Statutes, the fund, shall have the same rights as the employer.

C. 34:15-120.6. Annual accounting of fund.

15. The commissioner shall annually submit an accounting of the fund to the State Treasurer. Payments to applicants from said fund shall be made by the State Treasurer upon warrants of the Commissioner of Labor and Industry.

C. 34:15-120.7. Rules and regulations.

16. The commissioner may make all necessary rules and regulations necessary for the processing and payment of compensation out of the uninsured employers' fund.

C. 34:15-120.8. Limits of liability.

17. The liability of the uninsured employers' fund and the State with respect to payment of any compensation, benefits, expenses, fees for disbursements properly chargeable against the fund shall be limited to the assets in the fund as exceed

$100,000.00 and the fund and the State shall not otherwise in any way or manner be liable for the making of any such payment.

Creation of commission to study workmen's compensation law.

18. There is hereby created a commission to study the workmen's compensation law.

a. Said commission shall consist of 15 members, 2 to be appointed from the membership of the Senate by the President thereof, no more than one of whom shall be of the same political party and 2 to be appointed from the membership of the General Assembly by the Speaker thereof, no more than one of whom shall be of the same political party, and 11 to be appointed by the Governor. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

b. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman from among its members and a secretary who need not be a member of the commission.

c. It shall be the duty of said commission to study the areas of permanent partial disability benefits, the second injury fund, administrative procedures and judicial review and such other aspects of the workmen's compensation law as it deems advisable, and to make recommendations to the end that employees be justly compensated for all injuries covered by the law, that the highest possible rate of employment of the handicapped be encouraged and that a speedy and efficient procedure for the disposition of claims be provided.

d. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ such legal, technical, stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

e. The commission may meet and hold hearings at such place or places as it shall designate and shall report its findings and recommendations to the Governor and the Legislature on or before the second Tuesday in January 1967.

f. There is hereby appropriated to the commission the sum of $25,000.00 to carry out the purposes of this act.

19. This act shall take effect March 1, 1967, provided, however, that such administrative action as is necessary to implement this act on March 1, 1967 may be taken prior thereto and provided further that section 18 of this act shall take effect immediately. Note: Effective date.

Approved June 17, 1966.

CHAPTER 127

AN ACT providing for the exemption from taxation of certain air pollution control equipment, facilities and devices and supplementing article 2 of chapter 4 of Title 54 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any equipment, facility or device constructed or installed either prior to or subsequent to the effective date of this act and used primarily for the purpose of abating or preventing pollution of the atmosphere and which has been certified to be an air pollution abatement facility by the State Commissioner of Health, as hereinafter in this act provided, shall be exempt from taxation under the chapter to which this act is a supplement. C. 54:4-3.56. Exempt.

2. The State Commissioner of Health, when requested for any such certification, shall certify a facility as being an air pollution abatement facility whenever he finds the equipment, facility or device constructed or installed, or to be constructed or installed, was designed primarily for the control or abatement of pollution of air and is suitable and C. 54:4-3.57. Certification.

reasonably adequate for such purpose. Said certificate shall contain information identifying the facilities and the cost thereof and shall be in such form and detail as the commissioner shall prescribe and, further, said certificate shall be submitted to the applicant therefor with a copy to the assessor of the taxing district in which such facilities are located and have been installed; and the exemption from taxation for such equipment, facility or device shall become effective for the tax year following the year in which certification has been granted and thereafter during its use primarily for such purposes.

C. 54:4-3.58. Revocation.

3. The State Commissioner of Health, after giving notice to the holder of a pollution abatement certificate and giving said holder an opportunity for a hearing, may revoke such certificate whenever any of the following appears:

(a) The certificate was obtained by fraud or misrepresentation;

(b) The claimant for tax exemption has failed substantially to proceed with the construction, reconstruction, installation or acquisition of pollution control facilities;

(c) The structure or equipment or both to which the certificate relates has ceased to be used for the primary purpose of pollution control and is being used for a different primary purpose;

(d) The claimant for tax exemption hereunder has so departed from the equipment, design and construction previously certified by the State Commissioner of Health that, in the opinion of said commissioner, the primary purpose of such installation is no longer the prevention of pollution as above defined or the installation is not suitable and reasonably adequate for the purpose for which certified;

(e) Performance of the equipment as installed is not, in the opinion of said commissioner, suitable and reasonably adequate for the primary purpose for which certified; and in lieu of revocation, the commissioner may modify such certificate in accordance with the facts presented.

The commissioner shall forward a copy of the notice of revocation or modification of any such certificate to the assessor of the taxing district in which the equipment involved is located.

4. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 128

AN ACT concerning assessment and taxation of tangible personal property used in business and amending section 54:4–9 of the Revised Statutes and section 2 of chapter 141 of the laws of 1964.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 54:4–9 of the Revised Statutes is amended to read as follows: Section amended.

54:4–9. Tangible personal property used in business and subject to taxation in this State shall be assessed and taxed at its taxable value as defined by law, at the general tax rate of the taxing district wherein such property is found or for the tax years 1965, 1966 and 1967 at the "adjusted personalty tax rate for such district," determined as hereinafter provided, whichever tax rate is higher, for the use of such taxing district, in the manner provided by this article. The person lawfully assessed shall be personally liable for the payment of the tax so computed and assessed. Tangible personal property used in business; assessment and taxation; rate; place; liability for tax.

2. Section 2 of chapter 141 of the laws of 1964 is amended to read as follows: Section amended.

2. The adjusted personalty tax rate for each taxing district shall be determined as follows by the respective county boards of taxation: C. 54:4-9a. Determination of adjusted personalty tax rate.

a. First, for the tax year 1965, for each taxing district there shall be derived a fraction in which 1963 business personal property taxes in the district are the numerator and in which all 1963

property taxes in the district, real and personal, are the denominator. Second, the fraction so determined in each district shall be multiplied by the total property tax levy in the district for the tax year 1965. Third, the dollar figure so determined shall be divided by the 1965 total taxable value of business personal property in the district and the resulting dollar figure shall be the 1965 adjusted personalty tax rate expressed in mills per dollar of assessed value;

b. For the tax year 1966 first, there shall be derived a fraction calculated by multiplying the fraction derived in step first, above, by a fraction the numerator of which shall be the percentage of the fair value of all taxable property in the district which the fair value of taxable business personal property constitutes in the then current tax year, and the denominator of which shall be the percentage of the fair value of all taxable property in the district which the fair value of taxable business personal property constituted in the tax year 1965. Second, the fraction so determined shall be multiplied by the total property tax levy in the district for the then current tax year. Third, the dollar figure so determined shall be divided by the total taxable value of business personal property for the then current tax year, and the resulting dollar figure shall be the adjusted personalty tax rate expressed in mills per dollar of assessed value.

c. For the tax year 1967, first, there shall be derived a fraction calculated by multiplying the fraction derived in step first in paragraph b. above, by a fraction the numerator of which shall be the percentage of the fair value of all taxable property in the district which the fair value of taxable business personal property constitutes in the then current tax year, and the denominator of which shall be the percentage of the fair value of all taxable property in the district which the fair value of taxable business personal property constituted in the tax year 1966. Second, the fraction so determined shall be multiplied by the total property tax

levy in the district for the then current tax year. Third, the dollar figure so determined shall be divided by the total taxable value of business personal property for the then current tax year, and the resulting dollar figure shall be the adjusted personalty tax rate expressed in mills per dollar of assessed value.

d. For purposes of the calculation of the fraction in step first in paragraph b. or in step first in paragraph c. of this section, the fair value of all taxable property in the district shall be the aggregate true value of the real property, exclusive of class II railroad property, plus the aggregate fair value of machinery, implements and equipment, and all other personal property used in business, including farm machinery, farm livestock, crops, produce, and inventories (except inventories of raw materials, supplies and small tools) used in business.

e. If, in any taxing district, the "adjusted personalty tax rate for such district" shall be higher than the property tax rate calculated for all taxable property in the district for the tax years 1965, 1966 or 1967, the tax rate to be applied to the taxable property other than tangible personal property used in business and tangible household personal property and personal effects, for such year, shall be calculated as follows:

First, the amount of the property tax levy to be derived from tangible personal property used in business, computed in accordance with step "second" of subsections (a), (b) or (c) of section 2 above, shall be deducted from the total property tax levy in the district for the particular tax year involved. Second, the remainder so determined shall be divided by the total taxable value, for the particular tax year involved, of all taxable property other than tangible personal property used in business and tangible household personal property and personal effects. The resulting tax rate shall be deemed to be the general tax rate for the district for the particular tax rate involved.

3. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 129

AN ACT relating to the economic growth of the State; providing for officials and for the public comprehensive information about the economic character, performance and prospects for the State and region; establishing an office of economic policy and an economic advisory council continually to evaluate the impact of international, Federal, and State programs in terms of their effect on the economy of the State, and to provide an annual economic report and integrated information identifying more fully and timely the character, performance and potential of the economy; and providing an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 52:18A-125. Policy.

1. It is declared to be the public policy of this State to encourage economic growth; to promote full employment; to encourage business development and expansion; and to coordinate and utilize policies, plans, functions, and resources for the attainment of these ends within the framework of free, competitive enterprises.

C. 52:18A-126. Definitions.

2. As used in this act:

(a) "Office" means Office of Economic Policy established by this act.

(b) "Council" means the Economic Policy Council established by this act.

(c) "Director" means the Director of the Office of Economic Policy.

(d) "Chairman" means the chairman of the Economic Policy Council.

(e) "Treasurer" means the Treasurer of the State of New Jersey.

3. The Governor is authorized to have prepared and to submit a comprehensive annual economic report together with such supplementary reports and information as he may from time to time deem appropriate. This report shall be transmitted to the Legislature and made available to the public. C. 152:18A-127. Annual report.

4. There is hereby established in the Department of the Treasury an office which shall be known as the Office of Economic Policy. C. 52:18A-128. Office of Economic Policy.

5. The Office of Economic Policy shall: C. 52:18A-129. Duties.

(a) Assist the Governor and the executive departments with the establishment of statistical standards and procedures.

(b) Make reports and undertake, at the request of the Governor, the Economic Policy Council, and the Legislature such studies as may be pertinent for the accomplishment of legislative and executive purposes.

(c) Co-operate with and make its resources available to other public and private agencies having related responsibilities and interests.

(d) Gather and serve as a clearing house for timely and authoritative information concerning the economic growth and development of the State.

(e) Analyze and assess the various laws, programs, and activities of the State as to the effect on the economy.

(f) Evaluate the impact of international, Federal, and other State programs in terms of their effect on the economy of this State.

(g) Recommend policies consistent with the intent and purposes of this act.

(h) Report to the Governor annually and at such other times as it may deem in the public interest with respect to its findings and conclusions.

The office shall have access to all files and records of other State agencies and may require any officer or employee therein to provide such information as it may deem necessary in the performance of its functions.

6. The Office of Economic Policy shall be under the immediate supervision of a director who shall C. 52:18A-130. Director.

be a person qualified by training and experience to direct the work of such office. The director of such office shall be appointed by the Governor, and shall serve at his pleasure during the term of office of the appointing Governor and until the director's successor is appointed. He shall receive such salary as shall be provided by law.

C. 52:18A-131. Economic Policy Council.

7. There shall be in the Office of Economic Policy an Economic Policy Council advisory to the Governor which shall consist of 3 members, and the director shall serve as secretary to the council. The members shall be knowledgeable experts in the fields of economics chosen for their professional competence. Members shall be appointed by the Governor, with the advice and consent of the Senate and shall serve at his pleasure during the term of office of the appointing Governor and until successors are appointed and qualified. Members shall be compensated at the rate of $100.00 per day for such days as they actually spend in attendance at meetings and consultations and shall be reimbursed for necessary expenses in connection with the discharge of their duties. The daily compensation herein provided shall not apply to the director of the Office of Economic Policy. The Governor shall designate the chairman of the council.

C. 52:18A-132. Meetings.

8. The Economic Policy Council shall meet quarterly or more frequently as required to advise and consult with the Governor and the director on such matters as may be deemed advisable; the council may request the preparation of appropriate study materials and supporting information as they see fit; and may propose recommendations for inclusion in the annual report prepared by the Office of Economic Policy for the Governor.

C. 52:18A-133. Authorization for expenditures and appropriations.

9. The Treasurer is hereby authorized to make expenditures and provide appropriations for the office and the council as may be required.

C. 52:18A-134. Appointment of personnel.

10. The Treasurer is authorized to appoint, in accordance with Title 11 of the Revised Statutes, such clerical, technical, and professional assistants, and may also designate such available personnel,

as shall be necessary to effectuate the purposes of this act.

C. 52:18A-135. Validity of act.

11. If any provision of this act, or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application thereof, to other persons or circumstances shall not be affected thereby.

C. 52:18A-136. Rules and regulations.

12. The Governor is hereby authorized and empowered to present, adopt, promulgate, rescind and enforce rules and regulations as may be required for the administration and enforcement of the provisions of this act.

Appropriation $75,000.00.

13. There is hereby appropriated out of the General Treasury the sum of $75,000.00 to carry out the purposes of this act.

14. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 130

AN ACT concerning feasibility surveys for industries and businesses interested in locating in New Jersey and providing for State loans to pay part of the cost thereof; and a matching-aid grant assistance program for municipal, county, regional and nonprofit economic development agencies qualifying in accordance with the provisions of this act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 13:16-1. Title of act.

1. This act may be cited as the "State Economic Development Assistance Act of 1966."

C. 13:16-2. Findings of Legislature.

2. The Legislature hereby finds that:

a. The maintenance of the State economy at a high level is vital to the public interest and in order to continue and accelerate the growth of new in-

dustries and businesses in the State, to enable our citizens the opportunity to secure gainful employment within the State, and to compete successfully with other States in attracting industry, business concerns and new job opportunities, it is necessary for the State to encourage and facilitate the actions of such concerns interested in locating in New Jersey, and to co-operate in the preparation of necessary surveys which will determine the feasibility of locating said industry or business in New Jersey.

b. To further achieve the optimum effectiveness of our State's over-all economic development, expansion and growth, a State financial assistance program is necessary at all levels of government, including public or private nonprofit agencies participating in economic development; to provide more intense, vigorous economic development programs related to industry, commerce, international trade, small business, agricultural markets, conventions, research and science advancement, and tourist-resort-vacation trade throughout the State of New Jersey.

ARTICLE I

DEFINITIONS

C. 13:16-3. Definitions.

3. The following terms whenever used or referred to in this act have the following meanings, except where the context clearly indicates otherwise:

(a) "Commissioner" shall mean the Commissioner of the Department of Conservation and Economic Development or his designated representative.

(b) "Department" shall mean the Department of Conservation and Economic Development.

(c) "Division" shall mean the Division of Economic Development of the Department of Conservation and Economic Development.

(d) "Survey" shall mean any study of the feasibility of locating within this State a specific industrial or business concern, including but not

limited to an analysis of the potential market, plant or business location, availability of raw materials or land use zone requirements, topographic characteristics, labor supply, profitability and other financial considerations.

(e) "Economic Development Agency" shall mean any county, municipality, other governmental agency or nonprofit agency, or a combination thereof, which is engaged in economic development programs to expand, locate or relocate industry and improve commerce or trade in its area of responsibility, and including but not limited to, the following:

(1) "International and Domestic Trade Agency" shall mean any nonprofit corporation, organization, association or agency that is properly designated to encourage, stimulate and advance trade between the States of the union and between nations internationally and which conducts studies, promotional programs and activities relating to the increase of production of New Jersey manufactured products.

(2) "Agricultural Marketing Agency." This will apply to any nonprofit corporation, organization, association or agency that has been established to advance, promote and otherwise increase the marketing potential of agricultural products indigenous to its area.

(3) "Convention-Promotion Agency." This term is defined as a nonprofit corporation that is organized to attract, promote and otherwise stimulate the convention business in its respective area.

(4) "Tourist Vacation Trade Agency." This term is defined as any nonprofit corporation, organization, association or similar agency that is properly designated and which conducts programs to promote, advertise, study and attract the tourist visitor and improve vacation business in the area it serves.

(5) "Research and Science Advancement Agency." This term is defined as any nonprofit

corporation that has been designated to advance the interest of research, science and product development within the area it serves or within the entire State of New Jersey.

(6) "Nonprofit Agency." This term shall apply to those agencies designated to promote and execute plans for expanding economic development, conduct studies, promotional programs and related activity to increase the economic climate of the area it serves.

(f) "Promotion." This term is defined as including advertising, brochures, reports, exhibits, radio, television and other media to attract, stimulate and otherwise generate business in the area of service and in the category defined.

(g) "Matching Funds." This term shall be defined as the matching of funds allocated by the State under the terms of this act to an economic development agency, and in no instance shall the matching funds exceed the amounts that the agency shall itself appropriate and expend.

(h) "Eligibility." The term "eligibility" shall apply to the matter of any nonprofit corporation, organization, association or agency, municipality, county, other governmental agency or combination thereof that may apply to the State for financial assistance and such eligibility shall be determined by rules and regulations established by the Commissioner of Conservation and Economic Development.

Article II

ECONOMIC FINANCIAL ASSISTANCE

C. 13:16-4. Application.

4. Any nonprofit corporation, organization or association which is engaged in economic development programs to expand, locate or relocate industry and improve commerce or trade in its area of responsibility may make application to the commissioner for a grant in accordance with the provisions of this act. Upon a determination of eligibility of said nonprofit corporation, organization or association by the commissioner, the com-

missioner may make a grant to said applicant for the purposes specified in this act. The commissioner may reject an application which substantially duplicates or overlaps another economic development program for the county, municipality or region and recommend a joint application and undertaking if appropriate.

C. 13:16-5. Designation by resolution.

5. Any county, municipality, other governmental agency or a combination thereof may by resolution designate itself or an agency or agencies to apply for and perform any one or more of the programs encompassed by this act. Such county, municipality or other governmental agency or a combination thereof may itself or authorize such a designated agency to make application to the commissioner and subject to his approval receive grants to carry out the programs and the purposes specified in this act.

C. 13:16-6. Recognition of agencies.

6. Recognition of Economic Development Agencies. The commissioner upon receipt of certified copies of such resolutions or other documentation as may be necessary to satisfy him that an economic development agency has been duly chosen to act for a particular county, municipality, other governmental agency or a combination thereof, may recognize such development agency or agencies for such county, municipality or region for the purposes of this act.

C. 13:16-7. Applications for and approval of grants.

7. Applications for and Approval of Grants to Economic Development Agencies. The commissioner is hereby authorized to make grants to recognized economic development agencies, to assist such agencies in the financing of their operational costs for the purposes of making studies, surveys and investigations, the compilation of data and statistics and in the carrying out of planning and promotional programs: Provided, that, before any such grant may be made:

(a) The economic development agency shall have made application to the commissioner for such grant, and shall have therein set forth the studies proposed to be made, the statistics, data and surveys proposed to be completed, and the program

proposed to be undertaken for the purpose of encouraging and stimulating economic development in the county, municipality or region. The application shall further state, under oath or affirmation, with evidence thereof satisfactory to the commissioner, the amount of funds held by, committed or subscribed to the economic development agency for application to the purposes herein described and the amount of the grant for which application is made; and

(b) The commissioner, after review of the application, if satisfied that the program of the economic development agency appears to be in accord with the purposes of this act, shall authorize the making of a matching grant to such economic development agency, not to exceed 50% of the funds allocated by the agency to the program described in its application.

C. 13:16-8. Payment of grants.

8. Payment of Grants to Economic Development Agencies. Upon approval of each application and the making of a grant by the commissioner in accordance therewith, the commissioner shall give notice to the particular development agency of such approval and grant, and shall direct the development agency to proceed with its application and to use therefor the furnishing of satisfactory evidence to the commissioner on a quarterly basis, that the particular development agency has so proceeded, the grant allocated to such development agency shall be paid over on such basis to the development agency by the commissioner.

C. 13:16-9. Rules and Regulations

9. Rules and Regulations of the Department. In order to effectuate and enforce the provisions of this act, the commissioner is authorized to promulgate necessary rules and regulations and prescribe procedures in order to assure compliance by economic development agencies in carrying out the purposes for which grants may be made hereunder.

C. 13:16-10. Eligibility.

10. (a) Criteria for eligibility shall in the case of tourist-vacation trade agencies include requirements for the accumulation of accurate reporting media dealing with total visitor and visitor income,

registration of hotel, motel, amusement, recreation, restaurant and similar operations for the purpose of directories, maintenance of rates, charges, fees and costs thereof and such added factual materials as the commissioner may require.

(b) Criteria for eligibility shall in the case of industrial location and development agencies include requirements for the preparation of community fact sheets, compilation of industrial sites by size and characteristics, and usage, as well as vacant buildings, and the registration of new operation industries, including research establishments together with such other factual material as the commissioner may require.

(c) Criteria for eligibility shall in the case of agricultural markets include the compilation of statistics relating to commodity production, farms, producers and related matters for consumer directories and product promotion.

(d) Criteria for eligibility for those agencies dealing with other factors of the economy shall be determined by the nature and substance of the applications submitted to the commissioner.

C. 13:16-11. Cooperation with other agencies.

11. Co-operation with Other Agencies. The commissioner is directed to administer this development assistance program with such flexibility as to permit full co-operation between the State and Federal Governments or any subdivision agency or instrumentality corporate or otherwise of either of them so as to bring about as effective and economical a development program as possible.

C. 13:16-12. Expenditures.

12. The criteria for the division of programmed and recognized expenditures under the provisions of this act shall be on the basis that as against total project costs not more than 25% shall be expended for salaries; not more than 25% for special services; and the balance of 50% for surveys, brochures, advertising, exhibits and similar promotional operations as defined by regulation of the commissioner. The division set forth herein may, for good and just cause submitted by special application to the commissioner, be reallocated up to 10% from and to each category.

ARTICLE III

INDUSTRIAL AND BUSINESS SURVEY LOANS

C. 13:16-13. Application for loan.

13. Any person or corporation considering locating an industrial or business concern in the State and desiring a State loan for the purpose of surveying the feasibility of such action, may file an application for such loan with the commissioner. With this application there shall be attached such information as the commissioner may require concerning the type, cost and financing contemplated for the concern which would be established, the area in the State under consideration for the location of the concern and the natural resources, if any, or facilities which would be necessary for the operation of such a concern.

C. 13:16-14. Requirements.

14. The commissioner, if after reviewing the application and the material attached thereto, is satisfied that:

(a) The proposed plans of the applicant, if executed, would contribute to New Jersey's economic growth and would create new employment opportunities for the State.

(b) The applicant has a bona fide interest in locating a concern in the State and there is a reasonable prospect that the survey would result in the establishment of an industrial or business concern, may, within the limits of the funds available in the Industrial and Business Survey Loan Fund, hereinafter created by this act, enter into a contract with the applicant whereby the State agrees to pay up to 50% of the cost of a survey exploring the feasibility of establishing in the State the industrial or business concern contemplated by the applicant.

C. 13:16-15. Provisions of contract.

15. Any contract entered into pursuant to the provisions of this act shall provide that:

(a) The State will pay a certain percentage fixed by the commissioner, not exceeding 50%, of the cost of the survey. The survey must be made by a qualified person or firm selected by the applicant subject to the prior approval of the commissioner. The commissioner has the right to review and make such changes as he shall deem necessary in the

survey agreement to be executed between the applicant and the person responsible for making the survey. The time of completion of the contract will be established by the applicant subject to the approval of the commissioner.

(b) The person making the survey shall submit progress reports to the commissioner and the applicant in accordance with a schedule to be provided for in each individual contract.

(c) If the commissioner finds that there has been noncompliance with the terms of the contract, that the progress reports of the survey indicate that the establishment of the industrial or business concern is not feasible or that the applicant is no longer interested in locating his concern in the State, he may cancel the contract, upon 10 days written notice to the applicant and the person making the survey. If the contract is so canceled, as of the date of the cancellation, the cost of the survey shall be prorated between the State and the applicant and all information, material and other data assembled in connection with the survey shall become the exclusive property of the State.

(d) If the applicant, upon completion of the survey, decides to locate his concern in the State, he will repay the loan made by the State, in the manner and within the time to be prescribed in the contract. Upon completion of said repayment, the applicant shall have exclusive rights to the survey.

(e) If the applicant, upon completion of the survey decides not to locate his concern in the State, the survey will forthwith become the exclusive property of the State of New Jersey. If the applicant refuses to turn over the survey upon a request therefor he shall be liable for the entire amount of the loan made by the State.

C. 13:16-16. Powers of commissioner.

16. The commissioner shall have the power to make, promulgate, modify, amend and repeal rules and regulations to effectuate his powers and duties under this act.

C. 13:16-17. Validity of act.

17. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid

such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

C. 13:16-18. Appropriation.

18. The funds necessary to accomplish the provisions of this act shall be appropriated from the General Treasury to the department for the purposes of this act.

19. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 131

AN ACT to amend "An act concerning economic development, providing for area redevelopment projects, creating the area redevelopment authority in the Department of Conservation and Economic Development and supplementing Title 13 of the Revised Statutes, and providing for a loan pursuant to the provisions set forth in chapter 37 of Title 2A of the New Jersey Statutes," approved December 18, 1962 (P. L. 1962, c. 204).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act to which this act is amendatory is amended to read as follows:

C. 13:1B-15.13. Definitions.

1. The following terms whenever used or referred to in this act have the following meanings, except in those instances where the context clearly indicates otherwise:

(a) The term "authority" shall mean the authority created by section 3 of this act;

(b) The term "commissioner" shall mean the Commissioner of Conservation and Economic Development;

(c) The term "county" shall mean any county of the State;

(d) The term "department" shall mean the Department of Conservation and Economic Development;

(e) The term "redevelopment area" shall mean any area within the State which has been designated by the Secretary of Commerce of the United States as a redevelopment area pursuant to the provisions of Public Law 89-136 (Public Works and Economic Development Act of 1965);

(f) The term "area redevelopment fund" shall mean the fund created by section 9 of this act;

(g) The term "area redevelopment project" or "project" shall include the acquisition and development of land within a redevelopment area, the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings and the alteration, conversion or enlargement of existing buildings which undertaking comprises or is connected with or part of an industrial enterprise established or to be established by an area redevelopment agency and may also include, related machinery and equipment;

(h) The term "area redevelopment agency" shall mean the local agency designated officially to administer and co-ordinate the activities described and set forth in this act and Public Law 89–136 (Public Works and Economic Development Act of 1965) in each redevelopment area, deemed by the authority after proper investigation to be capable of assuming all obligations prescribed by the authority in the establishment of an area redevelopment project and in the operation of an industrial or commercial enterprise therein or thereon;

(i) The term "cost of establishing an area redevelopment project" shall embrace, without limitation thereto, however, any or all of the following: the cost of construction, the cost of all lands, property, rights, easements and franchises acquired which are deemed necessary for such construction, financing charges, interest prior to and during

construction, cost of engineering and legal expense, plans, specifications, surveys, estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any industrial development project, together with such other expenses as may be necessary or incident to the financing and the construction of the area redevelopment project and the placing of the same in operation.

Section amended.

2. Section 5 of the act to which this act is amendatory is amended to read as follows:

C. 13:1B-15.17. Powers.

5. The authority is hereby granted and shall have and exercise all the powers necessary and appropriate to carry out and execute the purposes of this act, including, in addition to others herein granted, the power:

(a) To determine, upon proper application of an area redevelopment agency

(1) The financial assistance required by such an agency to establish and maintain an area redevelopment project, and

(2) Whether such agency has qualified for Federal financial assistance;

(b) To approve area redevelopment agencies which meet the qualifications set forth in this act for financial assistance pursuant to the provisions of this act;

(c) To enter into agreements with area redevelopment agencies as approved under this act;

(d) (1) To make, upon proper application of area redevelopment agencies, loans to such agencies of moneys held in the area redevelopment fund and to provide for the repayment and redeposits of such loans in the manner hereinafter provided;

(2) To purchase upon proper application of area redevelopment agencies, evidences of indebtedness and to provide for the repayment and redeposit of financial assistance so extended in the manner hereinafter provided.

(e) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying out of its business;

(f) Without limitation of the foregoing, to accept grants from, to enter into contracts or other transactions with any Federal agency;

(g) To sue and be sued;

(h) To adopt, use and alter at will a corporate seal;

(i) To make by-laws for the management and regulation of its affairs;

(j) To appoint, with the approval of the commissioner and subject to available appropriations therefor, officials, agents and employees, which employees shall be subject to the provisions of Title 11 of the Revised Statutes and to prescribe their duties and fix their compensation;

(k) To determine, upon proper application of area redevelopment agencies, whether the declared public purpose of this act has been accomplished or will be accomplished by the establishment by such area redevelopment agencies of an area redevelopment project in a redevelopment area;

(l) To conduct examinations and investigations and to hear testimony and take proof, under oath or affirmation, at public or private hearings, on any matter material for its information and necessary to the determination and designation of such economic areas and the establishment of area redevelopment projects therein;

(m) To issue subpœnas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before such authority, or before one or more members of the authority appointed by it to conduct such hearing;

(n) To apply to any court, having territorial jurisdiction of the offense, to have punished for contempt any witness who refuses to obey a subpœna, or who refuses to be sworn or affirmed to testify, or who is guilty of any contempt after summons to appear;

(o) To authorize any member or members of such authority to conduct hearings and to administer oaths, take affidavits and issue subpœnas;

(p) To take title by foreclosure to any project where such acquisition may be necessary to protect

any loan previously made therefor by the authority and to sell, transfer and convey any such project to any responsible buyer; in the event such sale, transfer and conveyance cannot be effected with reasonable promptness, the authority may, in order to minimize financial losses and sustain employment, lease such area redevelopment project to a responsible tenant or tenants; the authority shall not lease projects except under the conditions and for the purposes cited in this section;

(q) Under rules and regulations prescribed by the authority to assign or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions and for such consideration as the authority shall determine to be reasonable, any evidence of indebtedness, contract, claim, personal property or security assigned to or held by the authority in connection with loans made or evidences of indebtedness purchased under this act and collect or compromise all obligations assigned to or held by the authority in connection with such loans or indebtedness; and

(r) To deal with, complete, renovate, improve, modernize, insure, rent or sell for cash or credit upon such terms and conditions and for such consideration as the authority shall deem to be reasonable, any real or personal property conveyed to or otherwise acquired by the authority in connection with loans made or evidences of indebtedness purchased under this act.

Section amended.

3. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 13:1B-15.18. Financial assistance to area redevelopment agency.

6. When it has been determined by the authority upon application of an area redevelopment agency that the establishment of a particular area redevelopment project will be to the economic well-being of the area in which such project will be located, the authority may contract to provide to such agency an amount not in excess of 5% of the cost of establishing such project.

4. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 132

AN ACT to amend the "Sales and Use Tax Act," approved April 27, 1966 (P. L. 1966, c. 30).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of the act of which this act is amendatory is amended to read as follows: Section amended.

3. Imposition of sales tax. On and after July 1, 1966 there is hereby imposed and there shall be paid a tax of 3% upon: C. 54:32B-3. Imposition of sales tax.

(a) The receipts from every retail sale of tangible personal property, except as otherwise provided in this act.

(b) The receipts from every sale, except for resale, of the following services:

(1) Producing, fabricating, processing, printing or imprinting tangible personal property, performed for a person who directly or indirectly furnishes the tangible personal property, not purchased by him for resale, upon which such services are performed.

(2) Installing tangible personal property, or maintaining, servicing, repairing tangible personal property not held for sale in the regular course of business, whether or not the services are performed directly or by means of coin-operated equipment or by any other means, and whether or not any tangible personal property is transferred in conjunction therewith, except such services rendered by an individual who is engaged directly by a private homeowner or lessee in or about his residence and who is not in a regular trade or business offering his services to the public, except services rendered with respect to trucks, tractors, trailers or semi-trailers by a person who is not engaged, directly or indirectly through subsidiaries, parents, affiliates or otherwise, in a

regular trade or business offering such services to the public, and except any receipts from laundering, dry cleaning, tailoring, weaving, pressing, shoe repairing and shoe shining, and except for installing property which, when installed, will constitute an addition or capital improvement to real property, property or land.

(3) Storing all tangible personal property not held for sale in the regular course of business and the rental of safe deposit boxes or similar space.

(4) Maintaining, servicing or repairing real property, property or land, whether the services are performed in or outside of a building, as distinguished from adding to or improving such real property, property or land, by a capital improvement, but excluding services rendered by an individual who is not in a regular trade or business offering his services to the public, and excluding interior cleaning and maintenance services performed on a regular contractual basis for a term of not less than 30 days, other than window cleaning, and rodent and pest control.

Wages, salaries and other compensation paid by an employer to an employee for performing as an employee the services described in this subsection are not receipts subject to the taxes imposed under this subsection (b).

(c) Receipts from the sale of food and drink except alcoholic beverages as defined in the Alcoholic Beverage Tax Law, in or by restaurants, taverns or other establishments in this State, or by caterers, including in the amount of such receipts any cover, minimum, entertainment or other charge made to patrons or customers:

(1) in all instances where the sale is for consumption on the premises where sold;

(2) in those instances where the vendor or any person whose services are arranged for by the vendor, after the delivery of the food or

drink by or on behalf of the vendor for consumption off the premises of the vendor, serves or assists in serving, cooks, heats or provides other services with respect to the food or drink; and

(3) in those instances where the sale is for consumption off the premises of the vendor, and consists of a meal, or food prepared and ready to be eaten, of a kind obtainable in restaurants as the main course of a meal, including a sandwich, except where food other than sandwiches is sold in an unheated state and is of a type commonly sold in the same form and condition in food stores other than those which are principally engaged in selling prepared foods.

The tax imposed by this subsection (c) shall not apply to food or drink which is sold to an air line for consumption while in flight.

(d) The rent for every occupancy of a room or rooms in a hotel in this State, except that the tax shall not be imposed upon (1) a permanent resident, or (2) where the rent is not more than at the rate of $2.00 per day.

(e) (1) Any admission charge where such admission charge is in excess of $0.75 to or for the use of any place of amusement in the State, including charges for admission to race tracks, baseball, football, basketball or exhibitions, dramatic or musical arts performances, motion picture theatres, except charges to a patron for admission to, or use of, facilities for sporting activities in which such patron is to be a participant, such as bowling alleys and swimming pools. For any person having the permanent use or possession of a box or seat or a lease or a license, other than a season ticket, for the use of a box seat at a place of amusement, the tax shall be upon the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by the holder, licensee or lessee, and shall be paid by the holder, licensee or lessee.

(2) The amount paid as charge of a roof garden, cabaret or other similar place in this State, to the extent that a tax upon such charges has not been paid pursuant to subsection (c) hereof.

Section amended.

2. Section 8 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-8. Exempt sales.

8. Exempt sales. Receipts from the following shall be exempt from the tax on retail sales imposed under subsection (a) of section 3 and the use tax imposed under section 6:

(a) Sales of medicine, drugs, crutches, artificial limbs, artificial eyes, artifiicial hearing devices, corrective eyeglasses, prosthetic aids, artificial teeth or dentures, braces, and orthopedic appliances, sold pursuant to a doctor's prescription for human use, and wheel chairs;

(b) Sales of food, food products, beverages except liquors, wines and sparkling wines as defined in the Alcoholic Beverage Tax Law, dietary foods and health supplements, sold for human consumption off the premises where sold but not including (i) candy and confectionery, (ii) fruit drinks which contain less than 70% of natural fruit juice and (iii) soft drinks, sodas and beverages such as are ordinarily dispensed at soda fountains or in connection therewith (other than coffee, tea and cocoa) all of which shall be subject to the retail sales and compensating use taxes, whether or not the item is sold in liquid form. Nothing herein shall be construed as exempting food or drink from the tax imposed under subsection (c) of section 3;

(c) Sales of food sold in an elementary or secondary school cafeteria, sales of food sold in an institution of higher education or in a fraternity, sorority or eating club operated in connection therewith, to students of such an institution;

(d) Sales of articles of clothing and footwear for human use where the sales price is not more than $50.00. Articles of clothing customarily sold in combination such as, but not limited to, a suit of men's clothing consisting of a coat and trousers shall, for the purpose of determining the dollar

limitation herein, be treated as a single sale. The director shall prescribe regulations to carry out the provisions of this subsection;

(e) Sales of newspapers, magazines and periodicals;

(f) Casual sales except as to sales of motor vehicles, whether for use on the highways or otherwise, and except as to sales of boats or vessels registered or subject to registration under the New Jersey Boat Act of 1962 (chapter 73, laws of 1962 and all amendments thereto);

(g) Sales of gas, water, steam, fuel, electricity, telephone or telegraph services delivered to consumers through mains, lines, pipe, or in containers or bulk;

(h) Sales of motor fuels as motor fuels are defined for purposes of the New Jersey Motor Fuel Tax Law; and sales of fuel to an airline for use in its airplanes or to a railroad for use in its locomotives;

(i) Tangible personal property sold through coin-operated vending machines at $0.10 or less, provided the retailer is primarily engaged in making such sales and maintains records satisfactory to the director;

(j) Sales not within the taxing power of this State under the Constitution of the United States;

(k) The transportation of persons or property;

(l) Sales, repairs, alterations or conversion of commercial ships, barges and other vessels of 50-ton burden or over, primarily engaged in interstate or foreign commerce, and of governmentally-owned ships, barges and other vessels and property used by or purchased for the use of such vessels for fuel, provisions, supplies, maintenance and repairs (other than articles purchased for the original equipping of a new ship);

(m) (1) Sales of machinery, apparatus or equipment for use or consumption directly and primarily in the production of tangible personal property by manufacturing, processing, assembling or refining;

(2) Sales of machinery, apparatus or equipment for use or consumption directly and primarily in the production, generation, transmission or distribution of gas, electricity, refrigeration, steam or water for sale;

(3) Sales of telephone lines, cables, central office equipment or station apparatus, or other machinery, equipment or apparatus, or comparable telegraph equipment, for use directly and primarily in receiving at destination or initiating, transmitting and switching telephone or telegraph communication;

(4) The exemptions granted under this subsection shall not be construed to apply to sales, otherwise taxable, of machinery, equipment or apparatus whose use in incidental to the activities described in paragraphs (1), (2) and (3) of this subsection.

(5) The exemptions granted in this subsection (m) shall not apply to motor vehicles or to parts with a useful life of 1 year or less or tools or supplies used in connection with the machinery, equipment or apparatus described in this subsection.

(n) Sales of tangible personal property purchased for use or consumption diretly and exclusively in research and development in the experimental or laboratory sense. Such research and development shall not be deemed to include the ordinary testing or inspection of materials or products for quality control, efficiency surveys, management studies, consumer surveys, advertising, promotions or research in connection with literary, historical or similar projects.

(o) Sales or use of wrapping paper, wrapping twine, bags, cartons, tape, rope, labels, nonreturnable containers, reusable milk containers and all other wrapping supplies when such use is incidental to the delivery of any personal property.

(p) Sales of tangible personal property (except automobiles, trucks, trailers, and truck-trailer combinations, and except property incorporated in a building or structure) for use and consumption directly and exclusively in the production for sale

of tangible personal property on farms, including stock, dairy, poultry, fruit, fur-bearing animals, and truck farms, ranches, nurseries, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards;

(q) Sales of tangible personal property sold by a mortician, undertaker or funeral director. However, all tangible personal property sold to a mortician, undertaker or funeral director for use in the conducting of funerals shall not be deemed a sale for resale and shall not be exempt from the tax imposed by this act;

(r) Sales of films, records, tapes or any type of visual or sound transcribing to theatres and radio and television broadcasting stations or networks;

(s) Sales of tangible personal property and services taxable under any municipal ordinance heretofore adopted pursuant to chapter 71, laws of 1947, which is in effect on April 27, 1966, but only to the extent such sales are taxable under said ordinance;

(t) Sales of materials, such as chemicals and catalysts, used to induce or cause a refining or chemical process, where such materials are an integral or essential part of the processing operation, but do not become a component part of the finished product.

(u) Sales of school textbooks for use by students in a school, college, university, or other educational institution, approved as such by the Department of Education, when the educational institution, upon forms and pursuant to regulations prescribed by the director, has declared the books are required for school purposes and the purchaser has supplied the vendor with the form at the time of the sale.

(v) Sales not for resale of catalogs, sales price lists, point of purchase advertising, sales pamphlets or handbills, commonly known as commercial advertising, when produced upon special order of the purchaser.

(w) Sales made to contractors, subcontractors or repairmen of materials, supplies or services for

exclusive use in erecting structures, or building on, or otherwise improving, altering or repairing real property of organizations described in subsections (a) and (b) of section 9 of this act, provided any person seeking to qualify for this exemption shall do so pursuant to such rules and regulations and upon such forms as shall be prescribed by the director.

(x) The renting, leasing, licensing or interchanging of trucks, tractors, trailers or semitrailers by persons not engaged, directly or indirectly through subsidiaries, parents, affiliates or otherwise, in a regular trade or business offering such renting, leasing, licensing or interchanging to the public, provided, that such renting, leasing, licensing or interchanging is carried on with persons engaged in a regular trade or business involving carriage of freight by such vehicles, and further provided, that in the case of any such motor vehicle acquired by the owner or first used by the owner in this State on or after July 1, 1966, any tax presumptively imposed by this act on such acquisition or use shall have been paid at the time of such acquisition or use without claim for exemption.

Section amended.

3. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 5432B-11. Exemptions from use tax.

11. Exemptions from use tax. The following uses of property shall not be subject to the compensating use tax imposed under this act:

(1) In respect to the use of property used by the purchaser in this State prior to July 1, 1966.

(2) In respect to the use of property purchased by the user while a non-resident of this State, except in the case of tangible personal property which the user, in the performance of a contract, incorporates into real property located in the State. A person while engaged in any manner in carrying on in this State any employment, trade, business or profession, not entirely in interstate or foreign commerce, shall not be deemed a nonresident with respect to the use in this State of property in such employment, trade, business or profession.

(3) In respect to the use of property or services upon the sale of which the purchaser would be expressly exempt from the taxes imposed under subsection (a) or (b) of section 3.

(4) In respect to the use of property which is converted into or becomes a component part of a product produced for sale or for market sampling by the purchaser.

(5) In respect to the use of paper in the application of newspapers and periodicals.

(6) In respect to the use of property or services to the extent that a retail sales or use tax was legally due and paid thereon, without any right to a refund or credit thereof, to any other State or jurisdiction within any other State but only when it is shown that such other State or jurisdiction allows a corresponding exemption with respect to the sale or use of tangible personal property or services upon which such a sales tax or compensating use tax was paid to this State. To the extent that the tax imposed by this act is at a higher rate than the rate of tax in the first taxing jurisdiction, this exemption shall be inapplicable and the tax imposed by section 6 of this act shall apply to the extent of the difference in such rates.

4. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 133

AN ACT imposing a gross receipts tax on retail store sales, providing for the registering of persons engaged in retail store sales, prescribing the methods of collecting the tax imposed, providing penalties for violations, and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

New Jersey State Library

C. 54:11C-1. Title of Act.

1. This act shall be known and may be cited as the "Retail Gross Receipts Tax Act."

C. 54:11C-2. Definitions.

2. For the purposes of this act, unless the context otherwise requires:

a. "Director" shall mean the Director of the Division of Taxation in the Department of the Treasury.

b. "Gross receipts" shall mean and include all receipts, of whatever kind and in whatever form, derived from retail store sales, without any deduction therefrom on account of any item of cost, expense or loss, except that gross receipts shall not include the sales price of merchandise returned by customers to the extent that the sales price thereof is refunded either in cash or by credit. In the case of installment sales, receipts therefrom shall be included as gross receipts only as and when payments are actually received by the seller.

c. "Retail store sales" shall mean sales of tangible personal property made by retail stores to ultimate consumers and users of the property sold.

d. "Retail store" shall mean any business, except a manufacturing business, carried on at a fixed location or locations in New Jersey, one purpose and activity of which is purchasing tangible personal property and selling such property to ultimate consumers and users. The term "retail store" shall include factory retail outlets where such retail outlets are located in New Jersey and are used primarily for the purpose of making sales of tangible personal property, on the premises of the business, to ultimate consumers and users and not for resale.

e. "Tax year" or "taxable year" means the calendar year on the basis of which the taxpayer is required to report his gross receipts under this act.

f. "Taxpayer" means any person subject to tax or required to file a return under this act.

g. "Person" means an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or represen-

tative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

C. 54:11C-3. Rate of tax.

3. An excise tax is hereby imposed upon every person engaged in the business of retail store sales at the rate of 1/20 of 1% of the gross receipts of such business after December 31, 1966, provided, however, that in computing the amount of the tax imposed under the provisions of this act for any year, there shall be deducted from the gross receipts of any taxpayer an amount of $150,000.00. Each taxpayer who is taxable hereunder upon gross receipts for any fractional part of the taxable year shall be entitled to a deduction of such proportion of $150,000.00 as the period of time during which the taxpayer is subject to tax bears to an entire year.

C. 54:11C-4. Filing of return.

4. Every person engaged in the business of retail store sales in this State shall, on or before March 15, 1968, and on or before March 15 of each year thereafter, prepare and file a return for the preceding calendar year with the director in such form and containing such information as the director shall prescribe, provided, however, that no such person who derives gross receipts of less than $125,000.00 for any taxable year shall be required to file a return under this act for such taxable year. Every person required to file a return under this act shall, at the time of filing such return, pay to the director the taxes imposed by this act.

C. 54:11C-5. Records kept.

5. Every person subject to taxation under this act shall keep records of every sale and of all amounts paid, charged or due thereon in such form as the director may by regulation require. Such record shall be available for inspection and examination at any time upon demand by the director or his duly authorized agent or employee, and shall be preserved for a period of 3 years, except that the director may consent to their destruction within that period or may require that they be kept longer.

C. 54:11C-6. Certificate of registration.

6. On or before December 20, 1966, or in the case of persons commencing or opening new places of business after such date, within 30 days after such

commencement or opening, every person subject to taxation under this act shall file with the director a certificate of registration in a form prescribed by him.

The director, shall, within 5 days of such registration, issue without charge to each registrant a certificate of authority and a duplicate thereof for each additional place of business of each registrant. Each certificate or duplicate shall state the place of business to which it is applicable. Such certificate of authority shall be prominently displayed in the place of business of the registrant. Such certificates shall be nonassignable and nontransferable and shall be surrendered to the director immediately upon the registrant's ceasing to do business at the place named.

Any person who is registered under the sales and use tax act (P. L. 1966, c. 30) shall be excused from compliance from this section.

C. 54:11C-7. Amount tax due.

7. If a return required by this act is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the director from such information as may be available. Notice of such determination shall be given to the person liable for payment of the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within 90 days after giving of notice of such determination, shall apply to the director for a hearing, or unless the director of his own motion shall redetermine the same. After such hearing the director shall give notice of his determination to the person against whom the tax is assessed.

C. 54:11C-8. Failure to pay tax.

8. (a) Whenever any person subject to taxation under this act shall fail to pay any tax, penalty or interest imposed by this act as therein provided, the Attorney General shall, upon the request of the director, bring or cause to be brought an action to enforce the payment of the same on behalf of the State of New Jersey in any court of the State of New Jersey or of any other State or of the United States.

(b) As an additional or alternate remedy, the director may issue a warrant, directed to the sheriff of any county commanding him to levy upon and sell the real and personal property of any person liable for the tax, which may be found within his county, for the payment of the amount thereof, with any penalties and interest, and the cost of executing the warrant and to return such warrant to the director and to pay to him the money collected by virtue thereof within 60 days after the receipt of such warrant. The sheriff shall within 5 days after the receipt of the warrant file with the county clerk a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real and personal property of the person against whom the warrant is issued. The sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property upon judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the director a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Division of Taxation, and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the director may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the State had recovered judgment therefor and execution thereon had been returned unsatisfied.

(c) Whenever a person subject to taxation under this act shall make a sale, transfer, or assignment in bulk of any part or the whole of his business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least 10 days before taking possession of the subject of said sale, transfer or assignment, or paying therefor, notify the director by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferrer or assignor, has represented to, or informed the purchaser, transferee or assignee that he owes any tax pursuant to this act, and whether or not the purchaser, transferee, or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

Whenever the purchaser, transferee or assignee shall fail to give notice to the director as required by the preceding paragraph, or whenever the director shall inform the purchaser, transferee or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferrer or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferrer or assignor to the State, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferrer or assignor any such sums of money, property or choses in action to the extent of the amount of the State's claim. For failure to comply with the provisions of this section the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed upon the provisions of the uniform commercial code, Title 12A of the Revised Statutes of New Jersey, shall be personally liable for the payment to the State of any such taxes theretofore or thereafter determined to be due to the State from the seller, transferrer or assignor, and such liability may be assessed and

enforced in the same manner as the liability for tax under this act.

C. 54:11C-9. Appeal.

9. (a) Any aggrieved taxpayer may, within 3 months after any decision, order, finding, assessment or action of the Director of Taxation made pursuant to the provisions of this act, appeal therefrom to the Division of Tax Appeals, by filing a petition of appeal with said Division of Tax Appeals in the manner and form prescribed by the said Division of Tax Appeals and on giving security, approved by the Director of Taxation, conditioned to pay the tax heretofore levied, if the same remains unpaid, with interest and costs, as set forth in subsection (c) hereof.

(b) Appeal exclusive remedy of taxpayer.—The appeal provided by this section shall be the exclusive remedy available to any taxpayer for review of a decision of the director in respect of the determination of the liability of the taxpayer for the taxes imposed by this act.

(c) Assessment pending review; review bond.—Irrespective of any restrictions on the assesment and collection of deficiencies, the director may assess a deficiency after the expiration of the period specified in subsection (a), notwithstanding that a petition of appeal in respect of such deficiency has been duly made by the taxpayer, unless the taxpayer, at or before the time his petition of appeal is made, has paid the deficiency, has deposited with the director the amount of the deficiency, or has filed with the director a bond (which may be a jeopardy bond) in the amount of the portion of the deficiency (including interest and other amounts) in respect of which the petition of appeal is made and all costs and charges which may accrue against him in the prosecution of the proceeding, including costs of all appeals, and with surety approved by the Division of Tax Appeals, conditioned upon the payment of the deficiency (including interest and other amounts) as finally determined and such costs and charges. If as a result of a waiver of the restrictions on the assessment and collection of a defi-

ciency any part of the amount determined by the director is paid after the filing of the appeal bond, such bond shall, at the request of the taxpayer, be proportionately reduced.

C. 54:11C-10. Additional powers.

10. In addition to the powers granted to the director in this act, he is hereby authorized and empowered:

1. To make, adopt and amend rules and regulations appropriate to the carrying out of this act and the purposes thereof;

2. To extend, for cause shown by general regulation or individual authorization, the time of filing any return for a period not exceeding 3 months on such terms and conditions as he may require; and for cause shown, to remit penalties but not interest computed at the rate of 6% per annum;

3. To delegate his functions hereunder to any officer or employee of his division such of his powers as he may deem necessary to carry out efficiently the provisions of this act, and the person or persons to whom such power has been delegated shall possess and may exercise all of the power and perform all of the duties herein conferred and imposed upon the director;

4. To audit, reaudit, revise and adjust the return of any taxpayer as the director may deem necessary.

C. 54:11C-11. Penalty.

11. (a) Any taxpayer failing to file a return or to pay any tax to the director within the time required by this act shall be subject to a penalty of 5% of the amount of tax due; plus interest at the rate of 1% of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due; but the director if satisfied that the delay was excusable, may remit all or any part of such penalty, but not interest at the rate of 6% per year. Unpaid penalties and interest may be determined, assessed, collected and enforced in the same manner as the tax imposed by this act.

(b) Any person failing to file a return required by this act, or filing or causing to be filed, or making

or causing to be made, or giving or causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this act, which is willfully false, or failing to file a registration certificate and such data in connection therewith as the director by regulation or otherwise may require, or to display or surrender a certificate of authority as required by this act, or assigning or transferring such certificate of authority, shall, in addition to any other penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than $1,000.00 or imprisonment for not more than 1 year, or both such fine and imprisonment.

(c) The certificate of the director to the effect that a tax has not been paid, that a return or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this act, shall be presumptive evidence thereof.

C. 54:11C-12. Notice.

12. (a) Any notice authorized or required under the provisions of this act may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this act or in any application made by him or, if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined according to the provisions of this act by the giving of notice shall commence to run from the date of mailing of such notice.

(b) The provisions of law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the State or the director to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this act. However, except in the case of a willfully false or fraudulent return

with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than 3 years from the date of the filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

(c) Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

C. 54:11C-13. Law governing tax.

13. The tax imposed by this act shall be governed in all respects by the provisions of the State Tax Uniform Procedure Law (subtitle 9 of Title 54 of the Revised Statutes) except only to the extent that a specific provision of this act may be in conflict therewith.

C. 54:11C-14. Validity of act.

14. If any provision of this act, or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or other provisions of the act which reasonably can be given effect despite the invalidity.

Appropriation $100,000.00.

15. There is hereby appropriated to the Division of Taxation in the Department of the Treasury the sum of $100,000.00 or so much thereof as shall be required to carry out the provisions of this act from the effective date hereof through the period ending June 30, 1967.

Note: Effective date.

16. This act shall take effect immediately and shall be applicable with respect to gross receipts from retail sales received on and after January 1, 1967.

Approved June 17, 1966.

CHAPTER 134

AN ACT to amend the "Corporation Business Tax Act (1945)," approved April 13, 1945 (P. L. 1945, c. 162).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 5 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 54:10A-5. Amount of franchise tax.

5. The franchise tax to be annually assessed to and paid by each taxpayer shall be the sum of the amount computed under subsection (a) or (b) hereof, whichever is greater, or, in the alternative to the amounts computed under subsection (a) or (b) hereof, the amount computed under subsection (f) hereof, and the amount computed under subsection (c) hereof:

(a) that portion of its entire net worth as may be allocable to this State as provided in section 6 multiplied by the rates set forth in subsection (b) of this section; or

(b) that proportion of its entire net worth as the average value of its total assets in this State during the period covered by its report is to the average value of its assets everywhere during such period (for the purpose of which there shall be included as within this State all intangible personal property of domestic corporations not having a business situs outside this State, and the entire amount of the intangible personal property of foreign corporations as would have a business situs within this State for the purpose of a property tax) multiplied by the following rates: 2 mills per dollar on the first $100,000,000.00 of allocated net worth; 4/10 of a mill per dollar on the second $100,000,000.00; 3/10 of a mill per dollar on the third $100,000,000.00; and 2/10 of a mill per dollar on all amounts of allocated net worth in excess of $300,000,000.00;

(c) 3¼% of its entire net income or such portion thereof as may be allocable to this State as provided in section 6.

(d) Provided, however, that the franchise tax to be annually assessed to and paid by any investment company or regulated investment company which has elected to report as such and has filed its return in the form and within the time provided in this act and the rules and regulations promulgated in connection therewith, shall, in the case of an investment company, be measured by 25% of its entire net income and 25% of its entire net worth, and, in the case of a regulated investment company, by 4% of its entire net income and 15% of its entire net worth, at the rates hereinbefore set forth for the computation of tax on net income and net worth, respectively, but in no case less than $250.00.

(e) The tax assessed to any taxpayer pursuant to subsections (a) and (b) of this section shall not be less than the greatest of (i) 5/10 of a mill per dollar on the first $100,000,000.00 and 2/10 of a mill per dollar on all amounts in excess of $100,000,000.00 of total assets allocated to this State in accordance with subsection (b) hereof; or (ii) in the case of a domestic corporation, an amount measured by the number of shares which the taxpayer is authorized to issue as follows: where authorized capital stock does not exceed 5,000 shares $25.00; where the authorized capital stock is in excess of 5,000 shares but does not exceed 10,000 shares $55.00; and where the authorized capital stock exceeds 10,000 shares, for the first 10,000 shares $55.00 and for each additional 10,000 shares or part thereof $27.50, but not over $100,000.00; or (iii) $25.00 in the case of a domestic corporation, or $50.00 in the case of a foreign corporation.

(f) In lieu of the portion of the tax based on net worth and to be computed under subsections (a) and (b) of this section, any taxpayer, the value of whose total assets everywhere, less reasonable reserves for depreciation, as of the close of the

period covered by its report, amounts to less than $150,000.00, may elect to pay the tax shown in the following table:

If total assets are at least	But less than	The tax shall be For Domestic Corporations	The tax shall be For Foreign Corporations
$0 00	$18,000 00	$25 00	$50 00
18,000 00	22,000 00	31 00	50 00
22,000 00	26,000 00	37 00	50 00
26,000 00	30,000 00	43 00	50 00
30,000 00	34,000 00	49 00	50 00
34,000 00	38,000 00	55 00	55 00
38,000 00	42,000 00	61 00	61 00
42,000 00	46,000 00	67 00	67 00
46,000 00	50,000 00	73 00	73 00
50,000 00	54,000 00	79 00	79 00
54,000 00	58,000 00	85 00	85 00
58,000 00	62,000 00	91 00	91 00
62,000 00	66,000 00	97 00	97 00
66,000 00	70,000 00	103 00	103 00
70,000 00	74,000 00	109 00	109 00
74,000 00	78,000 00	115 00	115 00
78,000 00	82,000 00	121 00	121 00
82,000 00	86,000 00	127 00	127 00
86,000 00	90,000 00	133 00	133 00
90,000 00	94,000 00	139 00	139 00
94,000 00	98,000 00	145 00	145 00
98,000 00	102,000 00	151 00	151 00
102,000 00	106,000 00	157 00	157 00
106,000 00	110,000 00	163 00	163 00
110,000 00	114,000 00	169 00	169 00
114,000 00	118,000 00	175 00	175 00
118,000 00	122,000 00	181 00	181 00
122,000 00	126,000 00	187 00	187 00
126,000 00	130,000 00	193 00	193 00
130,000 00	134,000 00	199 00	199 00
134,000 00	138,000 00	205 00	205 00
138,000 00	142,000 00	211 00	211 00
142,000 00	146,000 00	217 00	217 00
146,000 00	150,000 00	223 00	223 00

Section amended.

2. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 54:10A-6. Taxpayer maintaining regular place of business outside State.

6. In the case of a taxpayer which maintains a regular place of business outside this State other than a statutory office, the portion of its entire net worth to be used as a measure of the tax imposed by section 5(a) of this act, and the portion of its entire net income to be used as a measure of the tax imposed by section 5(c) of this act, shall be determined by multiplying such entire net worth and entire net income, respectively, by an allocation factor which shall be the average of the fractions computed in (A), (B) and (C) below, or of so many of them as may be applicable, that is:

(A) The average value of the taxpayer's real and tangible personal property within the State during the period covered by its report divided by the average value of all the taxpayer's real and tangible personal property wherever situated during such period;

(B) The receipts of the taxpayer, computed on the cash or accrual basis according to the method of accounting used in the computation of its net income for Federal tax purposes, arising during such period from

(1) sales of its tangible personal property located within this State at the time of the receipt of or appropriation to the orders where shipments are made to points within this State,

(2) sales of tangible personal property located without the State at the time of the receipt of or appropriation to the orders where shipment is made to points within the State,

(3) sales of any such property not located at the time of the receipt of or appropriation to the orders at any permanent or continuous place of business maintained by the taxpayer without the State, where the orders were received or accepted within the State. For the purposes of this subsection (3), an order shall be deemed received or accepted within the State if it has been received or accepted by an employee, agent, agency or independent contractor chiefly situated at, connected with, by

contract or otherwise, or sent out from a permanent or continuous place of business of the taxpayer within the State,

(4) services performed within the State,

(5) rentals from property situated, and royalties from the use of patents or copyrights, within the State,

(6) all other business receipts earned within the State, divided by the total amount of the taxpayer's receipts, similarly computed, arising during such period from all sales of its tangible personal property, services, rentals, royalties and all other business receipts, whether within or without the State;

(C) The total wages, salaries and other personal service compensation, similarly computed, during such period of officers and employees within the State divided by the total wages, salaries and other personal service compensation, similarly computed, during such period of all the taxpayer's officers and employees within and without the State.

In the case of a taxpayer which does not maintain a regular place of business outside this State other than a statutory office, the allocation factor shall be 100%.

Section amended.

3. Section 15 of the act of which this act is amendatory is amended to read as follows:

C. 54:10A-15. Tax payable with respect to year 1959 and thereafter; manner of payment; same calendar or fiscal year used for federal income tax.

15. The tax imposed by this act shall be due and payable annually hereafter, commencing with the calendar year 1959, in the manner provided under subsection (a), (b) or (c) of this section, whichever shall be applicable.

(a) Every taxpayer shall annually pay a franchise tax, with respect to all or any part of each of its fiscal or calendar accounting years beginning after January 1, 1959, to be computed as herein provided, for such fiscal or calendar accounting year or part thereof, on a report which shall be filed on or before April 15 next succeeding the close of each such accounting year, or, if any such fiscal year ends after the last day of December and prior to July 1, on or before the fifteenth day of the

fourth month after the close of such fiscal year, and the full amount of the tax hereunder shall be due and payable on or before the date prescribed herein for the filing of the return.

(b) Every taxpayer shall pay a like franchise tax with respect to all or any part of the period beginning January 1, 1959 and extending through any subsequent part of its first fiscal or calendar accounting year ending after said date. Such tax shall be computed as herein provided, for each and every fiscal or calendar accounting year or part thereof begun not earlier than July 2, 1957 and ending not later than December 31, 1959 on the basis of which a franchise tax has not accrued under this act prior to January 1, 1959. The tax imposed pursuant to this subsection shall be deemed a single tax for such period but shall be computed separately with respect to each such fiscal or calendar accounting year or part thereof on the basis of which a franchise tax has not previously accrued as aforesaid, on a report which shall be filed on or before April 15 next succeeding the close of each such accounting year, or, if any such fiscal year ends after the last day of December and prior to July 1, on or before the fifteenth day of the fourth month after the close of such fiscal year, and the full amount of the tax hereunder shall be due and payable on or before the date prescribed herein for the filing of the report.

(c) With respect to all or any part of each of its fiscal or calendar accounting years ending after June 30, 1967, every taxpayer shall annually pay a franchise tax on a report which shall be filed on or before the fifteenth day of the fourth month after the close of such fiscal or calendar accounting year, or part thereof, and the full amount of the tax hereunder shall be due and payable on or before the date prescribed herein for the filing of the return.

(d) For the purpose of this act, every taxpayer shall use the same calendar or fiscal year upon which it reports to the United States Treasury Department for Federal Income Tax purposes.

4. (a) Where the privilege period covered by a report includes any period prior to January 1, 1967, then (1) tentative taxes on taxable net income shall be separately computed by applying both the rate for the period before January 1, 1967 and the rate for the period on and after such date to the taxable income for the entire privilege period; and (2) the tax for such privilege period shall be the sum of that proportion of each tentative tax which the number of months in each period bears to the total number of months in the entire privilege period. For the purposes of this computation, more than ½ the number of days in a calendar month shall be deemed to be a full month. Taxes separately computed.

(b) The provisions of this act with respect to the amendment of subsections (b) and (e) of section 5 and with respect to the amendment of section 6 of the act of which this act is amendatory shall take effect with respect to reports covering the privilege periods ending on or after July 1, 1967.

5. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 135

AN ACT concerning the distribution of certain tax revenues to the municipalities of this State and supplementing Title 54 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The taxes received from the following: C. 54:11D-1. Taxes received from various sources.

(a) An act imposing an unincorporated business tax;

(b) An act imposing a State assessed tax on business personal property;

(c) An act imposing a retail gross receipts tax; and

(d) An act amending the Corporation Business Tax Act (c. 162, L. 1945) but only with respect to the difference between that portion of the tax on allocated net income at the rate of 1.75% and on allocated net income at the rate of 3%,

shall be for the benefit of the municipalities of this State in replacement of the revenues derived by such municipalities from the local taxation of personal property used in business.

C. 54:11D-2. Determination of amounts received.

2. The Director of the Division of Taxation shall determine the greatest amount received by each municipality from the local levy upon personal property used in business in 1964, 1965 or 1966, exclusive of the amount raised from the personal property tax on the personal property of persons, partnerships, associations or corporations subject to tax under chapter 4 of the laws of 1940, and shall, on or before February 15, 1968, certify to the State Treasurer the amounts so determined for each municipality and the total amount for all municipalities.

C. 54:11D-3. Determination of revenue.

3. The Director of the Division of Taxation shall, on or before May 15, 1968 and on or before May 15 annually thereafter, determine from the information then available the total amount of revenue (1) that will be raised during the 12-months period ending on or before October 1 of that calendar year from the taxes set forth in section 1 of this act and (2) that will be available by way of appropriation for the purposes of this act, and shall certify this amount to the State Treasurer.

The director shall, on or before October 15, 1968 and on or before October 15 annually thereafter, certify to the State Treasurer any changes or adjustments in the certification filed earlier in the year.

C. 54:11D-4. Allocation of excess.

4. If the amount determined by the director in section 3 hereof shall exceed the amount determined by the director in section 2 hereof, the director shall allocate such excess amount among the municipalities of this State in accordance with the following formula:

There shall be allocated to each municipality such amount as will be in the same ratio to such excess amount, as the local property tax levied in the municipality in the preceding calendar year upon commercial, industrial and farm real estate (excluding railroad property) is to the total taxes levied upon such property in all municipalities in the State in the same year.

The director shall total the amounts allocated to each municipality under the provisions of this section and shall certify this amount to the State Treasurer on or before October 15, 1968 and on or before October 15 annually thereafter.

C. 54:11D-5. Payment and distribution.

5. The State Treasurer annually, on or before the date set forth in section 6 of this act, upon the certification of the Director of the Division of Taxation and upon the warrant of the State Comptroller, shall pay and distribute to each municipality the amount determined in accordance with the provisions of sections 2 and 4 of this act:

(a) from the moneys collected from the taxes described in section 1 of this act; and

(b) from such other funds as shall be appropriated by law for this purpose.

C. 54:11D-6. Distribution.

6. The distribution required to be made by the State Treasurer under this act shall be made as follows: The first installment shall be payable annually on June 1, commencing on June 1, 1968 and shall consist of ½ of the amount certified under section 2 hereof; and the second installment shall be payable on the succeeding November 1 of each year and shall consist of the balance of the amount certified under section 2 hereof plus the municipality's distributive share of the excess, if any, allocated under section 4 hereof.

C. 54:11D-7. Apportioning.

7. For the purpose of apportioning the amounts to be raised in the respective taxing districts of the county under Revised Statutes 54:4–49, the county board of taxation shall, for each taxing district, include in the equalization table for the county the assumed assessed value of the property represented by the money received by each taxing district pursuant to the provisions of this act.

Commencing with the tax year 1969 and thereafter the assumed assessed value of such property in each taxing district shall be determined by the county board of taxation in the following manner: (a) the amount of money received by each taxing district during the preceding tax year pursuant to the provisions of this act, shall be divided by the general tax rate of the taxing district for such preceding tax year to obtain an assumed assessed value of such property; (b) this assumed assessed value shall be divided by the fraction produced by dividing the aggregate assessed value by the aggregate true value of the real property, exclusive of Class II railroad property, in the taxing district; and (c) the resulting quotient shall be included in the net valuation of each taxing district on which county taxes are apportioned.

For the tax year 1968, there shall be included in the equalization table for the county (a) 65% of the aggregate fair value of machinery, implements, and equipment and all other personal property used in business, other than inventories, farm machinery, farm livestock, crops and produce and (b) 25% of the aggregate fair value of inventories (except inventories of raw materials, supplies and small tools) including 25% of the aggregate fair value of farm machinery, farm livestock, crops and produce, used in business, as determined for county apportionment purposes for the tax year 1967.

C. 54:11D-8. Appeal or review.

8. No appeal or review may be taken by any person or any municipality with respect to any of the provisions of this act except in the case of an arithmetrical or typographical error in the calculation of the distribution hereunder.

C. 54:11D-9. Rules and regulations.

9. (a) The Director of the Division of Taxation is authorized to make such rules and regulations, and to require such facts and information from local tax assessors, county boards of taxation and agencies of the State Government as he may deem necessary to carry out the provisions of this act.

(b) The director may delegate to any officer or employee of his division such of his powers as he

may deem necessary to carry out efficiently the provisions of this act, and the person or persons to whom such power has been delegated shall possess and may exercise all of the powers and perform all of the duties herein conferred and imposed upon the director.

10. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 136

AN ACT imposing a tax on personal property used in business; prescribing the method of collecting the tax imposed; providing penalties for violations; and supplementing Title 54 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assemsembly of the State of New Jersey:*

C. 54:11A-1. Title of act.

1. This act shall be known and may be cited as the "Business Personal Property Tax Act."

C. 54:11A-2. Definitions.

2. For the purposes of this act, unless the context otherwise requires:

(a) "Director" shall mean the Director of the Division of Taxation in the Department of the Treasury.

(b) "Personal property used in business" shall mean tangible goods and chattels used or held for use in any business, transaction, activity or occupation conducted for profit, but shall not include:

(1) goods and chattels held as inventory, including raw materials, finished and partially finished products of manufacturers and processors, supplies and materials used or consumed in production, small tools, and goods and chattels held for sale, resale, leasing or to be furnished under contracts of service;

(2) goods and chattels so affixed to real property as to become part thereof and not to be severable or removable without material injury thereto;

(3) motor vehicles registered in this State pursuant to Title 39 of the Revised Statutes;

(4) vessels for which tax exemption certificates are or have been issued pursuant to the New Jersey Boat Act of 1962 (P. L. 1962, c. 73), as amended and supplemented;

(5) goods and chattels used or held for use in business by any person, partnership, association or corporation subject to taxation under chapter 4 of the laws of 1940, as amended;

(6) goods and chattels used or held for use in the business of farming; and

(7) goods and chattels used or held for use in business by any life insurance company, domestic or foreign, which is subject to a tax on life insurance premiums collected under the provisions of chapter 132, laws of 1945, as amended.

(c) "Original cost" with respect to any item of personal property shall mean:

(1) In the case of acquisition by purchase, the actual cost to the purchaser of acquiring the property;

(2) In the case of acquisition by an exchange of property, the fair market value of the property given in exchange or, if such property has no market value, the original cost of the property given in exchange;

(3) In the case of property acquired from a decedent's estate, the fair market value of the property at the time of the decedent's death;

(4) In the case of property acquired as a gift for no consideration, the original cost to the last owner of the property who acquired it for a consideration.

The original cost of any item of personal property also shall include the actual cost to the person

acquiring such property of any capital expenditures with respect thereto by way of additions or improvements;

(d) "Taxpayer" shall mean any person subject to taxation under this act.

(e) "Person" shall mean and include an individual, trust, estate, partnership, association, company, joint stock company or corporation.

C. 54:11A-3. Property subject to tax.

3. All personal property used in business in this State, not expressly exempted from taxation or expressly excluded from the operation of this act, shall be subject to taxation annually under this act. Such property shall be valued and assessed by the director at the taxable value hereinafter prescribed. Property omitted from any assessment may be assessed by the director within such time and in such manner as shall be provided by this act.

C. 54:11A-4. Fair value.

4. The fair value of personal property used in business shall be the original cost thereof. The director may promulgate uniform rules and regulations for the determination and reporting of such costs. Where the books and records of the person assessed do not reflect the original cost of such property, the taxpayer shall from all information within his possession estimate the original cost thereof and shall annex to his return a statement which shall show the basis upon which he determined such estimate of original cost. Where a taxpayer has failed to report the original cost of any item of such property or has failed to make an estimate thereof, the director, from all information available to him, may estimate such cost and assess the tax for the tax year in question.

C. 54:11A-5. Rate of taxation.

5. (a) The taxable value of personal property used in business shall be 50% of the fair value of such property.

(b) Personal property used in business and subject to taxation in this State shall be assessed and taxed at its taxable value for State use at the rate of $1.30 per $100.00 of taxable value.

(c) The person lawfully assessed shall be personally liable for the payment of the tax so computed and assessed.

C. 54:11A-6. Determination of value.

6. The taxable values of personal property used in business shall be determined as of October 1, 1967, which shall be the assessment date with respect to taxes payable in the year 1968, and as of an assessment date of October 1 annually thereafter, which date shall be the date as of which the assessment is made. For purposes of this act the tax herein imposed shall be determined to be due on October 1 of each year, although payable in the manner and at the times hereinafter provided.

C. 54:11A-7. Filing of return.

7. On or before February 15, 1968 and on or before February 15 in each year thereafter, each person owning personal property used in business in this State on the preceding October 1 and taxable under this act shall prepare and file with the director a return of such taxable personal property in such form and containing such information relating thereto as the director shall prescribe and shall pay the amount of taxes due thereon in the manner hereinafter set forth. The return shall list such property, owned as of the preceding assessing date, for taxation according to its original cost. All such returns shall be verified by the owner or his authorized agent under the penalties of perjury. The director shall review, audit and determine the taxable valuations of each taxpayer required to file a return with him.

C. 54:11A-8. Installment payments.

8. (a) Taxes shall be payable in 2 equal installments. The first installment shall be payable at the time the annual return is required to be filed and the second installment shall be payable on September 15 following such filing date.

(b) From and after the respective dates hereinbefore provided for taxes to become delinquent, the person so assessed shall be subject to the penalties hereinafter prescribed.

C. 54:11A-9. Property omitted.

9. (a) Whenever property subject to taxation under this act has or shall have been omitted from assessment by failure of the taxpayer to include it in a return, or otherwise, the director may, if he finds that such property has been omitted from his assessment, cause such property to be assessed for

any omitted years in accordance with the provisions of this act.

(b) The power of the director to assess omitted property under this act shall be limited to the period of 5 years next preceding the year in which the assessment of omitted property is made.

C. 54:11A-10. Powers of director.

10. The director shall have power to examine under oath any person or officer of a corporation with regard to the taxable property of himself, the corporation or others, or the truth of the matters contained in a claim for exemption of any person or corporation, and may compel the attendance of such persons and other witnesses and the production of books and papers by his order therefor, designating the time and place for such attendance and production. The order shall be served on the person, witness or corporation at least 2 days before the time named, either personally or by leaving it at the residence of the person or witness or at the office of the corporation. In case of failure to comply with the order, the director may apply ex parte to the Superior Court or County Court to compel the person or witness so to do.

C. 54:11A-11. Refusal or neglect to file return.

11. If any taxpayer shall refuse or neglect to file a return as required by this act, the director shall value the taxable personal property of such taxpayer at such amount as he may, from any information in his possession or available to him, reasonably determine to be the taxable value at which such property is assessable.

C. 54:11A-12. Procedure followed after form filed.

12. (a) After a final return in due form is filed, the director shall cause the same to be examined and may make such further audit or investigation or reaudit as he may deem necessary, and if therefrom he shall determine that there is a deficiency with respect to the payment of any tax due under this act, he shall assess or reassess the additional taxes, penalties and interests due the State, give notice of such assessment or reassessment to the taxpayer, and make demand upon him for payment. There shall be added to the amount of any deficiency assessment or reassessment interest at the

rate of 1% for each month or fraction thereof to be calculated from the date the tax was originally due and payable until the date of actual payment. If the director is satisfied that the said deficiency was not due to fraud or evasion, he may remit or waive the payment of any interest charge in excess of the rate of ½ of 1% per month.

(b) Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than 5 years from the date of the filing of a return; provided, that where no return has been filed as provided by law, the tax may be assessed at any time. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period may be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

C. 54:11A-13. Extension for filing returns.

13. The director may grant a reasonable extension of time for the filing of returns or the payment of tax, or both, under such rules and regulations as he shall prescribe, which rules and regulations may require the filing of a tentative return and the payment of an estimated tax. If the time for filing the return shall be extended, the payment of the portion of the tax remaining to be paid, if any, shall be postponed to the date fixed by the extension of the time for the filing of the return, but in every such case the taxpayer shall pay, in addition to the unpaid portion of the tax, interest thereon at the rate of 6% per annum from the time when the return originally was required to be filed to the date of actual payment under the extension; provided, that if such unpaid portion of the tax is not paid within the time fixed under the extension, the interest on such unpaid portion shall be computed at the rate of 1% per month or fraction thereof to be calculated from the date the tax was originally due to the date of actual payment.

C. 54:11A-14. Appeal.

14. (a) Any aggrieved taxpayer may, within 3 months after any decision, order, finding, assessment or action of the director made pursuant to the provisions of this act, appeal therefrom to the Division of Tax Appeals, by filing a petition of appeal with said Division of Tax Appeals in the manner and form prescribed by the said Division of Tax Appeals and on giving security, approved by the director, conditioned to pay the tax heretofore levied, if the same remains unpaid, with interest and costs.

(b) No such appeal shall stay the collection of any tax or the enforcement of the same by entry as a judgment, unless by order of the Division of Tax Appeals, and then only after security approved by the Director of the Division of Taxation has been furnished to him. The judgment or order of the Division of Tax Appeals respecting any matter arising under the provisions of this act may be reviewed by a proceeding in lieu of prerogative writ in the same manner as other judgments of said division.

C. 54:11A-15. Notification of sale.

15. Whenever a person subject to tax under this act shall make a sale, transfer, or assignment in bulk of any part or the whole of his business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least 10 days before taking possession of the subject of said sale, transfer or assignment, or paying therefor, notify the director by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to, or informed the purchaser, transferee or assignee that he owes any tax pursuant to this act, and whether or not the purchaser, transferee, or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

Whenever the purchaser, transferee or assignee shall fail to give notice to the director as required by the preceding paragraph, or whenever the director shall inform the purchaser, transferee or

assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the State, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the State's claim. For failure to comply with the provisions of this section the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed upon the provisions of the uniform commercial code, Title 12A of the Revised Statutes of New Jersey, shall be personally liable for the payment to the State of any such taxes theretofore or thereafter determined to be due to the State from the seller, transferor or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this act.

C. 54:11A-16. Penalty for nonpayment of taxes.

16. If any person liable under this act for the payment of any tax, addition to tax, penalty or interest neglects or refuses to pay the same the director may, as an additional or alternate remedy, issue a warrant, directed to the sheriff of any county commanding him to levy upon and sell the real and personal property of any person liable for the tax, which may be found within his county, for the payment of the amount thereof, with any penalties and interest, and the cost of executing the warrant and to return such warrant to the director and to pay to him the money collected by virtue thereof within 60 days after the receipt of such warrant. The sheriff shall within 5 days after the receipt of the warrant file with the county clerk a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and

the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real and personal property of the person against whom the warrant is issued. The sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property upon judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the director a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Division of Taxation, and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the director may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the State had recovered judgment therefor and execution thereon had been returned unsatisfied.

C. 54:11A-17. Penalty for each day of delinquency.

17. (a) Any taxpayer who shall fail to file his return when due shall be liable to a penalty of $2.00 for each day of delinquency. If any tax be not paid when the same becomes due, as herein provided, there shall be added to the amount of the tax a sum equivalent to 5% thereof, as a penalty, and, in addition thereto, interest at the rate of 1% per month or fraction thereof from the date the tax becomes due until the same be paid. The director, if satisfied that the failure to comply with any provision of this act was excusable, may abate or remit the whole or part of any penalty. All penalties and interest shall be added to and become part of the tax and shall be enforceable and collectible in the same manner as the tax or pursuant to the penalty enforcement law (chapter 58 of Title 2A of the New Jersey Statutes) in a summary manner.

(b) The taxes, fees, interest and penalties imposed by this act, from the time the same shall be due, shall be a personal debt of the taxpayer to the State, recoverable in any court of competent jurisdiction in the name of the State. Such debt shall not be a lien on property of the taxpayer except upon entry of judgment or filing of a certificate of debt as provided by law.

C. 54:11A-18. List of names and addresses.

18. The assessors and public officials of the municipalities of the State concerned with the application of the provisions of chapters 4 and 4a of Title 54 of the Revised Statutes shall co-operate with the director to the extent required by him and shall furnish to the director on or before February 15, 1967 and at such future times as he may require, a list of names and addresses of owners of tangible personal property used in business within their municipality, the location of any such property and any other pertinent information which he may require.

C. 54:11A-19. Additional powers.

19. In addition to any other powers granted to the director, he is hereby authorized and empowered:

1. To make, adopt, amend and enforce uniform rules and regulations appropriate to the carrying out of this act and the purposes thereof, including uniform rules and regulations for ascertaining whether property is real or personal and for identifying and determining such property;

2. To extend, for cause shown, the time of filing any return for a period not exceeding 2 months; and for cause shown, to remit penalties but not interest computed at the rate of 6% per annum;

3. To delegate his functions hereunder in whole or in part, to any employee or employees of the Division of Taxation;

4. To require any owner of property subject to tax under this act, to keep detailed records of all such property and other facts relevant in determining the amount of tax due and to furnish such information upon request to the director;

5. To assess, determine, revise and readjust the taxes imposed by this act;

6. To make such provision as he deems necessary for the administration of the taxes imposed by this act including the reporting, assessment, collection, determination and refund of such taxes.

C. 54:11A-20. Exception to provisions of act.

20. The taxes imposed by this act shall be governed in all respects by the provisions of the State Tax Uniform Procedure Law (subtitle 9 of Title 54 of the Revised Statutes) except only to the extent that a specific provision of this act may be in conflict therewith.

Note: Effective date.

21. This act shall take effect immediately and shall be applicable to personal property taxes due and payable in the year 1968 and thereafter.

Approved June 17, 1966.

CHAPTER 137

AN ACT imposing an excise tax upon the gross receipts of unincorporated businesses; defining certain words for the purposes of the act; prescribing the method of collecting the tax imposed; providing penalties for violations; and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 54:11B-1. Title of act.

1. This act shall be known and may be cited as the "Unincorporated Business Tax Act."

C. 54:11B-2. Definitions.

2. For the purposes of this act, unless the context otherwise requires:

(a) "Director" shall mean the Director of the Division of Taxation in the Department of the Treasury.

(b) "Gross receipts" shall mean and include all receipts, of whatever kind and in whatever form,

derived by an unincorporated business, without any deduction therefrom on account of any item of cost, expense or loss, except that gross receipts shall not include the sales price of property returned by customers to the extent that the sales price thereof is refunded either in cash or by credit.

(c) "Allocated gross receipts" shall mean gross receipts allocated to this State as provided by section 4 of this act or, if no allocation is made of gross receipts capable of being so allocated, "allocated gross receipts" shall mean total gross receipts as herein defined.

(d) "Total gross receipts" shall mean gross receipts derived from all sources without regard for allocation to this State as provided by section 4 of this act.

(e) "Unincorporated business" shall mean and include any trade, business, profession or occupation conducted or practiced for profit in whole or in part within this State by any individual or other unincorporated entity not subject to the Corporation Business Tax Act (1945) (P. L. 1945, c. 162) or the Financial Business Tax Law (1946) (P. L. 1946, c. 174), except that:

i. The performance of services by an individual as an employee, or as a fiduciary, or as an officer or director of a corporation or an unincorporated entity, shall not be deemed an unincorporated business, unless such services constitute part of a business regularly carried on by such individual as a principal;

ii. An individual or other unincorporated entity, except a dealer holding property primarily for sale to customers in the ordinary course of his or its trade or business, shall not be deemed engaged in an unincorporated business solely by reason of the purchase, sale or exchange of property for his or its own account, but this subparagraph shall not apply if the unincorporated entity is taxable as a corporation for Federal Income Tax purposes.

If an individual or other unincorporated entity carries on 2 or more unincorporated businesses, all such businesses shall be treated as one unincorporated business for the purpose of this act.

(f) "Taxpayer" shall mean any individual or unincorporated entity subject to taxation under this act.

(g) "Taxable year" shall mean the same accounting period as the taxpayer's taxable year for Federal Income Tax purposes.

C. 54:11B-3. Annual excise tax.

3. There is hereby imposed upon every individual or other unincorporated entity engaged in an unincorporated business an annual excise tax, measured by the gross receipts of such unincorporated business, and allocated to the State as hereinafter provided at the rate of ¼ of 1%; provided, however, that:

(a) Any individual or other unincorporated entity whose total gross receipts for a taxable year do not exceed $5,000.00 shall be exempt from the tax imposed by this act, and from the requirements of reporting and filing a tax return under this act, for such taxable year.

(b) Any individual or other unincorporated entity whose total gross receipts for a taxable year exceed $5,000.00, but whose allocated gross receipts for such taxable year do not exceed $5,000.00, shall be subject to the requirements of reporting and filing a tax return under this act, but shall be exempt from the tax imposed by this act, for such taxable year.

(c) Any individual or other unincorporated entity whose total gross receipts for a taxable year exceed $5,000.00, and whose allocated gross receipts for such taxable year also exceed $5,000.00, shall be subject to the requirements of reporting and filing a tax return under this act with respect to his or its total gross receipts, but shall be subject to the tax imposed by this act only with respect to his or its allocated gross receipts, for such taxable year.

C. 54:11B-4. Portion to be used as measure of tax.

4. In the case of a taxpayer maintaining a regular place of business outside this State other than a statutory office, the portion of the total gross receipts to be used as a measure of the tax imposed by section 3 of this act shall be that portion of the total gross receipts, computed on the cash or accrual basis according to the method of accounting used in the computation of the taxpayer's net income for Federal tax purposes, arising from:

(a) sales of its tangible personal property located within this State at the time of the receipt of or appropriation to the orders where shipments are made to points within this State;

(b) sales of tangible personal property located within this State at the time of the receipt of or appropriation to the orders where shipment is made to points outside of the State and sales of tangible personal property located without the State at the time of the receipt of or appropriation to the orders where shipment is made to points within the State; but only to the extent of 50% of the receipts from the sales referred to in this subsection (b);

(c) sales of any such property not located at the time of the receipt of or appropriation to the orders at any permanent or continuous place of business maintained by the taxpayer without the State, where the orders were received or accepted within the State, but only to the extent of 50% of the receipts from the sales referred to in this subsection (c). For the purposes of this subsection (c), an order shall be deemed received or accepted within the State if it has been received or accepted by an employee, agent, agency or independent contractor chiefly situated at, connected with, by contract or otherwise, or sent out from a permanent or continuous place of business of the taxpayer within the State;

(d) services performed within the State;

(e) rentals from property situated, and royalties from the use of patents or copyrights, within the State; and

(f) all other business receipts earned within the State; divided by the total amount of the taxpayer's receipts, similarly computed, arising during such period from all sales of its tangible personal property, services, rentals, royalties and all other business receipts, whether within or without the State.

C. 54:11B-5. Adjustment of apportionment of gross receipts.

5. If it appears to the director that an allocation of gross receipts determined as provided by section 4 of this act does not properly reflect the activity, business, transactions and receipts of a taxpayer constitutionally and reasonably attributable to this State, he may adjust it by applying any other similar or different method calculated to effect a reasonable and constitutional apportionment of gross receipts to be used as a measure of the tax imposed by this act.

C. 54:11B-6. Those subject to tax.

6. Any receiver, referee, trustee, assignee or other fiduciary, or any officer or agent appointed by any court to conduct the business or conserve the assets of any taxpayer, shall be subject to the tax imposed by this act in the same manner and to the same extent as a taxpayer hereunder.

C. 54:11B-7. Reporting of gross receipts.

7. The tax imposed by this act shall be measured by gross receipts received by each taxpayer during the period commencing January 1, 1967 and ending at the close of the taxpayer's first accounting year ending thereafter, and during each calendar or fiscal year thereafter. For this purpose, gross receipts shall be reported upon the same basis, cash or accrual, used in the taxpayer's Federal Income Tax return and every taxpayer shall use the same calendar or fiscal accounting year upon which it reports to the United States Treasury Department for Federal Income Tax purposes. If a taxpayer's taxable year or method of accounting is changed for Federal Income Tax purposes, the taxable year or method of accounting for purposes of this act shall be similarly changed and adjusted for.

C. 54:11B-8. Filing of return.

8. On or before April 15, following the close of each calendar year, in the case of taxpayers report-

ing on the basis of a calendar year, and on or before the fifteenth day of the fourth month following the close of a fiscal year, in the case of taxpayers reporting on the basis of a fiscal year, each taxpayer shall duly execute and file a tax return with the director, in such form and containing such information as he may prescribe, which return shall truly and accurately set forth its liability under this act; and the full amount of the tax hereunder shall be due and payable to the director on or before the date prescribed herein for the filing of the return.

C. 54:11B-9. Penalty for each day of delinquency.

9. Any taxpayer failing to file its return when due shall be liable to a penalty of $2.00 for each day of delinquency, which penalty shall be payable to, and recoverable by, the director as a part of the tax herein imposed. If any tax be not paid when the same becomes due, as herein provided, there shall be added to the amount of the tax a sum equivalent to 5% thereof, as a penalty, and, in addition thereto, interest at the rate of 1% per month or fraction thereof from the date the tax became due until the same be paid. The director, if satisfied that the failure to comply with any provision of this section was excusable, may abate or remit the whole or part of any penalty.

C. 54:11B-10. Powers of director.

10. (a) The director may by general rule or by special notice require any taxpayer to submit copies or pertinent extracts of his Federal Income Tax returns, or of any other tax return made to any agency of the Federal Government, or of this or any other State, or of any statement or registration made pursuant to any State or Federal law pertaining to securities or securities exchange regulation.

(b) The director may require all taxpayers to keep such records as he may prescribe, and he may require the production of books, papers, documents and other data, to provide or secure information pertinent to the determination of the tax hereunder and the enforcement and collection thereof.

(c) Notwithstanding any other provision herein, the director may by general rule or by special

notice require any taxpayer to make and file information returns, under oath, of facts pertinent to the determination of the tax or liability for tax hereunder, pursuant to such regulations, at such times and in such form and manner and to such extent as he may prescribe, pursuant to law.

C. 54:11B-11. Taxes considered personal debt of taxpayer.

11. The taxes, fees, interest and penalties imposed by this act, from the time the same shall be due, shall be a personal debt of the taxpayer to the State, recoverable in any court of competent jurisdiction in the name of the State. Such debt shall not be a lien on property of the taxpayer except upon entry of judgment or filing of a certificate of debt as provided by law.

C. 54:11B-12. Distortion of gross receipts records.

12. Whenever it shall appear to the director that any taxpayer conducts its business or maintains its records in such manner as either directly or indirectly to distort its true gross receipts under this act or the proportion thereof properly allocable to this State, or that any taxpayer maintains a place of business outside this State, or that any agreement, understanding or arrangement exists between a taxpayer and any other person, firm or corporation, for the purpose of evading tax under this act, or whereby the activity, transactions, business receipts or other pertinent records of the taxpayer are improperly or inaccurately reflected, the director is authorized and empowered in his discretion and in such manner as he may determine to adjust and redetermine gross receipts and to adjust items of allocation within and without the State and the allocation of gross receipts, or to make such other adjustments in any tax report or tax returns as may be necessary for a true and correct determination of the tax. The director may require any person, firm, association, copartnership or corporation to submit such information under oath, or to permit such examination of its books, papers and documents, as may be necessary to enable him to ascertain any fact pertinent to the determination of the tax or liability for the tax hereunder, or the existence, nature or extent of an

agreement, understanding or arrangement to which this section relates, whether or not such person, firm or corporation is subject to the tax imposed by this act.

C. 54:11B-13. Filing of return required before dissolution or liquidation.

13. No taxpayer shall liquidate or distribute any assets in dissolution or liquidation, without having first duly filed his return under this act and paid or secured the tax, interest and penalties due thereon for the preceding taxable year and for the period subsequent thereto to the last day of doing business in this State, as well as all delinquent taxes, interest, and penalties then due.

C. 54:11B-14. Agreement between director and taxpayer.

14. The director is authorized to enter into a written agreement with any taxpayer relating to the liability of such taxpayer in respect of any tax, fee, penalty or interest imposed by this act, which agreement shall be final and conclusive, and except upon a showing of fraud, malfeasance, or misrepresentation of a material fact:

(a) the case shall not be reopened as to the matters agreed upon or the agreement modified, by any officer, employee, or agent of this State, and

(b) in any suit, action, or proceeding, such agreement, or any determination, assessment, collection, payment, cancellation, refund or credit made in accordance therewith, shall not be annulled, modified, set aside or disregarded.

C. 54:11B-15. Return forms.

15. The director shall design a form of return and forms for such additional statements or schedules as he may require to be filed therewith. Such forms shall provide for the setting forth of such facts as the director may deem necessary for the proper enforcement of this act. He shall cause a supply thereof to be printed and shall furnish appropriate blank forms to each taxpayer upon application or otherwise as he may deem necessary. Failure to receive a form shall not relieve any taxpayer from the obligation to file a return under the provisions of this act. Each such return shall be made upon the oath or affirmation of the taxpayers, and in the case of a taxpayer in liquidation or in the hands of a receiver or trustee, shall be made

on the oath or affirmation of the person responsible for the conduct of the affairs of such taxpayer.

C. 54:11B-16. Extension for filing returns.

16. The director may grant a reasonable extension of time for the filing of returns or the payment of tax, or both, under such rules and regulations as he shall prescribe, which rules and regulations may require the filing of a tentative return and the payment of an estimated tax, but no such extension shall be granted beyond December 1 of the year in which the tax is due and payable. If the time of filing the return shall be extended, the payment of the portion of the tax remaining to be paid, if any, shall be postponed to the date fixed by the extension of the time for the filing of the return, but in every such case the taxpayer shall pay, in addition to the unpaid portion of the tax, interest thereon at the rate of 6% per annum from the time when the return originally was required to be filed to the date of actual payment under the extension; provided, that if such unpaid portion of the tax is not paid within the time fixed under the extension, the interest on such unpaid portion shall be computed at the rate of 1% per month or fraction thereof to be calculated from the date the tax was originally due to the date of actual payment.

C. 54:11B-17. Examination of return form.

17. (a) After a final return in due form is filed, the director shall cause the same to be examined and may make such further audit or investigation or reaudit as he may deem necessary, and if therefrom he shall determine that there is a deficiency with respect to the payment of any tax due under this act, he shall assess or reassess the additional taxes, penalties and interest due the State, give notice of such assessment or reassessment to the taxpayer, and make demand upon him for payment. There shall be added to the amount of any deficiency assessment or reassessment interest at the rate of 1% for each month or fraction thereof to be calculated from the date the tax was originally due and payable until the date of actual payment. If the director is satisfied that the said deficiency was not due to fraud or evasion, he may remit or

waive the payment of any interest charge in excess of the rate of ½ of 1% per month.

(b) Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than 5 years from the date of the filing of a return; provided, that where no return has been filed as provided by law, the tax may be assessed at any time. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period may be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing before the expiration of the extended period.

C. 54:11B-18. Appeal.

18. Appeal.

(a) Any aggrieved taxpayer may, within 3 months after any decision, order, finding, assessment or action of the director made pursuant to the provisions of this act, appeal therefrom to the Division of Tax Appeals, by filing a petition of appeal with said Division of Tax Appeals in the manner and form prescribed by the said Division of Tax Appeals and on giving security, approved by the director, conditioned to pay the tax heretofore levied, if, the same remains unpaid, with interest and costs.

(b) No such appeal shall stay the collection of any tax or the enforcement of the same by entry as a judgment, unless by order of the Division of Tax Appeals, and then only after security approved by the Director of the Division of Taxation, has been furnished to him. The judgment or order of the division of tax appeals respecting any matter arising under the provisions of this act may be reviewed by a proceeding in lieu of prerogative writ in the same manner as other judgments of said division.

C. 54:11B-19. Administration, collection, enforcement of tax subject to certain provisions.

19. The administration, collection and enforcement of the tax imposed by this act shall be subject to the provisions of the State Tax Uniform Procedure Law (chapter 48 through 52 of Title 54 of the Revised Statutes, as supplemented) to the extent that the provisions of such law are not inconsistent with any provision of this act.

C. 54:11B-20. Powers.

20. The director is hereby authorized and empowered:

(a) To make, adopt and amend rules and regulations appropriate to the carrying out of this act and the purposes thereof;

(b) To extend, for cause shown by general regulation or individual authorization, the time of filing any return for a period not exceeding 3 months on such terms and conditions as he may require; and for cause shown, to remit penalties but not interest computed at the rate of 6% per annum;

(c) To delegate his functions hereunder to any officer or employee of his division such of his powers as he may deem necessary to carry out efficiently the provisions of this act, and the person or persons to whom such power has been delegated shall possess and may exercise all of the power and perform all of the duties herein conferred and imposed upon the director.

C. 54:11B-21. Penalty for not filing.

21. Any taxpayer willfully failing to file a return required by this act, or filing or causing to be filed or making or causing to be made, or giving or causing to be given any return, representation, information, testimony or statement required or authorized by this act, which is willfully false, or willfully violating any other requirement imposed by this act or by any rule or regulation of the director adopted hereunder, shall, in addition to any other penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than $1,000.00 or imprisonment for not more than 1 year or both such fine or imprisonment.

C. 54:11B-22. Validity of act.

22. If any provision of this act or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or

other provisions of the act, which reasonably can be given effect despite the invalidity.

Appropriation $100,000.00.

23. There is hereby appropriated to the Division of Taxation in the Department of the Treasury the sum of $100,000.00 or so much thereof as shall be required to carry out the provisions of this act from the effective date hereof through the period ending June 30, 1967.

24. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 138

AN ACT concerning assessment and taxation of tangible personal property, amending, revising and repealing parts of the statutory law, and supplementing chapter 4 of Title 54 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 54:4–1 of the Revised Statutes is amended to read as follows:

Property subject to tax; valuation and assessment; exclusion intangible personal property; omitted property.

54:4–1. All property real and personal within the jurisdiction of this State not expressly exempted from taxation or expressly excluded from the operation of this chapter shall be subject to taxation annually under this chapter. Such property shall be valued and assessed at the taxable value prescribed by law. Land in agricultural or horticultural use which is being taxed under the Farmland Assessment Act of 1964, chapter 48, laws of 1964, shall be valued and assessed as provided by said act. An executory contract for the sale of land, under which the vendee is entitled to or does take possession thereof, shall be deemed, for the purpose of this act, a mortgage of said land for the unpaid balance of purchase price. Personal property tax-

able under this chapter shall include, however, only tangible goods and chattels, exclusive of inventories, used in business of telephone, telegraph and messenger systems, companies, corporations or associations subject to tax under chapter 4, laws of 1940, as amended, and shall not include any intangible personal property whatsoever whether or not such personalty is evidenced by a tangible or intangible chose in action, except as otherwise provided by section 54:4–20 hereof. Property omitted from any assessment may be assessed by the county board of taxation, or otherwise, within such time and in such manner as shall be provided by law.

C. 54:4-2.44. Standard for assessment.

2. The standard of value according to which tangible personal property used in business subject to taxation shall be assessed shall be the true value thereof. Such assessment shall be expressed in terms of the taxable value of the property.

C. 54:4-2.45. True value presumed to be original cost.

3. The true value of taxable tangible personal property used in business owned by a taxpayer shall be presumed to be the original cost of such property less depreciation as of the assessment date, as shown by the books and records of the person assessed, provided that the true value of depreciable property shall, so long as such property remains in use or is held for use, be presumed to be not less than 20% of its original cost. Where it is impracticable with respect to items of like property, held by the taxpayer in more than one taxing district, to maintain cost records which account separately for each such item of such depreciable property or to assess each item separately, the taxpayer may maintain its cost, value and depreciation records relative to such property by averaging in group or composite accounts. The Director of the Division of Taxation may promulgate uniform rules and regulations for the determination and reporting of costs, depreciation and values of subject property as he may find necessary to provide for fair and equal assessments.

C. 54:4-2.46. Determination of true value.

4. The true value of tangible personal property used in business subject to taxation shall be determined as of January 1, 1967, which shall be the

assessment date with respect to taxes payable in the year 1968, and as of January 1 annually thereafter, which date shall be the date as of which the assessment is made with respect to the taxes payable in the succeeding calendar year.

C. 54:4-2.47. Percentage used for taxable value.

5. (a) The taxable value of tangible personal property used in business subject to taxation in each taxing district shall be at that percentage of true value as shall correspond to the average ratio of assessed to true value of real property promulgated by the Director of the Division of Taxation on October 1 of the pretax year, pursuant to chapter 86, laws of 1954, for State school aid purposes, as the same may have been modified by the Division of Tax Appeals; provided, nevertheless, that such average ratio shall not exceed the percentage level, in effect in the tax year, for expressing the taxable value of real property in the county. In the year in which a taxing district shall have completed and put into operation a district-wide adjustment of real property taxable valuations to conform to the percentage level established for expressing the taxable value of real property in the county, and if a statement to such effect has been included by the assessor in the affidavit prescribed by section 54:4–36 of the Revised Statutes, the average ratio shall be presumed, subject to rebuttal, to be the same level as is established for the taxable value of real property in the county.

(b) The taxable value determined pursuant to subsection (a) of this section shall be taxed at the general real property tax rate of the taxing district wherein such property is found, for the use of such taxing district, in the manner provided by law. The person assessed for personal property shall be personally liable for the taxes thereon.

C. 54:4-2.48. Filing of return.

6. On or before September 1, 1967, and on or before September 1 in each year thereafter, any person owning tangible personal property used in business subject to taxation on the preceding assessment date shall prepare and file with the assessor of the taxing district where the property is

located a return of such taxable personal property in such form and containing such information relating thereto as the Director of the Division of Taxation shall prescribe. The return shall list such property for taxation according to its true value as of the preceding assessment date, and a separate return shall be required for personal property situated in each taxing district. All such returns shall be verified by the owner or his authorized agent under the penalty of perjury. The assessors of the respective taxing district shall review and audit the returns and determine the taxable valuations of each taxpayer. On or before January 10 in each year, the respective assessors shall complete such review, audit and determination. The assessor of each taxing district shall include in his tax list and duplicate the taxable valuations of tangible personal property determined by him.

C. 54:4-2.49. Refusal or neglect to fill return; penalty.

7. If any taxpayer shall refuse or neglect to file a return as required by the preceding section, the assessor shall value the taxable personal property of such taxpayer at such amount as he may, from any information in his possession or available to him, reasonably determine to be the taxable value at which such property is assessable. Any taxpayer who fails or neglects to file a return within the time required shall be assessed a penalty of $100.00 for each day of such delinquency, but not in excess of the greater of $100.00 or 25% of the tax. All penalties shall be added to and become part of the tax and shall be enforceable and collectible in the same manner as the tax or pursuant to the penalty enforcement law (chapter 58 of Title 2A of the New Jersey Statutes) in a summary manner. Such penalties shall be assessed by the assessor and be payable to and recoverable by the tax collector of the taxing district. The assessor, upon request made on or before the last date for filing any return as fixed by law, may extend the time to file such return to a date not later than the end of a 2-month period next following such last date for filing, for good cause shown.

Section amended.

8. Section 54:3–17 of the Revised Statutes is amended to read as follows:

Ascertain ratio of assessments to value; equalization table; copies to assessors.

54:3–17. Each county board of taxation shall annually ascertain and determine, according to its best knowledge and information, the general ratio or percentage of true value at which the real property of each taxing district is in fact assessed according to the tax lists laid before the board. It shall prepare an equalization table showing, for each district, the following items:

(a) the percentage level established pursuant to law for expressing the taxable value of real property in the county;

(b) the aggregate assessed value of the real property, exclusive of class II railroad property;

(c) the ratio of aggregate assessed to aggregate true value of the real property, exclusive of class II railroad property;

(d) the aggregate true value of the real property, exclusive of class II railroad property;

(e) the amount by which the valuation in item (b) should be increased or decreased in order to correspond to item (d);

(f) the aggregate assessed value of machinery, implements and equipment and all other personal property used in business;

(g) the aggregate true value of machinery, implements and equipment and all other personal property used in business;

(h) the aggregate equalized valuation of machinery, implements and equipment and all other personal property used in business, computed by multiplying the aggregate true value thereof by the lower of (1) that percentage level established pursuant to law for expressing the taxable value of real property in the county, or (2) the average ratio of assessed to true value of real property as promulgated by the director on October 1 of the pretax year, pursuant to chapter 86, laws of 1954, for State school aid purposes, as the same may have been modified by the Division of Tax Appeals;

(i) the amount by which the valuation in item (f) should be increased or decreased in order to correspond to item (h).

A copy of the table shall be mailed to the assessor of each district, and to the Division of Taxation, and be posted at the courthouse, at least 1 week before the hearings provided for in section 54:3–18 of this Title.

Section amended.

9. Section 54:4–35 of the Revised Statutes is amended to read as follows:

Time for determination of taxable valuation and completion of assessment list; filing of list and duplicate.

54:4–35. The assessor shall determine his taxable valuations of real property as of October 1 in each year and shall complete the preparation of his assessment list by January 10 following, on which date he shall attend before the county board of taxation and file with the board his complete assessment list, and a true copy thereof, to be called the assessor's duplicate. Such list and duplicate shall include the assessments of personal property reported or determined pursuant to this chapter. They shall be properly made up in such manner and form required by the Director of the Division of Taxation pursuant to section 54:4–26 of this chapter, to be examined, revised and corrected by the board as provided by law.

C. 54:4-2.50. Rules and regulations.

10. The director shall make, promulgate and enforce uniform rules and regulations for the administration of this act.

C. 54:4-2.51. Validity of act.

11. If any provision of this act, or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or other provisions of the act, which reasonably can be given effect despite the invalidity.

C. 54:4-2.52. Repealed.

12. The following statutes are hereby repealed but only with respect to tangible personal property used in business for the year 1968 and thereafter.

a. Sections 4, 5, 6, 12 and 13 of chapter 51 of the laws of 1960 and all amendments of such sections;

b. Sections 54:4–9 and 54:4–11 of the Revised Statutes and all amendments of such sections;

c. Chapter 141 of the laws of 1964 and all amendments and supplements thereto.

C. 54:4-2.53. Act applies in 1968.

13. This act shall apply to real and personal property taxes due and payable in the year 1968 and thereafter and shall not affect the obligation, lien or duty to pay any taxes, interest or penalties which have accrued or may accrue by virtue of any assessment made or which may be made with respect to taxes levied for any year prior to the year 1968, nor shall this act affect the legal authority to assess and collect taxes which may be or have been due and payable prior to January 1, 1968, together with such interest and penalties as would have accrued thereon under any provision of law amended or repealed hereby; nor shall this act invalidate any assessments or affect any proceeding for the enforcement thereof pending upon the effective date of this act or upon January 1, 1968, or during the period between said dates.

14. This act shall take effect immediately.

Approved June 17, 1966.

CHAPTER 139

AN ACT to amend and supplement the "Railroad Tax Law of 1948" approved July 22, 1941 (P. L. 1941, c. 291), as said short title was amended by chapter 40 of the laws of 1948; repealing sections 18, 19 and 24 of said act; amending section 1 of chapter 343 of the laws of 1950; providing for State aid to certain municipalities in which railroad property is located and providing an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-2. Definitions.

2. Definitions. As used in this act, unless the context clearly requires a different meaning:

"Railroad" means any common carrier by railroad engaged in, owning or constructing facilities for, the transportation of persons or property in or through this State, other than a street railway or traction company using or occupying the public streets, highways, roads or other public places, the taxation of which is otherwise provided by law.

"System" means any independently operating railroad which operates its facilities and those of one or more other railroads as a single utility for furnishing transportation service. A system shall include all companies the property of which is so operated either by virtue of control through direct or indirect ownership of a majority or more of capital stock, or under lease, trackage rights or under any other form of contract, and for which separate operating accounts are not maintained.

"Main stem" of a railroad means the roadbed not exceeding 100 feet in width, as measured horizontally at the elevation of the base of the rail, including the full embankment or excavated area, with slopes, slope ditches, retaining walls or foundations necessary to provide a width not to exceed 100 feet at base of rail, together with all tracks, appurtenances, ballast and all structures erected thereon and used in connection therewith, but not including passenger or freight buildings erected thereon.

"Tangible personal property" means the rolling stock, cars, locomotives, ferryboats, all machinery, tools and other tangible personal property of a railroad company, and also the locomotives and cars not belonging to such railroad company but built for its use and actually used in this State, or run under his control in this State by a sleeping car company or other company; but the rolling stock of other persons or corporations temporarily used on any such road, but not forming part of the equipment of such road, shall not be included in the term.

"Taxpayer" shall mean any person, railroad or system subject to taxation under the provisions of this act.

"Facilities used in passenger service" means land, stations, terminals, roadbeds, tracks, appurtenances, ballast and all structures used in connection with rendering passenger service, including signal systems, power systems, equipment storage, repair and service facilities.

"Commissioner" or "State Tax Commissioner" means the Director of the Division of Taxation in the State Department of the Treasury.

Section amended.

2. Section 7 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-7. Property taxable; rate.

7. There is hereby levied an annual property tax upon all property used for railroad purposes, other than (a) main stem, (b) tangible personal property and (c) facilities used in passenger service, which tax shall be assessed by the commissioner, in the manner hereinafter provided and at the rate of $4.75 for each $100.00 of the true value of such property for the year 1967 and each year thereafter.

Section amended.

3. Section 11 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-11. Assessment in lieu.

11. Taxes assessed pursuant to this act shall be in lieu of all other State or local taxation of or measured by property used for railroad purposes, including the main stem, tangible personal property and facilities used in passenger service, other than assessments for benefits.

Section amended.

4. Section 17 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-17. Valuation; notice.

17. On or before November 1 in each year the commissioner shall determine and classify all real property used for railroad purposes in this State, into the following classes:

I. The length of the main stem of each railroad, and the length of such main stem in each taxing district;

II. The other real estate used for railroad purposes in each taxing district in this State, including

the roadbed (other than main stem and facilities used in passenger service), tracks, buildings, water tanks, riparian rights, docks, wharves and piers, and all other real estate, except lands not used for railroad purposes;

III. Facilities used in passenger service.

In the event any railroad property is used for both freight and passenger service, the commissioner shall apportion such property between Class II and Class III, under such rules and regulations as he shall promulgate.

On or before November 1 in each year the commissioner shall determine the true value, as of the preceding January 1, of all Class II property used for railroad purposes in this State. There shall be excluded, however, any Class II property of a railroad which passed out of railroad ownership subsequent to January 1 and before October 1 and not used for railroad purposes on October 1.

Upon completion of his classification of Class I and Class III property and his classification and valuation of Class II property, but not later than November 10 in each year, the commissioner shall deliver a detailed statement thereof to each taxpayer.

C. 54:29A-18. C.54:29A-19. Repealed.

5. Sections 18 and 19 of P. L. 1941, chapter 291 are repealed.

C. 54:29A-18.1. Taxpayer informal conference.

6. Any taxpayer may, prior to December 1 in each year, inspect the commissioner's classifications and valuations and confer informally with the commissioner as to the correctness of such classifications and valuations so that any errors may be corrected prior to the commissioner's assessment of Class II property.

Following any such informal conference with the taxpayer and not later than December 15 in each year the commissioner shall deliver to the taxpayer a detailed statement of the taxpayer's Class II property together with the assessment of such property for the following tax year at the rate hereinabove established.

Section amended.

7. Section 21 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-21. Tax statements.

21. Within 10 days after completion of his assessment of franchise tax, the commissioner shall serve upon each taxpayer a statement of the total amount of franchise tax payable and the manner of computation thereof.

The failure of any taxpayer to receive a statement of assessment as herein required shall not invalidate any such assessment or the lien thereof, nor shall it relieve the taxpayer of the obligation of payment of the assessment as required by this act.

Section amended.

8. Section 22 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-22. Certification to Comptroller.

22. Certification to Comptroller. After completion of his assessments, the commissioner shall report and certify all assessments and the statements thereof to the State Comptroller. The several statements shall be recorded in books kept in the office of the State Comptroller, to be provided by him for that purpose, and shall be public records open to public inspection.

Section amended.

9. Section 23 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-23. Tax for State use.

23. All receipts from taxation of Class II railroad property together with the receipts from the franchise tax imposed hereunder shall be applied to the uses of the State according to law.

C. 54:29A-24. Repealed.

10. Section 24 of P. L. 1941, chapter 291 is repealed.

Section amended.

11. Section 27 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-27. Period of limitations.

27. Period of limitations. The power of the commissioner to make reassessments or to assess omitted property under this act shall be limited to the period of 5 years next preceding the year in which the reassessment or assessment of omitted property is made; provided, however, that assessments of omitted property by the commissioner for any year prior to 1967 shall be assessed in the manner provided by law for the year for which the same is made.

12. Section 30 of P. L. 1941, chapter 291 is amended to read as follows: Section amended.

30. Disposition of receipts. Any taxes collected upon assessments for omitted property or reassessments made by the commissioner shall be apportioned by the comptroller for the uses of the State and for local uses in the same manner as provided by the law for taxes levied upon property of the same class for any year prior to 1967, and to the State thereafter. C. 54:29A-30. Disposition of receipts.

13. Section 31 of P. L. 1941, chapter 291 is amended to read as follows: Section amended.

31. Appeal to State Board of Tax Appeals. Any taxpayer desiring to contest the validity or amount of any assessment or reassessment of property or franchise tax made by the commissioner under this act, may, as to the assessment or reassessment of property tax, on or before the third Monday of May following the assessment or reassessment thereof, and, as to the assessment or reassessment of franchise tax, on or before the first Tuesday of September following the assessment or reassessment thereof, file a written complaint with the Division of Tax Appeals, specifying the grounds of complaint and the relief sought, which shall be in such form and contain such further information as may be from time to time prescribed by the rules of the Division of Tax Appeals for the better understanding and determination of the complaint. C. 54:29A-31. Appeal to State Board of Tax Appeals.

14. Section 32 of P. L. 1941, chapter 291 is amended to read as follows: Section amended.

32. Complaint and notice. A copy of the complaint and notice of application for hearing thereon shall be served upon the Attorney General 5 days before the filing of the complaint by having a copy of the complaint and notice at his office. C. 54:29A-32. Complaint and notice.

15. Section 36 of P. L. 1941, chapter 291 is amended to read as follows: Section amended.

36. If a taxpayer or the Attorney General on behalf of the State shall desire to contest the final determination of the Division of Tax Appeals, such contest shall be made by a proceeding in lieu of prerogative writ. C. 54:29A-36. Judicial review.

Section amended.

16. Section 38 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-38. Payment pending litigation.

38. If a proceeding in lieu of prerogative writ is brought by a taxpayer, such taxpayer shall pay to the State Treasurer, as a condition for prosecuting the proceeding, the amount of the taxes then not in substantial controversy. If the taxpayer and the Attorney General are unable to agree on the amount of taxes then not in substantial controversy, such amount shall be determined by the Superior Court. Upon the payment of the amount of taxes then not in substantial controversy, the payment or collection of the remainder of the taxes shall be stayed until the final determination by the Superior Court on the proceeding in lieu of prerogative writ, notwithstanding any law to the contrary.

Section amended.

17. Section 1 of chapter 343 of the laws of 1950 is amended to read as follows:

C. 54:29A-43.1. Dual assessment; summary determination by State Division of Tax Appeals.

1. If property of a taxpayer has or shall have been, in any year, assessed by the local authorities of the taxing district, and also has or shall have been classified as Class I or Class III property or classified and assessed by the Director of the Division of Taxation of the State Department of the Treasury as Class II property, the State Division of Tax Appeals shall determine, in a summary manner, the character of the property and whether used for railroad purposes and by whom it has lawfully been assessed. This determination shall be made whether the taxes in question have been paid or not and whether an appeal to review either assessment has been made or not.

Section amended.

18. Section 46 of P. L. 1941, chapter 291 is amended to read as follows:

C. 54:29A-46. Payments; due date.

46. Payments; due dates. The full amount of franchise tax assessed by the commissioner for each year shall be due and delinquent on June 15.

On December 1 in each year, the full amount of the Class II property tax payable under this act shall be due and delinquent.

All payments shall be made to the State Treasurer.

C. 54:29A-24.1. Replacement revenue.

19. In order to provide replacement revenue to municipalities in which railroad property is located as a result of the imposition of a State tax on railroad property pursuant to this act, and the elimination of the allotment and payment to taxing districts of the taxes assessed upon Class II railroad property under the Railroad Tax Law of 1948, State aid shall be appropriated and paid annually to each municipality in the manner and in an amount to be determined as hereinafter set forth. Each such municipality shall receive an amount which shall not be less than the revenues the municipality derived from such property in the tax year 1966. The amount payable to each municipality shall be adjusted for additions and withdrawals as hereinafter provided.

C. 54:29A-24.2. Definitions.

20. As hereinafter used in this act, the following words and terms shall have the following meanings, unless the text indicates or requires another or different meaning or intent:

"Base year" means the year 1966.

"Base value" means the value assessed by the commissioner for Class II railroad property in each municipality for the base year. For the purpose of determining base value, "Class II" means the classification established by the act of which this act is amendatory and supplementary.

"Base tax rate" means the general real property tax rate in each municipality for the base year.

"Base tax revenue" means the amount determined for each municipality by applying the base tax rate to the base value.

C. 54:29A-24.3. State aid.

21. State aid shall be appropriated and paid annually to each municipality in which railroad property is located in an amount equal to base tax revenue, subject to the following adjustments, except that no State aid shall be appropriated or paid to any municipality where the base tax revenue, as adjusted, is less than $1,000.00:

(a) If additional Class II property, as defined in this act, in a municipality is placed in railroad use after the base year, the base tax revenue shall

be increased by an amount equal to the product of the assessed value of such additional property as of the base year times the base tax rate.

(b) If any real property in a municipality is withdrawn from railroad use after the base year, the base tax revenue shall be reduced by an amount equal to the product of the assessed value of such property in the base year times the base tax rate.

(c) For the year 1967 the amount of State aid payable to each municipality shall be increased by an amount equal to the difference between the railroad tax revenue derived by such municipality for the year 1965 and the base tax revenue for such municipality. For each year thereafter, such increase shall be reduced by 10% until such time as the aforesaid difference is eliminated; provided, however, if any real property in a municipality is placed in or withdrawn from railroad use after 1967, the annual increase provided in this subsection (c) shall be adjusted to reflect any such additions or withdrawals.

(d) The authorities of any taxing district desiring to contest the validity or amount of the assessment on any such additions or withdrawals may appeal to the Division of Tax Appeals in the manner provided in sections 31 and 32 of the act of which this act is amendatory and supplementary.

C. 54:29A-24.4. Sums paid to municipalities.

22. The sums payable as State aid pursuant to this act shall be paid to the collector or other proper officer of each municipality entitled thereto on or before December 10 in each year by the State Treasurer on warrant of the Director of the Division of Budget and Accounting.

C. 54:29A-24.5. Statement State aid.

23. Not later than December 15 of each year, the commissioner shall deliver to each municipality entitled to State aid under this act a statement of the State aid payable to such municipality for the following year.

C. 54:29A-24.6. Determination of equalized valuation.

24. Notwithstanding any other provision of this act the valuation of Class II railroad property in each municipality used in the tax year 1966 for the purpose of determining equalized valuation for ap-

portionment of the costs of county government, State school aid, and State school building aid and in establishing county debt limits shall continue to be used for such purposes with appropriate annual adjustment to reflect adjustments in base value as determined under section 21 of this act. The commissioner shall certify any such adjustments to the several county boards of taxation on or before December 10 for use by the county boards in determining equalized valuation for the foregoing purposes in the succeeding tax year.

Amount payable for 1966.

25. For the year 1966 only, the amount of State aid payable to each municipality under this act shall be equal to the difference between the railroad tax revenue derived by such municipality for the year 1965 and the base tax revenue for such municipality.

Appropriation $4,250,000.00.

26. There is hereby appropriated the sum of $4,250,000.00, or so much thereof as may be necessary, to effectuate the purposes of this act for the year 1966.

Effective immediately, except Section 10.

27. This act shall take effect immediately except that section 10 of this act shall take effect December 16, 1966.

Approved June 17, 1966.

CHAPTER 140

AN ACT to amend the "Sales and Use Tax Act," approved April 27, 1966 (P. L. 1966, c. 30).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 8 of the act of which this act is amendatory is amended to read as follows:

C. 54:32B-8. Exempt sales.

8. Exempt sales. Receipts from the following shall be exempt from the tax on retail sales imposed under subsection (a) of section 3 and the use tax imposed under section 6:

(a) Sales of medicine, drugs, crutches, artificial limbs, artificial eyes, artificial hearing devices, corrective eyeglasses, prosthetic aids, artificial teeth or dentures, braces, and orthopedic appliances, sold pursuant to a doctor's prescription for human use, and wheel chairs;

(b) Sales of food, food products, beverages except liquors, wines and sparkling wines as defined in the Alcoholic Beverage Tax Law, dietary foods and health supplements, sold for human consumption off the premises where sold but not including (i) candy and confectionery, (ii) fruit drinks which contain less than 70% of natural fruit juice and (iii) soft drinks, sodas and beverages such as are ordinarily dispensed at soda fountains or in connection therewith (other than coffee, tea and cocoa) all of which shall be subject to the retail sales and compensating use taxes, whether or not the item is sold in liquid form. Nothing herein shall be construed as exempting food or drink from the tax imposed under subsection (c) of section 3;

(c) Sales of food sold in an elementary or secondary school cafeteria, sales of food sold in an institution of higher education or in a fraternity, sorority or eating club operated in connection therewith, to students of such an institution;

(d) Sales of articles of clothing and footwear for human use except articles made of fur on the hide or pelt of an animal or animals where such fur is the component material of chief value of the article. The director shall prescribe regulations to carry out the provisions of this subsection;

(e) Sales of newspapers, magazines and periodicals;

(f) Casual sales except as to sales of motor vehicles, whether for use on the highways or otherwise, and except as to sales of boats or vessels registered or subject to registration under the New Jersey Boat Act of 1962 (chapter 73, laws of 1962 and all amendments thereto);

(g) Sales of gas, water, steam, fuel, electricity, telephone or telegraph services delivered to con-

sumers through mains, lines, pipe, or in containers or bulk;

(h) Sales of motor fuels as motor fuels are defined for purposes of the New Jersey Motor Fuel Tax Law; and sales of fuel to an airline for use in its airplanes or to a railroad for use in its locomotives;

(i) Tangible personal property sold through coin-operated vending machines at $0.10 or less, provided the retailer is primarily engaged in making such sales and maintains records satisfactory to the director;

(j) Sales not within the taxing power of this State under the Constitution of the United States;

(k) The transportation of persons or property;

(l) Sales, repairs, alterations or conversion of commercial ships, barges and other vessels of 50-ton burden or over, primarily engaged in interstate or foreign commerce, and of governmentally-owned ships, barges and other vessels and property used by or purchased for the use of such vessels for fuel, provisions, supplies, maintenance and repairs (other than articles purchased for the original equipping of a new ship);

(m) (1) Sales of machinery, apparatus or equipment for use or consumption directly and primarily in the production of tangible personal property by manufacturing, processing, assembling or refining;

(2) Sales of machinery, apparatus or equipment for use or consumption directly and primarily in the production, generation, transmission or distribution of gas, electricity, refrigeration, steam or water for sale;

(3) Sales of telephone lines, cables, central office equipment or station apparatus, or other machinery, equipment or apparatus, or comparable telegraph equipment, for use directly and primarily in receiving at destination or initiating, transmitting and switching telephone or telegraph communication;

(4) The exemptions granted under this subsection shall not be construed to apply to sales, other-

wise taxable, of machinery, equipment or apparatus whose use is incidental to the activities described in paragraphs (1), (2) and (3) of this subsection.

(5) The exemptions granted in this subsection (m) shall not apply to motor vehicles or to parts with a useful life of 1 year or less or tools or supplies used in connection with the machinery, equipment or apparatus described in this subsection.

(n) Sales of tangible personal property purchased for use or consumption directly and exclusively in research and development in the experimental or laboratory sense. Such research and development shall not be deemed to include the ordinary testing or inspection of materials or products for quality control, efficiency surveys, management studies, consumer surveys, advertising, promotions or research in connection with literary, historical or similar projects.

(o) Sales or use of wrapping paper, wrapping twine, bags, cartons, tape, rope, labels, nonreturnable containers, reusable milk containers and all other wrapping supplies when such use is incidental to the delivery of any personal property.

(p) Sales of tangible personal property (except automobiles, trucks, trailers, and truck-trailer combinations, and except property incorporated in a building or structure) for use and consumption directly and exclusively in the production for sale of tangible personal property on farms, including stock, dairy, poultry, fruit, fur-bearing animals, and truck farms, ranches, nurseries, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards;

(q) Sales of tangible personal property sold by a mortician, undertaker or funeral director. However, all tangible personal property sold to a mortician, undertaker or funeral director for use in the conducting of funerals shall not be deemed a sale for resale and shall not be exempt from the tax imposed by this act;

(r) Sales of films, records, tapes or any type of visual or sound transcribing to theatres and radio and television broadcasting stations or networks;

(s) Sales of tangible personal property and services taxable under any municipal ordinance heretofore adopted pursuant to chapter 71, laws of 1947, which is in effect on April 27, 1966, but only to the extent such sales are taxable under said ordinance;

(t) Sales of materials, such as chemicals and catalysts, used to induce or cause a refining or chemical process, where such materials are an integral or essential part of the processing operation, but do not become a component part of the finished product.

(u) Sales of school textbooks for use by students in a school, college, university or other educational institution, approved as such by the Department of Education, when the educational institution, upon forms and pursuant to regulations prescribed by the director, has declared the books are required for school purposes and the purchaser has supplied the vendor with the form at the time of the sale.

(v) Sales not for resale of catalogs, sales price lists, point of purchase advertising, sales pamphlets or handbills, commonly known as commercial advertising, when produced upon special order of the purchaser.

(w) Sales made to contractors, subcontractors or repairmen of materials, supplies or services for exclusive use in erecting structures, or building on, or otherwise improving, altering or repairing real property of organizations described in subsections (a) and (b) of section 9 of this act, provided any person seeking to qualify for this exemption shall do so pursuant to such rules and regulations and upon such forms as shall be prescribed by the director.

(x) The renting, leasing, licensing or interchanging of trucks, tractors, trailers or semitrailers by persons not engaged, directly or indirectly through subsidiaries, parents, affiliates or otherwise, in a regular trade or business offering such renting,

leasing, licensing or interchanging to the public, provided, that such renting, leasing, licensing or interchanging is carried on with persons engaged in a regular trade or business involving carriage of freight by such vehicles, and further provided, that in the case of any such motor vehicle acquired by the owner or first used by the owner in this State on or after July 1, 1966, any tax presumptively imposed by this act on such acquisition or use shall have been paid at the time of such acquisition or use without claim for exemption.

(y) Sales of cigarettes subject to tax under the Cigarette Tax Act.

2. This act shall take effect immediately but shall remain inoperative until Assembly Bill No. 877 (1966) shall be enacted into law.

Approved June 17, 1966.

CHAPTER 141

AN ACT concerning motor vehicles, amending section 39:4–50 and supplementing chapter 4 of Title 39 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 39:4–50 of the Revised Statutes is amended to read as follows:

Operating under influence of liquor or drugs; penalty; forfeiture of right to operate.

39:4–50. (a) A person who operates a motor vehicle while under the influence of intoxicating liquor or a narcotic or habit-producing drug, or permits another person who is under the influence of intoxicating liquor or a narcotic or habit-producing drug to operate a motor vehicle owned by him or in his custody or control, shall be subject, for the first offense, to a fine of not less than $200.00 nor more than $500.00, or imprisonment for a term of not less

than 30 days nor more than 3 months or both, in the discretion of the magistrate, and shall forthwith forfeit his right to operate a motor vehicle over the highways of this State for a period of 2 years from the date of his conviction or until he reaches the age of 21 years, whichever is the greater period of time, in the case of a person who at the time of his conviction is under the age of 21 years. Except as hereinafter provided, for a subsequent violation, he shall be imprisoned for a term of 3 months and shall forfeit his right to operate a motor vehicle over the highways of this State for a period of 10 years from the date of his conviction, and, after the expiration of said period, he may make application to the Director of the Division of Motor Vehicles for a license to operate a motor vehicle, which application may be granted at the discretion of the director. A magistrate who imposes a term of imprisonment under this section may sentence the person so convicted either to the county jail or to the workhouse of the county wherein the offense was committed.

A person who has been convicted of a previous violation of this section need not be charged as a second offender in the complaint made against him in order to render him liable to the punishment imposed by this section on a second offender, but if the second offense occurs 10 or more years after the previous conviction the court may, in its discretion, suspend the sentence of imprisonment, impose a fine of not less than $300.00 nor more than $1,000.00 and place the person on probation.

(b) A person who operates a motor vehicle while his ability to operate such motor vehicle is impaired by the consumption of alcohol shall be subject, for a first offense, to a fine of not less than $50.00 nor more than $100.00 and shall forthwith forfeit his right to operate a motor vehicle over the highways of this State for a period of 6 months from the date of his conviction. For a subsequent violation, he shall be fined not less than $100.00 nor more than $300.00 and shall forthwith forfeit his right to

operate a motor vehicle over the highways of this State for a period of 2 years from the date of his conviction. After the expiration of said period of forfeiture, he may make application to the Director of the Division of Motor Vehicles for a license to operate a motor vehicle which application may be granted at the discretion of the director.

C. 39:4-50.6. Presumptions from tests.

2. (a) In any prosecution for a violation of section 39:4–50 of the Revised Statutes relating to operating a motor vehicle while the ability to operate such motor vehicle is impaired by the consumption of alcohol, the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, breath or other bodily substance shall give rise to the following presumptions:

(1) If there was at that time 0.05% or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant's ability to operate a motor vehicle was not impaired by the consumption of alcohol.

(2) If there was at that time the existence of 0.05% but less than 0.10% by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant's ability to operate a motor vehicle was or was not impaired by the consumption of alcohol, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

(3) If there was at that time 0.10% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant's ability to operate a motor vehicle was impaired by the consumption of alcohol.

(b) The foregoing provisions of this section shall not be construed as requiring that evidence of the amount of alcohol in the defendant's blood must be presented, nor shall they be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant's ability to operate a motor vehicle was impaired by the consumption of alcohol.

C. 39:4-50.7. Violation of both provisions of act.

3. No person shall be convicted of violating both the provisions of section 39:4–50(a) of the Revised Statutes and the provisions of section 39:4–50(b) of the Revised Statutes as a result of the same incident or occurrence; provided, however, that nothing herein shall be deemed to prohibit the prosecution and conviction of any person for a violation of the provisions of section 39:4–50(b) notwithstanding that such a person may have been previously found not guilty of violating the provisions of section 39:4–50(a) of the Revised Statutes.

Note: Effective date.

4. This act shall take effect on the ninety-first day following the date of enactment.

Approved June 18, 1966.

CHAPTER 142

AN ACT concerning motor vehicles and to amend and supplement "An act concerning traffic regulation, and amending and supplementing chapter 4 of Title 39 of the Revised Statutes and certain other statutes relating thereto," approved April 15, 1951 (P. L. 1951, c. 23).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 30 of the act of which this act is amendatory is amended to read as follows:

C. 39:4-50.1. Chemical analysis to determine percentage of alcohol in blood; presumptions.

30. In any prosecution for a violation of section 39:4–50 of the Revised Statutes relating to driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

(1) If there was at that time 0.05% or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor;

(2) If there was at that time in excess of 0.05% but less than 0.15% by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

(3) If there was at that time 0.15% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

The foregoing provisions of this section shall not be construed as requiring that evidence of the amount of alcohol in the defendant's blood must be presented, nor shall they be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor.

C. 39:4-50.2. Implied consent.

2. (a) Any person who operates a motor vehicle on any public road, street or highway or quasi-public area in this State shall be deemed to have given his consent to the taking of samples of his breath for the purpose of making chemical tests to determine the content of alcohol in his blood; provided, however, that the taking of samples is made in accordance with the provisions of this act and at the request of a police officer who has reasonable grounds to believe that such person has been operating a motor vehicle in violation of the provisions of section 39:4–50 of the Revised Statutes.

(b) A record of the taking of any such sample, disclosing the date and time thereof, as well as the result of any chemical test, shall be made and a copy thereof, upon his request, shall be furnished or made available to the person so tested.

(c) In addition to the samples taken and tests made at the direction of a police officer hereunder, the person tested shall be permitted to have such samples taken and chemical tests of his breath, urine or blood made by a person or physician of his own selection.

(d) The police officer shall inform the person tested of his rights under subsections (b) and (c) of this section.

(e) No chemical test, as provided in this section, or specimen necessary thereto, may be made or taken forcibly and against physical resistance thereto by the defendant.

C. 39:4-50.3. Methods approved by Attorney General.

3. Chemical analyses of the arrested person's breath, to be considered valid under the provisions of this act, shall have been performed according to methods approved by the Attorney General, and by a person certified for this purpose by the Attorney General. The Attorney General is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to make certifications of such individuals, which certifications shall be subject to termination or revocation at the discretion of the Attorney General.

C. 39:4-50.4. Penalty for refusal to submit to test.

4. If an operator of a motor vehicle, after being arrested for a violation of section 39:4–50 of the Revised Statutes, shall refuse to submit to the chemical test provided for in section 2 of this act when requested to do so, the arresting officer shall cause to be delivered to the Director of Motor Vehicles his sworn report of such refusal in which report he shall specify the circumstances surrounding the arrest and the grounds upon which his belief was based that the person was driving or operating a motor vehicle in violation of the provisions of section 39:4–50 of the Revised Statutes. Upon receipt of such a report, if the director shall find that the arresting officer acted in accordance with the provisions of this act, he shall, upon written notice, suspend the person's license or permit to drive or operate a motor vehicle, or if such person

is a nonresident, the privilege to drive or operate a motor vehicle within this State, unless such person, within 10 days of the date of such notice, shall have requested, in writing, a hearing before the director. Upon such request, the director shall hold a hearing on the issues of whether the arresting officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle on the public highways or quasi-public areas of this State while under the influence of intoxicating liquor, whether the person was placed under arrest, and whether he refused to submit to the test upon request of the officer. If no such hearing is requested within the time allowed, or if after a hearing the director shall find against the person on such issues, he shall revoke such person's license or permit to drive or operate a motor vehicle, or the privilege to drive or operate a motor vehicle within this State if such person is a nonresident for a period of 6 months from the date of the director's determination, or if such person is a resident without a license or permit to drive or operate a motor vehicle in this State, the director shall deny to such person the issuance of any such license or permit within 6 months from the date of the director's determination. Such revocation shall be independent of any revocation imposed by virtue of a conviction under the provisions of section 39:4–50 of the Revised Statutes.

C. 39:4-50.5. Validity of provisions of act.

5. If any provision of this act, or any particular application thereof, be found invalid, the same shall be deemed severable to the end that such invalidity shall not affect other provisions or applications hereof.

Note: Effective date.

6. This act shall take effect on the ninety-first day following the date of enactment.

Approved June 18, 1966.

CHAPTER 143

AN ACT to amend and supplement "An act to protect the public health by regulating the installation or erection of potable water supply and sewerage services upon certain realty improvements within this State and providing for the enforcement thereof," approved July 21, 1954 (P. L. 1954, c. 199).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 58:11-43. Study made.

1. The State department shall study the various geographical areas of the State, from time to time, to determine whether any such areas should be restricted as to the types of sewerage facilities which may be thereafter constructed in such areas. In conducting such a study, the State department shall give consideration to factors such as soil conditions, ground-water table levels, population densities and projected growth trends and such other factors which could affect the safe and proper operation of sewerage facilities in the area under study.

C. 58:11-44. Designation of critical area.

2. If the State department shall determine that it is essential to the public health and well-being of the inhabitants residing in the area to restrict or regulate the type or types of sewerage facilities which may thereafter be constructed in such area, it shall by appropriate regulation designate the area as a critical area for sewerage purpose.

C. 58:11-45. Specifications in regulation.

3. A regulation designating an area as a critical area for sewerage purposes shall specify the specific geographical area contained within such critical area and the type or types of sewerage facilities which may thereafter be constructed in the critical area.

C. 58:11-46. Public hearing.

4. Prior to promulgation of such regulation, the State department shall hold a public hearing

thereon within such area. The State department shall cause to be published at least once not less than 15 days prior to such hearing in each of the municipalities within the critical area proposed to be designated as such by the department, in a newspaper published in each of said municipalities, or if no newspaper be published in any such municipalities, then in a newspaper circulated in such municipalities, a notice of such hearing specifying the time when and place where such hearing will be held, together with a description of the area proposed to be designated as a critical area and a brief summary of the type or types of sewerage facilities which may thereafter be constructed therein.

C. 58:11-47. Adoption of regulations.

5. Following such hearing and after consultation with the Department of Conservation and Economic Development, the State department shall adopt such regulations designating a critical area and specify the geographical area contained within such critical area, as well as the type or types of sewerage facilities which may thereafter be constructed therein, as may be reasonable and necessary to protect public health. No such regulations shall be promulgated until at least 60 days after the State department has conducted its public hearing. Such rules and regulations shall be published and distributed to local governing bodies and local boards of health in all designated critical areas.

C. 58:11-48. Violations.

6. Any person who violates any of the provisions of this act or the rules and regulations adopted hereunder shall be liable to the penalties set forth in section 17 of the act of which this act is a supplement.

Section amended.

7. Section 17 of the act of which this act is amendatory is amended to read as follows:

C. 58:11-39. Penalties.

17. Any person or corporation violating any provision of this act shall be liable to a penalty of $200.00 for each offense and an additional penalty of $25.00 for each day of continuance of violation after notice of the violation shall have been given to such person or corporation by the State department or the board of health having jurisdiction in

the municipality in which such violation occurs, to be collected and enforced by summary proceedings for the collection of penalties pursuant to the "Penalty Enforcement Law."

8. Section 19 of the act of which this act is amendatory is amended to read as follows: Section amended.

19. In case any water supply system or sewerage facilities or any part thereof is about to be, or is, or has been, erected or installed after the effective date of this act in violation of any of the provisions of this act as aforesaid, such erection or installation is hereby declared to be a nuisance and the State department or the board having jurisdiction in the municipality in which the realty improvement is situate, may institute a civil action for an injunction to prohibit the further violations of this act in any court of competent jurisdiction, which court shall have power to order an abatement of such nuisance, and to prevent its further maintenance, and any further violation of this act, by injunction or otherwise according to the practice of said court. C. 58:11-41. Institution of civil action.

9. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 144

A SUPPLEMENT to "An act concerning county parks, playgrounds, and recreation places, and supplementing chapter 37 of Title 40 of the Revised Statutes," approved May 3, 1946 (P. L. 1946, c. 276).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In any county which has adopted the provisions of the act of which this act is a supplement, the board of chosen freeholders, in addition to any other funds or moneys provided for the purposes of said act, may provide funds for land and im- C. 40:37-95.10a. Provisions for land and improvements.

provements by the commission or for the payment of notes previously authorized or issued to provide such funds, by the issuance of bonds or other obligations of the county in pursuance of chapter 2 of Title 40A of the New Jersey Statutes (Local Bond Law) but in no case shall the amount of such bonds or other obligations, both authorized and outstanding at any one time, exceed in the aggregate the sum of $5,000,000.00, plus the amount of any funds on hand applicable to the payment of the principal of such outstanding bonds or other obligations.

C. 40:37-95.10b. Approval by legal voters.

2. The provisions of this act shall remain inoperative in any such county until submitted to and approved by the legal voters of the county as hereinafter provided.

C. 40:37-95.10c. Printed question on ballots.

3. Whenever the board of chosen freeholders of the county shall pass a resolution authorizing the submission of the question of the adoption or rejection of this act to the voters of the county, the county clerk shall cause the question to be printed upon the sample and official ballots for the ensuing general election, occurring not less than 40 days after the passage of the resolution, the following:

If you favor the proposition printed below make a cross ×, plus + or check √ in the square opposite the word "Yes." If you are opposed thereto make a cross ×, plus + or check √ in the square opposite the word "No."

	Yes	Shall the supplement to "An act concerning county parks, playgrounds, and recreation places, and supplementing chapter 37 of Title 40 of the Revised Statutes" (P. L. 1966, c. . . .), providing for the issuance of park bonds for land and improvements not exceeding in the aggregate the sum of $5,000,000.00 be adopted?
	No	

In any county in which voting machines are used, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instruction to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

C. 40:37-95.10d. Adoption of law; effective date.

4. If at such election a majority of all the votes cast both for and against the adoption of such law shall be cast in favor of the adoption thereof, the same shall immediately become operative in the county voting thereon.

5. This act shall take effect immediately.

Adopted June 18, 1966.

CHAPTER 145

AN ACT concerning contempts of court and supplementing chapter 10 of Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 2A:10-8. Contempt of court.

1. Any court may issue a warrant for the arrest of any person subject to punishment for a contempt pursuant to the provisions of chapter 10 of Title 2A of the New Jersey Statutes, directed to any officer or person authorized by law to serve process, who shall be empowered to serve such warrant in any county of this State and to produce the person subject to punishment for contempt as herein provided before the judge of such court issuing said warrant.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 146

AN ACT concerning juries, and amending section 2A:73–3 of the New Jersey Statutes and "An act concerning juries, amending section 2A:73–3 and supplementing chapter 74 of Title 2A of the New Jersey Statutes," approved July 29, 1953 (P. L. 1953, c. 331).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:73–3 of the New Jersey Statutes is amended to read as follows:

Oath of foreman; acting foreman; grand jurors.

2A:73–3. To the foreman and acting foreman of the grand jury there shall be administered the following oath:

"You as foreman (acting foreman) of this grand inquest to sit in behalf of the State of New Jersey in and for the county of ....., do solemnly swear that you will support the Constitution of the United States and the Constitution of this State; that you do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in this State; and that you are not a member of or affiliated with any organization, association, party, group or combination of persons, which so approves, advocates or advises the use of such means, and that you shall diligently inquire and true presentment make of all such matters and things as shall be given you in charge, or in any way come to your knowledge touching the present service; that the counsel of the State and your own counsel you shall keep secret; that you shall present no one through envy, hatred or malice; neither shall you leave any one unpresented for fear, favor or affection, for reward, gain or the hope thereof; but that you shall present all things

truly as they shall come to your knowledge, according to the best of your skill and understanding, so help you God."

To the grand jurors as a body there shall be administered the same oath except that the first words "You as foreman" are to be replaced with the words "You as members."

Section amended.

2. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 2A:69-1.1. Oath of petit jurors.

2. Every person summoned for service as a petit juror who is not excused from serving upon the panel of petit jurors for which he is summoned shall, before he begins his service upon the panel, take the following oath:

"You do solemnly swear that you will support the Constitution of the United States and the Constitution of this State; that you do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in this State; and that you are not a member of or affiliated with any organization, association, party, group or combination of persons, which so approves, advocates or advises the use of such means, so help you God."

3. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 147

AN ACT concerning municipal courts and amending section 2A:8–20 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:8–20 of the New Jersey Statutes is amended to read as follows:

Territorial jurisdiction of municipal courts.

2A:8–20. The territorial jurisdiction of a municipal court of a single municipality shall be the terri-

tory embraced within such municipality, and of a municipal court for 2 or more municipalities the territory embraced within all of the municipalities which joined in the formation of such municipal court, and any premises or property situated or located partly within and partly without such municipality or municipalities.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 148

AN ACT concerning domestic life insurance companies, and amending section 17:34–4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 17:34–4 of the Revised Statutes is amended to read as follows:

Salaries limited; pensions.

17:34–4. No domestic life insurance company shall:

a. Pay any salary, compensation or emolument to any of its officers, directors or trustees, or any salary, compensation or emolument amounting in any year to more than $15,000.00 to any person, unless the payment is first authorized by a vote of its board of directors;

b. Make any agreement with any of its officers, trustees or salaried employees whereby it agrees that for any service rendered or to be rendered he shall receive any salary, compensation or emolument that will extend beyond a period of 12 months from the date of the agreement, but nothing herein shall be construed to prevent a life insurance company from deferring the payment of any salary, compensation or emolument for such period of time

and upon such terms as it may determine subject to the approval of the commissioner or from entering into contracts with its agents for the payment of renewal commissions. No officer, director or trustee who receives for his services in that capacity a salary of more than $100.00 per month shall receive any other compensation or emolument for his services; or

c. Grant any pension to any officer, director or trustee thereof or to any member of his family after his death, except that it may grant to its salaried officers and employees retirement and disability allowances and death benefits, according to a plan submitted to and approved by the commissioner and except that it may with the approval of the commissioner provide reasonable supplemental retirement allowances to any of its salaried officers and employees, and their dependents, whose retirement benefits under the insurer's plan or plans are, in the opinion of its board of directors, inadequate. Such allowances shall not exceed the greater of $3,000.00 per annum and the excess, if any, of 50% of the individual's average salary, based on the 5 years immediately prior to retirement, over such retirement benefits.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 149

AN ACT to create a regional agency by intergovernmental compact for the continuing comprehensive, co-ordinated regional planning for the Delaware Valley Urban Area, and defining the functions, powers and duties of such agency.

WHEREAS, By an agreement dated January 23, 1959, the State of New Jersey, and the counties of Burlington, Camden, Gloucester, and Mercer, all in Preamble.

the State of New Jersey, and the Commonwealth of Pennsylvania, and the counties of Bucks, Chester, Delaware and Montgomery and the city of Philadelphia, all in the Commonwealth of Pennsylvania, provided for transportation planning in the Delaware Valley Urban Area and established therefor an organization known as the Penn Jersey Transportation Study, which has been in operation since that time; and

Preamble. WHEREAS, The State of New Jersey and the Commonwealth of Pennsylvania now desire to create a successor to the said Penn Jersey Transportation Study in the form of a body politic and corporate to carry on the continuing comprehensive, co-ordinated transportation and regional planning study and process for the Delaware Valley Urban Area; and

Preamble. WHEREAS, The Congress of the United States of America has, by the enactment of Public Law 87–866, 1962, declared it to be in the national interest to encourage and promote the development of transportation systems that will serve the States and local communities efficiently and effectively; and

Preamble. WHEREAS, The Congress of the United States of America has by the enactment of Public Law 86–372, 1959, authorized the Administrator of the Housing and Home Finance Agency to make planning grants to official regional planning agencies empowered by interstate compact to perform metropolitan or regional planning and by Public Law 87–70, 1961, gave its prior consent to such compacts; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The State of New Jersey and the Commonwealth of Pennsylvania hereby solemnly covenant and agree with each other, upon the enactment by each of them of legislation having the same effect as this section, to the following compact:

PART I

COMPACT

ARTICLE I

SHORT TITLE, DEFINITIONS, PURPOSE AND LIMITATIONS

C. 32:27-1. Title of act.

1. Short title—This act shall be known and may be cited as the "Delaware Valley Urban Area Compact."

C. 32:27-2. Definitions.

2. Definitions—For the purpose of this compact, and of any supplemental or concurring legislation enacted pursuant thereto, except where such meaning is obviously inapplicable, the following words and phrases shall mean:

(a) The commission—The Delaware Valley Regional Planning Commission;

(b) Delaware Valley Urban Area—The area included within the counties of Burlington, Camden, Gloucester and Mercer in the State of New Jersey, and the counties of Bucks, Chester, Delaware and Montgomery and the city of Philadelphia in the Commonwealth of Pennsylvania;

(c) Area—The Delaware Valley Urban Area;

(d) Commissioners—The members of the commission;

(e) Board—The body composed of the members of the commission;

(f) Federal Government—The Government of the United States of America and any branch, department, bureau or division thereof, as the case may be;

(g) Federal Representative—Any individual duly authorized to represent the Federal Government.

C. 32:27-3. Purpose and findings.

3. Purpose and findings—The legislative bodies of the signatory parties hereby find and declare that the transportation and land resources of the area are affected with a local, State, regional and national interest and their planning under appropriate arrangements for interstate co-operation, is a public purpose of the respective signatory parties.

In general, the purposes of this compact are to organize and conduct a continuing, comprehensive, co-ordinated regional planning program for the area, including but not limited to transportation planning for the interests and purposes, consistent with its annual budgets, of the agencies of New Jersey and Pennsylvania represented by commissioners as well as for the purposes of the local governments and their planning agencies.

C. 32:27-4. Restrictions of compact.

4. This compact shall be construed liberally to effectuate its purposes. Nothing herein shall be deemed in any way to limit or restrict the power of one or both of the party States, by law or otherwise, to deal independently with respect to any matter within the scope of this compact.

C. 32:27-5. Adoption of amendments and supplements.

5. Amendments and supplements to this compact to implement the purposes thereof may be adopted by concurrent legislation of the party States.

C. 32:27-6. Validity of compact.

6. If any part or provision of this compact or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances, and the party States hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

C. 32:27-7. Duration of compact.

7. Duration of compact—This compact shall continue in existence until December 31, 1969. Thereafter it shall continue only upon the adoption of concurrent legislation by the party States.

Article II

ORGANIZATION AND MEMBERSHIP

C. 32:27-8. Commission created.

1. Commission created—The Delaware Valley Regional Planning Commission is hereby created as a body politic and corporate, with succession for the

duration of this compact, as an agency and instrumentality of the governments of the respective signatory parties.

C. 32:27-9. Membership.

2. Commission membership—The commission shall consist of the following members to be known as commissioners:

The Commissioner of Highways of the State of New Jersey, ex officio,

The Secretary of Highways of the Commonwealth of Pennsylvania, ex officio,

The Commissioner of Conservation and Economic Development, State of New Jersey, ex officio,

The Executive Director, State Planning Board, Commonwealth of Pennsylvania, ex officio,

An appointee of the Governor of New Jersey who shall be a resident of New Jersey and the area, and shall serve at the pleasure of the Governor.

An appointee of the Governor of Pennsylvania by and with the consent of the Senate, who shall be a resident of Pennsylvania and the area, and shall serve at the pleasure of the Governor.

A representative from each of the 4 New Jersey counties and 4 Pennsylvania counties included in the area, and

One representative each from the cities of Camden, Trenton, Philadelphia and Chester.

C. 32:27-10. Appointment.

3. Appointment of members—The said representative from each of the aforesaid political subdivisions shall be appointed by the governing bodies thereof, and serve at the pleasure of the appointing power.

C. 32:27-11. Voting power.

4. Voting power—A quorum of the commission for the purpose of transacting business at any commission meeting shall exist only when there are present, in person, at least 5 members or alternates from each of the party States including at least 2 or 3 State officials or appointees or their alternates from each State. No action of the commission shall be effective or binding unless a majority of each party State's representatives who are present at such meeting, including at least 2 of the 3 State's officials or appointees or their alternates, shall vote

in favor thereof. Certified copies of the minutes of each commission meeting shall be sent to each of the Governors of the party States within 10 days of said meeting.

C. 32:27-12. Officers.

5. Officers—The board shall elect a chairman, vice-chairman, a secretary and a treasurer from among its membership and may elect such other officers as it desires from among its membership. The vice-chairman, and either the secretary or treasurer, shall not reside in the same State as the chairman. The chairman and vice-chairman shall be elected from among the State officials or appointees of each party State.

C. 32:27-13. Meetings.

6. Meeting dates—The board may establish regular meeting dates and hold such special meetings as it desires upon call of the chairman after at least 10 days' notice.

C. 32:27-14. Compensation.

7. Compensation—None of the commissioners or their alternates shall be entitled to any compensation for the performance of their duties but shall be entitled to reimbursement for necessary travel and other expenses incurred by them in their performance of such duties.

C. 32:27-15. Organization.

8. Organization, procedure, powers and duties—The board shall provide for procedure and shall adopt rules and regulations governing its meetings and transactions.

C. 32:27-16. Executive committee.

9. Executive Committee; meetings, powers and duties—

(a) The Executive Committee of the Delaware Valley Regional Planning Commission shall consist of the following commissioners:

The 4 ex officio members or their alternates,

The 2 appointees of the Governors,

One representative to be chosen by the 4 New Jersey county members of the commission,

One representative to be chosen by the 4 Pennsylvania county members of the commission,

The representatives of the cities of Camden and Philadelphia.

(b) A quorum of the Executive Committee for the purpose of transacting business at any com-

mittee meeting shall exist only when there are present, in person, at least 3 members or alternates from each of the party States including at least 2 of 3 State officials or appointees or their alternates from each State. No action of the committee shall be effective or binding unless a majority of each party State's representatives who are present at such meeting, including at least 2 of the 3 State's officials or appointees or their alternates, shall vote in favor thereof. Certified copies of the minutes of each committee meeting shall be sent to each of the Governors of the party States within 10 days of said meeting.

(c) The Executive Committee may elect a chairman, vice-chairman and a secretary from among its membership and may elect such other officers as it desires from among its members. The chairman and vice-chairman shall not reside in the same State. The chairman and vice-chairman shall be elected from among the State officials or appointees of each party State. The Executive Committee shall establish regular meeting dates and may call special meetings upon call of its chairman after 5 days' notice.

In addition to the powers and duties conferred upon the Executive Committee by this act, it shall have such other duties as the board shall from time to time delegate to it.

ARTICLE III

POWERS AND DUTIES OF THE COMMISSION, THE BOARD AND THE EXECUTIVE COMMITTEE

C. 32:27-17. Powers.

1. The commission shall have the following powers:

(a) To adopt and use a corporate seal;

(b) To acquire by purchase, lease, gift or governmental appropriation such estates or interests in real and personal property as are necessary or required for its operations;

(c) To contract in all respects necessary or convenient for its operations;

(d) To employ and discharge or to contract with such personnel as are necessary or convenient for its operations and to fix their compensation;

(e) To adopt by-laws and to rescind, amend or supplement the same from time to time;

(f) To adopt, promulgate and publish rules and regulations as are determined necessary in the performance of its functions;

(g) To provide services for governmental bodies and public and business organizations consistent with the purposes of this act and to receive compensation therefor;

(h) To do any and all things necessary, convenient or incidental within the scope of its corporate purposes.

C. 32:27-18. Duties and responsibilities.

2. The commission shall have the following duties and responsibilities:

The commission shall have the responsibility of providing for the needs of the highway departments of the signatory parties in order that the States may qualify for all funds available to them from the Federal Government for the construction of highway facilities in the area and meet with the other planning needs of the said highway departments in the area. The commission shall also have the responsibility of providing for regional planning and the meeting and satisfaction of regional transportation planning requirements in order that the area may qualify for all funds available to it from the Federal Government of mass transportation facilities and services in the area. The commission shall also have the responsibility for meeting the needs of the New Jersey Department of Conservation and Economic Development and the Pennsylvania State Planning Board as required to obtain funds from the Federal Government available for such purposes as well as their other operations. The commission shall co-operate with all other State and local government agencies which have planning needs in the area. The commission shall serve as an advisory agency, with actual authority for carrying out planning pro-

posals continuing to rest in the governing bodies of the States and counties. It shall initiate and develop surveys and plans of a regional nature and assist through co-ordination and planning programs involving regional matters of the planning bodies of the participants. The commission shall not assume any existing powers or functions of such planning commissions. It shall be the function and duty of the commission to make a master plan and such survey and studies as may be essential thereto for the physical development of the area and submit said plan to the participating governmental bodies. The commission shall encourage and promote the co-operation among all levels of government for the purpose of achieving the greatest possible benefit both economic and cultural for the inhabitants of the Delaware Valley Urban Area.

C. 32:27-19 Powers and duties of board.

3. Powers and duties of the board—The board shall have the following powers and duties:

(a) To create and define the duties of the office of Executive Director and upon the recommendation of the Executive Committee to appoint persons to that office to serve at the pleasure of the board.

(b) To create and define the duties of such committees, other than the Executive Committee, as it shall deem proper and necessary to the operation of the commission and appoint the membership thereof.

(c) To approve and adopt not later than March 1 of each year a work program for the next fiscal year as submitted to it by the Executive Committee.

(d) To exercise and perform all the powers and duties granted to and imposed upon the commission except those powers and duties expressly delegated or imposed by this compact to or upon the Executive Committee.

C. 32:27-20. Powers and duties of executive committee.

4. Powers and duties of the Executive Committee—The Executive Committee shall have the following powers:

(a) To exercise on behalf of the commission all the powers granted the commission by section 1, subsections (b), (c) and (d) of this article;

(b) The general supervision of the conduct of operations of the commission including individual projects;

(c) To manage the fiscal affairs of the commission and to prepare and adopt an annual budget not later than March 15 for each fiscal year beginning July 1 of each calendar year and ending June 30 of the succeeding year, provided, however, that neither of the Departments of Highways of the signatory parties nor the Department of Conservation and Economic Development of New Jersey or the State Planning Board of Pennsylvania shall be required to provide funds for any fiscal year without the approval of the representative of the department or board affected and such approval shall be subject to the availability of funds appropriated pursuant to the applicable laws of the respective party States;

The aforesaid requirement that budgets be adopted no later than March 15 shall not apply for the fiscal year beginning July 1, 1965;

(d) To prepare a work program for each fiscal year, consistent with the budget for that year in such form that budget items are chargeable to specific elements thereof and submit it to the board for approval and adoption not later than March 1 preceding the beginning of the fiscal year;

(e) The Executive Committee shall provide proper and adequate bonding surety conditioned upon the honest performance of such of the personnel of the commission as have responsibility for the custody of its receipts and control of its disbursements.

(f) The Executive Committee shall establish, by rules and regulation, the procedures for receipt and disbursement of funds and shall establish and cause to be maintained such fiscal records and shall meet the requirements for any Federal audits

which may be authorized in connection with the financial participation of the United States of America in the commission's operation.

ARTICLE IV

FISCAL AFFAIRS

AUDITS, SOURCE OF FUNDS, TAX EXEMPTION

C. 32:27-21. Audits.

1. Audits—The fiscal affairs of the commission shall be subject to annual audits by the Director of the Division of Budget and Accounting in New Jersey and the Auditor General of Pennsylvania. In addition, any county or city may either singly or in co-operation with the party States perform or cause such audits of the fiscal affairs of the commission for any fiscal year in which it or its corporation counterparts, if any, have made contributions.

C. 32:27-22. Apportionment of expenses.

2. Apportionment of expenses—Subject to the availability of funds appropriated pursuant to the applicable laws of the respective party States, whenever the Executive Committee shall adopt a budget, the share of each State shall be apportioned upon the basis that its population in the Delaware Valley Urban Area bears to the total population of the Delaware Valley Urban Area as determined by the latest available population figures of the United States Bureau of the Census. In the application of this formula, any moneys to be provided from sources other than the governmental bodies comprising the Delaware Valley Urban Area shall be first deducted. Any appropriation toward an annual budget to be made by any county or city shall be credited to the proportionate budget obligation of the State of which such contributing county or city form a part. All the direct expense related to any mass transportation demonstration project shall be paid by the State in which such project is located.

C. 32:27-23. Tax exemption.

3. Tax exemption—The commission shall not be subject to any taxation by the State of New Jersey, the Commonwealth of Pennsylvania or any local government thereof.

ARTICLE V

FEDERAL PARTICIPATION AND COMMISSION RESPONSIBILITY WITH RESPECT THERETO

C. 32:27-24. Participation of Federal agencies.

1. The Bureau of Public Roads, United States Department of Commerce, and the Housing and Home Finance Administration of the United States may each appoint not more than 3 representatives to the commission who shall have no right to vote in any matter and may have such representation on the Executive Committee and other committees as the commission shall determine. The 2 Federal agencies shall be entitled to the regular communications of the commission and the committees on which they are represented as fully as are voting members.

The commission shall comply with all lawful and proper requirements of the Federal agencies, and shall co-operate with State and local agencies in meeting such Federal requirements.

ARTICLE VI

GENERAL PROVISIONS

C. 32:27-25. Sovereign immunity.

1. Attributes of sovereign immunity—The commission, as an instrumentality of the State of New Jersey and the Commonwealth of Pennsylvania exercising a governmental function may not be sued in any court of law or equity and shall be vested with such attribute of sovereign immunity in its transactions within the boundaries of one or the other of the 2 States as shall apply to the respective highway departments thereof and no more. If the commission is liable in one State and would not have been liable in the other State, the State wherein such liability exists shall be solely obligated to discharge such liability, as well as any costs, fees, or expenses imposed upon or incurred by the commission, notwithstanding any other provisions of this agreement.

C. 32:27-26. Construction and severability.

2. Construction and severability—The provisions of this act and of agreements thereunder shall be severable and if any phrase, clause, sentence or

provision of this compact is declared to be unconstitutional or the applicability thereof to any signatory party, local governmental body, agency or person is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any signatory party, local governmental body, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed.

C. 32:27-27. Effective date of compact.

3. This compact shall become binding and effective immediately upon final enactment by the Legistures of the signatory parties. The compact shall be signed and sealed in 6 duplicate original copies by the respective Chief Executives of the signatory parties. One such copy shall be filed with the Secretary of State of each of the signatory parties or in accordance with the laws of the State in which the filing is made, and one copy shall be filed and retained in the archives of the commission upon its organization. The signatures shall be affixed and attested under the following form:

In witness whereof, and in evidence of the adoption and enactment into law of this compact by the Legislatures of the signatory parties the Governors thereof do hereby, in accordance with authority conferred by law, sign this compact in 6 duplicate original copies attested by the respective Secretaries of State, and have caused the seals of the respective States to be hereunto affixed this ..... day of .....

Part II

C. 32:27-28. Interim agreement.

1. Interim agreement—Until the Commonwealth of Pennsylvania enacts legislation adequate to the consummation of the Interstate Compact set forth in Part I of this act, the State Highway Commissioner and the Commissioner of Conservation and Economic Development of this State, with the approval of the Governor, are hereby authorized to enter into an agreement with the appropriate officials of the Commonwealth of Pennsylvania to

effectuate the general purposes of the Delaware Valley Regional Planning Commission as set forth in this act. Such agreement shall be in such manner and form as shall be necessary to provide the continued eligibility of the State of New Jersey and the Commonwealth of Pennsylvania for the several Federal aids involved in the planning process which is the subject of this act. Any such agreement shall not extend beyond July 1, 1967.

C. 32:27-29. Repealer.

2. Repealer—All acts and parts of acts inconsistent with any provision of this act are to the extent of such inconsistency repealed.

C. 32:27-30. Effectuation by chief executives.

3. Effectuation by Chief Executives—The Chief Executive is authorized to take such action as may be necessary and proper in his discretion to effectuate the compact and the initial organization and operation of the commission thereunder.

4. Effective date—This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 150

AN ACT concerning paramilitary organizations and supplementing the disorderly persons law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 2A:170-25.14. Penalty.

1. Any 2 or more persons who assemble as a paramilitary organization for the purpose of practicing with weapons are disorderly persons.

C. 2A:170-25.15. Definition.

2. As used in this act, "paramilitary organization" means an organization which is not an agency of the United States Government or of the State of New Jersey, or which is not a private school meeting the requirements set forth in Title 18 of the Revised Statutes, but which engages in instruction or training in guerrilla warfare or sabotage.

3. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 151

AN ACT to supplement "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1967, and regulating the disbursement thereof," approved April 27, 1966 (P. L. 1966, c. 33).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriation $17,000.00.

1. There is hereby appropriated out of the General State Fund to the Office of Milk Industry $17,000.00 as salary for the director in lieu of the salary of $13,000.00 as specified in the act to which this act is a supplement.

2. This act shall take effect July 1, 1966.

Approved June 18, 1966.

CHAPTER 152

A SUPPLEMENT to the "Department of Law and Public Safety Act of 1948," approved October 15, 1948 (P. L. 1948, c. 439) and repealing section 8 of chapter 20 of the laws of 1944.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 52:17B-3.1. Appointment to permanent positions, classified service.

1. Assistant deputy Attorneys General in the Division of Law in the Department of Law and Public Safety not exceeding 6 in number at any one time may be appointed by the Attorney General to permanent positions in the classified service without competitive examination from among those assistant Attorneys General and deputy Attorneys

General who have served at least 5 years in the aggregate in such capacities. Assistant deputy Attorneys General shall devote their entire time to the performance of their duties in the Division of Law and shall not be removed from such positions except in the manner provided under the provisions of Title 11 of the Revised Statutes relating to permanent employees in the classified service.

C. 52:17B-3.2. Tenure rights.

2. Nothing in this act shall be construed to deprive any person of any tenure rights or of any other right or protection provided him under any other law.

C. 52:17A-8. Repealed.

3. Section 8 of "An act to establish a Department of Law in the State Government," approved March 7, 1944, is repealed.

4. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 153

AN ACT to amend the "State Police Retirement System Act," approved June 9, 1965 (P. L. 1965, c. 89).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 8 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-8. Retirement for service and age; service retirement allowance; payments upon death.

8. a. Any member of the retirement system who was a member of the former "State Police Retirement and Benevolent Fund" on the effective date of this act, may retire on a service retirement allowance upon the attainment of age 50 years and the completion of at least 20 years of creditable service. Upon the filing of a written and duly executed application with the retirement system, setting forth at what time, not less than 30 days, subsequent to

the filing thereof, he desires to be retired, any such member retiring for service shall receive a service retirement allowance which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement, and

(2) A pension in the amount which when added to the member's annuity will provide a total retirement allowance of 50% of his final compensation plus 1% of his final compensation multiplied by his number of years of creditable service which exceed 25 years of such service.

Any member of the retirement system who was a member of the former "State Police Retirement and Benevolent Fund" on the effective date of this act, who has completed at least 25 years of creditable service and who has reached the age of 55 years shall be retired forthwith or on the first day of the next calendar month.

b. Any member of the retirement system who was not a member of the former "State Police Retirement and Benevolent Fund" on the effective date of this act who has reached the age of 55 years shall be retired forthwith or on the first day of the next calendar month provided, however, such member, at his option, may continue in the employment of the Division of State Police upon the request of the superintendent, and with the concurrence of the Attorney General, for an additional year beyond the date upon which he would otherwise be required to retire hereunder, and such member may thereafter in each succeeding year continue in the employment of the Division of State Police upon the request of the superintendent, with the concurrence of the Attorney General, until he has reached the age of 65 years, whereupon he shall be retired forthwith or on the first day of the next calendar month. Any such member retiring for service hereunder shall receive a service retirement allowance which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement, and

(2) A pension in the amount which when added to the member's annuity will provide a total retirement allowance of 2% of his final compensation multiplied by his number of years of creditable service up to 25 plus 1% of his final compensation multiplied by his number of years of creditable service over 25.

c. Upon the receipt of proper proofs of the death of a member who has retired on a service retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to ¼ of the final compensation received by the member.

Section amended.

2. Section 9 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-9. Retirement on ordinary disability retirement allowance; payment upon death.

9. a. Upon the written application by a member in service or by the State, any member who has had 4 or more years of creditable service may be retired, but not less than 30 days next following the date of filing such application with the retirement system, on an ordinary disability retirement allowance; provided, that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the performance of his usual duty and of any other available duty in the Division of State Police which the Superintendent of State Police is willing to assign to him and that such incapacity is likely to be permanent and of such an extent that he should be retired.

b. Upon application for ordinary disability, a member shall receive a service retirement allowance if he meets the requirements therefor, otherwise ordinary disability retirement allowance which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement; and

(2) A pension in the amount which when added to the member's annuity will provide a total retirement allowance of 1½% of final compensation multiplied by his number of years of creditable service but in no event shall the total allowance be less than 40% of final compensation.

c. Upon the receipt of proper proofs of the death of a member who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to 3½ times the final compensation received by the member in the last year of creditable service if such death occurs before the member shall have reached 55 years of age but if such death occurs thereafter, an amount equal to ¼ of the final compensation received by the member.

Section amended.

3. Section 10 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-10. Retirement on accidental disability retirement allowance; payments upon death.

10. a. Upon the written application by a member in service or by the State, any member may be retired, not less than 30 days next following the date of filing such application, on an accidental disability retirement allowance, provided, that the medical board, after a medical examination of such member, shall certify that the member is permanently and totally disabled as a direct result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties and that such disability was not the result of the member's willful negligence and that such member is mentally or physically incapacitated for the performance of usual duties in the Division of State Police which the Superintendent of State Police is willing to assign to him. The application to accomplish such retirement must be filed within 5 years of the original traumatic event, but the board of trustees may consider an application filed after the 5-year period if it can be factually demonstrated to the satisfaction of the board of trustees that the

disability is due to the accident and the filing was not accomplished within the 5-year period due to a delayed manifestation of the disability or to the member's continued employment in a restricted capacity consistent with the nature of his disability in the Division of the State Police upon and at the written request of the superintendent, with the concurrence of the Attorney General, or other circumstances beyond the control of the member.

b. Upon retirement for accidental disability, a member shall receive an accidental disability retirement allowance which shall consist of:

(1) An annuity which shall be the actuarial equivalent of the member's aggregate contributions at the time of retirement; and

(2) A pension, in addition to the annuity, of ⅔ of his final compensation.

c. Upon the receipt of proper proofs of the death of a member who has retired on an accidental disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to 3½ times the final compensation received by the member in the last year of creditable service if such death occurs before the member shall have reached 55 years of age but if such death occurs thereafter, an amount equal to ¼ of the final compensation received by the member.

d. Permanent and total disability resulting from a cardiovascular, pulmonary or musculo-skeletal condition which was not a direct result of a traumatic event occurring in the performance of duty shall be deemed an ordinary disability.

Section amended.

4. Section 12 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-12. Death benefits; former members of State police retirement and benevolent fund; designation of beneficiary.

12. a. Upon the receipt of proper proofs of the death in service of a member of the retirement system who was a member of the former "State Police Retirement and Benevolent Fund" on account of which no service connected death benefit is payable, there shall be paid to his widow a pension of 50%

of final compensation for the use of herself and children of the deceased, to continue during her widowhood; if there is no surviving widow or in case the widow dies or remarries, 20% of final compensation will be payable to one surviving child, 35% of final compensation to 2 surviving children in equal shares and if there be 3 or more children, 50% of final compensation will be payable to such children in equal shares.

If there is no surviving widow or child, 25% of final compensation will be payable to one surviving dependent parent or 40% of final compensation will be payable to 2 surviving dependent parents in equal shares.

b. If there is no surviving widow, child or dependent parent, there shall be paid to any other beneficiary, if living, as the member shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate his aggregate contributions at the time of death.

c. In no case shall the death benefit provided in subsection a. be less than that provided under subsection b.

d. In addition to the foregoing benefits payable under subsection a. or b., there shall also be paid in one sum to such beneficiary, if living, as the member shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to 3½ times final compensation.

e. A member may file, and alter from time to time during his lifetime, as desired, a request with the retirement system naming the payee of the death benefit provided under subsection b. and subsection d. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the retirement system directing payment of said benefit or benefits in one sum or in equal

annual installments over a period of years or as a life annuity. Upon the death of such member a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

f. For the purposes of subsection d. of this section, a member shall be deemed to be in service for a period of no more than 93 days while on an official leave of absence without pay.

Section amended.

5. Section 13 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-13. Death benefits; members not former members of State police retirement and benevolent fund; designation of beneficiary.

13. a. Upon the receipt of proper proofs of the death in service of a member of the retirement system who was not a member of the former "State Police Retirement and Benevolent Fund" on account of which no accidental death benefit is payable, there shall be paid to his widow a pension of 25% of final compensation for the use of herself, to continue during her widowhood, plus 15% of final compensation payable to one surviving child or plus 25% of final compensation to 2 or more surviving children; if there is no surviving widow or in case the widow dies or remarries, 20% of final compensation will be payable to one surviving child, 35% of final compensation to 2 surviving children in equal shares and if there be 3 or more children, 50% of final compensation will be payable to such children in equal shares.

If there is no surviving widow or child, 25% of final compensation will be payable to one surviving dependent parent or 40% of final compensation will be payable to 2 surviving dependent parents in equal shares.

b. If there is no surviving widow, child or dependent parent, there shall be paid to any other beneficiary, if living, as the member shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate his aggregate contributions at the time of death.

c. In no case shall the death benefit provided in subsection a. be less than that provided in subsection b.

d. In addition to the foregoing benefits payable under subsection a. or b., there shall also be paid in one sum to such beneficiary, if living, as the member shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to 3½ times final compensation.

e. A member may file, and alter from time to time during his lifetime, as desired, a request with the retirement system naming the payee of the death benefit provided under subsection b. and subsection d. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the retirement system directing payment of said benefit or benefits in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such member a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

f. For the purposes of subsection d. of this section, a member shall be deemed to be in service for a period of no more than 93 days while on an official leave of absence without pay.

Section amended.

6. Section 14 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-14. Accidental death benefit; designation of beneficiary.

14. a. Upon the death of a member before retirement, provided, that evidence shall be submitted to the board of trustees justifying the determination that the natural and proximate cause of such death was an accident met in the actual performance of duty, within 5 years preceding the date of such death, and that such death was not the result of the member's willful negligence, an accidental death benefit shall be payable.

b. Upon the receipt of proper proofs of the death of a member on account of which a service-con-

nected death benefit is payable, there shall be paid to his widow a pension of 50% of final compensation for the use of herself and children of the deceased, to continue during her widowhood; if there is no surviving widow or in case the widow dies or remarries, 20% of final compensation will be payable to one surviving child, 35% of final compensation to 2 surviving children in equal shares and if there be 3 or more children, 50% of final compensation will be payable to such children in equal shares.

If there is no surviving widow or child, 25% of final compensation will be payable to one surviving dependent parent or 40% of final compensation will be payable to 2 surviving parents in equal shares.

c. If there is no surviving widow, child or dependent parent, there shall be paid to any other beneficiary, if living, as the member shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate his aggregate contributions at the time of death.

d. In no case shall the death benefit provided in subsection b. be less than that provided under subsection c.

e. In addition to the foregoing benefits payable under subsection a. or b., there shall also be paid in one sum to such beneficiary, if living, as the member shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to 3½ times final compensation.

f. A member may file, and alter from time to time during his lifetime, as desired, a request with the retirement system naming the payee of the death benefit provided under subsection c and subsection e. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the retirement system directing payment of said benefit or benefits in one sum or in

equal annual installments over a period of years or as a life annuity. Upon the death of such member a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

g. For the purposes of subsection e. of this section, a member shall be deemed to be in service for a period of no more than 93 days while on an official leave of absence without pay.

Section amended.

7. Section 15 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-15. Death benefit coverage.

15. a. In the case of any officer, noncommissioned officer or trooper of the Division of State Police of the Department of Law and Public Safety of the State of New Jersey becoming a member of the retirement system who was covered on the day immediately prior to the effective date of this act under the then existing group life insurance program of the New Jersey State Police, the State Treasurer shall provide for death benefit coverage, in the amounts described in this subsection for such member after he retires and receives a retirement allowance pursuant to the provisions of this act, subject to the conditions hereinafter stated.

(1) In order to obtain the coverage during retirement as herein provided, the member must make written request therefor to the board within 90 days of the effective date of this act and must agree to make, after retirement, the contributions required for such coverage as described by subsection c. of this section, except that if any such officer, noncommissioned officer or trooper was disabled on the effective date of this act but subsequently recovers from such disability and becomes a member of the retirement system, such request may be made within 90 days after the date he becomes a member of the retirement system.

(2) Each such officer, noncommissioned officer and trooper may cancel his request for

the death benefit coverage described herein, either before or after retirement, by giving written notice to the retirement system.

The amounts of death benefits provided for under this subsection while the former member is receiving a retirement allowance pursuant to this act shall be the same amount or amounts as would have been continued for such former member after his retirement under the group life insurance program, hereinabove referred to, had such program remained in effect and unchanged and such former member had remained covered thereunder, less an amount equal to ¼ of the member's final compensation. The Superintendent of the State Police shall, upon request, certify to the board of trustees the names of the officers, noncommissioned officers and troopers to whom this subsection could have application and such other information as may be necessary in order for the board to determine the amounts of death benefit under this subsection.

b. The State Treasurer shall provide on and after the effective date of this act for death benefit coverage in the amounts described in this subsection for each former officer, noncommissioned officer and trooper who was covered on the day immediately prior to the effective date of this act under the then existing group life insurance program of the New Jersey State Police and was then retired and receiving retirement benefits under the provisions of the former State Police Retirement and Benevolent Fund, subject to the conditions hereinafter stated:

(1) In order to obtain the death benefit coverage as herein provided, such former officer, noncommissioned officer or trooper must make the contributions required for such coverage as described in subsection c. of this section.

(2) If coverage or benefits are afforded a former officer, noncommissioned officer or trooper under the aforesaid group life insurance program of the New Jersey State Police

after the effective date of this act by reason of his disability, the death benefits provided by this subsection shall in no event apply to him unless such coverage and benefits shall cease by reason of his recovery from disability. In such event the foregoing provisions of this subsection shall apply from the date of such cessation.

The amounts of death benefit continued under this subsection shall be the same amount or amounts as would have been continued for such former officer, noncommissioned officer or trooper after his retirement under the group life insurance program, hereinabove referred to, had such program remained in effect and unchanged during his retirement and he had remained covered thereunder. The Superintendent of the State Police shall, upon request, certify to the board of trustees the names of the former officers, noncommissioned officers and troopers to whom this subsection applies and such information as may be necessary in order for the board to determine the amounts of death benefit under this subsection.

c. The contributions required during retirement for the death benefit coverage provided for by this section shall be determined from the schedules of contributions established by the board of trustees. Such schedules shall be subject to adjustment by the board from time to time. Such contributions shall be deducted from the former officer's, noncommissioned officer's or trooper's retirement allowance or benefits but if there be no retirement allowance or benefits available from which such contributions may be deducted, it shall be the obligation of such former officer, noncommissioned officer or trooper to make such contribution directly to the retirement system, as required by the system.

d. Upon receipt of proper proofs of the death of any former officer, noncommissioned officer or trooper of the New Jersey State Police while covered for death benefit coverage pursuant to the provisions of this section, there shall be paid to

such person, if living, as the former officer, noncommissioned officer or trooper shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the former officer's, noncommissioned officer's or trooper's estate, the amount for which he is covered at the time of his death pursuant to said subsection a. or said subsection b., as the case may be.

e. Any other provisions of this act notwithstanding, the contributions of any person for death benefit coverage under this section shall not be returnable to such person or his beneficiary or death benefit payee in any manner, or for any reason whatsoever, nor shall such contributions be included in any annuity payable to any such person or his beneficiary.

Section amended.

8. Section 16 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-16. Group life insurance; purchase to provide for death benefits.

16. The State Treasurer is hereby authorized and permitted to purchase from one or more life insurance companies, as determined by him, group life insurance coverage to provide for the death benefit specified in sections 8c, 9c, 10c, 12d, 13d, 14e, 15, 27b and 28b. Such group life insurance coverage may be provided under one or more policies issued to the State Treasurer specifically for this purpose, in the discretion of the State Treasurer, under one or more policies issued to the State Treasurer which provide group life insurance coverage for members of one or more other retirement systems of the State of New Jersey. Whenever such policy or policies of group insurance shall be in effect, the benefits payable thereunder shall be in lieu of the above mentioned death benefits provided by said sections. Any dividend or retrospective rate credit allowed by an insurance company shall be credited in an equitable manner to the special insurance funds from which premiums are paid.

Section amended.

9. Section 18 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-18. Purchase of group insurance coverage for non-contributory death benefit provisions.

18. The State Treasurer may, in his discretion, determine to purchase group insurance coverage for the death benefit provisions as provided in sections 8c, 9c, 10c, 12d, 13d, 14e, 15, 27b and 28b, or may determine not to purchase any group insurance coverage for the death benefit provisions heretofore mentioned.

Section amended.

10. Section 19 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-19. Payment of premiums from group insurance premium fund.

19. In the event the State Treasurer shall determine to purchase group insurance coverage for the death benefits, premiums for the same shall be paid from a special fund, hereby created, called the "Group Insurance Premium Fund." The State Treasurer shall estimate annually the amount which will be required for premiums for such benefits for the ensuing fiscal year. The State shall pay over to the State Treasurer the amount so required who shall deposit it in the Group Insurance Premium Fund. During the period such group insurance policy or policies are in effect the State Treasurer shall in no way commingle moneys in this fund with any pension fund established by this act.

Section amended.

11. Section 20 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-20. Payment unpaid pension benefits.

20. Upon the death of a retirant, any unpaid pension benefits due him shall be paid in one lump sum to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the retirant's estate. No pension, annuity, or retirement allowance shall be due to a retirant or a beneficiary unless it constitutes a payment for an entire month.

Section amended.

12. Section 21 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-21. Conversion privileges.

21. Any such group policy or policies shall include, with respect to any insurance terminating because an insured person has ceased to be in service or has retired, the conversion privilege available upon termination of employment as prescribed by the law relating to group life insurance; and

shall also include, with respect to insurance terminating because of termination of the group policy resulting from a termination of all death benefits established under sections 8c, 9c, 10c, 12d, 13d, 14e, 15, 27b and 28b, the conversion privilege available upon termination of the group policy as prescribed by such law. Any such group policy or policies shall also provide that if an insured person dies during the 31-day period during which he would be entitled to exercise the conversion privilege, the amount of insurance with respect to which he could have exercised the conversion privilege shall be paid as a claim under the group policy.

If any member who has exercised the conversion privilege under the group policy or policies again becomes a member of the retirement system, and the individual policy obtained pursuant to the conversion privilege is still in force, he shall not again be eligible for any of the death benefits provided by sections 8c, 9c, 10c, 12d, 13d, 14e, 15, 27b and 28b, unless he furnishes satisfactory evidence of insurability.

When benefits payable upon the death of a member following retirement are determined as though he were an active member at the time of his death, the death benefit payable under the group policy or policies together with the amount of insurance paid under any individual policy obtained under the conversion privilege, shall in no event exceed the amount of insurance for which the member was insured under the group policy or policies immediately prior to the date the right of conversion arose.

Section amended.

13. Section 22 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-22. Payment of benefits under group policies; nomination of payee.

22. Benefits under such group policy or policies shall be paid by the insurance company to such person, if living, as the insured person shall have nominated by written designation duly executed and filed with the insurance company through the policyholder, otherwise to the executors or administrators of the insured person's estate. An in-

sured person may file with the insurance company through the policyholder and alter from time to time during his lifetime, as desired, a duly attested written nomination of his payee for the death benefit.

Section amended.

14. Section 23 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-23. Manner of payment; arrangement for settlement.

23. Any such group policy or policies shall provide that payment of any death benefits which are payable by the insurance company may be made in one sum directly to the beneficiary as hereinafter provided, in equal annual installments over a period of years or as a life annuity or in such other manner as may be made available by the insurance company. An insured person may make such arrangements for settlement, and may alter from time to time during his lifetime any arrangement previously made, by making written request to the insurance company through the policyholder. Upon the death of an insured person, a beneficiary to whom a benefit is payable in one sum by the insurance company may likewise arrange for a settlement as described above. If an insured person's or beneficiary's request for settlement of any death benefit in equal annual installments over a period of years or as a life annuity pursuant to the foregoing is approved by the policyholder, the amount of such annual installments or such life annuity, as the case may be, shall be determined on the basis of such applicable mortality tables and rates of interest as shall have been adopted by the retirement system and are in effect at the death of the insured person. Any arrangement for payment under the group policy to a beneficiary shall be in lieu of that provided by sections 8c, 9c, 10c, 12d, 13d, 14e, 15, 27b and 28b.

Section amended.

15. Section 27 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-27. Resignation of certain personnel; retirement allowance in lieu of return of contributions.

27. a. Should a member resign after having completed 25 years of creditable service as a full time commissioned officer, noncommissioned officer or trooper of the Division of State Police, before reaching service retirement age, he may elect to

receive, in lieu of the payment provided in section 26, a retirement allowance which shall consist of:

(1) an annuity which shall be the actuarial equivalent of his aggregate contributions and,

(2) a pension in the amount, which when added to the member's annuity will provide a total retirement allowance of 2% of his final compensation multiplied by his number of years of creditable service up to 25 plus 1% of his final compensation multiplied by his number of years of creditable service over 25; provided, however, that such retirement allowance shall be reduced in accordance with a table of actuarial equivalents recommended by the actuary and adopted by the board of trustees reflecting all months that the member lacks of being age 55.

b. Upon the receipt of proper proof of the death of such a retired member, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to ¼ of the final compensation received by the member.

Section amended.

16. Section 28 of the act of which this act is amendatory is amended to read as follows:

C. 53:5A-28. Separation of certain personnel from service; election to receive deferred retirement allowance.

28. a. Should a member, after having completed 25 years of creditable service as a full time commissioned officer, noncommissioned officer or trooper of the Division of State Police, be separated voluntarily or involuntarily from the service, before reaching service retirement age, and not by removal for cause or charges of misconduct or delinquency, such person may elect to receive the payments provided for in sections 26 or 27 or a deferred retirement allowance, beginning at age 55, which shall consist of:

(1) an annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement, and

(2) a pension in the amount which when added to the member's annuity will provide a total retirement allowance of 2% of his final compensation multiplied by his number of years of creditable service up to 25 plus 1% of his final compensation multiplied by his number of years of creditable service over 25, provided that such election is communicated by such member to the retirement system in writing stating at what time subsequent to the execution and filing thereof he desires to be retired; and provided further, that such member may later elect to receive payments provided under sections 26 or 27, or if such member shall die before attaining age 55, his aggregate contributions shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate.

b. Upon the receipt of proper proofs of the death of a member who was receiving a deferred retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate, an amount equal to ¼ of the final compensation received by the member.

17. Section 31 of the act of which this act is amendatory is amended to read as follows: Section amended.

31. a. The board of trustees shall be and are hereby constituted trustees of all the various funds established by this act except the group insurance premium fund; provided, however, that all functions, powers, and duties relating to the investment or reinvestment of moneys of, and purchase, sale, or exchange of any investments or securities, of or for any fund established under this act, shall be exercised and performed by the Director of the Division of Investment in accordance with the provisions of chapter 270, P. L. 1950, as amended and supplemented. C. 53:5A-31. Administration of funds.

Before any such investment, reinvestment, purchase, sale or exchange shall be made by said director for or on behalf of the board of trustees, the Director of the Division of Investment shall submit the details thereof to such board of trustees, which shall, itself or by its finance committee, within 48 hours, exclusive of Sundays and public holidays, after such submission to it, file with the director its written acceptance or rejection of such proposed investment, reinvestment, purchase, sale or exchange; and the director shall have authority to make such investment, reinvestment, purchase, sale or exchange for or on behalf of such board of trustees, unless there shall have been filed with him a written rejection thereof by such board of trustees or its finance committee as herein provided.

b. The secretary of the board shall determine from time to time the cash requirements of the various funds established by this act and the amount available for investment, all of which shall be certified to the State Treasurer and the Director of the Division of Investment.

c. A member of the board of trustees to be designated by a majority vote thereof shall serve on the State Investment Council as a representative of said board of trustees, for a term of 1 year and until his successor is elected and qualified.

The finance committee of the board of trustees shall be appointed on or before July 1 of each calendar year by the chairman of the board of trustees to serve through June 30 of the ensuing calendar year and until their successors are appointed. The finance committee of the board of trustees shall consist of 3 members of the board of trustees, one of whom shall be the State Treasurer.

d. The Treasurer of the State of New Jersey shall be the custodian of the several funds. All payments from said funds shall be made by him only upon vouchers signed by the secretary and the chairman of the board of trustees. A duly attested copy of the resolution of the board of trustees designating the chairman and bearing on its

face specimen signatures of the chairman and the secretary shall be filed with the treasurer as his authority for making payments upon such vouchers.

e. The administration of the program shall be performed by the personnel of the Division of Pensions of the State Department of the Treasury and the costs of administration shall be borne by the State.

18. Section 33 of the act of which this act is amendatory is amended to read as follows:

Section amended.

33. Under this act there shall be established a Contingent Reserve Fund, the Annuity Savings Fund, the Retirement Reserve Fund and the Retired Members' Group Insurance Premium Fund.

C. 53:5A-33. Establishment of funds.

19. Section 37 of the act of which this act is amendatory is amended to read as follows:

Section amended.

37. The Retired Members' Group Insurance Premium Fund shall be the fund in which shall be accumulated the contributions from retired members to provide for their additional death benefits as provided by section 15 of this act. The retirement system shall pay over to the State Treasurer the contributions so accumulated who shall deposit them in the Group Insurance Premium Fund.

C. 53:5A-37. Retired members group insurance premium fund.

20. Section 38 of the act of which this act is amendatory is amended to read as follows:

Section amended.

38. There shall be deducted from the payroll of each active member of the system 7% of the amount of his salary, which shall be turned over to the State Treasurer and be credited by him to the account of the State Police Retirement System. The deductions provided for herein shall be made notwithstanding that the minimum salary provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein, and payment of salary or compensation less said deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except as to the benefits provided under this act.

C. 53:5A-38. Payroll deductions; amount.

Note: Date benefits payable.

21. The insurance death benefits payable under this act shall be applicable to deaths occurring on or after July 1, 1965.

22. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 154

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1966, and regulating the disbursement thereof," approved June 16, 1965 (c. 112, P. L. 1965).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriation $88,500.00.

1. The following sums are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and for the several purposes herein specified:

GENERAL STATE OPERATIONS

LEGISLATURE

001-100. SENATE

Salaries—	
Members' staff services	$43,500 00
Total Appropriation, Senate	$43,500 00

002-100. GENERAL ASSEMBLY

Salaries—	
Members' staff services	$45,000 00
Total Appropriation, General Assembly	$45,000 00
Total Appropriation, Legislature	$88,500 00

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 155

AN ACT concerning the acquisition of land by condemnation instituted by the State Highway Department and amending section 27:7–22 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 27:7–22 of the Revised Statutes is amended to read as follows: Section amended.

27:7–22. The commissioner may acquire lands or rights therein whether for immediate or future use by gift, devise or purchase, or by condemnation in the manner provided in chapter 1 of the Title Eminent Domain (§ 20:1–1 et seq.), except as otherwise provided by this section. Acquisition of land; condemnation; procedure for immediate possession.

Upon the institution of an action to fix the compensation to be paid, or at any time thereafter, the department may file with the Clerk of the Superior Court a declaration of taking, signed by the commissioner, or such employees of the highway department as may be designated by him, declaring that the possession of one or more of the tracts or parcels of property described in the petition is thereby being taken by and for the use of the department. The declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of property to be taken; (2) a statement of the estate or interest in the said property being taken; and (3) a statement of the sum of money estimated by the department to be just compensation for the taking. Upon the filing of said declaration, the department shall deposit with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration.

Upon the filing of the declaration and the depositing with the Clerk of the Superior Court the amount of the estimated compensation as stated

in the declaration, the department, without other process or proceedings shall be entitled to the exclusive possession and use of each tract or parcel of property described in the declaration and may forthwith enter into and take possession of said property, it being the intent of this provision that the action to fix the compensation to be paid or any other proceeding relating to the taking of such property or entering therein shall not delay the taking of possession and the use thereof by the department for purposes authorized by this act. The department shall not abandon any condemnation proceeding subsequent to the date upon which it has taken possession of the property as herein provided.

The department shall cause notice of the filing of said declaration and the making of said deposit to be served upon each party to the action to fix the compensation to be paid, who resides in this State, either personally or by leaving a copy thereof at his residence, and upon each such party who resides out of the State by mailing thereof to him at his residence if known. In the event that the residence of any such party or the name of such party is unknown, such notice shall be published at least once in the newspaper published or circulating in the county or counties in which the property is located. Such service, mailing or publishing shall be made within 20 days after the filing the declaration. Upon the application of any party in interest and after notice to other parties in interest, including the department and the Director of the Division of Taxation, Department of the Treasury, the Superior Court may direct that the money deposited with the Clerk of the Superior Court or any part thereof to be paid forthwith, without deduction of any fees or commissions, to the person or persons entitled thereto for or on account of the just compensation to be awarded in such action; provided, that each person shall have filed with the Clerk of the Superior Court a consent in writing that, in the event the award in the action shall be

less than the amount deposited, the court, after such notice as the court prescribes and a hearing, may determine the liability, if any, for the return of such difference or any part thereof and enter judgment therefor.

If the amount of the award as finally determined by the court shall exceed the amount so deposited, the person or persons to whom the award is payable shall be entitled to recover from the department the difference between the amount of the deposit and the amount of the award, with interest at the rate of 6% per annum thereon from the date of the making of the deposit. If the amount of the award shall be less than the amount so deposited, the Clerk of the Superior Court shall return the difference between the amount of the award and the deposit to the department unless the amount of the deposit or any part thereof shall have theretofore been distributed, in which event the court, upon application of the department and notice to all parties interested in the award and affording them an opportunity to be heard, shall enter judgment in favor of the department for such difference against the party or parties liable for the return thereof.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 156

AN ACT providing for the representation of the people of this State in the House of Representatives of the United States, revising the Congressional Districts of the State and repealing section 19:46–1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 19:46-2. Title of act.

1. This act shall be known and may be cited as the "Congressional District Act (1966)."

C. 19:46-3. Division of State into 15 districts.

2. For the purpose of electing members of the House of Representatives of the United States to serve in the 90th Congress and each subsequent Congress, this State shall be divided into 15 districts as follows, namely:

First. The counties of Atlantic, Cape May, Cumberland and Salem shall constitute and be called the first district;

Second. The county of Gloucester and that portion of the county of Camden embracing:

Borough of Audubon
Borough of Audubon Park
Borough of Barrington
Borough of Bellmawr
Borough of Brooklawn
City of Camden
Borough of Chesilhurst
Borough of Clementon
Township of Cherry Hill
City of Gloucester
Township of Gloucester
Borough of Haddon Heights
Borough of Hi-Nella
Borough of Laurel Springs
Borough of Lawnside
Borough of Lindenwold
Borough of Magnolia
Borough of Mount Ephraim
Borough of Oaklyn
Borough of Pine Hill
Borough of Pine Valley
Borough of Runnemede
Borough of Somerdale
Borough of Stratford
Township of Waterford
Township of Winslow
Borough of Wood-Lynne

shall constitute and be called the second district;

Third. The county of Burlington, all the portion of the county of Camden not contained in the second district and that portion of Ocean county not in-

cluding the townships of Jackson, Lakewood and Plumsted, shall constitute and be called the third district;

Fourth. The county of Monmouth, that portion of the county of Ocean embracing the townships of Jackson, Lakewood and Plumsted and the portion of Middlesex embracing the township of Madison, the borough of Sayreville and the city of South Amboy, shall constitute and be called the fourth district;

Fifth. All of the portions of the county of Middlesex with the exception of the portion set forth in the fourth district shall constitute and be called the fifth district;

Sixth. The counties of Mercer, Hunterdon, Warren and Sussex shall constitute and be called the sixth district;

Seventh. The counties of Morris and Somerset shall constitute and be called the seventh district;

Eighth. The county of Passaic shall constitute and be called the eighth district;

Ninth. All of the portions of the county of Bergen not contained in the fifteenth district shall constitute and be called the ninth district;

Tenth. All of the portions of the county of Essex embracing the town of Belleville, town of Bloomfield, township of Cedar Grove, borough of Glen Ridge, town of Montclair, town of Nutley and the north, east and south wards of the city of Newark shall constitute and be called the tenth district;

Eleventh. All of the portions of the county of Essex embracing the city of East Orange, town of Irvington, township of Maplewood, city of Orange, village of South Orange, borough of Verona, town of West Orange and the central and west wards of the city of Newark shall constitute and be called the eleventh district;

Twelfth. All of the portions of the county of Essex not contained in the tenth and eleventh districts and all the portions of the county of Union not contained in the thirteenth district shall constitute and be called the twelfth district;

Thirteenth. That portion of the county of Union embracing the city of Elizabeth, city of Linden and city of Rahway and that portion of the county of Hudson embracing the city of Bayonne and Ward "A" (Greenville), Ward "B" (West Side) and Ward "F" (Bergen-Lafayette) of the city of Jersey City shall constitute and be called the thirteenth district;

Fourteenth. All of the portions of the county of Hudson not contained in the thirteenth district shall constitute and be called the fourteenth district;

Fifteenth. All of the portions of the county of Bergen embracing the boroughs of Bogota, Carlstadt, Cliffside Park, East Paterson, East Rutherford, Edgewater, Fair Lawn, Fort Lee, the city of Garfield, the city of Hackensack, the boroughs of Hasbrouck Heights, Leonia, Little Ferry, Lodi, the township of Lyndhurst, the boroughs of Maywood, Moonachie, North Arlington, Palisades Park, Ridgefield, the Townships of Ridgefield Park and Rochelle Park, the borough of Rutherford, the townships of Saddle Brook, South Hackensack, Teaneck, and the boroughs of Teterboro, Wallington and Wood-Ridge shall constitute and be called the fifteenth district.

Repealed.

3. Section 19:46–1 of the Revised Statutes is repealed, but its repeal shall not affect the terms of the members of The 89th Congress or the filling of any vacancy in the membership thereof.

4. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 157

AN ACT concerning workmen's compensation, and supplementing chapter 15 of Title 34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 34:15-39.1. Discrimination because of workmen's compensation claim.

1. It shall be unlawful for any employer or his duly authorized agent to discharge or in any other manner discriminate against an employee as to his employment because such employee has claimed or attempted to claim workmen's compensation benefits from such employer, or who has testified, or is about to testify, in any proceeding under the chapter to which this act is a supplement. For any violation of this act, the employer or agent shall be punished by a fine of not less than $100.00 nor more than $1,000.00 or imprisonment for not more than 60 days or both. Any employee so discriminated against shall be restored to his employment and shall be compensated by his employer for any loss of wages arising out of such discrimination; provided, if such employee shall cease to be qualified to perform the duties of his employment he shall not be entitled to such restoration and compensation.

C. 34:15-39.2. Penalty.

2. As an alternative to any other sanctions herein or otherwise provided by law, the Commissioner of Labor and Industry may impose a penalty not exceeding $1,000.00 for any violation of this act. He may proceed in a summary manner for the recovery of such penalty, for the use of the State in any court of competent jurisdiction.

C. 39:15-39.3. Employer liable.

3. The employer alone and not his insurance carrier shall be liable for any penalty under this act.

4. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 158

AN ACT concerning city employees' retirement systems in certain cases, and amending chapter 275 of the laws of 1964, approved January 12, 1965.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.50. Definitions.

1. Definitions

As used in this act:

(a) "Final salary" when used solely for the purpose of fixing benefits under this act, shall mean the average annual salary or compensation earned by a member as an employee for the 5 years during which his salary or compensation was the highest in the last 10 years immediately preceding his death or retirement; provided, however, that as to any member employed by the city prior to the effective date of this act, the annual salary received by such member as a regular employee at the time of his death or retirement shall be considered "final salary" for pension or other purposes under this act, unless otherwise specified herein.

(b) "Pension fund" or "fund" shall mean the fund referred to in section 10 of this act and is the fund from which pensions and other benefits provided for in this act shall be paid.

(c) "State" shall, unless otherwise stated, mean the State of New Jersey.

(d) "City," unless otherwise specified, shall mean any city of the first class of the State having a population of less than 400,000 inhabitants.

(e) "City employee" or "employee" shall mean and include any regular employee of a city, as herein defined, or an elected or appointed official thereof. "City employee" or "employee" shall not include a member of the fire or police department or an employee of the board of education nor a transient, seasonal or temporary employee, worker or laborer. In all cases of doubt as to whether a person may be included within the meaning of employee the decisions of the pension commission shall be final.

(f) "Member" shall mean any employee included in the membership of the retirement system of the city as provided in section 3 of this act.

(g) "Widow" or "widower" shall mean the surviving unremarried spouse of a member married to such member prior to the retirement or death of such member, except as otherwise provided herein, and said marriage having occurred at least 5 years prior to the member's death or retirement, whichever is earlier; provided, however, that no pension shall be paid to the widower of a deceased member unless he shall be and continues to remain dependent upon the income which such member was receiving at the time of her death, or unless he shall be and continues to remain physically or mentally incapable of pursuing a gainful occupation.

The commission shall determine the question of dependency of the widower, as well as his ability to pursue a gainful occupation.

(h) "Dependent parent" shall mean a dependent parent or parents who is or are solely dependent as determined by the commission for support upon the member. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

(i) "Commission" shall mean pension commission as constituted under section 13 of this act, and shall be known as the "Pension Commission of the Employees' Retirement System of (name of city)."

(j) "Retirement system" or "system" shall mean Employees' Retirement System of (name of city) which shall be the name of the retirement system provided under this act. By that name all of its business shall be transacted, its funds invested, warrants for money claims and payments made, and all of its cash and securities and other property held.

(k) "Child" shall mean a deceased member's unmarried child under the age of 18.

2. Section 3 of the act of which this act is amendatory is amended to read as follows: Section amended.

3. Members and conditions for membership C. 43:13-22.52. Members and conditions for membership.

The members and conditions of membership in the retirement system created by this act shall be as follows:

(a) Any person who shall become an employee of the city after the effective date of this act and prior to his attainment of the age of 40 years, shall become a member of the retirement system, as a condition of his employment; provided that he shall submit to and pass the physical and mental examinations required by the commission and shall provide such evidence of good health, at said time, as the commission shall require.

(b) Upon written application made to the commission within 6 months after the effective date of this act, any employee of the city who became such on or before said date and prior to his attainment of the age of 40 years who is not a member of the pension fund in effect in said city under and by virtue of article 2, chapter 13, Title 43 of the Revised Statutes, shall be entitled to become a member of the retirement system. Such member shall receive credit for all of his prior service in the employ of said city provided that payments are made by such member in an amount or amounts calculated in accordance with the rules of the commission as may be necessary to provide the entire actuarial cost of such prior service credit. In the event that such member retires before he completes the payment for all of his prior service credit, credit for such service shall be given in direct proportion as the amount paid bears to the total amount of the obligation.

(c) Any employee who on the effective date of this act is a member of the pension fund in effect in said city under and by virtue of article 2, chapter 13, Title 43 of the Revised Statutes, shall, upon such date, automatically become a member of the retirement system, and any such employee shall be deemed to agree and consent to such transfer of his membership.

(d) Upon written application made to the commission within 6 months after the effective date of this act, any employee of the city as of such date, with or without veteran's status, who has not attained the age of 60 years and who has 20 or more

years of prior service credit in the Public Employees' Retirement System of the State of New Jersey or in the Teachers' Pension and Annuity Fund of the State of New Jersey, or who has less than 20 years of such prior service credit and whose present age reduced by the total years of such prior service credit is less than 40 years, who shall become a member of the retirement system may transfer such prior service credit to the retirement system. Such transfer shall become effective upon the remittance to the retirement system by the said State pension systems of all accumulated member's contributions, with interest, standing to the credit of the member and of that portion of the actuarial reserve accumulated on his account provided for by contributions of the city.

(e) Upon written application made to the commission within 6 months after the effective date of this act, any permanent employee of the city who became such on or before February 22, 1965 and prior to his attainment of age 50 but on or after his attainment of age 40, who was not a member of the pension fund in effect in said city under and by virtue of article 2, chapter 13, Title 43 of the Revised Statutes, shall be entitled to become a member of the retirement system. Such member shall receive credit for all or any part of his prior service, as he may elect, in the employ of said city provided that payments are made by such member in an amount or amounts as may be necessary to provide the entire actuarial cost of such prior service credit.

(f) The failure of any member to comply with the rules and regulations prescribed by the commission, pursuant to this act, shall result in the suspension or termination of membership in, or benefits of, this retirement system as may be provided from time to time by the commission.

3. Section 4 of the act of which this act is amendatory is amended to read as follows: Section amended.

4. Retirement for age and service after age 60 C. 43:13-22.53. Retirement for age and service after age 60.

(a) Any member who shall have served in the employ of the city for a total of 20 or more years

and who shall have attained the age of 60 years shall, upon his application to the commission but not later than upon his attainment of age 65 be retired on a pension equal to ½ of his final salary, plus ½ of 1% of such salary for each year of service in excess of 20 years, if the member has more than 20 years of service at retirement. The benefit increment of ½ of 1% shall apply only to members as of the effective date of this amendatory act.

(b) Any present members who shall have served in the employ of the city for a total of 20 or more years and who have attained the age of 65 years or older on the effective date of this act shall be retired in the following manner:

All members 70 years of age or older shall be retired by July 1, 1966;

All members 69 years of age or older shall be retired by July 1, 1966;

All members 68 years of age or older shall be retired by July 1, 1967;

All members 67 years of age or older, shall be retired by July 1, 1968;

All members 66 years of age or older, shall be retired by July 1, 1969; and

All members 65 years of age or older shall be retired by July 1, 1970.

Thereafter, all members upon attaining age 65, shall be retired. The above pension for each of the above shall be calculated in the same manner as a pension payable, pursuant to section 4(a) of this act.

(c) Any member who upon his attainment of age 65 shall have served in the employ of the city for a total of less than 20 years shall be retired on a pension equal to 2% of his final salary for each year of his service.

Section amended.

4. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.55. Retirement for disability.

6. Retirement for disability

(a) Any member having 5 or more years of service who shall have become permanently disabled for the further performance of his duty, shall, by reso-

lution of the commission or upon application of such member and approval thereof by the commission, and in either case pursuant to the certificate of a physician or physicians designated for that purpose by the commission, be retired on a pension equal to ½ of his final salary plus ½ of 1% of such salary for each year of service in excess of 20 years, if the member has more than 20 years of service at retirement.

(b) Any member who shall become permanently and totally disabled as a result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties and where such disability is not the result of the member's willful negligence and the member is mentally or physically incapacitated for the performance of his usual duty and of any other available duty shall, by resolution of the commission or upon application of such member and approval thereof by the commission, and in either case pursuant to the certificate of a physician or physicians designated for that purpose by the commission, be retired on a pension equal to ⅔ of his final salary. The application to accomplish such retirement must be filed within 5 years of the original traumatic event.

A member who is retired on a disability retirement pursuant to this section shall submit himself at times to be selected by the commission but not more often than twice a year, for a physical examination by a physician or physicians designated by the commission; provided, however, that no member retired for disability whose total years of service, including his period of disability retirement, equals 20 or more years and who shall have attained age 60 shall be required to submit to such physical examination. The physician or physicians shall report to the commission the physical condition of such member and if said report certifies that the member's condition has improved so that he is no longer permanently disabled or if he is engaged in an occupation, then the amount of his pension shall be reduced to an amount which, when added

to the amount of his earnings shall not exceed the salary now attributable to his former position but only after an opportunity is given such member to be represented by counsel at a hearing on the action by the commission.

Section amended.

5. Section 7 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.56. Death benefits.

7. Death benefits

(a) Upon the death of a member in service who shall have paid into the fund the full amount of his contributions and who shall die as a result of injuries or illness received or incurred in the performance of his duties or who shall have served in the employ of the city for 20 or more years; or upon the death of a member who shall have been retired and pensioned under this act.

A pension in an amount equal to ½ of the member's final salary, but not more than the pension which was payable prior to his death to a member retired and pensioned under this act, shall be paid to the surviving widow, so long as she remains unmarried, surviving dependent widower, so long as he remains unmarried, minor children or dependent parents, as the case may be; provided, however, that in no instance shall such pension exceed, in the aggregate, $2,000.00 per annum. If the pension is payable to minor children, no one of such children shall receive more than $600.00 per annum, nor shall a pension be paid to any such child after he marries or reaches the age of 18 years.

(b) Upon the death of a member in service who shall have paid into the fund the full amount of his contributions and who shall die for causes other than injuries or illness received or incurred in the performance of his duties and who shall have served in the employ of the city for 5 or more years but less than 20 years.

A pension in an amount equal to 2½% of the member's final salary for each year of his service shall be paid to the surviving widow, so long as she remains unmarried, surviving dependent widower, so long as he remains unmarried, minor children or

dependent parents, as the case may be; provided, however, that in no instance shall such pension exceed, in the aggregate, an amount equal to $100.00 per annum for each year of the member's service. If the pension is payable to minor children, no one of such children shall receive more than $600.00 per annum, nor shall a pension be paid to any such child after he marries or reaches the age of 18 years.

In the event a pension shall be payable as a result of the death of a member in service and there are no eligible surviving dependents at the time of such member's death, an amount equal to such member's contributions to the fund, without interest, shall be paid to his estate.

If at the time of the death of a member in service the sole surviving dependents of such member are minor children and the total of the aggregate payments on account of such children shall be an amount which is less than such member's contributions to the fund, without interest, the balance of such amount shall be payable to the guardian of such minor children.

6. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 159

AN ACT concerning the fingerprinting of persons confined to certain public institutions, and amending section 30:4–126.1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 30:4–126.1 of the Revised Statutes is amended to read as follows: Section amended.

30:4–126.1. The superintendent or chief executive officer of the several State and county institutions established and maintained for the care and treatment of mental diseases, pursuant to the provisions of this title, shall establish and maintain Identification records in institutions for mental diseases; fingerprinting; records not public.

a system of identification and shall co-operate with municipal, county, State and Federal governmental agencies to the end that such system may be permitted to function with all possible efficiency and latitude. The identification records maintained shall include, among other accepted identification data, the fingerprint record of each patient now receiving, or who shall in the future receive, treatment in the several institutions coming within the purview of this section.

The identification records hereinbefore established shall not be public records in the sense that they are open to public inspection, but shall only be made available to accredited county, State or Federal officials engaged in crime enforcement, upon proper application to the Commissioner of Institutions and Agencies.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 160

AN ACT concerning the preservation of historic Cape May at the entrance to Delaware bay from shore erosion, ocean storm damage, and loss to the sea and supplementing chapter 52 of the laws of 1940, and making an appropriation.

Preamble. WHEREAS, The shorefront at the tip of Cape May is subject to severe ocean wave attack and soil erosion with consequent alarming shoreward retreat of the shoreline and is presently in desperate need of emergency protection; and

Preamble. WHEREAS, Cape May is a recognized and significant geographic and historic feature of the State of

New Jersey which should be preserved for future generations and protected from disappearance into the sea; and

WHEREAS, The tip of Cape May lies principally within the borough of Cape May Point; and Preamble.

WHEREAS, The borough of Cape May does not have sufficient financial capability to protect and preserve the historic shorefront within its boundaries; now, therefore, Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In accordance with the provisions of chapter 52 of the laws of 1940, the Department of Conservation and Economic Development is authorized and empowered hereby to undertake the partial construction and anchorage of stone jetties and groins located in the vicinity of Lehigh avenue, Central avenue and Sites avenue, in the borough of Cape May Point, county of Cape May which are necessary in order to prevent erosion and to restore and protect the shores of Cape May fronting on the Atlantic ocean and Delaware bay at the entrance to Delaware bay; provided, however, the municipality shall acquire and make available without cost to the State of New Jersey all lands, easements and rights-of-way required for construction and future maintenance of the shore protection work. All shore protection work hereunder shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development. Temporary act.

2. The sum of $300,000.00 is hereby appropriated out of the general treasury for the purposes of this act. Appropriation $300,000.00.

3. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 161

AN ACT concerning crimes, and amending section 2A:116–3 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:116–3 of the New Jersey Statutes is amended to read as follows:

Unlawful use of badge, emblem or insignia of military orders.

2A:116–3. Any person who:

a. Willfully wears the badge, emblem or insignia of:

1. The Grand Army of the Republic, or

2. The United Spanish War Veterans, or

3. The Military Order of the Loyal Legion, or

4. The Sons of Veterans, U. S. A., or

5. The Veterans of Foreign Wars of the United States, or

6. The American Legion, or of any women's auxiliary organization, thereof, or

7. The Disabled American Veterans of the World War, or of any women's auxiliary organization thereof, or,

8. The Italian American War Veterans of the United States, Incorporated; or

9. La Societe des 40 Hommes et 8 Chevaux, or

10. The Veterans of World War I of the U. S. A., or of any women's auxiliary thereof, or

11. The Jewish War Veterans of the U. S. A., or of any women's auxiliary thereof, or

12. The Catholic War Veterans of the U. S. A., or of any women's auxiliary thereof, or

b. Uses or wears such badge, emblem or insignia to obtain aid or assistance within this State—

Unless he is entitled to use or wear the same under the charter, constitution, by-laws, rules or regulations of the organization or of a duly and regularly organized post, camp, branch or chapter thereof, is guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 162

AN ACT relating to the armed forces of the State, repealing section 38A:4–5 of the New Jersey Statutes and containing an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 38A:4–5 of the New Jersey Statutes is repealed. Section repealed.

2. There is hereby appropriated to the Department of Defense the sum of $400,000.00 to be used to pay New Jersey Army and Air National Guard technicians such portion of their salary or compensation as will equal any pay loss while on active service with the army or air force during the Berlin crisis, October 1, 1961 to August 15, 1962. Appropriation $400,000.00.

3. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 163

AN ACT concerning salaries of members of township committees and amending sections 40:146–14, 40:146–15 and 40:146–16 of the Revised Statutes and chapter 201 of the laws of 1946.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 40:146–14 of the Revised Statutes is amended to read as follows: Section amended.

40:146–14. In townships where the members of the township committee are not paid annual salaries, each committeeman shall be allowed and paid Per diem compensation of township committeemen.

$5.00, and may be allowed and paid not in excess of $10.00 as shall be fixed by ordinance, for each day he shall be actually necessarily employed in discharging the duties of his office, or the township committee may, by ordinance, fix an annual salary to be received by the members, but the aggregate annual compensation of each member shall not exceed $3,000.00.

Section amended.

2. Section 40:146–15 of the Revised Statutes is amended to read as follows:

Townships of 9,000 to 14,000; salaries of township committeemen.

40:146–15. In townships having a population in excess of 9,000 and not in excess of 14,000 each member of the township committee shall receive an annual salary of $1,000.00, or the township committee may, by ordinance, fix an annual salary to be received by the members in excess of $1,000.00 but not in excess of $4,000.00. Any such ordinance shall become operative in 10 days after the publication thereof after its final passage, unless within said 10 days a petition, signed by the electors of such township equal in number to at least 15% of the entire vote cast in the last preceding general election, protesting against the passage of such ordinance, be presented to the township committee, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at the next general election by a majority of the qualified voters voting on said proposition. Each member of the township committee in such townships shall continue to receive the annual salary heretofore fixed by law until such salary is changed as hereinabove provided. Such salaries shall be paid as other township committee salaries are paid.

Section amended.

3. Section 40:146–16 of the Revised Statutes is amended to read as follows:

Salaries of committeemen in townships over 14,000; fixing by ordinance; petition by electors; referendum.

40:146–16. In all townships having a population in excess of 14,000 the township committee may, by ordinance, fix the annual salary to be received by the members of the township committee, but such salary shall not be in excess of $4,500.00 per annum. Any such ordinance shall become operative

in 10 days after the publication thereof after its final passage, unless within said 10 days, a petition, signed by the electors of such township equal in number to at least 15% of the entire vote cast in the last preceding general election protesting against the passage of such ordinance, be presented to the township committee, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at the next general election by a majority of the qualified voters voting on said proposition.

Each member of the township committee in townships having a population in excess of 14,000 shall continue to receive the annual salary heretofore fixed and determined until such annual salary is fixed as hereinabove provided.

Section amended.

4. Section 1 of chapter 201 of the laws of 1946 is amended to read as follows:

C. 40:146-16.1. Salaries of committeemen in townships in counties of sixth class bordering on ocean.

1. In townships in counties of the sixth class bordering on the Atlantic ocean, each member of the township committee shall receive an annual salary of not less than $500.00 or more than $3,000.00 as shall be fixed by the township committee by ordinance, which shall be paid as other township committee salaries are paid.

5. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 164

AN ACT concerning certain records of the Division of Workmen's Compensation, and supplementing chapter 15, Title 34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 34:15-128. Records not open to inspection.

1. Notwithstanding any other provision of the chapter to which this act is a supplement or of any

other law, no records maintained by the Division of Workmen's Compensation shall be open to inspection or copying by or on behalf of any person who seeks such inspection or copying for the purpose of selling or furnishing for a consideration to others reports or abstracts of workmen's compensation records or work-injury records pertaining to any individual, except in the case of an investigation by or on behalf of an employer in connection with any pending workmen's compensation case.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 165

AN ACT concerning civil rights and amending sections 10:2–2, 10:2–3 and 10:2–4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 10:2–2 of the Revised Statutes is amended to read as follows:

Complaint of violation decision of Attorney General.

10:2–2. Complaint of violation of section 10:2–1 of this Title shall be made to the Attorney General or his representative within the Department of Law and Public Safety authorized by him to act in the matter, within 180 days after the date the alleged violation occurred.

In case of a dispute as to the facts set forth in the complaint, the matter shall be heard by the Attorney General or his representative within the Department of Law and Public Safety and his decision thereon shall be conclusive.

Section amended.

2. Section 10:2–3 of the Revised Statutes is amended to read as follows:

Notice of complaint and hearing.

10:2–3. The Attorney General shall adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions of this Title.

The Attorney General or his representative shall notify the State agency or county or municipality whenever complaint of violation of section 10:2–1 of this Title shall be filed with him on the proper form prescribed by him and shall notify them of the date and place of any hearing on disputed facts.

Section amended.

3. Section 10:2–4 of the Revised Statutes is amended to read as follows:

Notice of decision; fixing penalty.

10:2–4. On rendering his decision under section 10:2–2 of this Title, the Attorney General or his representative shall notify the State agency, or county or municipality as to his decision, directing them to apply the penalty set forth in paragraph "c" of section 10:2–1 of this Title for a first violation and to apply the penalty set forth in paragraph "d" of said section 10:2–1 for a second or subsequent violation.

4. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 166

AN ACT to amend "An act concerning the State Highway Department," approved March 16, 1942 (P. L. 1942, c. 22).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 27:7-21.1. Construction of State highway which results in destruction of well used for potable water supply.

1. Whenever the construction of a State highway shall result in the destruction of a well used for potable water supply upon private property, which well gave an adequate and satisfactory supply of water prior to the construction of the said State highway, and whenever the State Highway Engineer shall determine that the construction of the said State highway was the sole cause of the de-

struction of the well and that it is necessary to construct a new well and shall evidence such determination by a proper certificate so stating, the State Highway Commissioner, in order to relieve the owner of a serious hardship, is authorized to pay such part of the cost of constructing a new well as, in the opinion of the State Highway Commissioner, the principles of right and justice may require. The State Highway Commissioner is authorized to make such payment only in the event that a new well is actually constructed and under no circumstance shall he authorize any payment in excess of the actual cost of constructing the new well.

If municipal or private water companies have water facilities and water mains within a reasonable distance from the property affected by reason of the destruction of the potable water supply so that the cost of extending the water mains to the property so affected would be less or substantially equal to the cost of constructing a new well or wells, the State Highway Commissioner, in lieu of constructing a new well, may pay the cost of extending such water main to the property so affected.

Any funds heretofore or hereafter appropriated to the State Highway Department for the purpose of acquiring right of way may be used to make payments under this act. When several wells have been destroyed by the same State highway construction and the State Highway Commissioner deems it to be in the best interests of the State, the State Highway Commissioner is authorized to enter into a contract or contracts for the purpose of actually constructing new wells or for the purpose of extending the water facilities or laterals for the property or properties affected. Chapter 34 of Title 52 of the Revised Statutes shall apply to any contracts which may be let for the construction of any well or the cost of extending the water mains together with the lateral under this act. The judgment of the State Highway Commissioner on the question of whether or not any compensation shall be made under this act shall be final.

2. Section 2 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 27:7-21.2. Application of act.

2. Nothing contained in this act shall be construed to apply to any case where a part of the lands of a property owner upon which a well is located has been taken for the construction of the State highway which is claimed to be responsible for the damage. Nothing contained in this act shall be construed to apply to any well that does not go dry within 3 months from the date of the excavation alleged to have caused the damage, or to any well located more than 450 feet from the right of way line of the State highway in question, or to any well that was not in existence at the time that the contract was let for the construction of the State highway in question. The State Highway Commissioner is not empowered to make payment on any claim that is predicated upon the destruction or any well or wells prior to January 1, 1941.

3. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 167

AN ACT concerning alcoholic beverages, and supplementing chapter 1 of Title 33 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 33:1-45.3. Public question concerning alcoholic beverages.

1. It shall be lawful for the municipal issuing authority of any municipality having a population of more than 20,000 and located in a county having a population between 700,000 and 800,000 in which a referendum has been held pursuant to the provisions of Revised Statutes, section 33:1–45, wherein a majority of the legal voters of said municipality voted "No," to the question "Shall the retail sale of all kinds of alcoholic beverages, for consumption

on the licensed premises by the glass or other open receptacle pursuant to chapter 1 of Title 33, Intoxicating Liquors, of the Revised Statutes (R. S. 33:1–1 et seq.) be permitted in this municipality?'', and where club licenses have been issued pursuant to chapter 255 of the laws of 1949, to issue an additional club license as defined in and regulated by subparagraph 5 of section 33:1–12 of the Revised Statutes, after public hearing held at least 10 days after publication of notice thereof and favorable vote by said authority, to any constituent unit, chartered or otherwise duly enfranchised chapter or member club of a national organization or association which is in possession of suitable premises and which is operated for benevolent, charitable, fraternal, social, religious, recreational, athletic, or similar purposes, and not for private gain, and which comply with all conditions which may be imposed by the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety.

This act shall be operative only during the 45-day period immediately following its effective date, and thereafter shall be inoperative.

Any license issued by said municipality during the said operative period shall entitle the holder of the license to retain it and any renewals thereof notwithstanding that this act shall so become inoperative.

Nothing herein contained shall be deemed to affect any license or renewal thereof heretofore issued pursuant to chapter 255 of the laws of 1949.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 168

AN ACT authorizing the regulation of rents and possession of housing space in substandard multiple dwellings by municipalities.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Legislature finds: C. 2A:42-74. Legislature findings.

(a) Many citizens of the State of New Jersey are required to reside in multiple dwelling units which fail to meet minimum standards of safety and sanitation and are compelled to pay rents disproportionate to the value of the facilities and services received;

(b) It is essential to the health, safety and general welfare of the people of the State that owners of substandard multiple dwelling units be encouraged to provide safe and sanitary housing accommodations for the public to whom such accommodations are offered;

(c) It is necessary, in order to insure the improvement of substandard multiple dwelling units, to authorize the governing bodies of municipalities to enact and impose rent controls on substandard multiple dwelling units until such dwelling units satisfy minimum standards of safety and sanitation.

2. The following terms whenever used or referred to in this act shall have the following respective meanings for the purposes of this act, unless a different meaning clearly appears from the context. C. 2A:42-75. Definitions.

(a) "Public officer" shall mean the officer, officers, board or body who is or are authorized by ordinances adopted hereunder to exercise the powers prescribed by such ordinances and by this act.

(b) "Owner" shall mean the holder or holders of the title in fee simple.

(c) "Parties in interest" shall mean all individuals, associations and corporations who have interests of record in a multiple dwelling, and who are in actual possession thereof and any person authorized to receive rents payable for housing space in a multiple dwelling.

(d) "Multiple dwelling" means and includes any building or structure and land appurtenant

thereto containing 3 or more apartments or rented or offered for rent to 3 or more tenants or family units.

(e) "Housing space" means that portion of a multiple dwelling rented or offered for rent for living or dwelling purposes in which cooking equipment is supplied, and includes all privileges, services, furnishings, furniture, equipment, facilities, and improvements connected with the use or occupancy of such portion of the property. The term shall not mean or include public housing or dwelling space in any hotel, motel or established guest house, commonly regarded as a hotel, motel or established guest house, as the case may be, in the community in which it is located.

(f) "Bureau of Housing" means the Bureau of Housing in the State Department of Conservation and Economic Development.

(g) "Substandard multiple dwelling" means any multiple dwelling determined to be substandard by the public officer.

C. 2A:42-76. State housing code.

3. Within 60 days following the effective date of this act the Bureau of Housing shall promulgate a State Housing Code which shall be effective in any municipality adopting an ordinance under this act. Said code shall set standards consistent with minimum health and safety requirements and covering, but not limited to, matters such as water supply, plumbing, garbage storage, lighting, ventilation, heating, egress, maintenance and use and occupancy.

C. 2A:42-77. Municipal ordinance.

4. Whenever the governing body of a municipality finds that the health and safety of residents of that municipality are impaired or threatened by the existence of substandard multiple dwellings, it may adopt an ordinance setting forth such a finding and providing for the regulation of rents and the possession of rental space in substandard multiple dwellings. Such ordinance shall include in its provisions that:

(a) A public officer be designated or appointed to exercise the powers prescribed by the ordinance.

(b) Whenever it appears by preliminary investigation that a multiple dwelling is substandard the public officer shall cause a complaint to be served upon the owner of and parties in interest in such multiple dwelling, stating the reasons why said multiple dwelling is deemed to be substandard and setting a time and place for hearing before the public officer. The owners and parties in interest shall be given the right to file an answer and to appear and give testimony. The rules of evidence shall not be controlling in hearings before the public officer.

(c) If, after notice and hearing, the public officer determines the multiple dwelling under consideration is substandard he shall state his findings in writing and shall issue and cause to be served upon the owner or other person entitled to receive said rents an order requiring that such repairs, alterations or improvements necessary to bring such property up to minimum standards be made within a reasonable time.

(d) Failure to complete such repairs, alterations or improvements within a reasonable time as fixed by the public officer shall be cause to impose rent control on the substandard multiple dwelling.

(e) In establishing maximum rents which may be charged for housing space in a multiple dwelling subject to rent control, the permissible rents shall be sufficient to provide the owner or other person entitled to receive said rents with a fair net operating income from the multiple dwelling. The net operating income shall not be considered less than fair if it is 20% or more of the annual income in the case of a multiple dwelling containing less than 5 dwelling units or is 15% or more in the case of a multiple dwelling containing 5 or more dwelling units. In determining the fair net operating income, the public officer shall consider the following items of expense: heating fuel, utilities, payroll, janitorial materials, real estate taxes, insurance, interior painting and decorating, depreciation, and repairs and replacements and additions to furni-

ture and furnishings which expenses shall be deducted from the annual income derived from the multiple dwelling. All items of expense and the amount of annual income shall be certified by the owner or other person entitled to receive said rents on forms provided by the public officer.

(f) The imposition of rent control on any substandard multiple dwelling shall not operate to impair leases existing at the time of the adoption of an ordinance under this act, but shall take effect at the expiration of the term of any such lease and shall remain in effect thereafter so long as the multiple dwelling is subject to rent control.

(g) It shall be unlawful for any person to demand or receive any rent in excess of the maximum rent established for housing space in multiple dwelling subject to rent control or to demand possession of the space or evict a tenant for refusal to pay rent in excess of the established maximum rent. The owner or other person entitled to receive said rents shall not be prevented, however, from exercising his rights to obtain possession of housing space from a tenant as a result of the tenant's violation of law or contract and the owner or other person entitled to receive said rents shall be provided reasonable grounds to obtain possession of premises for his own personal use and occupancy and for purposes of substantially altering, remodeling or demolishing the multiple dwelling.

(h) Whenever the public officer finds that a multiple dwelling subject to rent control is no longer substandard, he shall so inform the governing body and rent control on said multiple dwelling shall be removed.

C. 2A:42-78. Registration of owners.

5. Any ordinance adopted under this act may provide for the registration of the owners and management of every multiple dwelling in the municipality. Such registration shall be with the clerk of the municipality upon forms prescribed by and furnished by the municipality. Every such registration form shall include the name and address of the owner and the name and address of an agent in charge of the premises residing in the municipality.

C. 2A:42-79. Penalty.

6. Any ordinance adopted under this act may provide that in the event the owner of a substandard multiple dwelling fails to comply with an order for repair, alteration or improvement after notice and reasonable opportunity to do so and where such failure to comply results in the continuation of a condition or conditions harmful to the health and safety of the occupants of the multiple dwelling or to the general public, the public officer may, by and with the approval of the governing body of the municipality, bring an action in the Superior Court to be appointed receiver ex officio of the rents and income from such property and expend the same for the purpose of making such repairs, alterations or improvements as are necessary to correct said harmful condition or conditions. The said rents and income so collected by the said receiver shall also be available for the payment of such costs and expenses of the receivership, as may be adjudged by the court, and for the payment to the municipality of any fines or penalties which may have been imposed on the owner for violations of the ordinance and which have not been paid by the person liable therefor. The court may proceed in the action in a summary manner or otherwise. Such receiver shall not be required to give bond and shall be appointed only for the said purposes.

C. 2A:42-80. Appointment of receiver's agent.

7. Upon his appointment, the receiver, by and with the approval of the governing body of such municipality, in all cases where the real property in question is encumbered by a first mortgage shall appoint such first mortgagee, if such mortgagee is a proper person and is willing to accept such appointment, as the receiver's agent to collect the rents and income from such real property and manage the same and in all other cases the receiver, by and with the approval of the governing body of such municipality may designate the person in charge or management of such real property or some other competent person as the receiver's agent to collect the rents and income from such real property and manage the same, which mortgagee

or other person shall account promptly to the receiver for the rents and income so collected; provided, however, that if the mortgagee or other persons so designated is derelict in collecting or accounting for such rents and income or in the management of such real property, the receiver shall apply to the court for the removal of such designated mortgagee or other person, upon notice in writing to him, and the court upon removing such designated mortgagee or other person, in its discretion, may designate another person to collect the rents and income from such real property and manage the same and account to the receiver for the rents and income of such real property as aforesaid.

C. 2A:42-81. No fees allowed.

8. In any such receivership no fees shall be allowed the receiver or his counsel for action as such receiver or counsel.

C. 2A:42-82. Procedure.

9. Except as otherwise provided herein, the procedure in respect to any such receivership shall be as in the case of receiverships to secure the payment of delinquent taxes, penalties, interest, costs and expenses wherein a collector of taxes of a municipality or other officer of the municipality is such receiver. In any receivership proceeding under this act, the court shall have jurisdiction to make such orders and directions to the receiver as may be necessary to effectuate the purposes of this act and to conserve the real property during the pendency of the receivership.

C. 2A:42-83. Action for injunctive relief.

10. Any person aggrieved by an order issued by a public officer under this act may, within 60 days after the posting and service of such order, bring an action for injunctive relief to restrain the public officer from carrying out the provisions of the order and for any other appropriate relief. The court may proceed in the action in a summary manner or otherwise. The remedy herein provided shall be exclusive, and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant thereto, or because of noncompliance by any person with any order of the public officer.

11. Nothing in this act shall be construed to abrogate or impair the powers of the courts or of any department of any municipality to enforce any provisions of its charter or its ordinances or regulations, nor to prevent or punish violations thereof; and the powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law.

C. 2A:42-84. Additional and supplemental powers.

12. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 169

AN ACT providing for tenure in office, position or employment of executive directors of county departments of institutions in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any person now holding office, position or employment as the executive director of the department of institutions of a county of the fifth class who shall have held such office, position or employment for at least 1 year from the date of his original appointment and who prior thereto served as an elective officer of said county for a continuous period of at least 18 years shall continue to hold the office, position or employment of executive director of the department of institutions of said county during good behavior and shall not be removed therefrom except for cause, and then only upon written charge or charges, specifying the cause or causes, filed with the clerk of the board of chosen freeholders, and after a public hearing thereon upon notice and with an opportunity to be heard in person or by counsel.

C. 40:21-47.2. County executive director, department, institutions; removal from office.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 170

AN ACT creating a commission to be known as the "Public and School Employees' Grievance Procedure Study Commission," to study the need for a procedure to be established for the presentation of grievances by public and school employees, to provide for reports and recommendations by said commission to the Governor and the Legislature, and making an appropriation for the expenses thereof.

Preamble. WHEREAS, Article I, paragraph 19 of the New Jersey Constitution of 1947 explicitly distinguishes between persons in private employment and persons in public employment with respect to the constitutional right to bargain collectively; and

Preamble. WHEREAS, There has been a growing awareness of the increasing need for establishing an effective procedure for considering the grievances of public and school employees; and

Preamble. WHEREAS, It is necessary that any such procedure must take into consideration the rights and needs of public and school employees as well as a recognition of the legitimate concerns of the public in the efficient operation of government; and

Preamble. WHEREAS, It is deemed desirable by the Legislature that a study commission be established to study and determine the most effective procedure for the presentation and resolution of the grievances of public and school employees; now therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Creation of public and school employees' grievance procedure study commission.

1. There is hereby created a commission to be known as the "Public and School Employees' Grievance Procedure Study Commission." The commission shall consist of 12 members, 2 to be appointed from among the members of the Senate by the President of the Senate, 2 to be appointed from among the members of the Assembly by the Speaker of the General Assembly, and 8 to be appointed by the Governor from among the citizens of the State. No more than one of each group of 2 and no more than 4 of the group of 8 respectively, shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

2. All members of the commission shall serve without compensation but they shall be entitled to be reimbused for all necessary expenses incurred in the performance of their duties.

3. The commission shall select from among its members a chairman and a vice-chairman and also shall select a secretary who need not be a member of the commission.

4. The commission is hereby authorized, empowered and directed to study present procedures for the presentation of grievances by public and school employees and to develop and recommend, if they deem that such recommendations are necessary, a procedure or procedures for the presentation of grievances by public and school employees.

5. The commission shall report to the Governor and the Legislature on or before January 10, 1967, setting forth the results of its study and may include therewith recommendations for legislative enactment.

6. The commission shall be entitled to accept the assistance and services of such employees of any State, county and municipal department, board, bureau, commission or agency or any school district or board as may be made available to it, particularly the personnel of the Department of Education, and the Department of Civil Service may

employ such legal, stenographic, technical and clerical assistance and incur such traveling and necessary expenses as may be necessary in order to perform its duties and as may be within the limits of appropriations to it or otherwise made available to it for its purposes.

7. In discharging its functions, powers and duties pursuant to this act, the commission shall study the respective situations of State employees, county employees, municipal employees, school district employees, employees of State, bistate and local authorities, and all other public employees.

8. There is hereby appropriated to the commission the sum of $25,000.00 to carry out the purposes of this act.

9. This act shall take effect immediately and shall expire January 10, 1967.

Approved June 18, 1966.

CHAPTER 171

AN ACT concerning State highways, and amending section 27:7–35 of the Revised Statutes of New Jersey.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 27:7–35 of the Revised Statutes is amended to read as follows:

Contractor's bond on completion of work; term and effect.

27:7–35. When a contractor has completed his contract for work to be done under this chapter, no part of the contract price shall be retained, but the contractor shall enter into bond to the commissioner in a sum amounting to 5% of the contract price with a surety company authorized to do business in the State and approved by the Attorney General, as surety.

The bond shall remain in force for 1 year and shall provide that the contractor can be held responsible for poor workmanship done or poor materials furnished under the contract, but he shall not be responsible for acts or causes which are beyond or outside his control.

The provisions of this section shall not be applicable to Federal aid highway projects in which the Bureau of Public Roads participates in the costs of construction.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 172

AN ACT to amend "An act providing for the establishment, construction and maintenance of freeways and parkways," approved April 3, 1945 (P. L. 1945, c. 83), as said Title was amended by chapter 461 of the laws of 1948.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 7 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 27:7A-7. Regulation as to facilities of public utilities; relocation and removal.

7. The State Highway Commissioner shall also have authority to make reasonable regulations for the installation, construction, maintenance, repair, renewal and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles and other equipment and appliances (herein called "facilities") of any public utility as defined in section 27:7–1 of the Revised Statutes, in, on, along, over or under any such freeway or parkway. Whenever the State Highway Commissioner shall determine that it is necessary that any such facilities which now are, or hereafter may be, located in, on, along, over or

under any such freeway or parkway should be relocated in such freeway or parkway, or should be removed from such freeway or parkway, the public utility owning or operating such facilities shall relocate or remove the same in accordance with the order of the State Highway Commissioner, provided, however, that the cost and expenses of such relocation or removal, including the cost of installing such facilities in a new location, or new locations, and the cost of any lands, or any rights or interests in lands, and any other rights, acquired to accomplish such relocation or removal, shall be paid by the State Highway Commissioner. In case of any such relocation of facilities, as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such facilities, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such facilities in their former location. No order of the State Highway Commissioner for the removal of such facilities from such freeway or parkway or the relocation thereof outside of such freeway or parkway shall be effective except as such order is approved by the Board of Public Utility Commissioners.

The State Highway Commissioner may acquire, either by agreement with the owners or condemnation, lands or interests therein, outside such freeway or parkway, necessary to facilitate and expedite such relocations or removals of such facilities.

In case of any such relocation or removal of facilities, as aforesaid, (1) the State shall own and maintain, repair and renew structures within the rights of way of railroad companies carrying freeways or parkways over railroads, and (2) the State shall bear the cost of maintenance, repair and renewal of structures within the rights of way of railroad companies carrying railroads over freeways or parkways constructed after the effective date of this act and after the acquisition by the railroad

of such right of way, and (3) where the State is not liable for cost under (2), above, and the railroad structure is enlarged or replaced by reason of improvement made in a freeway or parkway after the effective date of this act, the State shall bear the cost of maintenance, repair and renewal of the new or enlarged structure other than such proportion of that cost as the length of the span of the pre-existing railroad structure bears to the length of the span of the enlarged or new railroad structure. For the purpose of the foregoing provisions of this subsection, a structure shall be deemed constructed on the date the contract therefor is awarded by the commissioner, and a freeway or parkway shall be deemed constructed or improved on the date the contract is awarded by the commissioner for the construction of the section of the freeway or parkway or improvement, as the case may be, passing under the railroad structure in question. None of the foregoing provisions of this subsection shall relieve any railroad company from responsibility for damage caused to any freeway or parkway or railroad structure by the operation of its railroad. Such approaches, curbing, sidewalk paving, guard rails on approaches and surface paving on freeways or parkways as shall be within the rights of way of a railroad company or companies shall be owned and maintained, repaired and renewed by the State; rails, pipes and lines shall be owned and maintained by the railroad company or companies.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 173

AN ACT concerning unemployment compensation, and amending section 43:21–9 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 43:21–9 of the Revised Statutes is amended to read as follows:

Unemployment compensation fund.

43:21–9. (a) Establishment and control. There is hereby established as a special fund, separate and apart from all public moneys or funds of this State, an unemployment compensation fund, which shall be administered by the division exclusively for the purpose of this chapter (R. S. 43:21–1 et seq.). This fund shall consist of (1) all contributions collected under this chapter (R. S. 43:21–1 et seq.); (2) interest earned upon any moneys in the fund; (3) any property or securities acquired through the use of moneys belonging to the fund; (4) all earnings on such property or securities; (5) all moneys credited to this State's account in the unemployment trust fund pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended; and (6) all moneys received from the fund from any other source. All moneys in this fund shall be mingled and undivided.

(b) Accounts and deposits. The Treasurer of the State of New Jersey shall be ex officio the treasurer and custodian of the fund and shall administer such fund in accordance with the directions of the division and shall issue his warrants upon it in accordance with such regulations as the division shall prescribe. He shall maintain within the fund 3 separate accounts: (1) a clearing account, (2) an unemployment trust fund account, and (3) a benefit account. All moneys payable to the fund, upon receipt thereof by the division, shall be forwarded to the treasurer, who shall immediately deposit them in the clearing account. Refunds payable pursuant to subsection (f) of section 43:21–14 of this Title may be paid from the clearing account upon warrants issued by the treasurer under the direction of the division. After clearance thereof, all other moneys in the clearing account shall be immediately deposited with the Secretary of the

Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to section 904 of the Social Security Act (42 U. S. C. 1104), as amended, and provisions of law in this State relating to the deposit, administration, release or disbursement of moneys in the possession or custody of this State to the contrary notwithstanding. The benefit account shall consist of all moneys requisitioned from this State's account in the unemployment trust fund. Moneys in the clearing and benefit accounts may be deposited by the treasurer, under the directon of the division in any bank or public depository in which general funds of the State may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The Treasurer shall give a separate bond conditioned upon the faithful performance of his duties as custodian of the fund in an amount fixed by the division and in a form prescribed by law or approved by the Attorney General. Premiums for said bond shall be paid from the administration fund.

(c) Withdrawals from the unemployment trust fund.

(1) Benefit payments. Moneys requisitioned from this State's account in the unemployment trust fund shall be used solely for the payment of benefits and in accordance with regulations prescribed by the division, except that money credited to this State's account pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended, may be used for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) as provided in paragraph (2) of this subsection. The division shall from time to time requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to its account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the treasurer shall deposit such moneys in the benefit account, and the pay-

ment of benefits shall be made solely from such benefit account. Expenditures of such moneys in the benefit account and refunds from the clearing account shall not be subject to any provisions of law requiring specific appropriations or other formal release by State officers of money in their custody. All warrants for the payment of benefits shall be issued by and bear only the signature of the director or his duly authorized agent for that purpose. All warrants for the payment of refunds shall be issued by the treasurer and bear the signature of the treasurer and the countersignature of the director or his duly authorized agent for that purpose. Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the division, shall be redeposited with the Secretary of the Treasury of the United States of America, to the credit of this State's account in the unemployment trust fund, as provided in subsection (b) of this section.

(2) Administrative use. Moneys credited to the account of this State by the Secretary of the Treasury of the United States in the unemployment trust fund pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended, may be requisitioned and used for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) pursuant to a specific appropriation by the Legislature, provided that the expenses are incurred and the moneys are requisitioned after the enactment of an appropriation law which

(A) specifies the purposes for which such moneys are appropriated and the amounts appropriated therefor;

(B) limits the period within which such moneys may be obligated to a period ending

not more than 2 years after the date of the enactment of the appropriation law; and

(C) limits the moneys which may be obligated during a 12-month period beginning on July 1 and ending on the next June 30 to a sum which does not exceed the amount by which the aggregate of the moneys credited to the account of this State pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended, during the same 12-month period and the 9 preceding 12-months periods, exceeds the aggregate of moneys obligated for the payment of expenses incurred for the administration of this chapter (R. S. 43:21–1 et seq.) and the moneys paid out for benefits which is charged against the moneys credited to the account of this State during such 10 12-month periods.

Moneys credited to this State's account in the unemployment trust fund under section 903 of the Social SecurityAct(42 U. S. C. 1103), as amended, which are obligated for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no moneys obligated for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) during a 12-month period specifiied herein may be charged against any amount credited during such a 12-month period earlier that the ninth preceding such period.

Money appropriated as provided herein for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and upon requisition shall be deposited in the Unemployment Compensation Administration Fund from which such payments shall be made. Money so deposited shall, until expended, remain a part of the unem-

ployment compensation fund. If such money will not be expended it shall be returned promptly to the Secretary of the Treasury of the United States for credit to this State's account in the unemployment trust fund. The division shall maintain a separate record of the credits, appropriation, obligation and expenditure of the money credited to the account of this State in the unemployment trust fund pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended.

(d) Management of funds upon discontinuance of unemployment trust fund. The provisions of subsections (a), (b) and (c) to the extent that they relate to the unemployment trust fund shall be operative only so long as such unemployment trust fund continues to exist and so long as the Secretary of the Treasury of the United States of America continues to maintain for this State a separate book account of all funds deposited therein by this State for benefit purposes, together with this State's proportionate share of the earnings of such unemployment trust fund, from which no other State is permitted to make withdrawals. If and when such unemployment trust fund ceases to exist, or such separate book account is no longer maintained, all moneys, properties, or securities therein, belonging to the unemployment compensation fund of this State shall be transferred to the treasurer of the unemployment compensation fund, who shall hold, invest, transfer, sell, deposit and release such moneys, properties or securities in a manner approved by the division, in accordance with the provisions of this chapter; provided, that such moneys shall be invested in the following readily marketable classes of securities: Bonds or other interest-bearing obligations of the United States of America and of the State of New Jersey; and provided, further, that such investment shall at all times be so made that all the assets of the fund shall always be readily convertible into cash when needed for the payment of benefits. The treasurer

shall dispose of securities or other properties belonging to the unemployment compensation fund only under the direction of the division.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 174

AN ACT concerning villages, relating to the holding of certain elections therein and amending sections 40:161–1, 40:161–3, 40:161–5 and 40:161–6 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 40:161–1 of the Revised Statutes is amended to read as follows: Section amended.

40:161–1. The governing body of any village may at any time, but not oftener than once in 5 years, by the vote of a majority of such governing body, pass a resolution providing for the holding of a special election in such village for the purpose of deciding whether the time for holding the charter or local municipal elections therein shall be changed to the second Tuesday in May. The resolution shall prescribe the time and place or places of holding such special election and such other regulations respecting the same as may be necessary and proper. Date of annual election changed; resolution.

2. Section 40:161–3 of the Revised Statutes is amended to read as follows: Section amended.

40:161–3. The special election shall be by ballot and conducted in accordance with the general laws relating to elections and the governing body of the village shall cause the clerk or other proper officer thereof to prepare the ballots to be used at such election in substantially the following form: Ballot; preparation, form and content.

"To vote upon the public question printed below, if in favor thereof mark a cross (×) or plus (+) in the square at the left of the word Yes, and if opposed thereto mark a cross (×) or plus (+) in the square at the left of the word No.

	Yes.	"Shall the time for holding the annual local municipal election be changed to the second Tuesday in May?"
	No.	

Section amended.

3. Section 40:161–5 of the Revised Statutes is amended to read as follows:

Commencement of terms of office; existing officers; proviso.

40:161–5. If the result of such election shall be in favor of such change the local municipal or charter elections in such village shall thereafter be held on the second Tuesday in May in each year. The annual meetings of the board of trustees shall be held on the third Monday in May next following such annual election and the terms of all elective officers shall begin on the third Monday in May next following the annual election. The terms of all elective officers in office at the time of the special election provided for in sections 40:161–1 to 40:161–4 of this Title whose terms would have expired prior to the third Monday in May next succeeding such special election shall be extended from the date when such terms would have expired to the third Monday in May next following said first annual election in such village. Nothing herein contained shall be construed to affect the election of any member of any board of education.

Section amended.

4. Section 40:161–6 of the Revised Statutes is amended to read as follows:

Elections held by villages changing to second Tuesday in May.

40:161–6. Local municipal or charter elections held by any village which has heretofore voted or shall hereafter vote to change to the second Tuesday in May the time for holding the local municipal or charter elections therein, shall be regulated by and held in accordance with law.

5. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 175

AN ACT to authorize the borough of Bound Brook in the county of Somerset to appoint James E. Kingsland to the police department of Bound Brook.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Private act.

1. The borough of Bound Brook in the county of Somerset is authorized to appoint James E. Kingsland to the police department of Bound Brook, notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in section 40:47–4 of the Revised Statutes.

2. The board of trustees of the police and firemen's retirement system of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contributions that would have been payable had he been so appointed at the age of 30 years.

3. This act shall take effect upon the due adoption and publication of an ordinance of the borough of Bound Brook for the purpose of adopting the same.

Approved June 18, 1966.

CHAPTER 176

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 609 of the act of which this act is amendatory is amended to read as follows:

C. 54:40A-32. Records; possession and transportation of unstamped cigarettes; seizure and confication of vessel or vehicle.

609. Every person who shall transport cigarettes not stamped as required by this act upon the public highways, waterways, roads or streets of this State shall have in his actual possession invoices or delivery tickets for such cigarettes which shall show the true name and complete and exact address of the consignor or seller, the true name and complete and exact address of the consignee or purchaser, the quantity and brands of the cigarettes transported and the true name and complete and exact address of the person who has or shall assume the payment of the New Jersey State tax or the tax, if any, of the State or foreign country at the point of ultimate destination, provided that any common carrier which has issued a bill of lading for a shipment of cigarettes and is without notice to itself or to any of its agents or employees that said cigarettes are not stamped as required by this act shall be deemed to have complied with this act and the vehicle or vessel in which said cigarettes are being transported shall not be subject to confiscation hereunder. In the absence of such invoices, delivery tickets or bills of lading, as the case may be, the cigarettes so transported, the vehicle, or vessel in which the cigarettes are being transported and any paraphernalia or devices used in connection with the unstamped cigarettes, are declared to be contraband goods and may be seized by the director, his agents or employees or by any peace officer of the State when directed by the director, his agents or employees so to do, without a warrant. The director shall immediately thereafter institute a proceeding for the confiscation thereof in the County Court, county district court or the municipal court within the jurisdiction of which the seizure is made. The court may proceed in a summary manner and may direct confiscation to the director; provided, however, anything to the contrary notwithstanding that any person claiming to be the holder of a mortgage, conditional sales contract

or other security interest in any vehicle or vessel, the disposition of which is provided for above, may present his petition so alleging and be heard, and in the event it appears to the court that the property was unlawfully used by a person other than such claimant, and if such claimant acquired his security interest in good faith and without knowledge that the vehicle or vessel was going to be so used, the court shall either waive forfeiture in favor of such claimant and order the vehicle or vessel returned or delivered to such claimant, or if it is found that the value thereof exceeds the amount of the claim, the court shall order payment of the amount of the claim out of the proceeds of the sale. A transporter who violates the provisions of this section is a disorderly person.

2. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 177

AN ACT concerning elections and supplementing Title 19 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 19:31-6.1. Acceptance of application for registration.

1. Notwithstanding any other provisions of the Title to which this act is a supplement, any person authorized by law to accept applications for voter registration shall accept, during the 39-day period prior to any election, the application for registration of all eligible voters who shall personally appear for registration before such person but no person so registered shall be entitled to vote in the election immediately following said 39-day period. Any person registered under the provisions of this act shall be advised that he will not be eligible to vote in the election immediately forthcoming but will be eligible to vote in elections held thereafter.

Applications for registration pursuant to the provisions of this act shall be received at such place or places as may be designated by any duly authorized election official.

C. 19:31-6.2. Provisions applicable.

2. Except to the extent inconsistent herewith concerning the registration of voters, all other provisions shall be applicable to persons registered under the provisions of this act.

3. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 178

AN ACT concerning county institutions and facilities in counties having a population of not less than 265,000 and not more than 330,000 inhabitants, for the care of disabled, or aged persons.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 30:9-12.22. County institutions for disabled or aged persons; powers of board of freeholders.

1. The board of chosen freeholders of any county having a population not less than 265,000 and not more than 330,000 inhabitants, may establish, erect and maintain a county institution for disabled or aged persons, and for that purpose shall have power to:

Purchase and lease real property therefor or acquire such real property by condemnation pursuant to the provisions of chapter 1 of Title 20 of the Revised Statutes (Eminent Domain 20:1–1 et seq.);

Erect all necessary buildings and make all necessary improvements, plans and alterations;

Appropriate money for the purchase of a site and for the construction or reconstruction of all necessary buildings, including the furnishings and equipment therefor, and borrow funds therefor on

the credit of the county and issue county obligations therefor in like manner as for other county purposes;

Accept and hold in trust for the county any grant or devise of land or any gift or bequest of money or other personal property or any donation and apply the same in accordance with the terms of the gift.

C. 30:9-12.23. Board of managers.

2. The board of freeholders of any such county establishing and maintaining a county institution under authority of this act may appoint a board of managers consisting of 9 residents of the county, irrespective of religious or political belief. Appointed annually to the board of managers shall be the county physician, the director of the county welfare board and one member of the board of chosen freeholders of the county. Of the remaining 6 members, who shall be first appointed, at least one of whom shall be a woman, 2 members shall be appointed for a term of 1 year, 2 members for a term of 2 years, and 2 members for a term of 3 years. All such members thereafter appointed shall serve for the term of 3 years and all vacancies shall be filled by the board of chosen freeholders for the unexpired term only. No physician member of the board of managers shall treat patients in said county institution.

The members of the board of managers shall serve without compensation but their necessary expenses shall be allowed and paid in the same manner as other expenses of the county institution.

C. 30:9-12.24. Board chairman and vice-chairman.

3. The board of managers shall annually choose from among its members a chairman and vice-chairman. The secretary of the board of managers shall be the administrator of the county institution who shall serve without additional compensation. The treasurer of the board of managers shall be the county treasurer.

C. 30:9-12.25. Powers and duties.

4. The chairman shall preside at all meetings of the board of managers. In the absence or incapacity of the chairman, the vice-chairman shall have all the powers and perform all the duties of the chairman.

The chairman of the board of managers shall sign all checks, drafts, vouchers, requisitions of funds, contracts and other agreements and obligations of the county institution. All disbursements of the county institution shall be by check signed by both the chairman and the treasurer after approval by the administrator.

The board of managers shall fix the salaries of the officers and employees of the county institution subject to the approval of the board of chosen freeholders of the county, and such salaries shall be full compensation for all services rendered, except the administrator.

The board of managers shall have the general direction, management and control of the county institution, its personnel, the patients and all matters relating to its government and discipline and admission policies and shall make necessary rules and regulations, adopt by-laws, and furnish such reports and other information as may be required by the board of chosen freeholders of the county.

The board of chosen freeholders shall make available for expenditures by the board of managers such sums as the board of chosen freeholders may by a majority vote approve.

The board of managers shall use the auditor approved by the county, the personnel department and the purchasing department of the county.

C. 30:9-12.26. Administrator.

5. The board of chosen freeholders shall appoint a competent and qualified administrator who shall serve for a term of 3 years. The salary of the administrator shall be fixed by the board of chosen freeholders. The administrator shall not be one of the 9 members of the board of managers, but shall serve as the secretary to the board of managers.

C. 30:9-12.27. Powers.

6. The administrator shall be the chief executive officer of the institution and subject to the rules, regulations and powers of the board of managers shall:

Have general direction and control of the records, accounts and buildings of the institution and

its internal affairs, and maintain discipline and enforce all rules and regulations and make such further rules and regulations as he may deem necessary consistent with law and the rules, regulations and directions of the board of managers;

With the consent of the board of managers, appoint such resident officers and such employees as he deems proper and necessary for the efficient performance of the business of the institution, and prescribe their duties, and for cause stated in writing after opportunity to be heard, discharge or suspend any officer or employee, subject to formal investigation by the board of managers, and civil service rules and regulations.

C. 30:9-12.28. Investigation of financial circumstances.

7. The board of managers may designate the county welfare board to investigate the patients' financial circumstances or of those legally responsible for said patients' maintenance.

8. This act shall take effect immediately.

Approved June 18, 1966.

CHAPTER 179

AN ACT to permit the township of Edison in the county of Middlesex to acquire and develop certain lands for industrial purposes.

Preamble.

WHEREAS, The Federal Government has terminated all operations conducted at Camp Kilmer located partially within the township of Edison; and

Preamble.

WHEREAS, Camp Kilmer has been a major source of employment in Middlesex county and its neighboring areas; and

Preamble.

WHEREAS, Unemployment exists in Middlesex county and its neghboring areas because of the termination of operations at Camp Kilmer and

because of the departure of other major employers and the inability of private resources to attract sufficient industry to this area which would provide necessary additional employment opportunities; and

Preamble. WHEREAS, The Federal Government has released a tract of land in the township of Edison and borough of Metuchen which formerly served as a part of the Camp Kilmer installation, which parcel of land has remained vacant and undeveloped for many years because of its ownership by the Federal Government; and

Preamble. WHEREAS, Said tract of land in the township of Edison and borough of Metuchen is particularly suited for industrial use and adjoins other lands owned by the township of Edison which are intended to be used for industrial purposes; and

Preamble. WHEREAS, The township of Edison is willing to purchase said tract of land to encourage and promote the location of private industry within its confines; and

Preamble. WHEREAS, Said land may remain vacant and undeveloped for many years although particularly suited for industrial use if not purchased by the township of Edison; and

Preamble. WHEREAS, The purchase of this land by the township of Edison would be in the public interest of the citizens of the township of Edison and of the people of the county of Middlesex and the State of New Jersey; and

Preamble. WHEREAS, Pursuant to Article IV, Section VII, Paragraph 10 of the New Jersey Constitution, the mayor and governing body of the township of Edison have presented and filed with the Legislature an original petition petitioning the Legislature for passage of a local law authorizing the purchase and development of tracts of land being a portion of Camp Kilmer; therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Acquisition and development of certain land by the township of Edison.

1. The mayor and governing body of the township of Edison, in the county of Middlesex, are hereby authorized to purchase from the Federal Government all those certain lots, tracts or parcels of land and premises hereinafter particularly described with the buildings and appurtenances thereon erected:

A. Situate, lying and being in the township of Edison (formerly township of Raritan), county of Middlesex, State of New Jersey, more particularly described as follows:

Tract I: (Parcel RR 370)

Beginning at a point on the southwesterly line of lands now or formerly of Charles End, delineated as Lot 10 in Block 22 on the Raritan Township Tax Map dated June 1, 1926, said point being also in the southeasterly line of Cherry Street; running thence (1) southeasterly and along the southwesterly line of said lands of End 168 feet to a point in the northwesterly line of lands now or formerly of J. B. Stevens Estate, delineated as Lot 11 in Block 22 on said Map; thence (2) southwesterly along the said lands of Stevens Estate 363.5 feet, more or less, to southeasterly corner of Lot 16 in Block 46, as shown on the said Map; thence (3) northwesterly and along the northeasterly line of said Lot 16, 185 feet, more or less, to the southeasterly line of Cherry Street; thence (4) northeasterly along the said southeasterly line of Cherry Street 388.7 feet to the point or place of beginning.

Being delineated as Lots 1-15, inclusive, in Block 46 on the said Raritan Township Tax Map.

Containing 1.8 acres, more or less.

Tract II: (Parcel RR 381)

Consisting of the following five tracts numbered 1 to 5.

Tract One: Beginning in the southerly line of the Homestead Farm now or formerly of Charles

F. End and Gertrude M. End, his wife, at a stone set for a course at the southwesterly corner of the land herein conveyed; thence by a survey made May 29, 1902, running (1) north 14 degrees 20 minutes west 19 chains and 12 links to a stone on the southerly side of a ditch and in the southerly line of lands now or formerly of Edward Goodwin; thence (2) along the said land now or formerly of Edward Goodwin north 77 degrees 35 minutes east 23 links to a stone for a corner; thence (3) still along the said land now or formerly of Edward Goodwin north 58 degrees 15 minutes east 3 chains and 2 links to the northwest corner of the land which was conveyed by the said Charles F. End and Gertrude M. End, his wife to F. B. End, under date of February 13th, 1892; thence (4) along the line of the last above mentioned land and continuing along the line of other lands which was conveyed by Charles F. End and Gertrude M. End, his wife, to the said F. B. End, under date of December 1st, 1879, south 15 degrees east 18 chains and 69 links to a stone at the westerly side of a ditch; thence (5) south 70 degrees 25 minutes west 1 chain and eighty seven links; thence (6) south 1 degree 45 minutes east 1 chain; thence (7) south 67 degrees 45 minutes west 1 chain and 22 links to the place of Beginning.

Containing 6 acres of land, more or less.

Tract Two: Beginning at the northwest corner of land now or formerly of Francis B. End at a point in the corner of a ditch where a temporary stake is now fixed, and running thence (1) north 16 degrees west 807 feet to a point on the south side of a ditch, where a temporary stake is now fixed; thence (2) along the south side of said ditch, north 56 degrees and 50 minutes east 213 feet to a point intersecting the boundary line on the west side of land now or formerly of C. L. Corbin where a temporary stake is now fixed; thence (3) with said west line of said C. L. Corbin and west line of said Francis B. End south 16 degrees east 857 feet to a point in the middle of the ditch first men-

tioned at the corner of land now or formerly of Sarah Ann Goodwin where it joins said Francis B. End's north and west lines, where a temporary stake is now fixed; thence (4) along the middle of the said ditch south 70 degrees 30 minutes west to the point of Beginning.

Bounded north by land now or formerly of Sarah Ann Goodwin, east by land now or formerly of C. L. Corbin and land now or formerly of Francis B. End, and west by land now or formerly of Sarah Ann Goodwin.

Containing 3 acres and 896/1000 of an acre, more or less.

Tract Three: Beginning at a stone planted for a monument in the southwest corner of land now or formerly of Francis End and southeast corner of land now or formerly of Mrs. Goodwin and running; thence north sixteen degrees and one-half of a degree west 429 feet to a stake in the middle of a ditch; thence south 70 degrees and 20 minutes west 204 feet along the middle of said ditch to a stake; thence south 16½ degrees to a stake in the southerly side of land now or formerly of Mrs. Goodwin 426 feet and one half of a foot; thence north seventy degrees and one-half of a degree east 203 feet to the place of Beginning.

Containing 2 acres, bounded on the east by land now or formerly of Francis B. End, on the north and west by land now or formerly of Mrs. Goodwin, on the south by land lately owned by William R. Martin.

Tract Four: Beginning at a stone in a southwest corner of land now or formerly of Uriah Dunham, being the northwest corner of the lot herein described, and running with said Dunham's line (1) north 69¼ degrees east 5 chains and 2 links to a stone being a northwest corner of land now or formerly of said End; thence with his line (2) south 4½ degrees east 11 chains and 53 links to stone in a corner of land now or formerly of Theodore Edwards; thence with his line (3) south 69¾

degrees west 2 chains and 49 links to a stone; thence (4) north 17¼ degrees west 11 chains and 9 links to the place of Beginning.

Containing 4 and 18/100 acres of land, more or less. Bounded north by land now or formerly of Uriah Dunham, east by land now or formerly of said End, south by land now or formerly of Theodore Edwards and west by lands now or formerly of one Watson.

Tract Five: Beginning at a point which point is the northerly boundary of lands now or formerly of James B. Stevens Estate, said point being 910.52 feet measured westerly along the above mentioned boundary from the center line of Talmadge Road; running from thence (1) south 64 degrees west 350 feet more or less to a point in said boundary; thence (2) north 5 degrees west along the above mentioned lands now or formerly of Stevens Estate and the easterly boundary of Lot No. 7 in Block 22 as shown on the Raritan Township Assessment Map, 100 feet more or less to a point in said boundary; thence (3) easterly through lands now or formerly of Charles End 300 feet more or less to the point or place of Beginning.

Containing 0.60 acres, more or less and being part of Lot No. 6 in Block 22 as shown on the Raritan Township Assessment Map.

The First Four Tracts are the same premises conveyed to the said Charles F. End and Gertrude M. End, his wife, by deed of Charles N. End, Widower, which deed is dated May 27, 1932, and recorded February 7, 1939 in the office of the Clerk of Middlesex County in Book 1146 of Deeds for said County, Page 223.

The Fifth Tract is a part of the same premises conveyed to the said Charles F. End and Gertrude M. End, his wife, by deed of Charles N. End, Widower, which deed is dated May 27, 1932 and recorded February 7, 1939, in the Office of the Clerk of Middlesex County in Book 1146 of Deeds for said County, Page 223.

Together with all right, title and interest in the banks, bed and waters of any stream opposite to or fronting upon the tracts, in any public road or railroad rights-of-way bordering upon or traversing said tracts, and in any other means of ingress or egress appurtenant to said tracts.

Tract III: (Parcel RR 385)

Beginning at a point in the westerly boundary of Talmadge Road said point being also the southwesterly corner of lands now or formerly of Borgfeldt Estate, running from thence (1) southeasterly along the westerly boundary of Talmadge Road 20 feet more or less to a point in said boundary; thence (2) southwesterly through lands now or formerly of Sam Fadayko 1700 feet more or less to a point in the northerly boundary of lands now or formerly of Charles End said point being also 1500 feet more or less westerly from the westerly boundary of Talmadge Road; thence (3) southwesterly along said land now or formerly of Charles End 330 feet more or less to a corner of said land now or formerly of Charles End; thence (4) northwesterly along lands now or formerly of Charles End 1149.75 feet to a point in the southerly boundary of Lot 2B in Block 22 as shown on the Raritan Township Assessment Map; thence (5) northeasterly along the southerly boundary of Lots Nos. 2B, 2C and 1 in Block 22 as shown on the aforesaid map 1521.02 feet to the point and place of Beginning.

Containing 23.75 acres of land, more or less.

Together with all right, title and interest in the banks, bed and waters of any stream opposite to or fronting upon the parcel, in any public roads or railroad rights-of-way bordering upon or traversing said parcel, and in any other means of ingress or egress appurtenant to said parcel. Less those portions of the above described Parcels RR 370, RR 381 and RR 385, heretofore conveyed to the Township of Edison by deed dated June 21, 1962, and recorded in the Middlesex County Clerk's Of-

fice in Deed Book 2346, page 165, leaving approximately 11.93 acres intended to be sold and conveyed hereby.

Tract IV: (Parcel RR 387)

Beginning at an iron pipe set in the center line of Talmadge Road, which point is distant southeasterly along the center line of Talmadge Road, nine hundred seventy-eight and thirty-eight hundredths feet (978.38′) from the intersection of the center lines of the aforesaid road and Ethel Road, and which said point of Beginning is in the northwesterly boundary of a strip of land one hundred feet (100′) in width; thence running (1) north twenty-nine degrees forty-seven minutes east (N 29° 47′ E) along the northwesterly boundary of said strip of land one hundred feet (100′) in width above referred to, one thousand two hundred forty and twenty-three hundredths feet (1240.23′) to a hub set in said boundary; thence (2) curving to the right with a radius of five thousand seven hundred eighty-six and sixty-five hundredths feet (5786.65′) an arc distance of three hundred nine sixty-nine hundredths feet (309.69′) to a railroad spike set in the said boundary and in the center line of Amboy Avenue; thence (3) south sixty-eight degrees forty-one minutes east (S 68° 41′ E) along the center line of Amboy Avenue one hundred one and ten hundredths feet (101.10′) to another railroad spike set in the southeasterly boundary of the aforementioned strip of land; thence (4) curving to the left with a radius of five thousand six hundred eighty-six and sixty-five hundredths feet (5686.65′) an arc distance of three hundred twenty-four and fifty-seven hundredths feet (324.57′) to a hub set in the said boundary; thence (5) south twenty-nine degrees and forty-seven minutes west (S 29° 47′ W) along the aforementioned boundary one thousand three hundred fifty-three and fifty-nine hundredths feet (1353.59′) to an iron pipe set in the aforementioned boundary and in the center line of Talmadge Road; thence

(6) north eleven degrees thirty-eight minutes west (N 11° 38′ W) along the center line of said Talmadge Road one hundred fifty-one and sixteen hundredths feet (151.16′) to the point or place of Beginning.

Containing 3.705 acres, more or less.

Together with all right, title and interest in the banks, bed and waters of any stream opposite to or fronting upon the parcel, in any public roads or railroad rights-of-way bordering upon or traversing said parcel, and in any other means of ingress or egress appurtenant to said parcel.

Tract V: (Parcel RR 389)

Beginning at a point in the northeasterly boundary of the Perth Amboy and Bound Brook Turnpike, said point being also in the southwesterly boundary of lands now or formerly of the Danish Brotherhood running from thence (1) northwesterly along the northeasterly boundary of the above mentioned turnpike, one hundred twelve feet (112′) to a point in said boundary; thence (2) northeasterly along the Lehigh Valley Railroad and Reading Railroad spur as it is now laid out, nine hundred seventy feet (970′) more or less to a point in said boundary, said point being also in the southeasterly boundary of lands now or formerly of Associated Homes; thence (3) northeasterly along the above mentioned boundary of Associated Homes nineteen hundred fifty feet (1950′) more or less to a point in a brook and lands now or formerly of Associated Homes; thence (4) southwesterly along the northwesterly boundary of other lands now or formerly of Associated Homes seven hundred four and two-tenths feet (704.2′) to a point in the above mentioned brook; thence (5) southerly along the westerly boundary of lands now or formerly of Associated Homes two hundred forty feet (240′) more or less to a point in said boundary; thence (6) northwesterly, curving to the left, and southwesterly along the Lehigh Valley Railroad and Read-

ing Railroad right-of-way as it is now laid out, twenty-two hundred eighty feet (2280′) more or less to the point or place of Beginning.

Containing 9.80 acres, more or less, and being a part of Lot No. 7 in Block 56 as shown on the Raritan Township Assessment Map.

Together with all right, title and interest in the banks, bed and waters of any stream opposite to or fronting upon the parcel, in any public road or railroad rights-of-way bordering upon or traversing said parcel, and in any other means of ingress or egress appurtenant to said parcel.

Tract VI: (Parcel RR 390)

Consisting of the following two tracts numbered 1 and 2.

Tract One: Beginning at a point in the southerly boundary of Philadelphia and Reading Railroad right-of-way, said point being also in the northeasterly corner of lands now or formerly of Klein and Wilentz; thence running (1) along the southerly boundary of the Philadelphia and Reading Railroad 1680 feet more or less to a point in said boundary; thence (2) southerly along the lands of the above mentioned Philadelphia and Reading Railroad, 20 feet to a point; thence (3) easterly still along the above mentioned boundary 660 feet more or less to a point in a brook; thence (4) southerly up the brook following its several courses to a point in said brook and being the northwesterly boundary of lands now or formerly of L. H. Paffendorf; thence (5) southwesterly along the northwesterly boundary of lands now or formerly of the Associated Homes shown as Lot No. 6 in Block 56 on the Raritan Township Assessment Map 525.26 feet to a point in said boundary; thence (6) southwesterly along the northwesterly boundary of lands now or formerly of Danish Brotherhood 1950 feet more or less to a point in said boundary; thence (7) northwesterly through lands now or formerly of Associated Homes 830 feet more or less to a point in the southeasterly boundary of

lands now or formerly of Klein and Wilentz; thence (8) northeasterly along the last mentioned boundary 530 feet more or less to a corner in said boundary; thence (9) northwesterly along the easterly boundary of lands now or formerly of Klein and Wilentz 610 feet to the point or place of Beginning.

Being a part of Lot 3 in Block 56 as shown on the Raritan Township Assessment Map.

Tract Two: Beginning at a point in a brook said point being also the northwesterly corner of lands now or formerly of L. H. Paffendorf, running from thence (1) southerly along the westerly boundary of said land now or formerly of Paffendorf thirteen hundred seventy feet (1370′) more or less to a point in said boundary; thence (2) northwesterly through land now or formerly of Associated Homes two hundred forty feet (240′) to a point in the easterly boundary of lands now or formerly of John Heller; thence (3) northerly along lands now or formerly of John Heller one hundred twenty feet (120′) to a point which point is the northeasterly corner of the above mentioned lands; thence (4) westerly along the northerly boundary of lands now or formerly of Heller six hundred fifty-five feet (655′) to a point in the easterly boundary of lands now or formerly of Danish Brotherhood; thence (5) northerly along lands now or formerly of Danish Brotherhood two hundred forty feet (240′) more or less to a point in a brook; thence (6) northeasterly along lands now or formerly of Danish Brotherhood seven hundred four and two-tenths feet (704.2′) to a point in said brook; thence (7) still northeasterly along lands now or formerly of Associated Homes five hundred twenty-five and twenty-six hundredths feet (525.26′) to the point or place of Beginning.

Being a part of Lot 6 in Block 56 as shown on the Raritan Township Assessment Map.

Together with all right, title and interest in the banks, bed and waters of any stream opposite to or fronting upon the parcel, in any public roads or

railroad rights-of-way bordering upon or traversing said parcel, and in any other means of ingress or egress appurtenant to said parcel.

Tract VII: (Parcel RR 391)

Beginning at a point in the southerly boundary of the Philadelphia Railroad right-of-way, said point being at the intersection of the aforesaid boundary with the northwest corner of lands now or formerly of Associated Homes; thence along the western line of land now or formerly of Associated Homes in southeasterly direction 610 feet, more or less, to a corner; thence proceeding in a southwesterly direction 530 feet, more or less, along line of lands now or formerly of Associated Homes to a point common to lands now or formerly of Klein and Wilentz and Associated Homes; thence northwesterly through lands now or formerly of Klein and Wilentz a distance of 800 feet, more or less, to a point in the southerly boundary of the Philadelphia and Reading Railroad right-of-way, thence easterly along the last mentioned boundary a distance of 600 feet to the point of Beginning.

Containing 9.0 acres, more or less.

Tract VIII: (Parcel RR 392A)

Beginning at a point in the northerly boundary of land now or formerly of John Heller and said point being also easterly two hundred eighty-five feet (285′) more or less from the northwesterly corner of land now or formerly of Heller, said point being also a southwesterly corner of lands now or formerly of the Associated Homes, running from thence (1) easterly along the northerly boundary of land now or formerly of Heller three hundred seventy feet (370′) more or less to a point; thence (2) southerly along the easterly boundary of the above mentioned lands one hundred twenty feet (120′) more or less to a point; thence (3) northwesterly four hundred feet (400′) more or less to the point or place of Beginning.

Containing 0.53 acres, more or less, and being a part of Lot No. 6 in Block 56 as shown on the Raritan Township Assessment Map.

Together with all right, title and interest in the banks, bed and waters of any stream opposite to or fronting upon the parcel, in any public road or railroad rights-of-way bordering upon or traversing said parcel, and in any other means of ingress or egress appurtenant to said parcel.

B. Situate, lying and being in the Borough of Metuchen, County of Middlesex and State of New Jersey, more particularly described as follows:

Tract IX: (Parcel RR 400)

Consisting of the following two tracts numbered 1 and 2:

Tract One: Beginning at a point in the division line between lands now or formerly of J. C. Paffendorf and the Public Service Electric and Gas Co., said point being in station forty-two plus seventy-six and thirty-six hundredths feet (42 + 76.36′) of the center line of the westerly branch of the Lehigh Valley Railroad Corp. Spur and said point being also distant northerly two hundred twenty-five feet (225′) from the southwesterly corner of lands now or formerly of the Public Service Electric and Gas Co., running thence (1) along said division line north two degrees forty-seven minutes east (N 2° 47′ E) thirty-three feet (33′) to a point in the same; thence (2) northeasterly along a curve having a radius of 789.02 feet, a distance of eight hundred fifteen feet (815′) more or less to a point in the westerly line of premises described as Tract No. 2 in a deed from Elkannah Vanderhoven to Easton and Amboy Railroad Company dated February 22, 1879 and recorded in the office of the Clerk of Middlesex County, New Jersey, in Liber 175 of Deeds, page 265; thence (3) southerly along the westerly line of lands conveyed as aforesaid eighty-nine feet (89′) more or less to a corner of the same; thence (4) south thirty-three degrees, forty-eight

minutes, thirty seconds east (S 33° 48′ 30″ E) and along lands now or formerly of the Easton and Amboy Railroad Company formerly of John Hampton 26.5 feet to a point; thence (5) southwesterly along a curve of radius eight hundred forty-nine and two hundredths feet (849.02′) and parallel to the second mentioned course a distance of seven hundred and sixty-five feet (765′) to a point in the division line between lands now or formerly of Paffendorf and the Public Service Electric and Gas Co., thence (6) along said division line north two degrees forty-seven minutes east (N 2° 47′ E) thirty-three feet (33′) to the point or place of Beginning.

Tract Two: Beginning at a point in the division line between lands now or formerly of J. C. Paffendorf and the Public Service Electric and Gas Co., said point being in station forty-two plus sixty-nine and fifty hundredths feet (42 + 69.50′) of the center line of the easterly branch of the Lehigh Valley Railroad Corp. spur said point being also distant northerly one hundred sixty feet (160′) from the southwesterly corner of the above mentioned lands now or formerly of the Public Service Electric and Gas Co., running thence (1) along said division line north two degrees forty-seven minutes east (N 2° 47′ E) thirty-one feet (31′) to a point in the same; thence (2) southeasterly along a curve with radius one thousand nine hundred forty and eight hundredths feet (1940.08′) a distance of three hundred one feet (301′) more or less to a point of tangency; thence (3) southeasterly through lands now or formerly of Public Service Electric and Gas Co. one thousand one hundred fifty and forty-nine hundredths feet (1150.49′) to a point of tangency; thence (4) curving to the right with radius nine hundred eleven and ninety-five hundredths feet (911.95′) a distance of two hundred two feet (202′) to a point in the division line between lands now or formerly of the Public Service Electric and Gas Co. and lands of the Lehigh Valley Railroad Corp.; thence (5) south eight de-

grees twenty-three minutes west (S 8° 23′ W) sixty-eight feet (68′) to a point in said division line; thence (6) northwesterly along a curve of radius eight hundred fifty-one and ninety-five hundredths feet (851.95′) and parallel to the fourth course two hundred fifteen feet (215′) to a point of tangency; (7) northwesterly parallel to the third course one thousand one hundred fifty and forty-nine hundredths feet (1150.49′) to a point of tangency; thence (8) curving to the left with radius one thousand eight hundred eighty and eight hundredths feet (1880.08′) a distance of two hundred ninety feet (290′) to a point in the division line between lands now or formerly of J. C. Paffendorf and the Public Service Electric and Gas Co.; thence (9) north two degrees forty-seven minutes east (N 2° 47′ E) thirty-one feet (31′) to the point or place of Beginning.

Containing in Parcel RR 400 3.50 acres, more or less.

Tract X: (Parcel RR 402)

Beginning at a point in the southwesterly boundary of the right-of-way of the Lehigh Valley Railroad Company of New Jersey, said point being opposite, at right angles, a point in the center line between main tracts of the Perth Amboy Branch of the Lehigh Valley Railroad, which latter point is distance one hundred thirty-five feet (135′) more or less, measured northwesterly along said center line from the center line of the public road to New Durham (Durham Ave.); thence along the dividing line between lands of the Lehigh Valley Railroad Company of New Jersey and lands formerly of John Hampton, now of the Public Service Electric and Gas Company, the following three courses and distances: (1) North fifty degrees forty-two minutes twenty seconds West, one hundred fifty-eight feet (158′) to a point; (2) North seventy-six degrees two minutes twenty seconds West, sixty-one (61) feet to a point; (3) North ten degrees forty-one minutes thirty-nine seconds East, one hundred

twenty-four and three tenths (124.3′) to a point in the aforesaid southwesterly boundary of the right-of-way of the Lehigh Valley Railroad Company of New Jersey; thence (4) South thirty-three degrees forty-six minutes East, a distance of two hundred eighty-five feet (285′) to the point or place of Beginning.

Containing two hundred thirty-seven thousandths (0.237) of an acre of land, more or less.

Together with a perpetual easement for the construction, maintenance and operation of a railroad in the following Two Parcels:

Easement I: (Parcel RR 386)

All that certain lot, tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Township of Edison (formerly Township of Raritan), County of Middlesex and State of New Jersey, and more particularly described as follows:

Beginning at a point in the westerly boundary of Talmadge Road which point is the northeasterly corner of lands now or formerly of Sam Fadayko, running thence (1) southwesterly along the northwesterly boundary of lands now or formerly of Fadayko one hundred thirty feet (130′) more or less to a point in said boundary; thence (2) northeasterly through lands now or formerly of Borgfeldt Estate two hundred feet (200′) more or less to a point in the westerly boundary of Talmadge Road; thence (3) southeasterly along the last mentioned boundary one hundred thirty feet (130′) more or less to the point or place of Beginning.

Containing 0.34 acres, more or less, and being a part of Lot No. 1, in Block 22 as shown on the Raritan Township Assessment Map.

Easement II: (Parcel RR 394)

All that certain lot, tract or parcel of land and premises situate, lying and being in the Township of Edison (formerly Township of Raritan) and the Borough of Metuchen in the State of New Jersey, and more particularly described as follows:

Beginning at a point in the division line between lands now or formerly of the Associated Homes and L. H. Paffendorf, said point being in Station 26 x 43.00 of the center line of the Lehigh Valley Railroad Spur leading to Camp Kilmer, running from thence (1) northerly along the above mentioned division line 30.88′ to a point in said boundary; thence (2) easterly along the northerly boundary of the Lehigh Valley Railroad Spur to a point in the division line between lands now or formerly of L. H. Paffendorf and Public Service Electric and Gas Company of New Jersey; thence (3) southerly along said division line crossing Station 42 x 76.36 of the west branch of said railroad and Station 42 x 59.5 of the east branch of the same railroad 141.47′ to a point in said boundary; thence (4) westerly along the southerly boundary of the Lehigh Valley Railroad Spur right-of-way to a point in the division line between lands now or formerly of the Associated Homes and L. H. Paffendorf; thence (5) northerly along said division line 30.88′ to the point or place of Beginning.

Containing 2.25 acres, more or less.

All courses, distances and acreage are subject to correction by survey.

The above described parcels of land are being transferred and conveyed subject to the following:

(1) Existing easements for roads, highways, paths, pipelines, public utilities, railroads, telephone and telegraph lines.

(2) Rights of owners abutting thereon in any brook, ditch, drain, stream or other water course crossing or bounding the land.

(3) Any state of facts which a physical inspection and an adequate and accurate survey of the premises may disclose.

(4) Pole line easement to New York and New Jersey Telephone Company recorded in Middlesex County Clerk's Office in Deed Book 414, Page 262.

(5) Agreement No. DA-30-075-ENG-10576 granting to the Gulton Industries, Inc., .03 acre for a term ending June 19, 1967.

(6) Easement No. DA-30-075-ENG-10169 granting to the State of New Jersey Highway Department a right-of-way for a controlled access highway over .76 acre of land.

(7) Easement No. DA-30-075-ENG-9945 granting to the Texas Eastern Transmission Corporation a gas pipeline right-of-way over 3.44 acres for a term of 50 years from April 18, 1961.

(8) Rights-of-way of Public Service Electric and Gas Company as defined in judgment on Stipulation dated November 18, 1946 to Declaration of Taking No. 1, as amended, Civil Action No. M-633A in condemnation proceedings in the United States District Court for the District of New Jersey.

2. The consideration for such a purchase shall not exceed the aggregate sum of $375,000.00 plus any interest thereon and shall be paid by the township of Edison to the Seller within a period of time not to exceed 10 years from the date of purchase.

3. Land acquired by the township of Edison pursuant to this act may be used for any public purpose authorized by law or may be sold or leased to any person, partnership, corporation or other business association which will develop and use such lands for industrial purposes.

4. Before leasing or selling said land or any part thereof, said governing body shall have, by resolution duly adopted, declared said lands to be not needed for any public purpose and shall have advertised for proposals and bids for the leasing or selling of said land, in which advertisement there shall have been a brief description of said land, the improvements and type of construction to be made thereon, the industrial uses for which it may be used, the duration of any lease or of the conditions in use placed on any buyer and the other terms and conditions upon which such lease or sale will be made, and in which advertisement shall be fixed the sale price or an annual rental to be paid for the use of such lands for said purposes, as a minimum for the bids, and the time within which such proposals and bids shall be furnished, which adver-

tisement shall be published once a week for 4 weeks in a newspaper of general circulation published and circulated in said township.

5. Every bidder shall be required to file his bid and proposals within the time so fixed, describing the terms and conditions upon which the same are made, and said governing body may by resolution accept the proposal and bid of the highest bidder submitting a proposal satisfactory to it which complies with the provisions of this act, and may by ordinance authorize the leasing or sale of said lands on the terms set forth in such proposal and bid.

6. This act is a special law enacted upon the petition of the mayor and governing body of the township of Edison in the county of Middlesex and State of New Jersey under the authority conferred by paragraph 10 of Section VII in Article IV of the Constitution.

7. This act shall take effect immediately but shall be inoperative until it shall be adopted by ordinance of the governing body of the township of Edison in the county of Middlesex and State of New Jersey.

Approved June 22, 1966.

CHAPTER 180

AN ACT concerning alcoholic beverage control, and amending section 33:1–12 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 33:1–12 of the Revised Statutes is amended to read as follows: Section amended.

33:1–12. Class C licenses shall be subdivided and classified as follows: Class C licenses; subdivisions; fees.

Plenary retail consumption license. 1. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle, and also to sell any alcoholic beverages in original containers for consumption off the licensed premises; but this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which a grocery, delicatessen, drug store or other mercantile business (except the keeping of a hotel or restaurant, or the sale of cigars and cigarettes at retail as an accommodation to patrons, or the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages or, in commercial bowling establishments, the retail sale or rental of bowling accessories and the retail sale from vending machines of candy, ice cream and nonalcoholic beverages) is carried on. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than $200.00 and not more than $2,000.00. No ordinance shall be enacted which shall raise or lower the fee to be charged for this license by more than 20% from that charged in the preceding license year or $500.00, which ever is the lesser. The governing board or body of each municipality may, by ordinance, enact that no plenary retail consumption license shall be granted within its respective municipality.

Seasonal retail consumption license. 2. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle, and also to sell any alcoholic beverages in original containers for consumption off the licensed premises, during the summer season from May 1 until November 1, inclusive, or during the winter season from November 15 until April 15, inclusive; but this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which a gro-

cery, delicatessen, drug store or other mercantile business (except the keeping of a hotel or restaurant, or the sale of cigars and cigarettes at retail as an accommodation to patrons, or the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages) is carried on. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at 75% of the fee fixed by said board or body for plenary retail consumption licenses. The governing board or body of each municipality may, by ordinance, enact that no seasonal retail consumption license shall be granted within its respective municipality.

Plenary retail distribution license. 3a. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the licensed premises, but only in original containers. The governing board or body of each municipality may, by ordinance, enact that this license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which any other mercantile business is carried on, except that any such ordinance, heretofore or hereafter adopted, shall not prohibit the retail sale of nonalcoholic beverages as accessory beverages to alcoholic beverages. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than $100.00, and not more than $2,000.00. No ordinance shall be enacted which shall raise or lower the fee to be charged for this license by more than 20% from that charged in the preceding license year or $500.00, whichever is the lesser. The governing board or body of each municipality may, by ordinance, enact that no plenary retail distribution license shall be granted within its respective municipality.

Limited retail distribution license. 3b. The holder of this license shall be entitled, subject to rules and regulations, to sell any unchilled, brewed, malt

alcoholic beverages in quantities of not less than 72 fluid ounces for concumption off the licensed premises, but only in original containers; provided, however, that this license shall be issued only for premises operated and conducted by the licensee as a bona fide grocery store, meat market, meat and grocery store, delicatessen, or other type of bona fide food store at which groceries or other foodstuffs are sold at retail; and provided further, that this license shall not be issued except for premises at which the sale of groceries or other foodstuffs is the primary and principal business and at which the sale of alcoholic beverages is merely incidental and subordinate thereto. The fee for this license shall be fixed by the governing body or board of the municipality in which the licensed premises are situated, by ordinance, at not less than $25.00 and not more than $50.00. The governing board or body of each municipality may, by ordinance, enact that no limited retail distribution license shall be granted within its respective municipality.

Plenary retail transit license. 4. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption only on railroad trains, airplanes and boats, while in transit. The fee for this license for use by a railroad or air transport company shall be $150.00 and, for use on a boat, the fee for this license shall be $25.00 on a boat 65 feet or less in length, $50.00 on a boat more than 65 feet in length but not more than 110 feet in length, and $150.00 on a boat more than 110 feet in length; such boat lengths shall be determined in the manner prescribed by the Bureau of Customs of the United States Government or any Federal agency successor thereto for boat measurement in connection with issuance of Marine Documents. A license issued under this provision to a railroad or air transport company shall cover all dining and club cars and planes operated by any such company within the State of New Jersey. A license for a boat issued under this provision shall apply only to the particular boat for which issued.

Club license. 5. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages but only for immediate consumption on the licensed premises and only to bona fide club members and their guests. The fee for this license shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than $50.00 and not more than $150.00. The governing board or body of each municipality may, by ordinance, enact that no club licenses shall be granted within its respective municipality. Club licenses may be issued only to such corporations, associations and organizations as are operated for benevolent, charitable, fraternal, social, religious, recreational, athletic, or similar purposes, and not for private gain, and which comply with all conditions which may be imposed by the Commissioner of Alcoholic Beverage Control by rules and regulations.

2. This act shall take effect immediately.

Approved June 22, 1966.

CHAPTER 181

AN ACT amending the "Higher Education Assistance Authority Act," approved June 17, 1959 (P. L. 1959, c. 121).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 9 of the act of which this act is amendatory is amended to read as follows: Section amended.

9. Any financial or credit institution (including an insurance company) which is subject to the examination and supervision of the Department of Banking and Insurance of this State or by an agency of the United States, any Federal credit C. 18:22A-9. Loans by financial institutions; rules.

union, and any national bank organized under the Acts of Congress of the United States and doing business in this State and any Federal savings and loan association having its principal office in New Jersey may make loans under this act pursuant to such rules not inconsistent with this act, and by the use of such forms, as the authority shall prescribe.

Section amended.

2. Section 13 of the act of which this act is amendatory is amended to read as follows:

C. 18:22A-13. Loan requirements.

13. Each loan made under this act shall:

(1) Be evidenced by a note or other obligation appproved by the authority,

(2) Bear interest at a rate not exceeding 6% per annum upon unpaid balances,

(3) Be payable in such manner or in such installments as shall be prescribed by the rules of the authority, and

(4) Be secured only by the personal liability of the maker, and not by any endorsers, comaker's collateral, or other security, except such as may be permitted by the rules of the authority.

Section amended.

3. Section 20 of the act of which this act is amendatory is amended to read as follows:

C. 18:22A-20. Purchase of notes from bank by authority upon default; demand.

20. Whenever any approved note shall be in default to any bank for 30 days after the date of maturity thereof, or whenever any installment thereon is more than 120 days in arrears for loans on monthly installment payments and 180 days in arrears for loans with less frequent payments, or upon the death or total and permanent disability of the borrower, the authority shall, upon the demand of the bank, purchase from said bank such note by paying to said bank out of the reserve fund the total amount of principal and interest then due and owing to said bank on said note, as herein provided.

Section amended.

4. Section 27 of the act of which this act is amendatory is amended to read as follows:

C. 18:22A-27. Validity of minor's contracts.

27. Any contract, promissory note, or other written obligation made by any minor to repay or secure payment of a loan made under this act, pay-

ment whereof is guaranteed or insured by the authority, or which forms part of the same transaction as the making of such loan shall, notwithstanding any provision of law to the contrary, be as valid and binding as if said person were at the time of making and executing the same of the age of 21 years, and they may be enforced in any action or proceeding by or against such person in his or her own name, and shall be valid without the consent thereto of the parent or guardian of such person, and such person shall not disaffirm such instrument because of his or her age, nor shall any such person hereafter interpose the defense that he or she is, or was, at the time of making and executing the same, a minor in any action or proceeding arising out of any such loan.

5. This act shall take effect immediately.

Approved June 22, 1966.

CHAPTER 182

AN ACT concerning engineers, and firemen's licenses and amending section 34:7–1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 34:7–1 of the Revised Statutes is amended to read as follows: Section amended.

34:7–1. No unlicensed person shall operate a steam generator, similar equipment potentially capable of generating steam having relief devices set over 15 psig. and rated at or developing over 6 boiler horsepower or a steam power generator, if over 6 horsepower; a hoisting machine regardless of motive power, whenever the boom length exceeds 99 feet; a refrigerating plant of over 24 tons of refrigerating capacity, utilizing refrigerants of a flammable or toxic nature; or a steam or hot water heating plant of which the indicated or rated License necessary; emergencies; exceptions; administration; examinations.

capacity exceeds either 499 square feet of heating surface or 100 boiler horsepower or 1,000 Kilowatts or 40,000,000 British Thermal Units input regardless of pressure or temperature conditions; and no owner, agent, superintendent, manager or other person having charge of any building or work in which such equipment is located, or used, shall use, or cause or allow to be used, any such equipment described in this section unless the same is in charge of a properly licensed person, except in emergency, and then for no longer than 15 days unless the commissioner in writing extends such time, of which emergency the owner of such equipment, or the agent, superintendent, manager or other person in charge thereof shall promptly notify the mechanical inspection bureau in writing, stating fully the circumstances.

The provisions of this chapter shall not require a license of any person in charge of or operating the following:

(1) any equipment installed for emergency purposes only, or

(2) any equipment under the jurisdiction and control of the United States Government, the operation of which is actively regulated by a Federal agency, or

(3) any railroad locomotive boiler or any type locomotive used in the service of a common carrier, or

(4) any refrigerating plant utilizing refrigerants classified as being in Group 1 in the Safety Code for Mechanical Refrigeration of the American Society of Refrigerating Engineers approved by the American Standards Association, Inc.

The provisions of this article shall be administered by the commissioner through the mechanical inspection bureau. Examinations for license under this article shall be conducted by the examining board or by any member of said board.

2. This act shall take effect 6 months after adoption.

Approved June 22, 1966.

CHAPTER 183

AN ACT to amend "An act providing for the representation of the people of this State in the House of Representatives of the United States, revising the Congressional Districts of the State and repealing section 19:46–1 of the Revised Statutes," approved June 18, 1966 (P. L. 1966, c. 156).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of the act of which this act is amendatory is amended to read as follows: Section amended.

2. For the purpose of electing members of the House of Representatives of the United States to serve in the 90th Congress and each subsequent Congress, this State shall be divided into 15 districts as follows, namely: C. 19:46-3. Division of State into 15 districts.

First. The county of Gloucester and all the portion of the county of Camden not contained in the sixth district shall constitute and be called the first district;

Second. The counties of Atlantic, Cape May, Cumberland and Salem shall constitute and be called the second district;

Third. The county of Monmouth, that portion of the county of Ocean embracing the townships of Jackson, Lakewood and Plumsted and the portion of Middlesex embracing the township of Madison, the borough of Sayreville and the city of South Amboy, shall constitute and be called the third district;

Fourth. The counties of Mercer, Hunterdon, Warren and Sussex shall constitute and be called the fourth district;

Fifth. The counties of Morris and Somerset shall constitute and be called the fifth district;

Sixth. The county of Burlington, that portion of Ocean county not including the townships of Jack-

son, Lakewood and Plumsted, and that portion of the county of Camden embracing the boroughs of Audubon and Collingswood, township of Cherry Hill, township of Haddon, borough of Haddonfield, boroughs of Merchantville and Oaklyn and township of Pennsauken shall constitute and be called the sixth district;

Seventh. All of the portions of the county of Bergen not contained in the ninth district shall constitute and be called the seventh district;

Eighth. The county of Passaic shall constitute and be called the eighth district;

Ninth. All of the portions of the county of Bergen embracing the boroughs of Bogota, Carlstadt, Cliffside Park, East Paterson, East Rutherford, Edgewater, Fairview, Fort Lee, the city of Garfield, the city of Hackensack, the boroughs of Hasbrouck Heights, Leonia, Little Ferry, Lodi, the township of Lyndhurst, the boroughs of Maywood, Moonachie, North Arlington, Palisades Park, Ridgefield, the townships of Ridgefield Park and Rochelle Park, the borough of Rutherford, the townships of Saddle Brook, South Hackensack, Teaneck, and the boroughs of Teterboro, Wallington and Wood-Ridge shall constitute and be called the ninth district;

Tenth. All of the portions of the county of Essex embracing the town of Belleville, town of Bloomfield, township of Cedar Grove, borough of Glen Ridge, town of Montclair, town of Nutley and the north, east and south wards of the city of Newark shall constitute and be called the tenth district;

Eleventh. All of the portions of the county of Essex embracing the city of East Orange, town of Irvington, township of Maplewood, city of Orange, village of South Orange, borough of Verona, town of West Orange and the central and west wards of the city of Newark shall constitute and be called the eleventh district;

Twelfth. All of the portions of the county of Essex not contained in the tenth and eleventh districts and all the portions of the county of Union

not contained in the thirteenth district shall constitute and be called the twelfth district;

Thirteenth. That portion of the county of Union embracing the city of Elizabeth, city of Linden and city of Rahway and that portion of the county of Hudson embracing the city of Bayonne and Ward "A" (Greenville), Ward "B" (West Side) and Ward "F" (Bergen-Lafayette) of the city of Jersey City shall constitute and be called the thirteenth district;

Fourteenth. All of the portions of the county of Hudson not contained in the thirteenth district shall constitute and be called the fourteenth district;

Fifteenth. All of the portions of the county of Middlesex with the exception of the portion set forth in the third district shall constitute and be called the fifteenth district.

2. This act shall take effect immediately.

Approved June 27, 1966.

CHAPTER 184

AN ACT to amend "A supplement to 'The Evidence Act, 1960,' approved June 20, 1960 (P. L. 1960, c. 52)," approved May 24, 1965 (P. L. 1965, c. 56).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of the act of which this act is amendatory is amended to read as follows: Section amended.

2. Notwithstanding the provisions of section 36 of P. L. 1960, chapter 52, the effective date of the Rules of Evidence adopted by the Supreme Court on September 14, 1964, to become effective July 1, 1965, is postponed to January 31, 1967. Temporary act.

2. This act shall take effect immediately.

Approved June 30, 1966.

New Jersey State Library

CHAPTER 185

AN ACT concerning the classification of prospective bidders on State Highway Department projects and supplementing chapter 7 of Title 27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 27:7-35.1. Definitions.

1. As used in this chapter:

"Person" means and includes any individual, copartnership, association, corporation or joint stock company, their lessees, trustees, assignees or receivers appointed by any court whatsoever.

"Official" and "officer" mean and include the designated officer or officers of the State Highway Department.

C. 27:7-35.2. Classification by Highway Department.

2. Officials shall require that all persons proposing to submit bids on highway work shall first be classified by the department as to the character and amount of work on which they shall be qualified to submit bids. Bids shall be accepted only from persons qualified in accordance with such classification.

C. 27:7-35.3. Filing of statement.

3. Any person desiring such classification shall file with the department a statement under oath in response to a questionnaire, prepared and standardized for like classes of work, by the department. The statement shall develop fully the financial ability, adequacy of plant and equipment, organization and prior experience of the prospective bidder, and also such other pertinent and material facts as may be deemed desirable.

C. 27:7-35.4. Classification.

4. The officials shall classify all such prospective bidders as to the character and amount of work on which they shall be qualified to submit bids. The classification shall be made and an immediate notice thereof shall be sent to the prospective bidder by first-class mail within a period of 15 days after the date of receipt of the statement in re-

sponse to the questionnaire; provided, however, that if the official shall require additional information from the prospective bidder, the classification shall be made and the notice sent within 15 days after receipt of such additional information.

C. 27:7-35.5. Effective date.

5. The classification of the prospective bidder shall be effective 15 days after the receipt of the information specified in section 4 of this act and shall expire 15 months after the date of the financial information provided. No person shall be qualified to bid on any contract who does not have a valid classification as to type and amount of work required by the contract, on the date set for the opening of bids for such contract.

C. 27:7-35.6. Request for hearing.

6. Any person, after being notified of his classification, being dissatisfied therewith or with the classification of another person or persons, may request in writing a hearing before the prequalification committee, and may present such further evidence with respect to his financial ability, plant and equipment or prior experience, or that of the other person or persons, as might tend to justify a different classification.

Where the request for a hearing is related to the classification of another person, the applicant for the hearing shall notify such other person, by registered mail, of the time and place of hearing and at the hearing shall present to the committee satisfactory evidence that such notice was given before any matters pertaining to the classification of such other person shall be taken up.

After the hearing, the committee may change or affirm the classification or classifications, the subject of the hearing.

C. 27:7-35.7. Prequalification committee.

7. The prequalification committee, to be appointed by the State Highway Commissioner, shall consist of the State Highway Engineer; a deputy Attorney General; the Director, Division of Construction; the Director of Accounting and Auditing and the supervising officer, contracts, highway or such other officials as the commissioner may deem appropriate for the performance of these duties.

C. 27:7-35.8. Rejection of bidder.

8. Nothing contained in this act shall be construed as depriving the State Highway Commissioner of the right to reject a bidder at any time prior to the actual award of a contract, where there have been developments subsequent to the classification of such bidder, which in the opinion of the commissioner would affect the responsibility of the bidder. Before taking final action on any such bid, the commissioner shall notify the bidder and give him an opportunity to present any additional information which might tend to substantiate the existing classification.

C. 27:7-35.9. Fraudulent statement; penalty.

9. Any person who makes, or causes to be made, a false, deceptive or fraudulent statement in the questionnaire required to be submitted, or in the course of any hearing under this act shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00; or, in the case of an individual or the officer or employee charged with the duty of making such questionnaire for a person, firm, copartnership, association or corporation, to pay such fine or undergo imprisonment, not exceeding 6 months, or both. All such persons and any copartnership, association, corporation or joint stock company of which any such person is a partner or officer or director, and any corporation of which he owns more than 25% of the stock, shall for 5 years from the date of such conviction be disqualified from bidding on all public work in this State.

C. 27:7-35.10. Forfeiture of deposit.

10. The commissioner shall cause the forfeiture as liquidated damages to the State of any certified check or certificate of deposit deposited by any person who makes or causes to be made any false, deceptive or fraudulent statement in the questionnaire or bid information required to be submitted, or in the course of any hearing under this act.

C. 27:7-35.11. Regulations.

11. The commissioner may establish such reasonable regulations as he may deem appropriate for controlling the qualifications of prospective bidders. The regulations may fix the qualification re-

quirements for bidders according to available capital and equipment, and with due regard to experience and records of past performance and all other pertinent and material facts. The qualification rating of any bidder shall not be influenced by his nationality or place of residence. No regulations of the commissioner for controlling the qualifications of bidders shall become effective until at least 30 days after the regulation shall have been formally adopted and published in not less than 10 newspapers of this State.

C. 27:7-35.12. Action for damages.

12. No action for damages out of any court of competent jurisdiction shall lie against the commissioner or any State official because of any action taken by virtue of the provisions of this act.

13. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 186

AN ACT to amend "An act to regulate and control the teaching and practice of nursing and to prescribe penalties for the violations thereof (Revision of 1947)," approved June 11, 1947 (P. L. 1947, c. 262).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 45:11-24. The board; appointment of members; terms; oath of office.

2. The board; appointment of members; terms; oath of office.

a. The board; appointment; terms. The New Jersey State Board of Examiners of Nurses now holding office under the provisions of Revised Statutes, Title 45, chapter 11, shall constitute the New Jersey Board of Nursing and shall hold office therein until the expiration of the respective periods for which they were appointed to the New Jersey State Board of Examiners of Nurses. Here-

after appointments to the board shall be for the following terms or for the unexpired portion of a term in the case of a vacancy for any cause within a term, and until a successor shall be appointed and qualified: On July 1, 1947, one appointment shall be made for a term of 3 years. On July 1, 1948, one appointment shall be made for a term of 3 years and one appointment for a term of 4 years. On July 1, 1949, one appointment shall be made for a term of 4 years and one appointment for a term of 5 years. Thereafter all appointments shall be for a term of 5 years. Appointments shall be made by the Governor from a list of at least 3 qualified persons for each appointment to be made whose names shall be submitted to the Governor by the New Jersey State Nurses' Association at least 30 days before the expiration of a term or within 30 days after the occurrence of a vacancy within a term, or as promptly after the time specified as circumstances permit. Upon notice and hearing, the Governor may remove from office any member of the board for neglect of duty, incompetency, unprofessional or dishonorable conduct.

b. Qualifications for appointment. Each member of the board shall be a citizen of the United States and a resident of this State; shall be a graduate from a college or university or have had equivalent preparation as determined by the board of directors of the New Jersey State Nurses' Association; shall be a graduate of an accredited school of nursing within the United States; shall be a registered nurse in this State; shall have had at least 5 years experience in professional nursing following graduation from an accredited school of nursing and at least 2 years executive or teaching experience in nursing education; and shall at the time of appointment be actively engaged in nursing or work relating thereto.

c. Oath or affirmation of office. Within 30 days after receipt of the commission, each appointee shall take, subscribe and file in the office of the Secretary of State the oath or affirmation prescribed by law.

d. Duties and powers. The board shall have the following duties and powers: (1) It shall hold annual meetings and such other meetings as it may deem necessary at such times and places as the board shall prescribe and a majority of the board including one officer shall constitute a quorum. (2) It shall elect from its members and prescribe the duties of a president and secretary-treasurer, each of whom shall serve for 1 year and until a successor is elected. (3) It shall appoint and prescribe the duties of an executive secretary to the board who need not be a member thereof but who shall be a citizen of the United States, a graduate of a college or university with a major in nursing education, a registered nurse of this State with at least 5 years' experience in teaching or administration or both in an accredited school of professional nursing, or have equivalent qualifications as determined by the board. The executive secretary shall hold office during the will and pleasure of the board. (4) It shall employ and prescribe the duties of such persons as in its judgment shall be necessary for the proper performance and execution of the duties and powers of the board. (5) It shall determine and pay reasonable compensation and necessary expenses of the executive secretary and all employees of the board. (6) It shall pay to each member of the board the compensation hereinafter provided. (7) It shall have a common seal, keep an official record of all its meetings, and through its secretary-treasurer report annually to the Governor the work of the board. (8) It shall examine applicants for a license or renewals thereof, issue, renew, revoke and suspend licenses, as hereinafter provided. (9) It shall in its discretion investigate and prosecute all violations of provisions of this act. (10) It shall keep an official record which shall show the name, age, nativity and permanent place of residence of each applicant and licensee and such further information concerning each applicant and licensee as the board shall deem advisable. The record shall show also whether the applicant was examined, licensed or rejected under this and any

prior act. Copies of any of the entries of the record or of any certificate issued by the board may be authenticated by any member of the board under its seal and when so authenticated shall be evidence in all courts of this State of the same weight and force as the original thereof. For authenticating a copy of any entry or entries contained in its record the board shall be paid a fee of $3.00, but such authentication, if made at the request of any public agency of this or any other jurisdiction, may be without fee. (11) In its discretion it may publish at such times as it shall determine a list of nurses licensed under this act, a list of schools of nursing accredited or approved under this act, and such other information as it shall deem advisable. (12) It shall prescribe standards and curricula for schools of nursing and evaluate and approve courses for affiliation. (13) It shall hear and determine applications for accreditation of schools of professional nursing, conduct investigations before and after accreditation of such schools and institutions with which they are affiliated, and issue, suspend or revoke certificates of accreditation as hereinafter provided. (14) It shall approve schools of practical nursing which shall conform to the standards, curricula, and requirements prescribed by the board, and suspend or revoke approval for violations thereof; provided, that this power shall not extend to schools operated by any board of education in this State. (15) It may consult with the Medical Society of New Jersey and the New Jersey Hospital Association with respect to any matter relating to the administration of this act and shall consult with those associations with respect to standards and curricula and any change thereof for schools of nursing. (16) It shall issue subpœnas for the attendance of witnesses and production of documents at any hearing before the board authorized by this act and any member of the board shall administer an oath or affirmation to persons appearing to give testimony at such hearings. (17) It may conduct any investigations, studies of nursing and nursing education and related matters, and

prepare and issue such publications as in the judgment of the board will advance the profession of nursing and its service to the public. (18) It shall perform all other functions which are provided in this act to be performed by it or which in the judgment of the board are necessary or proper for the administration of this act. (19) It shall from time to time prescribe rules and regulations not inconsistent with this act.

e. Compensation. Each member of the board shall receive $15.00 per day for each day in which such member is actually engaged in the discharge of duties and traveling and other expenses necessarily incurred in the discharge of duties.

2. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 45:11-26. Professional nurses.

4. Professional nurses.

a. Qualifications of applicants. An applicant for a license to practice professional nursing shall submit to the board evidence in such form as the board may prescribe that said applicant: (1) has attained his or her eighteenth birthday; (2) is of good moral character, is not a habitual user of drugs and has never been convicted or has not pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs; (3) holds a diploma from an accredited 4-year high school or the equivalent thereof as determined by the New Jersey State Department of Education; (4) has completed a course of professional nursing study in an accredited school of professional nursing as defined by the board and holds a diploma therefrom.

Notwithstanding anything herein contained, any person who possesses the educational and school of professional nursing qualifications for registration required by the law of this State at the time of his or her graduation from an accredited school of professional nursing shall be deemed to possess the qualifications (3) and (4) prescribed hereinabove in this subsection.

Notwithstanding anything herein contained, any person who shall have qualifications (1) and (2)

and shall have graduated from a school of professional nursing, which need not be an accredited school, shall be deemed to have qualifications (3) and (4) upon complying with such reasonable requirements as to high school and school of nursing studies and training as the board may prescribe; provided, however, that such person shall make application in form prescribed by the board within 1 year from the effective date of this act and shall satisfactorily complete such reasonable requirements and successfully pass the examinations, which examinations shall be limited to subject matters in the curriculum required by the board at the time of the applicant's graduation, provided for in subsection b. hereof, within 2 years after the date of the filing of such application.

b. License.

(1) By examination. The applicant shall be required to pass a written examination in such subjects as the board may determine, which examination may be supplemented by an oral or practical examination or both. Upon successfully passing such examinations the applicant shall be licensed by the board to practice professional nursing.

(2) By indorsement without examination. The board may issue a license to practice professional nursing without examination to an applicant who has been duly licensed or registered as a registered or professional nurse by examination or by original waiver under the laws of another State, territory or possession of the United States, or the District of Columbia, or any foreign country, if in the opinion of the board the applicant has the qualifications required by this act for the licensing of professional nurses, or equivalent qualifications.

c. Fees. An applicant for a license by examination shall pay to the board at the time of application a fee of $25.00 and at the time of each application for re-examination a fee of $20.00. An applicant for a license without examination shall pay to the board at the time of application a fee of $15.00.

d. Nurses registered under a previous law. Any person who on the effective date of this act holds a subsisting certificate of registration as a registered nurse issued pursuant to the provisions of the act repealed by section 22 of this act shall be deemed to be licensed as a professional nurse under this act during the calendar year in which this act shall take effect, and such person and any person who heretofore held a certificate of registration under said act hereby repealed as aforesaid shall be entitled to a renewal of such license as in the case of professional nurses licensed originally under this act.

e. Title and abbreviations used by licensee. Any person who holds a license to practice professional nursing under this act shall during the effective period of such license be entitled to use the title "Registered Nurse" and the abbreviation "R.N." The effective period of a license or a renewal thereof shall commence on the date of issuance and shall terminate at the end of the calendar year in which it is issued, and shall not include any period of suspension ordered by the board as hereinafter provided.

3. Section 5 of the act of which this act is amendatory is amended to read as follows: Section amended.

5. Practical nursing. C. 45:11-27. Practical nursing.

a. Qualifications of applicants. An applicant for a license to practice practical nursing shall submit to the board evidence in such form as the board may prescribe that the applicant (1) has attained his or her eighteenth birthday; (2) is of good moral character, is not an habitual user of drugs and has never been convicted or has not pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs; (3) has completed 2 years of high school or the equivalent thereof, as determined by the New Jersey State Department of Education; (4) has completed a course of study in a school of practical nursing approved by the board and holds a diploma therefrom, or holds a diploma from a

school of practical nursing operated by a board of education in this State and is certified by the Department of Education as having completed the number of hours of instruction in the subjects in the curriculum prescribed by the board and an approved course of affiliation or has equivalent qualifications as determined by the board.

b. License.

(1) By examination. The applicant shall be required to pass a written examination in such subjects as the board may determine, which examination may be supplemented by an oral or practical examination or both. Upon successfully passing such examinations, the applicant shall be licensed by the board to practice practical nursing.

(2) By indorsement without examination. The board shall issue a license to practice practical nursing without examination to any applicant who has been duly licensed as a practical nurse or a person entitled to perform similar services under a different title by practical nurse examination or by original waiver under the laws of another State, territory or possession of the United States, or the District of Columbia, if in the opinion of the board the applicant has the qualifications required by this act for licensing of practical nurses or equivalent qualifications.

(3) Waiver. If application therefor is made, upon a form prescribed by the board, on or before September 1, 1958, the board shall issue without examination a license to practice practical nursing to an applicant who submits to the board evidence in such form as the board may prescribe that the applicant has qualifications (1) and (2) provided in subsection "a" of this section and had within 5 years prior to application at least 2 years of satisfactory experience in practical nursing, at least 1 year of which shall have been performed in this State except in cases of such nursing performed in an agency or service of the Federal Government; provided, that except in cases of such nursing performed in an agency or service of the Federal Government, such applicant is indorsed

under oath by 2 physicians duly licensed to practice medicine and surgery in New Jersey who have personal knowledge of the applicant's qualifications and satisfactory performance of practical nursing and by 2 persons who have employed the applicant.

c. Fees. An applicant for license by examination shall pay to the board at the time of application a fee of $20.00 and at the time of each application for re-examination a fee of $10.00. At the time of application an applicant for license without examination shall pay to the board a fee of $10.00, and an applicant for license by waiver shall pay to the board a fee of $10.00.

d. Title used by licensee. Any person who holds a license to practice practical nursing under this act shall during the effective period of such license be entitled to practice practical nursing and to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N." The effective period of a license or a renewal thereof shall commence on the date of issuance and shall terminate at the end of the calendar year in which it is issued, and shall not include any period of suspension ordered by the board as hereinafter provided.

4. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 187

AN ACT concerning fees of the Secretary of State and Governor, and amending section 22A:4–1 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 22A:4–1 of the New Jersey Statutes is amended to read as follows: Section amended.

22A:4–1. For services herein enumerated the Secretary of State shall receive the following fees: Fees of Secretary of State and Governor.

For recording all deeds, mortgages, bills of sale and all other documents in the office of the Secre-

tary of State: When written in whole, when written and printed or typewritten in whole or in part, per page $1.00.

For official copies and abstracts of instruments and documents in the office of the Secretary of State or from the records and files thereof, per page $1.00.

For the seal to commissions of sheriffs, surrogates and clerks of any court (commissions issued by the Governor), no charge.

For the seal to every certificate, exemplification or other paper, $1.00.

For every order, warrant or certificate under the Governor's hand and seal, countersigned by the Secretary of State, $2.00.

For a commission for a sheriff, surrogate or clerk of any court, no charge.

For every other commission, no charge.

For drawing a certificate to pass under the great seal, or any other seal, and engrossing the same, for each sheet, $1.00.

For every commission granted to a notary public for a 5-year term or a foreign commissioner of deeds for a 3-year term a fee of $15.00.

For filing the seal of a foreign commissioner of deeds the Secretary of State shall receive a fee of $1.00.

For issuing every railroad police commission $5.00.

For issuing every pilot license (R. S. 12:8–6) $5.00.

For filing and recording all certificates and amended certificates of associations and corporations not for profit and of societies, clubs, churches, religious societies and congregations, required to be filed in the office of the Secretary of State, $5.00.

No fee shall be charged by the Secretary of State for filing and recording the certificate of incorporation of an association formed for the purpose of acquiring, caring for and maintaining historic lands, sites and buildings in this State, as and for a State Park.

For accepting service of process in actions against corporations, to be taxed as part of the taxable costs if the plaintiff prevails, $10.00.

For recording conditional sales contracts or agreements affecting equipment, rolling stock, motor vehicles and other vehicles of railroads, street railroads and transportation companies, $5.00 for first page of document, plus recording fee of $1.00 per page.

For entering a satisfaction of an above-mentioned contract or agreement, $5.00 for first page of document, plus recording fee of $1.00 per page.

For filing a certified copy of an order of change of name, $15.00.

For filing any paper or document for which no other fee is fixed, $5.00.

Except as otherwise provided by law, all fees for the services of the Governor for licenses, and seals to exemplifications, commissions, certificates or other papers, shall be collected by the Secretary of State and he shall account therefor to the Director of the Division of Budget and Accounting and pay over the same to the treasurer in the same manner as he accounts for and pays over other fees collected by him for the use of the State, plus recording fees.

2. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 188

AN ACT to amend "An act supplementing 'An act to provide coverage for certain State, county, municipal, school district and public employees, under the provisions of Title II of the Federal Social Security Act, as amended; repealing chapters 14 and 15 of Title 43 of the Revised Statutes including acts amendatory thereof and supplementary thereto; granting refund of accumulated deductions paid thereunder or membership in the Public Employees' Retirement System created hereunder, specifying contributions to be paid and benefit rights therein,' approved June 28, 1954 (P. L. 1954, c. 84), and providing for benefits and rates of contribution of State law enforcement officers," approved May 28, 1965 (P. L. 1965, c. 64).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-97. "Law enforcement officer" defined.

1. "Law enforcement officer" shall mean any permanent and full-time employee of the State of New Jersey holding one of the following titles: inspector, senior inspector, principal inspector, deputy chief inspector and chief inspector in the Division of Motor Vehicles, and inspector, investigator, and administrative inspector in the Division of Alcoholic Beverage Control, conservation officer, assistant district conservation officer and district conservation officer in the Division of Fish and Game, and assistant chief marine police and senior marine patrolman in the Division of Resource Development, and inspector, officer, senior inspector, and principal inspector in the Division of Shell Fisheries, any permanent and full-time active county detective, lieutenant of county detectives, captain of county detectives, chief of county detec-

tives, and county investigator in the office of the county prosecutors, and any patrolman or other police officer of the Board of Commissioners of the Palisades Interstate Park appointed pursuant to section 32:14–21 of the Revised Statutes, provided, however, that no member of the Alcoholic Beverage Law Enforcement Officers' Pension Fund, nor any person employed in the Division of Alcoholic Beverage Control after February 1, 1955 whose position is covered by the provisions of chapter 423, P. L. 1953 shall be eligible for membership in the Public Employees' Retirement System until the conditions set forth in section 10 of this act have been complied with.

If the Prison Officers' Pension fund is terminated as provided in section 10 hereof, "law enforcement officer" shall also mean any permanent and full-time active employee of the State of New Jersey holding the title of correction officer, correction sergeant, correction lieutenant, correction captain or deputy keeper in the Division of Correction and Parole, or any member of the Prison Officers' Pension Fund on the date of such termination.

2. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 189

AN ACT to amend "An act relating to the reorganization of the executive and administrative offices, departments, and instrumentalities of the State Government; and establishing and concerning a Division of Investment within the Department of the Treasury," approved July 1, 1950 (P. L. 1950, c. 270) and repealing sections 2, 3, 4 and 10 thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 52:18A-83. State Investment Council established in Division; membership; terms.

5. There is hereby established in the Division of Investment a State Investment Council which shall consist of 10 members.

Within 10 days after the effective date of this act each of the following agencies, namely, the Board of Trustees of the Public Employees' Retirement System, the Board of Trustees of the State Police Retirement System, the Board of Trustees of the Teachers' Pension and Annuity Fund, the Board of Trustees of the Police and Firemen's Retirement System of New Jersey and the Consolidated Police and Firemen's Pension Fund Commission, shall designate one of their respective members to serve as a member of the State Investment Council herein established. The 5 members of the council so selected shall serve as such for a period of 1 year from the date of their selection and until their respective successors are in like manner selected. Each of the remaining 5 members of the State Investment Council shall be appointed by the Governor for a term of 5 years and shall serve until his successor is appointed and has qualified; except that of the first appointments to be made by the Governor hereunder, one shall be for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, and they shall serve until their respective successors are appointed and have qualified. The term of each of the members first appointed hereunder by the Governor shall be designated by the Governor.

At least 3 of the 5 members appointed by the Governor to the council shall be qualified by training and experience in the field of investment and finance. No member of the State Investment Council shall hold any office, position or employment in any political party nor shall any such member benefit directly or indirectly from any transaction made by the Director of the Division of Investment provided for herein.

The members of the council shall elect annually from their number a chairman of such council. Any member of the council so elected shall serve as such chairman for a term of 1 year and until his successor is, in like manner, elected. The chairman of the council shall be its presiding officer.

The members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties as approved by the chairman of the council.

Each member of the council may be removed from office by the Governor, for cause, upon notice and opportunity to be heard at a public hearing. Any vacancy in the membership of the council occurring other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only.

Section amended.

2. Section 7 of the act of which this act is amendatory is amended to read as follows:

C. 52:18A-85. Certain powers and duties of certain agencies transferred to Director Division of Investment.

7. The functions, powers and duties vested by law in the following enumerated agencies:

The Board of Trustees of the Public Employees' Retirement System; the Board of Trustees of the State Police Retirement System; the Prison Officers' Pension Commission; the Board of Trustees of the Teachers' Pension and Annuity Fund; the Board of Trustees of the Police and Firemen's Retirement System of New Jersey; and the Consolidated Police and Firemen's Pension Fund Commission; of, or relating to, investment or reinvestment of moneys of, and purchase, sale or exchange of any investments or securities of or for any funds or accounts under the control and management of such agencies, are hereby transferred to and shall be exercised and performed for such agencies by the Director of the Division of Investment established hereunder; provided, however, that before any such investment, reinvestment, purchase, sale or exchange may be made by said director for or on behalf of any such agency, he shall submit the details thereof to such agency, which shall, within 48 hours, exclusive of Sundays and public holidays, after such submission to it, file with the director

its written acceptance or rejection of such proposed investment, reinvestment, purchase, sale or exchange, and the director shall have authority to make such investment, reinvestment, purchase, sale or exchange for or on behalf of such agency unless there shall have been filed with him a written rejection thereof by such agency as herein provided.

C. 52:18A-80.
C. 52:18A-81.
C. 52:18A-82.
C. 52:18A-88.
Repealed.

3. Sections 2, 3, 4 and 10 of P. L. 1950, chapter 270 are repealed.

4. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 190

AN ACT concerning old age assistance and amending section 44:7–5 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 44:7–5 of the Revised Statutes is amended to read as follows:

44:7–5. Old age assistance shall be granted under this chapter to any person who:

a. Has attained the age of 65 years;

b. Lacks adequate support; is unable to support himself; is without parents, spouse, or children able to support him and without other persons able and willing to support him;

c. Is a resident of this State, and has so resided therein for a period of 1 year immediately preceding the date of application; if, however, Federal aid should not be made available to this State, or if, after being made available, it should be withdrawn, all persons whose applications are then pending and not acted upon and all persons applying thereafter for assistance under this chapter shall be required to have resided in and been domiciled in this State continuously for at least 5 years immediately preceding the date of application;

d. Is not involuntarily confined in any public or private institution other than a medical institution,

and is not a resident or patient in any public or private medical institution other than a hospital;

e. Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance or for the purpose of evading responsibility under section 44:7–14 of this Title;

f. Is found, after due investigation and determination as hereinafter provided, to be in need of assistance.

2. This act shall take effect July 1, 1966.

Approved June 30, 1966.

CHAPTER 191

AN ACT to amend and supplement "An act concerning hospital, medical-surgical and major medical expense benefits for State employees and providing for the procuring of such benefits," approved June 3, 1961 (P. L. 1961, c. 49) and amending the "Public and School Employees' Health Benefits Act," approved June 18, 1964 (P. L. 1964, c. 125).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of chapter 49 of the laws of 1961 is amended to read as follows: Section amended.

2. As used in this act C. 52:14-17.26. Definitions.

(a) The term "State" means the State of New Jersey.

(b) The term "commission" means the State Health Benefits Commission, created by section 3 of this act.

(c) The term "employee" means an appointive or elective officer or full-time employee of the State of New Jersey. For the purposes of this act an employee of Rutgers, The State University of New Jersey, shall be deemed to be an employee of the State. For the purposes of this act the term "employee" shall not include persons employed on a

short-term, seasonal, intermittent or emergency basis, persons compensated on a fee basis, persons having less than 3 months of continuous service or persons whose compensation from the State is limited to reimbursement of necessary expenses actually incurred in the discharge of their official duties. The term "employee" shall also not include persons, active or retired, who are otherwise eligible for benefits under this act but who, although they meet the age eligibility requirement of the Federal Medicare program, are not covered by the complete Federal program. A determination by the commission that a person is an eligible employee within the meaning of this act shall be final and shall be binding on all parties.

(d) The term "dependents" means an employee's spouse and the employee's unmarried children under the age of 23 years who live with the employee in a regular parent-child relationship. "Children" shall include stepchildren, legally adopted children and foster children provided they are reported for coverage and are wholly dependent upon the employee for support and maintenance. A spouse or child enlisting or inducted into military service shall not be considered a dependent during such military service. The term "dependents" shall not include spouses of persons, active or retired, who are otherwise eligible for the benefits under this act but who, although they meet the age eligibility requirement of the Federal Medicare program, are not covered by the complete Federal program.

(e) The term "carrier" means a voluntary association, corporation or other organization which is lawfully engaged in providing or paying for or reimbursing the cost of, personal health services, including hospitalization, medical and surgical services, under insurance policies or contracts, membership or subscription contracts, or the like, in consideration of premiums or other periodic charges payable to the carrier.

Section amended.

2. Section 3 of chapter 49 of the laws of 1961 is amended to read as follows:

C. 52:14-17.27. State Health Benefits Commission; establishment of program; rules and regulations.

3. There is hereby created a State Health Benefits Commission, consisting of the State Treasurer, the Commissioner of Banking and Insurance and the President of the Civil Service Commission. The treasurer shall be chairman of the commission and the health benefits program authorized by this act shall be administered in the Treasury Department. The Director of the Division of Pensions shall be the secretary of the commission. The commission shall establish a health benefits program for the employees of the State, the cost of which shall be paid as specified in section 6 of this act. The program shall commence at the earliest date in the fiscal year ending June 30, 1962, consistent with available appropriations. The commission shall establish rules and regulations as may be deemed reasonable and necessary for the administration of this act.

The Attorney General shall be the legal advisor of the commission.

Section amended.

3. Section 5 of chapter 49 of the laws of 1961 is amended to read as follows:

C. 52:14-17.29. Minimum coverages.

5. (A) The contract or contracts purchased by the commission pursuant to section 4 shall as a minimum provide 2 separate coverages or policies as follows:

(1) Basic benefits which shall include

(a) Hospital benefits, including out-patient,

(b) Surgical benefits,

(c) In-patient medical benefits, and

(d) Obstetrical benefits, in the case of family contracts.

Basic benefits shall be substantially equivalent to those available on a group remittance basis to employees of the State and their dependents under the subscription contracts of the New Jersey "Blue Cross" and "Blue Shield" Plans in effect on the effective date of this act; and

(2) Major medical expense benefits which shall provide benefit payments for reasonable and necessary eligible medical expenses for hospitalization, surgery, medical treatment and other related services and supplies to the extent they are not covered

by basic benefits. The commission may, by regulation, determine what types of services and supplies shall be included as "eligible medical services" under the major medical expense benefits coverage as well as those which shall be excluded from or limited under such coverage. Benefit payments for major medical expense benefits shall be equal to a percentage of the reasonable charges for eligible medical services incurred by a covered employee or an employee's covered dependent, during a calendar year as exceed a deductible for such calendar year of $100.00 subject to the maximums hereinafter provided and to the other terms and conditions authorized by this act. The percentage shall be 80%, except that it shall be 50% in the case of charges for eligible medical services for the treatment of mental or nervous disorders in the out-patient department of a hospital or on an out-of-hospital basis. There shall be a separate deductible for each calendar year for (a) each enrolled employee and (b) all enrolled dependents of such employee. Not more than $10,000.00 shall be paid for major medical expense benefits with respect to any one person for any 1 calendar year and not more than $20,000.00 shall be paid for such benefits with respect to any one person for the entire period of such person's coverage under the plan, whether continuous or interrupted, except that the maximums of $10,000.00 and $20,000.00 may be reapplied to a covered person. Under the conditions agreed upon by the commission and the carriers as set forth in the contract, the deductible for a calendar year may be satisfied in whole or in part by eligible charges incurred during the last 3 months of the prior calendar year.

(B) Benefits under the contract or contracts purchased as authorized by this act may be subject to such limitations, exclusions, or waiting periods as the commission finds to be necessary or desirable to avoid inequity, unnecessary utilization, duplication of services or benefits otherwise available, including coverage afforded under the laws of the United States, such as the Federal Medicare program, or for other reasons.

(C) The rates charged for any contract purchased under the authority of this act shall reasonably and equitably reflect the cost of the benefits provided based on principles which in the judgment of the commission are actuarially sound. The rates charged shall be determined by the carrier on accepted group rating principles with due regard to the experience, both past and contemplated, under the contract. The commission shall have the right to particularize subgroups for experience purposes and rates. No increase in rates shall be retroactive.

(D) The initial term of any contract purchased by the commission under the authority of this act shall be for such period, not extending beyond June 30, 1962 to which the commission and the carrier may agree, but permission may be made for automatic renewal in the absence of notice of termination by the State. Subsequent terms for which any contract may be renewed as herein provided shall each be limited to a period not to exceed 1 year.

(E) The contract shall contain a provision that if basic benefits of an employee or of an eligible dependent under the contract, after having been in effect for at least 1 month, is terminated, other than by voluntary cancellation of enrollment, there shall be a 31-day period following the effective date of termination during which such employee or dependent may exercise the option to convert, without evidence of good health, to left-group conversion coverage issued by the carrier on a direct payment basis. Such conversion coverage shall include benefits of the type classified as "basic benefits" in subsection A hereof. The provision shall further stipulate that the employee or dependent exercising the option to convert shall pay the full periodic charges for the left-group coverage which shall be subject to such terms and conditions as are normally prescribed by the carrier for this type of coverage.

Section amended.

4. Section 6 of chapter 49 of the laws of 1961 is amended to read as follows:

C. 52:14-17.30. Payment of premium; dependents; coverage; health benefits fund.

6. (A) For each active covered employee the State, from funds appropriated therefor, shall pay the premium or periodic charges for the benefits provided under the contract in amounts equal to the premium or periodic charges for the benefits provided under such a contract covering the employee alone and shall reimburse the active employee for his premium charges under Part B of the Federal Medicare program covering the employee alone.

(B) An employee may, on an optional basis, enroll his dependents for coverage under the contract subject to such regulations and conditions as the commission and the carrier may prescribe. The amount of the total premium or periodic charge for such contract in excess of the amount paid by the State under subsection (A) of this section shall be the sole responsibility of the employee who, at the time of such enrollment, shall authorize the State to withhold the amount of such excess, on an advance basis, from his wages or salary. There is hereby created a health benefits fund consisting of all such withholdings from wages or salaries of employees. All such withholdings shall be remitted to such fund. Said fund shall be used to pay the portions of the premiums or periodic charges for which the employee is responsible under this act. Whenever any dividend or retrospective rate credit is declared or allowed by a carrier under a contract, the commission shall determine, in an equitable manner, the amount thereof attributable to the dependents coverage and shall credit said fund with such amount.

Section amended.

5. Section 7 of chapter 49 of the laws of 1961 is amended to read as follows:

C. 52:14-17.31. Effective date of coverage; rules and regulations; furnishing of information to commission.

7. The coverage provided solely for employees shall, subject to the provisions below, automatically become effective for all eligible employees from the first day on or after the effective date of the program on which they satisfy the definition of "employee" contained in this act.

The commission shall establish such rules and regulations governing the enrollment and effective

dates of coverage of dependents of employees as it deems are necessary or desirable. Under the rules and regulations established by the commission, each employee shall be given the opportunity to enroll for coverage for his dependents as of the earliest date he becomes eligible for such enrollment. An employee may elect to enroll his dependents for basic coverage and major medical expense coverage, but may not enroll for major medical expense coverage alone.

If, on the date coverage for an employee would become effective, he is not actively at work on full time at his customary place of employment or other location to which his employment requires him to travel, he shall not be covered until he is so actively at work.

Each employee shall furnish the commission, in such form as is prescribed, such information as is necessary on account of his own coverage and as is necessary to enroll his dependents. Any employee not desiring coverage at the time he first becomes eligible, shall give the commission written notice of that fact in such form as the commission may prescribe. Such employee may not enroll thereafter except at such times and under such conditions as the commission may prescribe.

If an employee eligible for coverage has a spouse who is also an employee eligible for coverage, the spouse may elect to forego coverage as an employee and to enroll for both basic benefits and the major medical expense benefits as a dependent, in which event no coverage shall be provided for such spouse as an employee while covered as a dependent. The employee, who has enrolled such spouse, may receive a refund from the State equivalent in amount to the State's cost for an employee's coverage. When both husband and wife are covered as employees, only one may enroll for their children as dependents.

6. Section 8 of chapter 49 of the laws of 1961 is amended to read as follows: Section amended.

8. The basic coverage and the major medical coverage of any employee, and of his dependents, C. 52:14-17.32. Termination of coverage.

if any, shall cease upon the discontinuance of his term of office or employment or upon cessation of active full-time employment subject to such regulations as may be prescribed by the commission for limited continuance of basic coverage and major medical coverage during disability, part-time employment, leave of absence or lay off, and for continuance of basic coverage and major medical coverage after retirement, any such continuance after retirement to be provided at such rates and under such conditions as shall be prescribed by the commission subject, however, to the requirements hereinafter set forth in this section. The commission may also establish regulations prescribing an extension of coverage when an employee or dependent is totally disabled at termination of coverage.

Rates payable by retired employees for themselves and their dependents, by active employees for dependents covered by Medicare benefits, and by the State or other employer for an active employee alone covered by Medicare benefits, shall be determined on the basis of utilization experienced according to classifications determined by the commission, provided, however, that the total rate payable by such retired employee for himself and his dependents, or by such active employee for his dependents and the State or other employer for such active employee alone, for coverage hereunder and for Part B of Medicare, shall not exceed by more than 25%, as determined by the commission, the total amount which would have been required to have been paid by him and by the State or other employer for the coverage maintained had he continued in office or active employment and he and his dependents were not eligible for Medicare benefits. "Medicare" as used in this act means the coverage provided under Title XVIII of the Social Security Act as amended in 1965, or its successor plan or plans.

Section amended.

7. Section 7 of chapter 125 of the laws of 1964 is amended to read as follows:

7. The commission shall certify to the certifying agent of each employer electing participation under the program the premium rates and periodic charges applicable to the coverage provided for employees and dependents. The participating employer shall remit to the State Treasury all contributions to premiums and periodic charges in advance of their due dates, subject to the rules and regulations of the commission.

C. 52:14-17.38. Certification of premium rates and charges to participating employers; remission of contributions; reimbursement of premium charges.

The employer shall reimburse the active employee for his premium charges under Part B of the Federal Medicare program covering the employee alone.

8. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 192

AN ACT to supplement the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. On or before September 1 of each year, on the basis of the most recent actuarial valuation of the Teachers' Pension and Annuity Fund and on the basis of the appropriate Social Security rate of contribution, the Director of the Division of Pensions in the State Department of the Treasury shall certify to the Commissioner of Education of the State Department of Education the percentage of salaries which the State Department of Education and each board of education, school district or agency of this State must appropriate in its next fiscal year project budget to cover the amount of the increase and the cost of pension, group life insurance, Social Security and other benefits provided by the act to which this act is a supplement attributable to carrying out the programs financed by "The Elementary and Secondary School Act

C. 18:13-112.96. Appropriation to cover cost of pension; group life insurance, Social Security and other benefits.

of 1965'' as enacted by the Eighty-ninth Congress of the United States and any acts amendatory or supplementary thereto. The Commissioner of Education shall promptly notify each public employer of the percentage certified and the public employer shall, within 90 days after the close of such next fiscal year, together with supporting information prescribed by the Director of the Division of Pensions, reimburse the State the amount of such increased cost from funds allocated to the public employer pursuant to this Federal Act or amendments or supplements thereto.

2. This act shall take effect immediately.

Approved June 30, 1966.

CHAPTER 193

AN ACT concerning engineers' and firemen's licenses and amending section 34:7–3 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 34:7–3 of the Revised Statutes is amended to read as follows:

Fees; renewals; revocation or suspension of license.

34:7–3. Each application for examination for any license issued by the bureau shall be accompanied by fees as set forth in this section. Such fees shall be made payable to the Commissioner of Labor and Industry. There shall be no other charge for the initial examination or for one re-examination taken within 6 months of the original examination. Failure to appear for examination or to obtain a passing grade shall not entitle the applicant to a refund of any fee.

Original application	$10 00
Raise of grade or additional classification application	7 00

Additional examination, in excess of 2, on any application		5 00
Annual license renewal if requested no later than expiration date		3 00
License renewal for 3 years if requested no later than expiration date		8 00
Application for renewal, if made not more than 3 years after expiration and if all penalties lawfully imposed upon the applicant by the Mechanical Inspection Bureau have been paid	1 year	5 00
	3 years	10 00

Upon failure to so renew a license for a period of 3 years and 1 day after expiration date all records pertaining to such license may be destroyed pursuant to the "Destruction of Public Records Laws of 1953" and any application for renewal of the license will be treated as an original application for examination. All fees collected under this article shall be paid by the commissioner into the State Treasury and shall become a part of the State General Fund.

Any license may be revoked or suspended by the commissioner upon receiving evidence of incompetence, negligence, intoxication while on duty or other reason establishing that the licensee is unfit to hold a license, after notice is given to the licensee and a hearing afforded him before one or more members of the examining board. In case revocation or suspension is recommended by the member or members conducting the hearing, it shall not be acted upon by the commissioner until at least 15 days' notice of the recommendation shall be given to the licensee and an opportunity afforded him within that time period to ask for a rehearing before the commissioner. After rehearing, if requested, the commissioner may affirm, modify or dismiss such recommendation. Pending a hearing

or rehearing as provided in this paragraph, the commissioner may authorize the suspension of a license in the interest of health and safety.

2. This act shall take effect immediately.

Approved July 11, 1966.

CHAPTER 194

AN ACT concerning custodians of school moneys and amending sections 18:5–53, 18:5–64, and 18:8–11, of the Revised Statutes, and P. L. 1947, chapter 86.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 18:5–53 of the Revised Statutes is amended to read as follows:

Custodian; compensation; bond.

18:5–53. The person designated by law as the custodian of the moneys belonging to the municipality in which a school district is situated shall be the custodian of the school moneys of such district unless the collector shall be designated as such custodian by the board of education of the district in which case he shall be such custodian.

The custodian shall receive such compensation as the board of education of the municipality shall determine, which compensation shall be paid by the board from its funds.

He shall give bonds for the faithful discharge of his duties in such amount and with such surety as the board shall direct. The board in its determination of the amount shall be guided by a schedule of minimum limits to be promulgated by the State Board of Education.

Section amended.

2. Section 18:5–64 of the Revised Statutes is amended to read as follows:

Custodian in districts containing more than one municipality.

18:5–64. When a school district shall contain more than one municipality, the board of education may appoint a suitable person as custodian of school moneys of the district, and may fix his salary and term of office.

The custodian shall render to the board, when requested by it so to do, a true and full account of all moneys in his possession, as custodian up to such time, and of all payments made by him out of such moneys and the purposes thereof. He shall when required by resolution of the board deposit in any bank or banking institution designated by it, all moneys then in his hands or thereafter collected or received by him as custodian.

He shall give bonds for the faithful discharge of his duties in such amount and with such surety as the board shall direct. The board in its determination of the amount shall be guided by a schedule of minimum limits to be promulgated by the State Board of Education.

Until the appointment of a custodian of school moneys by the board of education, the collector or other person residing in the municipality, situated in such school district, having the largest amount of taxable property shall be custodian of the school moneys of the district.

Section amended.

3. Section 18:8–11 of the Revised Statutes is amended to read as follows:

Custodian of school moneys.

18:8–11. The board shall appoint a suitable person as custodian of school moneys and fix his salary. The term of the custodian shall expire on June 30 of each year. He may be a member of the board of education. The custodian shall have the powers and be charged with the duties conferred or imposed upon custodians of school moneys in districts governed by chapter 7 of this Title (Title 18:7–1 et seq.), and shall give such bond in such amount and with such surety as the board shall direct. The board in its determination of the amount shall be guided by a schedule of minimum limits to be promulgated by the State Board of Education.

Section amended.

C. 18:5-17.11. Custodian of school moneys; powers and duties; bond.

4. Section 11 of chapter 86 of the laws of 1947 is amended to read as follows:

11. The board shall appoint a suitable person, who may be a member of the board as custodian of school moneys and may fix his salary. The custodian shall have the powers and be charged with the duties conferred or imposed upon custodians of school moneys in school districts governed by chapter 7 of Title 18 of the Revised Statutes and he shall give bond in such amount, according to such terms, as are required by law, of custodians of school moneys of school districts, and with such surety as the board shall direct. The board in its determination of the amount shall be guided by a schedule of minimum limits to be promulgated by the State Board of Education.

5. This act shall take effect immediately.

Approved July 11, 1966.

CHAPTER 195

AN ACT to amend "An act authorizing the use of voting machines in annual school elections under certain conditions, and supplementing article 3 of chapter 7 of Title 18 of the Revised Statutes," approved May 12, 1947 (P. L. 1947, c. 146).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 18:7-47.5. Election officers.

5. The board of education, not less than 40 days before the date of the annual school election, shall appoint, in so far as practicable, from among the members of the district election boards comprised within the boundaries of the polling districts established by the board in accordance with sections

18:7–16 and 18:7–19 of the Revised Statutes, such election officers as are necessary to conduct an election under the provisions of subtitle 15 of Title 19 of the Revised Statutes, and each such election officer for the services performed by him shall be paid a compensation not to exceed $2.00 per hour for each hour that the polls are open, but in no event shall the board pay such election officer less than $10.00. Election officers so appointed shall be charged with the same duties with respect to school elections as are prescribed for any election by subtitle 15 of Title 19.

Any vacancies occurring in the district election boards shall be filled by the county board of elections of the county.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 196

AN ACT to amend "An act concerning the adoption of children, their custody, control and rights of inheritance, and repealing subtitle 2 of Title 9 of the Revised Statutes," approved July 23, 1953 (P. L. 1953, c. 264).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 14 of the act of which this act is amendatory is amended to read as follows: Section amended.

14. Effect of adoption; relationships of parent and child; rights of inheritance. C. 9:3-30. Effect of adoption; relationships of parent and child; rights of inheritance.

A. The entry of a judgment of adoption shall terminate all relationships between the child and his parents, and shall terminate all rights, duties, and obligations of any person which are founded upon such relationships, including rights of inherit-

ance under the intestate laws of this State; provided, however, that when the adopting parent is a stepfather or stepmother, and the adoption is consummated with the consent and approval of the mother or father, respectively, such adoption shall not affect or terminate any relationships between the child and such mother or father, nor the rights of inheritance under the intestate laws of this State through the other parent.

B. The entry of a judgment of adoption shall establish the same relationships, rights, duties and obligations between the child and the adopting parent as if such child were born to such adopting parent in lawful wedlock. In applying the intestate laws of this State, an adopted child shall have the same rights of inheritance as if born to the adopting parent in lawful wedlock. In the construction of any testamentary or other document executed subsequent to the effective date of this act, an adopted child shall be deemed lawful issue of the adopting parent unless such document shall otherwise provide.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 197

AN ACT concerning bridge companies and their successors, and amending section 48:5–7 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 48:5–7 of the Revised Statutes is amended to read as follows:

General powers.

48:5–7. Every company organized under this article shall have power:

I. To lay out a bridge or bridges with the proper approaches and to construct the same, and for the purposes of cuttings and embankments to take as much more land as may be necessary for the proper construction, maintenance, operation and security of such bridge or bridges. No bridge shall exceed 50 feet in width unless more land shall be required for the slopes of cuts and embankments;

II. To construct suspension drawbridges over any channels, thoroughfares or small creeks or rivers, but no such company shall build a bridge over any fresh water creek or river which is more than 400 feet wide;

III. To take and hold such voluntary grants of real estate and other property as may be necessary for the construction, maintenance and accommodation of its bridge or bridges;

IV. To purchase, hold and use such real estate or other property as may be necessary to accomplish the objects of its incorporation;

V. To enter upon all lands or waters to explore, survey, and locate the route of any such bridge, with the proper approaches and necessary buildings, appurtenances, and conveniences, doing no unnecessary injury to private or other property, and subject to responsibility for all damages which shall be done thereto;

VI. To condemn and take land necessary for its business, in accordance with chapter 1 of the Title Eminent Domain (§ 20:1–1 et seq.);

VII. To borrow such sums of money from time to time not to exceed in the whole the amount of its capital stock, as shall be necessary to build, construct, maintain and repair and keep in repair any such bridges with the necessary approaches, and to secure the repayment thereof by the execution, negotiation and sale of bonds secured by mortgages on its property and franchises;

VIII. In the manner or mode of procedure and with the effect and subject to the restrictions and liabilities prescribed by Title 14, Corporations, General, and as fully and completely as a corporation

organized under said Title 14, to purchase, take by devise or bequest, hold and convey real and personal property, inside or outside of this State, and mortgage any such real or personal property, and its franchises, to sell or exchange all or substantially all of its property and assets, including its good will, to lease its property and franchises to any other corporation or to any person, individual, partnership or public body, to purchase and dispose of the stock of any other corporation and pay therefor, to enter into, effect and carry out a joint agreement with any other corporation or with any person, individual, partnership or public body for their merger or consolidation, and to dissolve or be dissolved and be wound up.

The powers and privileges conferred upon any such company and described in subparagraph VIII of this section shall be vested in such company and may be fully and completely exercised by it at its discretion notwithstanding any restriction, limitation, condition or other provision in this article contained or implied, but in the event of conveyance or mortgage of any bridge constructed by such company or the sale or exchange of all or substantially all of its property and assets or the effecting and carrying out of a joint agreement with any other corporation or corporations for their merger or consolidation or the dissolution and winding up of such company, any person, individual, partnership, corporation or public body thereby acquiring such bridge or otherwise succeeding to the rights, privileges, powers and franchises of such company with respect to such bridge (hereinafter called "successor") and the successor's right, title and interest in and to such bridge shall be subject to and governed by all of the restrictions, limitations, conditions or other provisions in this article contained or implied and such successor, be he or it a person, individual, partnership, corporation or public body, shall be subject to and governed by this section and sections 48:5–8 to 48:5–12, inclusive, of this article.

IX. To exercise all other powers hereby granted or now or hereafter lawfully granted such corporations.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 198

AN ACT to amend "An act concerning assistance for dependent children, supplementing Title 44 of the Revised Statutes and repealing certain statutes relating thereto," approved June 11, 1959 (P. L. 1959, c. 86).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows: Section amended.

1. As used in this act and for the purpose of the determination of eligibility to receive financial assistance under the provisions of this act, the following words shall have the following meaning, unless the context indicates another meaning: C. 44:10-1. Definitions.

(a) "Assistance for dependent children" means the assistance and other services to be extended under this act to or for needy dependent children and the parents and relatives with whom they are living for the following purposes:

(1) To provide for the care of needy dependent children in their own homes or in the homes of relatives, under standards and conditions compatible with decency and health,

(2) To help maintain and strengthen family life, and

(3) To help such parents or relatives to attain the maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection.

(b) "Bureau of Assistance" means the Bureau of Assistance of the Department of Institutions and Agencies.

(c) "Dependent child" means a child under the age of 18, or under the age of 21 and a student regularly attending school, college or university, or regularly attending a course of vocational or technical training designed to fit him for gainful employment, who

(1) Has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and

(2) Is living in New Jersey with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew or niece, in a place of residence maintained by one or more of such relatives as his or their home, and

(3) Is found, after due investigation and determination, according to standards and procedures established pursuant to this act, to be in need of financial assistance.

(d) "Parent or relative with whom a dependent child is living" means a person

(1) Who is related to the dependent child, in the manner prescribed in subsection (c) (2) of this section, and

(2) With whom the dependent child is living in a place of residence maintained by one or more of such relatives as his or their own home, and

(3) Who is found, after due investigation and determination, according to standards and procedures established pursuant to this act, to be in need of financial assistance.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 199

AN ACT to amend and supplement "An act concerning crimes and supplementing chapter 115 of Title 2A of the New Jersey Statutes," approved October 18, 1962 (P. L. 1962, c. 165).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows: Section amended.

1. (a) The word "obscene" wherever it appears in the chapter to which this act is a supplement shall mean that which to the average person, applying contemporary community standards, when considered as a whole, has as its dominant theme or purpose an appeal to prurient interest. C. 2A:115-1.1. Obscene defined.

(b) Any book, publication, picture, writing, record or other mechanical or electronic audio or visual reproduction or other material shall be obscene within the meaning of subsection (a) hereof if it is established that:

(1) The dominant theme of the material taken as a whole appeals to a prurient interest;

(2) The material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; and

(3) The material is utterly without redeeming social value.

2. In any prosecution under the provisions of the chapter to which this act is a supplement, evidence of pandering or evidence that the sale or distribution of the material in question was exploited on the basis of its appeal to prurient interests, may be considered in determining whether the material is utterly without redeeming social value. C. 2A:115-1.2. Determination of value.

3. Any person who knowingly sells, lends or gives away to a person under the age of 18 years or in- C. 2A:115-1.3. Penalty.

duces or seeks to induce a person under the age of 18 years to buy, borrow, or receive

a. Any book, publication, picture, writing, record or other mechanical or electronic audio or visual reproduction or other material of any person or person of age of puberty or older, posed or presented in such a manner as to exploit lust for commercial gain and which would appeal to the lust of persons under the age of 18 years and which shows, depicts or reveals such person or persons in acts of sexual stimulation, deviation or perversion with one's self or with another or others.

b. Any collection, series or combination of photographs, drawings or other similar representations, whether or not contained in books, publications, pictures, writings, records or other mechanical or electronic audio or visual reproductions, of any person or persons of the age of puberty or older, posed or presented in such a manner as to exploit lust for commercial gain, and depicted or shown in such a posture or way that the viewer's attention or concentration is primarily focused on that person or those persons in acts of sexual stimulation, deviation or perversion which would appeal to the lust of persons under the age of 18 years, or

c. Any book, publication, picture, writing, record or other mechanical or electronic audio or visual reproduction or other material, containing details, descriptions or narrative accounts of acts of sexual stimulation, deviation or perversion with one's self or with another or others, which details, descriptions or narrative accounts are written or presented in such a manner as to exploit lust for commercial gain and which would appeal to the lust of persons under the age of 18 years and which are to be distinguished from flat and factual statements of the facts, causes, functions or purposes of the subject of the writing or presentation, such as would be found in bonafide medical or biological text books, shall be guilty of a misdemeanor.

For the purposes of this section, "knowingly" shall mean having knowledge of the character and content of any item described in this section, or

failure to exercise reasonable inspection which would disclose the character and content of the item.

C. 2A:115-1.4. Facts constituting a defense.

4. The establishment of all of the following facts by a defendant in a prosecution hereunder shall constitute a defense to the prosecution; (a) that the person under the age of 18 years falsely represented in writing that he or she was 18 years of age or over, and (b) that the appearance of the person was such that an ordinary prudent individual would believe him or her to be 18 years of age or over, and (c) that the sale or distribution to the person was made in good faith relying upon such written representation and appearance and in the reasonable belief that the person was actually 18 years of age or over.

C. 2A:115-1.5. Validity of act.

5. It is declared to be the legislative intent that if any section or sections of this act or any provision thereof shall be declared to be unconstitutional, invalid or inoperative in whole or in part, by a court of competent jurisdiction, such section or provisions shall, to the extent that it is not unconstitutional, invalid or inoperative be enforced and effectuated and no such determination shall be deemed to invalidate or make ineffectual the remaining provisions of the sections of this act.

6. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 200

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 17–17 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-166. Persons convicted of offenses; penalty.

17–17. Any person convicted of a crime or offense involving moral turpitude shall be ineligible to assume any municipal office, position or employment in a municipality governed pursuant to this act, and upon conviction thereof while in office shall forfeit his office; provided, however, any person convicted of such an offense other than a high misdemeanor who has achieved a degree of rehabilitation which in the opinion of the appointing authority and the Civil Cervice Commission, as to employment subject to the Civil Service law, indicates his employment would not be incompatible with the welfare of society and the aims and objectives of the governmental agency, may be considered eligible to apply for employment or be continued in employment. Any person who shall violate any of the provisions of sections 17–14, 17–15 or 17–16 of this article shall upon conviction thereof in a court of competent jurisdiction forfeit his office.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 201

AN ACT relating to the civil service in counties, municipalities and school districts and amending section 11:23–2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 11:23–2 of the Revised Statutes is amended to read as follows:

Rejection of applicant.

11:23–2. The commission may refuse to examine an applicant, or after examination to certify an eligible who:

a. Lacks any of the established preliminary requirements for examination or position or employment for which he applies; or

b. Is so physically disabled as to be rendered unfit for the performance of the duties of the position to which he seeks employment; or

c. Is addicted to the habitual use of intoxicating liquors to excess; or

d. Has been guilty of a crime or of infamous or notoriously disgraceful conduct; or

e. Has been dismissed from the public service for delinquency or misconduct; or

f. Has made false statements of any material fact, or practiced or attempted to practice deception or fraud in his application, examination or in securing his eligibility or appointment.

If, however, it shall appear that any such person, who is ineligible under subparagraphs d, e and f hereof for any reason other than the commission of a high misdemeanor, has achieved a degree of rehabilitation that indicates that his or her employment would not be incompatible with the welfare of society and the aims and objectives to be accomplished by the agency of government where such person is to be employed, then the chief examiner and secretary may admit such person to appropriate tests, and subsequently certify such person as eligible for employment.

An applicant or eligible may appeal to the commission from the action of the chief examiner and secretary in accordance with the rules established under this subtitle.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 202

AN ACT concerning joint purchases of supplies by 2 or more municipalities and amending chapter 245 of the laws of 1964, approved December 29, 1964.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 40:50-7.1. Joint purchase of material and supplies by two or more municipalities; agreement.

1. The governing bodies of 2 or more municipalities within the same county or adjoining counties may provide jointly by agreement for the purchase of materials and supplies for use by their respective municipalities.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 203

AN ACT concerning commissaries operated at State institutions, directing the use of profit accruing therefrom and amending section 30:4–15 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 30:4–15 of the Revised Statutes is amended to read as follows:

Commissaries for sale of commodities to inmates.

30:4–15. The board of managers of any institution or noninstitutional agency set forth in section 30:1–7 of the Revised Statutes may maintain a commissary or store for the sale of commodities to patients, inmates, visitors and personnel under rules adopted by the board. The cost of establishing the commissary or store may be defrayed out of any funds appropriated for current maintenance. Any profit accruing may be used by the board of the use, benefit and general welfare of the inmate or patient population as a whole.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 204

AN ACT to amend "An act concerning motor vehicles and supplementing Title 39 of the Revised Statutes," approved May 28, 1949 (P. L. 1949, c. 280).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of the act of which this act is amendatory is amended to read as follows: Section amended.

3. The director shall issue to such applicant, also, a certificate of such design as shall be determined by the director, indicating that a special vehicle identification card has been issued for the motor vehicle designated therein, which shall be pasted on the lower right-hand corner of the windshield of the motor vehicle for which it is issued, and metal insignia or marker or both of such design as shall be determined by the director which shall be attached to the license plate or plates of the motor vehicle for which such identification card and certificate have been issued. C. 39:4-206. Certificate to be pasted on windshield; license plate insignia.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 205

AN ACT concerning the construction or acquisition of sewerage disposal facilities and sanitary sewerage facilities by counties separately or jointly with municipalities located therein and supplementing chapter 23 of Title 40 of the Revised Statutes.

Preamble. WHEREAS, It has been found and determined that many counties in the State of New Jersey contain areas and municipalities which do not have adequate regional or comprehensive sanitary sewage disposal facilities or sanitary sewer facilities or which have such limited or local facilities which are presently inadequate and insufficient to meet the needs of such counties and areas and municipalities therein; and

Preamble. WHEREAS, It is the objective of both the Federal Government and the State Department of Health of New Jersey to initiate and encourage regional sewerage facilities for the purpose of collection, treatment and disposal of domestic and industrial wastes; and

Preamble. WHEREAS, It is essential for the health, safety and welfare of the inhabitants of such counties and the areas and municipalities therein that improved, enlarged or new sewage disposal facilities and sanitary sewer facilities be constructed or acquired in such areas or municipalities not now being served by such facilities or that existing facilities which may be inadequate be improved and extended where required; and

Preamble. WHEREAS, Stream flow regulation may be required to assist and provide for proper sewerage disposal facilities by providing necessary retention basins, impoundment facilities and other recognized means of stream flow regulation; and

Preamble. WHEREAS, Natural stream flows must be preserved, from the standpoint of both quality and quantity, by providing ultra methods of waste treatment, waste water re-use through ground-water recharge, retention in basins, impoundments and reservoirs, and other means of total water management; and

Preamble. WHEREAS, The cost of such construction of sewage disposal facilities and sanitary sewer facilities or the construction of additions, extensions or

improvements to existing facilities in many of such areas or municipalities would, if financed by such areas, regions or municipalities on an individual basis, be prohibitive and exorbitant; and

Preamble.

WHEREAS, There is a pressing need for counties to aid the inhabitants of such areas, regions and municipalities therein by constructing or acquiring new or improved sewage disposal facilities and sanitary sewerage facilities, or parts thereof, where required, or by constructing or acquiring additions, extensions and improvements to existing sewerage disposal facilities and sanitary sewerage facilities, or parts thereof, where required, and to finance the cost of any such construction or acquistion either alone or jointly with any municipality or municipalities, joint meetings or sewerage authorities therein by the issuance of bonds of such counties; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:23-19.1. Title of act.

1. This act shall be known and may be cited as the "County Sewerage Financing Law."

C. 40:23-19.2. Definitions.

2. As used in this act the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(1) The word "county" shall mean any of the several counties of the State operating under the authority granted by this act.

(2) The term "board of chosen freeholders" or the word "board" shall mean the board of chosen freeholders of any county operating under the powers granted by this act.

(3) The term "sewerage disposal facilities" shall mean and shall include any plant, system, facility or property used or useful or having the present capacity for future use in connection with the collection, treatment, purification or disposal of sewage, and, without limiting the generality of the foregoing definition, shall embrace treatment

plants, pumping stations, intercepting sewers, pressure lines, trunk or force mains, and all necessary appurtenances and equipment and shall include all property, rights, easements and franchises relating to any such sewerage disposal facilities and deemed necessary or convenient for the operation thereof, and shall include stream flow regulation, waste water re-use, and all other phases of total water management, including ground-water recharge, impoundments in basins and reservoirs, and ultra methods of treatment for re-use for industry, domestic and irrigation purposes.

(4) The term "sanitary sewerage facilities" shall include all sanitary sewer facilities, other than treatment or disposal facilities, but including such collection or lateral mains, trunks, force or intercepting mains or pumping stations as may be necessary for the collection of sewerage from premises, including industrial premises, and for carrying such sewage to sewage disposal or treatment facilities, and all necessary appurtenances and equipment and shall include all property, rights, easements, franchises relating to any such sanitary sewer facilities necessary or convenient for operation thereof.

(5) The word "facilities" when used alone, shall mean both such sewerage disposal facilities and sanitary sewer facilities, or either of them as the context shall require and shall include such stream flow regulation or impoundment reservoirs for stream flow control, waste water re-use and total water management within a watershed.

(6) The word "cost" as applied to sewerage disposal facilities or extensions or additions thereto or to sanitary sewer facilities, or to stream flow regulation facilities or impoundment, reservoirs, shall include the cost of construction, reconstruction or improvement, the cost of all labor, materials, machinery and equipment, the cost of all lands, property, rights, easements and franchises acquired, financing charges, interest on bonds issued to finance such facilities prior to and during con-

struction and for 1 year after completion of construction, cost of plans and specifications, surveys of estimates of costs and of revenues, cost of engineering and legal services, and all other expenses necessary or incident to determining the feasibility or practicability of such construction, reconstruction or improvement, administrative expense and such other expense as may be necessary or incident to the construction or acquisition of such facilities, and the financing herein authorized. Any obligation or expense incurred by the county in connection with any of the foregoing items of cost prior to the issuance of bonds or notes as authorized herein may be regarded as part of such cost and reimbursed to the county out of the proceeds of bonds issued under the provisions of this act.

(7) The term "general obligation bonds" shall mean general obligations of the county which are payable from unlimited ad valorem taxes or from such taxes and additionally secured by a pledge of sewer service charges as may be established.

(8) The word "sewage" shall include any substance that contains any of the waste products, excrement or other discharge from the bodies of human beings or animals as well as such other liquid wastes as normally emanate from dwelling houses, and shall also include liquid industrial wastes.

C. 40:23-19.3. Powers.

3. Any county in the State which may hereafter come under the provisions of this act as hereinafter provided is hereby authorized and empowered:

(1) To purchase, construct, improve, extend, enlarge or reconstruct sewerage disposal facilities or sanitary sewer facilities within such county either alone or jointly with any municipality, joint meeting or sewerage authority located within such county, and to operate, manage and control all or part of such sewerage disposal facilities and sanitary sewer facilities so purchased or constructed and all properties pertaining thereto, and to furnish and supply the services of its sewerage disposal facilities to any municipalities within such county; provided, however, that none of the facilities pro-

vided by this act may be constructed, owned, operated or maintained by the county on property located within the corporate limits of any municipality without the consent of the council or governing body having general legislative authority in the government of such municipality unless such facilities were owned by the county on such property prior to the time such property was included within the corporate limits of such municipality. No county shall furnish any of the facilities provided by this article to any property already being furnished like facilities by any municipality, joint meeting or sewerage authority, without the express consent of the council or governing body, joint meeting or sewerage authority, having general legislative authority in the government of such municipality;

(2) To issue general obligation bonds of the county to pay all or part of the cost of such purchase, construction, improvement, extension, enlargement or reconstruction of such facilities;

(3) To fix and collect rates, fees, rents and other charges for the services and facilities furnished by any such county sewerage disposal facilities.

(4) To receive and accept from the Federal Government or any agency thereof grants for or in aid of the planning, purchase, construction, extension, enlargement or reconstruction, or financing of any of such facilities and to receive and accept contributions from any source of either money, property, labor, or other things of value to be held, used and applied only for the purposes for which such grants and contributions may be made.

(5) To acquire in the name of the county by gift, purchase as hereinafter provided, or by the exercise of the right of eminent domain, such lands and rights and interests therein, including lands under water and riparian rights, and to acquire such personal property, as it may deem necessary for the purchase, construction, improvement, extension, enlargement or reconstruction, or for the efficient operation of any facilities purchased or constructed

under the provisions of this act and to hold and dispose of all real and personal property under its control.

(6) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ such consulting and other engineers, superintendents, managers, attorneys, financial or other consultants or experts and such other employees and agents as it may deem necessary in its judgment and to fix their compensation;

(7) Subject to the provisions and restrictions as may be set forth in the ordinance hereinafter mentioned authorizing or securing any bonds issued under the provisions of this act, to enter into contracts with the government of the United States or any agency or instrumentality thereof or with any other county or with any municipality, private corporation, copartnership, association, or individual providing for or relating to the collection, treatment and disposal of sewage, including industrial wastes, which contracts may provide for the furnishing of sewer services either by or to the county, or the joint construction or operation of sewerage facilities.

(8) To acquire by gift or purchase at a price to be mutually agreed upon, any of the facilities or portions thereof, provided for by this act, which shall, prior to such acquisition, have been owned by any private person, group, firm, partnership, association or corporation; provided, however, if the price for same cannot be agreed upon, the price shall be determined by an arbitration board consisting of 3 persons, one of whom shall be selected by the board of chosen freeholders, one shall be appointed by the private company or corporation, and the 2 persons so selected shall select a third member of said board; and provided, further, that in the event said board cannot agree as to the price to be paid by the said board of chosen freeholders,

then the board of chosen freeholders shall exercise the right of eminent domain in the manner provided by law;

(9) To enter into agreements and contracts with building contractors erecting improvements within any duly platted subdivision within the county, the terms of which said agreements or contracts may provide that such building contractors shall install within such subdivision sewer mains and lines, to be approved by the county, said mains and lines to run to a point or location to be agreed upon, at which said point or location said mains and lines shall be connected to the sewerage disposal facilities of the county. In the event such agreements or contracts are entered into they shall provide that upon the connection of the mains or lines within the subdivision to the sewer facilities of the county said mains, lines and equipment running to the various privately owned parcels of land within such subdivision shall become the property of the county and shall become a part of the county sewerage disposal facilities.

C. 40:23-19.4. Exercise of powers by board.

4. Whenever the board of chosen freeholders of any of the several counties of the State by resolution chooses to exercise the powers granted by this act it shall make or cause to be made such surveys, investigations, studies, borings, maps, plans, drawings and estimates of costs and of revenues as it may deem necessary relating to the type of disposal and treatment and estimate of cost of such sewerage disposal facilities, the purchase or construction of which shall be deemed by the board to be desirable and also relating to the sanitary sewerage facilities, if any, or part thereof it deems necessary to purchase or construct, to protect the health of the inhabitants of the county.

The obtaining of such surveys, investigations, studies, borings, maps, plans, drawings and estimates is hereby declared to be a county purpose and the costs thereof may be paid out of the general funds of the county, but which shall be reimbursed to the county from the proceeds of any bonds issued pursuant to this act.

All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefor out of the funds provided by this act.

C. 40:23-19.5. Issuance of general obligation bonds.

5. The board of chosen freeholders is hereby authorized to provide by ordinance at one time or from time to time for the issuance of general obligation bonds of the county for the purpose of paying all or any part of the cost of any sewerage disposal facilities constructed, acquired, improved, extended, enlarged or reconstructed pursuant to this act. The bonds of each issue shall be issued pursuant to the provisions of the Local Bond Law, constituting chapter 2 of Title 40A of the New Jersey Statutes.

The proceeds of such bonds shall be used solely for the payment of costs of the sewerage disposal facilities for the purchase, construction, reconstruction, enlargement or improvement of which such bonds shall have been authorized.

The board of chosen freeholders may also pledge to the payment of any or all of such bonds so issued all or any part of the revenues derived by the county from the operation or rental of its sewerage disposal facilities.

C. 40:23-19.6. Contracts.

6. A county may negotiate and enter into contracts, with municipalities within or adjoining its boundaries, joint meetings, sewerage authorities and with private sewer companies operating therein and adjoining the county and may negotiate and enter into like contracts with any other municipality or any private sewer company which may be discharging sewage directly or indirectly into any river or its tributaries and which might advantageously use the sewerage disposal facilities of the county, and may negotiate and enter into like contracts with persons or corporations engaged in public or private industry (herein called "industry" or "industries") within its boundaries who or which shall be discharging into any river or its tributaries any sewage, waste which cannot con-

veniently be disposed of through the sewerage system of any municipality or private sewer company.

C. 40:23-19.7. Charges for use of services.

7. After the commencement of operation of sewerage disposal facilities, the county may prescribe and change from time to time rates or rentals to be charged for the use of the services of such facilities. Such rates or rentals being in the nature of use or service charges or annual rental charges, shall be uniform and equitable for the same type and class of use or service of such facilities. Such rates or rentals and types and classes of use and service may be based on such factors which the board of chosen freeholders of the county shall deem proper and equitable within each regional facility.

C. 40:23-19.8. Costs.

8. If a county, pursuant to agreement with a municipality or municipalities therein, joint meetings or sewerage authorities, shall construct or acquire sewerage disposal facilities which will benefit such municipality or municipalities, joint meetings or sewerage authorities, such county may either (1) bear the entire cost of the construction or acquisition of such facilities by itself, or (2) share the cost of the construction or acquisition of such improvements with the municipality or municipalities, joint meetings or sewerage authorities. The county may issue its bonds for all or part of the cost of the construction or acquisition of such facilities. If the cost thereof is to be shared by such municipality or municipalities, joint meetings or sewerage authorities, the county may issue its bonds for its share of such cost and such municipality or municipalities, joint meetings or sewerage authorities, may issue their bonds for their share of such cost, or the county may issue its bonds for all of the cost of such facilities, and the share of such cost to be borne by such municipality or municipalities, joint meetings or sewerage authorities shall be repaid to the county by such municipality or municipalities, joint meeting or sewerage authority in annual installments over a period not exceeding 40 years as shall be agreed upon between the county

and such municipality or municipalities, joint meeting or sewerage authority. The amount of said annual installments shall include interest at such rate or rates as the county and such municipality or municipalities, joint meeting or sewerage authority shall agree upon, and the county and such municipality or municipalities, joint meeting or sewerage authority are hereby authorized to enter into agreements relating to such facilities which agreements shall have such terms and conditions as shall be deemed necessary and proper by such county and such participating municipality or municipalities, joint meeting or sewerage authority. Such agreements shall be authorized by a resolution duly adopted by the board of chosen freeholders of the county and by an ordinance duly adopted by the governing body of such municipality, municipalities, joint meeting or sewerage authority. Such annual payments received by a county from such municipality, municipalities, joint meeting or sewerage authority may also include an additional annual amount as shall be agreed upon for the payment of the agreed share of the cost of operation and maintenance and improvement or enlargement of such facilities. Notwithstanding any provisions of any other law or laws now existing or hereafter enacted, none of such annual payments to be made by such municipality, municipalities, joint meeting or sewerage authority to such county shall be included in any computation of gross or net indebtedness required under any such other law or laws.

Notwithstanding any provisions of any other law or laws now existing or hereafter enacted, the amount of any bonds issued by a county to finance the share of any municipality, municipalities, joint meeting or sewerage authority of the cost of the construction of acquisition of such facilities shall not be included in any computation of gross or net indebtedness under any such other law or laws as long as such county and such municipality, municipalities, joint meeting or sewerage authority have entered into an agreement pursuant to this section

under which the share of such municipality, municipalities, joint meeting or sewerage authority shall be repaid to such county as provided in this section.

C. 40:23-19.9. Powers to execute contracts.

9. Any municipality, joint meeting or sewerage authority with which a county is authorized to contract under the terms and provisions of this act shall have power, by ordinance duly adopted by its governing body to authorize its proper officials to enter into and execute for it a contract, for such periods of time and under such terms as are deemed proper and necessary, with a county, for the collection, treatment and disposal of all or any specified part of the sewage arising or collected in or by such municipality, joint meeting or sewerage authority, by the sewerage disposal facilities of such county and such contract shall be valid and binding upon the municipality, joint meeting or sewerage authority notwithstanding that no appropriation was made or provided to cover the estimated cost of such contract, and the governing body of the municipality, joint meeting or sewerage authority shall have full power and authority to do and perform all acts and things on the part of the municipality, joint meeting or sewerage authority to be done and performed under the terms and provisions of such contract. Any private sewer company or industry shall likewise have power to enter into a contract with a county for the collection, treatment and disposal of the sewage or the waste collected or discharged by it by the sewerage disposal facilities of a county.

C. 40:23-19.10. Investment of funds.

10. Notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking fund moneys or other

funds belonging to them or within their control in any bonds of a county authorized pursuant to this act, and such bonds are hereby made and shall be authorized security for any and all public deposits. Any such bonds and the interest thereon shall be exempt from taxation except for transfer and inheritance taxes.

C. 40:23-19.11. Payment of money covered under contract.

11. The chief fiscal officer of each municipality, joint meeting or sewerage authority which shall have entered into a contract pursuant to this act, shall cause to be paid to the county, at such times to be agreed upon, the amount of money certified to the municipality, joint meeting or sewerage authority by the county pursuant to this act. The power and obligation of such municipality, joint meeting or sewerage authority to provide for and make all such payments shall be unlimited and the sums necessary for such payment shall be included in each annual budget of such municipality, joint meeting or sewerage authority and such municipality, joint meeting or sewerage authority shall be irrevocably and unconditionally obligated to levy ad valorem taxes on all taxable property therein or service charges for users, as the case may be, without limit as to rate or amount to the full extent necessary to make all such payments in full as the same become due. If any part of the amount certified to a municipality, joint meeting or sewerage authority by a county, pursuant to this act, shall remain unpaid for 30 days following the date fixed for payment by the contract, the municipality, joint meeting or sewerage authority thus in default shall be charged with and liable for, and the chief fiscal officer thereof shall pay to such county interest upon the amount unpaid at the rate of 8% per annum.

C. 40:23-19.12. Payments on dates provided; liens.

12. Each private sewer company or industry which shall have entered into a contract with a county pursuant to this act, shall pay at such times as shall be provided in such contract to the contracting county, the sum of money certified to it by such county pursuant to this act, on or before the date provided for such payment in such contract. Any such sum of money so certified by a county

shall be a lien in favor of such county on and against the property of such private sewer company or industry. If such sum of money or any part thereof is not paid to the contracting county on or before such contract payment date, the unpaid amount shall bear interest at the rate of 8% therefrom until payment is complete and, such county shall make and record, in the same manner as conveyances of interest in real property are recorded, a certificate setting forth the facts and giving notice of the existence and amount of such lien remaining unsatisfied. So far as permitted by law, such lien shall have priority over all other liens theretofore or thereafter attaching except those of Federal, State and local taxes.

C. 40:23-19.13. Object and design of act.

13. The object and design of this act being the protection and preservation of public health, safety and welfare, this act shall be liberally construed and the powers granted and the duties imposed by this act shall be construed to be independent and severable. If any one or more sections, clauses, sentences or parts of this act shall for any reason be questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid.

C. 40:23-19.14. Competitive systems must have consent of existing authority.

14. In the event a county sewerage or municipal utilities authority has been established in a county pursuant to the provisions of chapter 123 of the laws of 1946 (c. 40:36A–1 et seq.) or chapter 138 of the laws of 1946, the "sewerage authorities law," (c. 40:14A–1 et seq.), no county shall establish any competitive sewerage disposal system within such county under the provisions of this act without the consent of such existing authority.

Except for the foregoing, insofar as the provisions of this act are inconsistent with the provisions of any other act, general or special, the provisions of this act shall be controlling.

15. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 206

AN ACT making lawful the system of pari-mutuel betting at night horse race meetings, and supplementing "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March 18, 1940 (P. L. 1940, c. 17), as said title was amended by chapter 137 of the laws of 1941, and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 5:5-84. Legalizing pari-mutuel betting at night horse race meetings.

1. In addition to the hours for which the conduct of horse racing is authorized pursuant to the act to which this act is a supplement, the New Jersey Racing Commission, in issuing a permit to an otherwise qualified applicant, may authorize the conduct of horse race meetings on the days and during such hours between 12:00 o'clock noon and 1:00 o'clock A. M. the following days on Mondays through Fridays and between 12:00 o'clock noon and 12:00 o'clock midnight on Saturdays, as shall be specified in the permit.

C. 5:5-85. Hours of wagering.

2. The conduct of the pari-mutuel system of wagering is authorized and shall be lawful at horse race meetings between the hours of 12:00 o'clock noon and 1:00 o'clock A. M. the following day on Mondays through Fridays and between 12:00 o'clock noon and 12:00 o'clock midnight on Saturdays in the same manner and to the same extent as the pari-mutuel system of wagering is now authorized between the hours of 12:00 o'clock noon and 6:00 o'clock P. M. (excluding Sundays).

Note: Submission of provisions to people.

3. For the purpose of complying with the provisions of the State Constitution, this act shall be submitted to the people for their approval or rejection at the next general election to be held 45 or more days following the date of its enactment.

Note: Question printed on ballot.

4. There shall be printed on each official ballot to be used at such election the following:

If you favor making the act entitled below operative within the State make a cross ×, plus + or check √ in the square opposite the word "Yes."

If you are opposed to making the act entitled below so operative, make a cross ×, plus + or check √ in the square opposite the word "No."

	Yes.	NIGHT RACING Shall chapter . . . of the laws of 1966 making it lawful to conduct night horse racing, with the system of pari-mutuel betting, be approved and become operative?
	No.	

The chapter number assigned to this act shall be inserted in the appropriate place in the foregoing question.

In any election district in which voting machines are used the question shall be placed upon the official ballot to be used upon the voting machines without the foregoing instructions to the voters and shall be voted upon "Yes" or "No" by the use of such machines without marking as aforesaid.

5. If at such election a majority of all the votes cast both for and against the approval of this act shall be cast in favor of the approval thereof, then all of its provisions shall forthwith take effect throughout the State. Note: Effect of election returns.

6. This section and sections 3, 4 and 5 of this act shall take effect immediately and the remainder of this act shall take effect as hereinbefore provided. Note: Effective dates.

Approved July 21, 1966.

CHAPTER 207

AN ACT to amend "An act making uniform regulations on net fishing in certain waters within the jurisdiction of this State, and providing for the licensing of same, and repealing sections 23:9–59, to 23:9–93, inclusive, 23:9–99, 23:9–101 to 23:9–107, inclusive, and 23:9–113 of the Revised Statutes," approved June 14, 1941 (P. L. 1941, c. 211), as said title was amended by chapter 294 of the laws of 1942.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of the act of which this act is amendatory is amended to read as follows: Section amended.

2. A person intending to take fish with a net in the waters aforesaid shall, except as hereinafter provided, apply to the Division of Fish and Game for a license therefor, and the division upon receipt of the application and the fee hereinafter prescribed may in its discretion issue licenses for the taking of fish with nets as follows: C. 23:5-24.2. Application; issuance of license; fees.

(a) Haul seines, the mesh of which shall not be larger than 3 inches stretched mesh while being fished, and not to exceed 70 fathoms in length,

whether singly or attached, for all species, excepting striped bass, November 1 to April 30. Fee, $15.00.

(b) Fykes, with leaders, shall not exceed 30 fathoms in length and no part of net or leaders to be larger than 3 inches stretched mesh while being fished, for all species excepting striped bass. November 1 to April 30. Fee, $5.00.

(c) Special fyke for flounder only, the length of the net not to exceed 30 fathoms and the mesh of which shall not be less than 4 inches stretched mesh. October 1 to April 30. Fee, $2.00.

(d) Miniature fykes or pots for the taking of catfish, suckers and eels, the same not to exceed 16 inches in diameter. March 15 to December 15. Fee, $0.25.

(e) Drifting gill nets, run around or stab nets, the smallest mesh of which shall be 2¾ inches while being fished, and the length of which net shall not exceed 200 fathoms, for all species excepting striped bass. March 15 to December 15. Fee, $10.00. These nets shall be used in the Atlantic ocean only.

(f) Shad nets, either staked or anchored, the smallest mesh of which shall be 5 inches while being fished, and shall not exceed 50 fathoms in length, for all species excepting striped bass. March 1 to June 15. Fee, $2.00. These nets shall be used in the Atlantic ocean only.

(g) Bait seines, over 50 feet long and not exceeding 150 feet. Fee, $1.00.

(h) Bait seines, not more than 50 feet long, may be used without application for or granting of license.

2. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 208

AN ACT making an appropriation to the State Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Jewish War Veterans at Atlantic City in 1966.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriation $10,000.00.

1. There is hereby appropriated from the general funds of the State in the State Treasury the sum of $10,000.00 to the Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Jewish War Veterans in Atlantic City in 1966.

2. There is hereby additionally appropriated to the Department of Conservation and Economic Development for the purposes set forth in section 1 of this act, all moneys which have been or hereafter may be contributed or donated to the State of New Jersey for such purposes by any person, corporation, partnership or other entity.

3. This act shall take effect immediately.

Approved July 21, 1966.

CHAPTER 209

AN ACT concerning motor vehicles, amending sections 39:3–15 and 39:3–20 of the Revised Statutes and amending "An act relating to motor vehicles and traffic regulation, and amending sections 39:3–20 and 39:3–84, and repealing sections 39:3–83, 39:3–85 and 39:4–73, and supplementing Title 39 of the Revised Statutes," approved May 25, 1950 (P. L. 1950, c. 142).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 39:3–15 of the Revised Statutes is amended to read as follows:

Operation of motor vehicle by nonresident; touring privileges; seasonal permits.

39:3–15. Any passenger type motor vehicle, omnibus, motor vehicle used for the transportation of goods, wares or merchandise, motor cycle, or motor-drawn vehicle belonging to a nonresident, and which has been registered in accordance with the laws respecting the registration of motor vehicles of the State, territory, Federal district of the United States or province of the Dominion of Canada, or foreign country, in which the nonresident resides, and which has conspicuously displayed thereon the registration number thereof, may, without complying with the provisions of this subtitle with respect to registration and equipment, be operated in this State either during such portion of the entire year as the free operation of a similar type of vehicle belonging to a resident of this State and registered in compliance with the laws of this State, and whose registration number is conspicuously displayed thereon, is permitted in the State, Territory, Federal district or province of the Dominion of Canada, or foreign country, of the nonresident, or during such portion of the entire year as the director shall determine to be the normal period of seasonal employment in agricultural

pursuits, provided a special permit is obtained from the director for such operation which may be issued to any applicant therefor who satisfies the director that he is engaged in such employment, and upon the payment of a fee of $1.00.

The privilege of free operation in this State of motor vehicles or motor-drawn vehicles belonging to nonresidents extended by this act shall not permit the intrastate free operation of any truck, road tractor, truck tractor or trailer and semitrailer of the commercial type, except that a trailer or semitrailer duly registered in another State or Federal district which does not impose registration weight fees on trailers or semitrailers is extended the privilege of free intrastate operation when being drawn by a truck, road tractor, or truck tractor registered in accordance with the provisions of Revised Statutes 39:3–20 and provided that the gross weight of the combination of vehicles, including load, does not exceed the maximum weight allowed by the registration certificate of the drawing vehicle registered in this State. The owner or driver of any vehicle used in intrastate operations not permitted by this section shall be deemed to be in violation of section Revised Statutes 39:3–4 and subject to the penalties prescribed in said section.

Section amended.

2. Section 39:3–20 of the Revised Statutes is amended to read as follows:

Trucks, road tractors and truck tractors; fees; sections 39:3-84, 39:4-75 not repealed.

39:3–20. An applicant for registration for trucks, road tractors and truck tractors shall pay to the director a fee based on the gross weight of the vehicle and load including the gross weight of all vehicles and load of any combination of vehicles of which the truck, road tractor or truck tractor is the drawing vehicle in such combination of vehicles. The plates to be used for commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X." Trailer plates shall have the letter "T." The fee for trucks, road tractors and truck tractors shall be paid in accordance with the following table:

When the gross weight of vehicle and load, including the gross weight of all vehicles and load of any combination of vehicles of which the truck, road tractor or truck tractor is the drawing vehicle in such combination of vehicles, is:

1,000 pounds or less	$10 00
1,001 to 2,000 pounds	15 00
2,001 to 3,000 pounds	20 00
3,001 to 4,000 pounds	25 00
4,001 to 5,000 pounds	30 00
5,001 to 6,000 pounds	35 00
6,001 to 8,000 pounds	40 00
8,001 to 10,000 pounds	50 00
10,001 to 13,000 pounds	60 00
13,001 to 16,000 pounds	75 00
16,001 to 19,000 pounds	90 00
19,001 to 22,000 pounds	110 00
22,001 to 25,000 pounds	130 00
25,001 to 28,000 pounds	150 00
28,001 to 32,000 pounds	180 00
32,001 to 36,000 pounds	210 00
36,001 to 40,000 pounds	240 00
40,001 to 44,000 pounds	270 00
44,001 to 48,000 pounds	295 00
48,001 to 52,000 pounds	325 00
52,001 to 56,000 pounds	350 00
56,001 to 60,000 pounds	380 00
60,001 to 64,000 pounds	410 00
64,001 to 68,000 pounds	435 00
68,001 to 72,000 pounds	460 00

An applicant for registration for trailers and semitrailers shall pay to the director a fee of $15.00 for each such vehicle.

In addition to the registrations authorized to be issued pursuant to the aforesaid provisions of this section, the director shall issue registrations for automobile commercial vehicles, trailers, semitrailers, and tractors providing for the gross weight of vehicle and load over 40,000 pounds but not exceeding 70,000 pounds, upon application therefor and proof to the satisfaction of the director that

the applicant is actually engaged in construction work or in the business of supplying material, transporting material, or using such registered vehicle for construction work. The license plate so issued shall be marked "constructor" and shall be placed upon the vehicle or vehicles registered under this section. In no event shall a vehicle or combination of vehicles, operating as a unit, registered under this section and using "constructor" registration plates exceed a maximum gross weight, inclusive of load, of 70,000 pounds.

The applicant for "constructor" registration plates authorized herein shall pay therefor on each vehicle at the rate of $15.00 per thousand pounds of gross weight of vehicle and load.

Vehicles registered and using "constructor" registration plates may not be operated at a distance greater than 30 miles from the point established as a headquarters for the particular construction operation and such vehicles, except as hereafter provided, must comply with the speed limitations of Title 39 of the Revised Statutes. Such vehicles when carrying a gross weight of vehicle and load less than 50% of the certificate of registration shall comply with applicable speed laws and shall not move along a highway at a speed greater than 40 miles per hour. When carrying a gross weight of vehicle and load in excess of 50% of the certificate of registration, such vehicle shall comply with applicable speed laws and shall not move along a highway at a speed greater than 30 miles per hour.

It shall be unlawful for any vehicle registered under this act having gross weight of load and vehicle including the gross weight of all vehicles and load in any combination of vehicles in excess of the gross weight provided on the registration certificate to be operated on the highways of this State.

In the event that a truck, road tractor or truck tractor registered under this act is found on a highway in combination with a trailer or semi-

trailer duly registered in any other State or Federal district which imposes registration weight fees on such trailers or semitrailers, the drawing vehicle of the combination registered under this act shall have a gross weight registration equal to at least ½ of the combined gross weight of all the vehicles and load in the combination of vehicles. If it does not, the operation of said combination of vehicles on the highways of this State shall be unlawful.

The 5% allowance provided by section 5 of P. L. 1950, chapter 142 shall be applicable as heretofore to all registered weight limitations provided in this section, except that in no event shall the gross weight of any vehicle or combination of vehicles, including load, exceed the Federal maximum of 73,280 pounds or as such may be amended from time to time. In the case of a truck, road tractor or truck tractor registered under this act in combination with a trailer or semitrailer duly registered in any other State or Federal district which imposes registration weight fees on such trailers or semitrailers, known as a mixed combination, the 5% allowance shall be applied by adding to the registered weight of the drawing vehicle registered under this act 5% of said registered weight. If the resulting sum is equal at least to ½ of the combined gross weight of the mixed combination, then the mixed combination shall be in compliance with the registration requirements of this section.

Moneys realized from the increase of the fees for registrations issued pursuant to the provisions of this act shall be paid into the State treasury and credited to the General State Fund and available for general State purposes.

This section shall not be construed to supersede or repeal the provisions of either sections 39:3–84 or 39:4–75 of this Title.

Section amended.

3. Section 5 of chapter 142 of the laws of 1950 is amended to read as follows:

C. 39:3-84.3. Violations as to weights and measurements of vehicles.

5. Any State Police officer or motor vehicle inspector having reason to believe that the size or weight of a vehicle and load is unlawful is author-

ized to require the driver to stop and submit to a measurement or weighing of the same by means of either portable or stationary scales and may require that such vehicle be driven to the nearest public scales in the event such scales are within 2 miles.

Whenever an officer or inspector upon measuring or weighing a vehicle and load, as above provided, determines that the size or weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the size or gross weight of such vehicle to such limit as permitted under this act, or permitted by the certificate of registration for the vehicle, whichever may be lower. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

No vehicle shall be deemed to be in violation of the overweight provision of this act when, upon examination by an officer or inspector, the vehicle's dispatch papers show it is proceeding from its last preceding freight pickup point within the State of New Jersey by a reasonably expeditious route to the nearest available scales or to the first available scales in the general direction towards which the vehicle has been dispatched, or is returning from such scales after weighing-in to the last preceding pickup point.

When an officer or inspector determines that a vehicle is in violation of the axle weight limitations of this act but is within the legal gross maximum weight, the driver shall be permitted before proceeding to redistribute the weight of the vehicle's contents so that no axle is overweight, in which event there is no violation.

No arrest shall be made in cases where weight limitations provided in this section are not exceeded by more than 5%, except that arrests may be made where the gross weight of any vehicle or combination of vehicles, including load, exceeds

the Federal maximum of 73,280 pounds, or as such may be amended from time to time.

Any person who prepares, presents to an officer or has in his possession false dispatch papers, that is to say, dispatch papers which do not correspond to the cargo carried, shall be subject to a fine not exceeding $100.00.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a measurement or weighing, or who fails or refuses when directed by an officer upon a measurement or weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be subject to a fine not exceeding $100.00.

The owner, lessee and bailee of any commercial motor vehicle, tractor, trailer or semitrailer found on a highway in violation of the dimensional restrictions of Revised Statutes 39:3–84 shall be fined not less than $200.00 nor more than $500.00. The owner, lessee and bailee of any commercial motor vehicle, tractor, trailer or semitrailer found on a highway with a gross weight of vehicle and load in excess of the weight limitation permitted by the certificate of registration for the vehicle or in excess of the gross weight limitations imposed by this Title for vehicle and load or an axle weight in excess of the axle weight limitations imposed by this Title, shall be fined an amount equal to $0.02 per pound for each pound of excess weight if the excess does not exceed 10,000 pounds, and $0.03 per pound for each pound of excess weight if the excess weight exceeds 10,000 pounds, but in no event less than $50.00.

The owner, lessee and bailee of a truck, road tractor or truck tractor registered under this act and found on a highway in combination with a trailer or semitrailer duly registered in any other State or Federal district which imposes registration weight fees on such trailers or semitrailers and in violation of the weight limitations of Revised Statutes 39:3–20 shall be fined an amount equal to $0.02 for each pound by which ½ of the

combined gross weight of all vehicles in the combination, including load, shall exceed the gross weight registration of the drawing vehicle registered under this act, if the excess is not greater than 10,000 pounds, and $0.03 for each pound of the excess if it is greater than 10,000 pounds, but in no event less than $50.00. Whenever it is found that there is a weight in excess of any 2 or more of said weight limitations, the fine shall be levied only for the violation involving the greater or greatest excess weight.

4. This act shall take effect April 1, 1967. Note: Effective date.

Approved July 21, 1966.

CHAPTER 210

AN ACT to amend and supplement "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population of from 300,000 to 325,000 inhabitants," approved August 12, 1948 (P. L. 1948, c. 310); and amending "An act to amend and supplement 'An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population of from 300,000 to 325,000 inhabitants,' approved August 12, 1948 (P. L. 1948, c. 310)," approved December 19, 1957 (P. L. 1957, c. 204); and supplementing the "Public Employees' Retirement-Social Security Integration Act," approved July 30, 1954 (P. L. 1954, c. 84).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 5 of P. L. 1948, chapter 310 is amended to read as follows: Section amended.

C. 43:10-18.54. Deposits; investments.

5. The pension commission shall deposit the funds in any of the banks or trust companies in the county. All moneys not needed for immediate payment of the pensions shall be invested by the pension commission in (a) interest-bearing securities in which savings banks of this State are authorized to invest their funds, (b) bonds or other evidences of indebtedness issued by any company incorporated within and transacting business within the United States, which are not in default as to either principal or interest when acquired, (c) direct obligations of or unconditionally guaranteed as to principal and interest by the government of Canada, payable as to both principal and interest in United States dollars, or which are the direct obligations of or unconditionally guaranteed as to principal and interest by any of the provinces thereof, payable as to both principal and interest in United States dollars, (d) mortgage bonds or notes secured by property within this State and insured by the Federal Housing Administrator and (e) capital stock or other securities issued by any company incorporated within the United States, in which life insurance companies organized under the laws of this State may legally invest, provided that the book value of the total investment in common and preferred stock does not exceed 15% of the book value of the fund, except that not more than 10% of the book value of the fund shall be invested in common stock.

The pension commission shall recommend and the board of freeholders shall appoint independent investment counsel to service the investment needs of the fund.

Section amended.

2. Section 6 of P. L. 1948, chapter 310 is amended to read as follows:

C. 43:10-18.55. Membership in county employees' retirement system; prior service.

6. The members and certain conditions of membership in the retirement system created by this act shall be as follows:

(a) All persons who shall hereafter become employees before they become 40 years of age, shall, after they complete 3 months of service, and be

found physically and mentally fit to the satisfaction of the pension commission herein provided for, become members of the county employees' retirement system created under this act, and shall receive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the county, nor shall they be required to make contributions to any other pension or retirement system of said county, anything to the contrary notwithstanding.

Such persons shall not be given credit for pension purposes hereunder for any prior service; provided, however, that where any such employee has had prior service as an employee in any State, county or municipal position, such employees shall be given credit for pension purposes hereunder for such prior service upon written application therefor to the pension commission within 1 year after becoming a member of this retirement system and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 6% of salary, said 6% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, whichever method the applicant may elect, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(b) All employees at the time of the adoption of this act, who were under the age of 40 years at the time of their appointment or election to public office in the county government, and were not members of any retirement system supported wholly or in part by the county, and who did not become members of the retirement system created under this act before January 1, 1949, may now become members

of the retirement system created under this act upon written application made to the pension commission within 90 days from the adoption of this amendatory act, under Plan (B1) and Plan (B2) as defined in said act and upon payment for prior service as provided under either of said plans.

(B1) To receive credit for service rendered to the county prior to joining this retirement system such employee shall pay into this retirement system a sum of money equal to 3% of salary received either since June 1, 1937, or since August 1, 1938, depending upon which of the said 2 dates such employee first became eligible to membership in the county employees' retirement system of such county established under "An act to provide for the maintenance of old faithful servants of the several counties of the State of New Jersey" (P. L. 1918, c. 164); or article 1 of chapter 10 and chapter 9 of Title 43 of the Revised Statutes of 1937; or since the date of his entrance into county service; if he became an employee after June 1, 1937. Such payment may be made either (1) in one sum, or (2) by equal semimonthly installments to be deducted together with each regular deduction from his salary, whichever method the applicant may elect, for the retirement system provided for under this act; provided, however, that in case an employee chooses to pay for such prior county service by method (2) aforesaid, that is by equal semimonthly installments, such employees shall receive credit for so much of such prior county service as is thus paid for, and no more. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for a sum of money equal in amount to the employee's principal payment. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission. Any such employee who elects to become a member of this retirement system under the aforesaid plan shall, upon his application to the pension commission prior to January 1, 1949, be given credit for

pension purposes hereunder for any prior service or services rendered as an employee of the State, and of any municipalities or other political subdivisions of the State, upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 3% of salary, said 3% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, whichever method the applicant may elect, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(B2) The regular deductions from the salary of any employee electing to become a member under this plan (B2) shall commence upon the filing of such written application and such employee shall not receive credit for any service rendered theretofore in any State, county, or municipal office or position.

(c) All employees who, at the time of the adoption and approval of this act, are members of any of the following retirement systems in effect in said county:

County detectives in counties of the first, second, third and fifth classes (article 2 of chapter 10 of Title 43 of the Revised Statutes);

Probation officers of counties of over 83,000 inhabitants (article 5 of chapter 10 of Title 43 of the Revised Statutes);

Sheriff's employees in counties of the first and second classes (article 6 of chapter 10 of Title 43 of the Revised Statutes);

County superintendents of weights and measures and assistant county superintendents of weights and measures ("An act providing for the retire-

ment of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June 21, 1938 (P. L. 1938, c. 397));

County park police in counties of more than 200,000 population (sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes);

Court interpreters in counties of the second class (article 9 of chapter 10 of Title 43, of the Revised Statutes); shall on January 1, 1949, automatically become members of the county employees' retirement system provided for by this act, and all such employees shall be deemed to agree and consent to the transfer of such membership unless they, or any one or more of them shall, before January 1, 1949, by written notice to the pension commission of their respective retirement systems operating in such county, elect to withdraw therefrom their contributions theretofore made, without interest. Any such member electing to withdraw from such membership shall thereafter be ineligible for membership in any retirement system of such county, or for any pension payable, in whole or in part, by funds of such county under the provisions of any statute of this State except sections 43:4–1 to 43:4–5, inclusive, of the Revised Statutes.

All such employees who become members of the county employees' retirement system provided for by this act and other county employees mentioned in paragraph (b) who become members of the said county employees' retirement system and who have held elective office in the county government, shall be given credit for pension purposes hereunder for all services, including services performed in any elective office, rendered to the county prior to January 1, 1949; provided, however, that where any such employee had theretofore agreed, under the provisions of article 1 of chapter 10 of Title 43 of the Revised Statutes, to pay for any part or all of such service rendered to the county prior to January 1, 1949, the transfer or approval of such employee's membership into this system shall include

the transfer to this system of all conditions and obligations of such prior agreement made by such employee and such employee shall be deemed to agree and consent to the transfer to this system of such conditions and obligations until the conditions of such agreement have been fully complied with. Employees mentioned in paragraph (b) who have held elective office in the county government prior to January 1, 1949, who were not members of the aforesaid systems defined in paragraph (c) herein, shall be given credit for pension purposes for all services including services performed in any elective office, rendered to the county prior to January 1, 1949, upon such employee agreeing and consenting in writing to pay for any part or all of such services rendered to the county prior to January 1, 1949 at the rate of 3% of the salary received for a period of time equal to the length of the prior elective service for which credit is allowed, plus interest thereon at a rate to be determined by the pension commission.

Except as otherwise provided by section 8 of this act, where any such employee's membership shall be transferred to this retirement system on January 1, 1949, such employee shall be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State and of any municipalities or other political subdivisions of the State, upon application therefor to the pension commission within 1 year after the transfer of such membership, and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 3% of salary, said 3% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, whichever method the applicant may elect, together with the regular deductions provided by this act, until completed; provided, however, that such prior service

shall be credited only as paid for. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(d) Any person who at the time of the adoption of this act was a county employee and not a member of this retirement system and who became a county employee or held elective office in the county government prior to such employee reaching the age of 45 years and prior to January 1, 1949, may become a member of this retirement system upon written application made to the pension commission within 90 days after the adoption of this act upon such employee complying with all of the following conditions:

(D1) Submit to a medical examination and be found mentally and physically fit to the satisfaction of the pension commission.

(D2) Pay into this retirement system, in addition to the regular deductions provided by this act, a sum of money equal to 5% of salary received by such employee for the period of time elapsing since such person first became a county employee or assumed elective office in the county, said 5% of salary being based upon the salary received by such employee at the time of the making of application for membership in this system. Said sum of money must be paid in one lump sum, together with interest thereon at a rate to be determined by the pension commission. Upon making the aforesaid payment, such employee shall be given credit for pension purposes for such period of prior service rendered to the county.

Section amended.

3. Section 8 of P. L. 1948, chapter 310 is amended to read as follows:

C. 43:10-18.57. Claims pending on January 1, 1949; widows, widowers and minor children; deductions.

8. All claims for pensions or other benefits from such other county retirement systems which are pending or ungranted on January 1, 1949, shall be allowed or disallowed by the pension commission herein provided for according to the provisions of the statutes governing such other retirement sys-

tems, and those which shall be allowed shall be paid from the retirement system herein provided for.

The widow, so long as she remains unmarried, or widower, so long as he remains unmarried, or minor children up to 18 years of age, of any employee in the service of the county, who prior to January 1, 1949, is a member of any of the following retirement systems:

County detectives in counties of the first, second, third and fifth classes (article 2 of chapter 10 of Title 43 of the Revised Statutes);

Probation officers of counties of over 83,000 inhabitants (article 5 of chapter 10 of Title 43 of the Revised Statutes);

Sheriff's employees in counties of the first and second classes (article 6 of chapter 10 of Title 43 of the Revised Statutes);

Court interpreters in counties of the second class (article 9 of chapter 10 of Title 43 of the Revised Statutes); and who shall at any time lose his life in the performance of his duty or shall die from any cause, or any such employee who shall, at any time, become permanently and totally disabled, shall receive a pension equal to ½ of such employee's salary at the time of such death or disability, regardless of the length of service or age of such employee, it being the intent of this act to secure to such employees the continuation of a similar present and prospective benefit of the retirement system of which he was a member prior to January 1, 1949, together with all the benefits provided for in this act.

Section amended.

4. Section 12 of P. L. 1948, chapter 310 is amended to read as follows:

C. 43:10-18.61. Medical examinations of persons retired for disability.

12. Once each year the pension commission may, and upon his application, shall, require any member retired for disability who is under the age of 55 years to undergo medical examination by a physician or physicians designated by the commission. The examination shall be made at the residence of the beneficiary or any other place mutually agreed

upon. If the physician or physicians thereupon report and certify to the commission that the disability beneficiary is not permanently and totally incapacitated either physically or mentally for the performance of duty and that he is engaged in a gainful occupation, and if the commission concurs in the report, then the amount of his pension shall be reduced to an amount which, when added to the amount then being earned by him, shall not exceed the amount of the compensation now attributable to his former position. If subsequent medical examination of such a beneficiary shows that his earnings have changed since the date of his last examination, then the amount of his pension may be further altered but the new pension shall not exceed the amount of the pension originally granted nor shall the new pension when added to the amount then being earned by the beneficiary exceed the salary or compensation then attributable to his former position.

No pension or compensation received by any person honorably discharged from any branch of the armed services of the United States shall be considered or construed as earnings.

Section amended.

5. Section 16 of P. L. 1948, chapter 310 is amended to read as follows:

C. 43:10-18.65. Deductions from salary; contributions by county; donations; interest; taxation.

16. A fund to pay pensions under this act shall be created as follows:

(a) The county treasurer shall deduct from every payment of salary to any county employee who is or becomes a member of this retirement system and pay to the fund, 6% of the amount of said salary. Such deductions shall be continued to be made during the entire period of employment of the member and until the death or retirement, including disability retirement, of said member.

The deductions provided herein for pension purposes shall not be construed as reduction in the salary or compensation of any member of this retirement system.

Every employee to whom this act applies who shall continue in the service after the adoption and

approval of this act, as well as every person to whom this act applies who may hereafter be appointed to a position or place, shall be deemed to consent and agree to the deductions made and provided for herein and payment with such deductions, for service, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such person during the period covered by such payment except his or her claim to the benefits to which he or she may be entitled under the provisions of this act.

(b) The board of chosen freeholders shall annually raise in the county budget and contribute annually to the fund an amount equal to 10% of all of such county employees' salaries as its normal contribution. Such payment shall be continued to be made during and until the death or retirement of each member.

All moneys donated for the purposes of the fund shall be deposited in the fund.

(c) All interest earned on investments of moneys of this retirement system shall be credited to this pension fund.

(d) All moneys required to meet the county contributions provided for in this and all other sections of this act shall be raised annually in the county budget by the board of chosen freeholders and if at any time there is not sufficient money to meet these requirements and pay the pensions, the board of chosen freeholders shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of the retirement system.

(e) The commission shall, once prior to the end of the year 1966 and once during every third year thereafter, cause the actuary, recommended by the pension commission and appointed by the board of freeholders who must be an actuary of recognized standing and a member of the Society of Actuaries, to make an investigation into the conduct and operation of the retirement system and into the mortality, service and compensation experience of the members and beneficiaries of the retirement

system and to make a valuation of the assets and liabilities of the system. The actuary shall report thereon to the commission. Based upon said report the commission shall (1) establish for the retirement system such mortality service and other tables as shall be deemed necessary, and (2) adjust and certify the rates of contribution to be paid by the county on the basis of the said investigation, valuation and report of the actuary, to the ends that, so far as possible, the value of future contributions of members and the county, when taken with present assets, shall not be less than the value of prospective benefit payments based upon membership service to be rendered after the effective date of this amendatory act.

Section amended.

6. Section 18 of P. L. 1948, chapter 310 is amended to read as follows:

C. 43:10-18.67. Withdrawal; separation from service; death.

18. From and after January 1, 1949, any employee who is or becomes a member of this retirement system may not withdraw therefrom and shall not be entitled to a refund of any moneys theretofore and thereafter deducted from his salary hereunder; provided, however that any employee who separates from the county service through his discharge, resignation, or for any reasons other than retirement, shall be entitled to a refund of all moneys theretofore deducted from his salary for the retirement system established hereunder; and provided further, that where the service of an employee is terminated by death of the employee, if such employee leaves no widow, widower, or children under 18 years of age, all moneys theretofore deducted from his salary for the retirement system established hereunder shall be paid to the person designated by the employee or in the absence of any designation, to the estate of the deceased employee.

Section amended.

7. Section 19 of P. L. 1948, chapter 310 is amended to read as follows:

C. 43:10-18.68. Re-entry of service after involuntary separation from service or leave of absence.

19. (A) Whenever a member of this retirement system becomes separated from the county service because of a lay-off or leave of absence without pay for a cause other than sickness or disability

for a period longer than 2 months, or because of abolishment of position, or except as provided in subsection "B" hereof, for any other reason other than retirement or entry into military or naval service of the United States, re-enters the service of the county within 5 years after such separation, all the rights and benefits hereunder enjoyed by such employee prior to such separation shall be restored upon payment of all refunds given to him upon his separation from the service; provided, however, that such employee shall not be entitled to receive credit for pension purposes for the time elapsing during such separation period unless he shall pay into this retirement system, in the manner in subsection (C) hereof provided, a sum of money equal in amount to all accrued deductions from his salary which would have been made had such employee continued to be a member of the retirement system since the date of his separation therefrom.

(B) Whenever a member of this retirement system becomes separated from the county service because of (a) a lay-off or leave of absence for a period of time not in excess of 2 months, (b) a leave of absence with pay, or (c) a leave of absence because of sickness or disability, all the rights and benefits of such member hereunder shall continue, except that such employee's pension benefits hereunder shall be computed by excluding the period of time of such separation period unless he shall pay into this retirement system, in the manner in subsection (C) hereof provided, a sum of money equal in amount to all accrued deductions from his salary which would have been made during the period of time of such separation.

(C) Such payment may be made either (1) in one sum, or (2) by equal semimonthly installments over a period of not more than 5 years, whichever method the member may elect, but in no event to extend beyond the date upon which such employee attains the age of 55 years, such installments to be deducted in addition to other regular deductions

from his salary for this retirement system; provided, however, that only so much of the said period will be credited as the employee has paid for.

Section amended.

8. Section 3 of P. L. 1957, chapter 204 is amended to read as follows:

C. 43:10-18.75. Member having annual salary of more than $5,000; application for credit in system; payments.

3. Any employee who, on the effective date of this amendatory and supplementary act, is a member of this retirement system and whose then annual salary is more than $5,000.00, may receive credit for pension purposes for the total amount of his said annual salary, upon written application to the pension commission within 90 days from the said effective date of this amendatory and supplementary act, and upon payment into this retirement system a sum equal to the total amount which said employee would have theretofore paid for service or would have had deducted from his salary, had there been no maximum salary limitation for pension purposes in effect during the entire time of such employee's membership in this retirement system, less the amount already paid for service or the amount already deducted from his salary for pension purposes under the act to which this act is amendatory and supplementary. Such payment shall be made either by lump sum or by deductions from salary, at the election of the employee, in which event interest at the rate of 3% per annum shall be charged on the unpaid balances, but in no case shall such payments be spread over a period of more than 5 years.

C. 43:10-18.58a. Resignation after 30 years service.

9. (a) Should a member resign after having completed 30 years of service for which credit has been established in the pension fund, before reaching age 55, he may elect to receive, in lieu of the payment provided in section 9 of the act to which this act is amendatory and supplementary, or the benefit provided by subsection (b) of this section, a pension in the amount of ½ of the salary he is receiving at the time of his retirement; provided, however, that such pension shall be reduced in accordance with a table of actuarial equivalents

recommended by the actuary and adopted by the commission reflecting all months that the member lacks of being age 55.

Upon and after the death of any employee or pensioner receiving a retirement pension under this subsection 9 (a), the retirement pension being paid to said deceased employee or pensioner shall be paid to the surviving widow, so long as she remains unmarried, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be, subject, however, to any other limitations of the act to which this act is amendatory and supplementary.

(b) Should a member, after having completed 20 years of service for which credit has been established in the pension fund, be separated voluntarily or involuntarily from the service, before reaching age 55, he may elect to receive the payments provided for in section 9 of the act to which this act is amendatory and supplementary, or the benefit provided by subsection (a) of this section, or a deferred pension beginning at age 55, in the amount based on his years of service credited in the fund bear to the total number of years of service that he could have achieved had he continued to age 55 and qualified for the pension of ½ of the salary he was receiving at the time he elected the deferred pension.

Upon and after the death of any employee or pensioner receiving a retirement pension under this subsection 9 (b), the retirement pension being paid to said deceased employee or pensioner shall be paid to the surviving widow, so long as she remains unmarried, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be, subject, however, to any other limitations of the act to which this act is amendatory and supplementary.

C. 43:10-18.76. Pension formula.

10. (a) Subject, however, to the provisions of subsection (d) of this section, the pension being received by any retired member shall be increased in accordance with the following formula:

(1) The first $480.00 of the pension shall be increased in accordance with the "ratio of increase" formula in subsection (b) of this section if the retired member shall have established 20 years of service credit prior to retirement, or shall have been retired for service-connected disability.

(2) If the retired member shall have established less than 20 years of service credit prior to retirement and shall not have been retired for service-connected disability, the first $480.00 of the pension shall be increased in accordance with the "ratio of increase" formula, except that this increase shall be in the same proportion to the increase provided under the "ratio of increase" formula as to the number of years.

The determination as to those who retired for service-connected disability as distinguished from those who retired for nonservice-connected disability will be made by the pension commission established under the act to which this act is amendatory and supplementary.

Nothing in this act shall be construed as providing for an increase in the pension or other benefits payable to the beneficiaries of any retired member.

(b) The "ratio of increase" which shall apply to the pension being received by a retired member shall be calculated in accordance with the following percentages as determined by the calendar year in which the retirement became effective.

Year of Retirement	Ratio of Increase
1935	96%
1936	100%
1937	98%
1938	95%
1939	94%
1940	93%
1941	90%
1942	85%
1943	78%
1944	69%
1945	62%

1946	53%
1947	43%
1948	34%
1949	26%
1950	19%
1951	13%

(c) The pension commission shall certify annually to the county the amount necessary to provide for the cost of the increases in pensions provided by this section.

(d) The increase in pensions provided for under this section shall commence with pension payments for the month of July, 1966 provided that there is appropriated the amount certified by the pension commission to the county as set forth in subsection (c) of this section. The increase in pension shall continue to be paid as long as there shall be appropriated the amounts so certified. In the event that the necessary funds are not so appropriated the increase in pensions will cease.

(e) Any retired member who is eligible to receive the increased pension under the provisions of this section may, at any time, waive his right thereto by filing a written notice of waiver with the pension commission. Such waiver may be withdrawn at any time and upon such withdrawal the increase in the pension shall commence with the pension payment for the next following month.

C. 43:10-18.77. Increased county contributions.

11. In addition to the contributions of the county prescribed in the act to which this act is amendatory and supplementary, in fiscal year 1967 the county shall increase its contributions by 1% of the amount of the salaries paid to all members of the pension fund in 1966 and in each fiscal year thereafter the contribution of the county required by the provisions of this act shall be increased over the previous percentage by an additional 1% of the salaries paid to all members of the pension fund in the immediately preceding year until the actuary shall certify to the county that the total of the contributions made by the county, together with

the contributions of the members and all earnings, is sufficient to meet the liabilities of the fund on a fully funded, reserve basis.

The actuary of the fund shall then certify the rate of contribution, expressed as a proportion of the compensation of the members, which shall be made by the county to the fund in order to continue the fund on a fully funded, reserve basis once the fund has achieved a fully funded status on the basis of increased contributions by the county and the members.

C. 43:10-18.78. Retirement age.

12. All members of the pension fund shall be required to retire upon the attainment of age 70 or 2 years following the effective date of this act, whichever is later.

C. 43:10-18.79. Leave of absence; contribution to fund.

13. Notwithstanding any other provision of this act, when a member takes an approved leave of absence to accept an appointive, administrative or elective position with the county, which is not covered by another retirement system, he shall be deemed to be in service covered by this fund and shall continue to contribute to the fund on the basis of the salary attributable to the position he held just prior to the leave of absence.

C. 43:10-18.80. Persons entitled to rights and benefits.

14. Any person employed by or elected or re-elected as a public official of a county having a population of 400,000 to 425,000 inhabitants which heretofore adopted the provisions of chapter 310 of the laws of 1948 (C. 43:10–18.50, etc.), after the effective date of this act, shall become a member of the Public Employees' Retirement System of New Jersey as a condition of employment and shall be entitled to all the rights and benefits and subject to all obligations of other members of said system, provided that the board of chosen freeholders of such county has adopted and submitted to the Public Employees' Retirement System a resolution providing for such membership and agreeing that said county shall be subject to the same liabilities with respect to such members as all other counties participating in the Public Employees' Retirement System. Such employees shall not be eligible to be

members of any pension fund maintained by said county for persons employed by the county prior to the effective date of the resolution adopted by said county.

C. 43:10-18.81. Effective date.

15. This act shall take effect immediately but shall not be operative in any county unless and until the board of chosen freeholders shall adopt a resolution pursuant to section 14 of this act which resolution shall incorporate the requirements of said section.

Approved July 22, 1966.

CHAPTER 211

AN ACT providing tenure for municipal tax assessors in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:46-6.13a. Tenure for municipal tax assessors in certain cases.

1. Any person who has held the office or position of tax assessor or has been a member of a board of assessors in any municipality for a continuous period of not less than 10 years and whose office or position shall have been abolished as a result of a change in the form of government and who thereafter has been or shall be appointed assessor or deputy assessor in the same municipality and shall have served satisfactorily in that office or position for a period of 2 years, shall thereafter hold and continue to hold such office or position during good behavior and shall not be removed therefrom except for good cause shown after a fair and impartial trial notwithstanding that said person was appointed for a fixed term.

2. This act shall take effect immediately.

Approved July 27, 1966.

CHAPTER 212

AN ACT to amend "An act concerning the Board of Commerce and Navigation, and supplementing Title 12, chapter 6, of the Revised Statutes," approved May 1, 1940 (P. L. 1940, c. 52) and repealing section 2 of chapter 104 of the laws of 1960.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amedatory is amended to read as follows:

C. 12:6A-1. Beach protection powers.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, the State Department of Conservation and Economic Development is hereby authorized and empowered to repair, reconstruct, or construct bulkheads, seawalls, breakwaters, groins, jetties, beachfills, dunes and any or all appurtenant structures and work, on any and every shore front along the Atlantic ocean, in the State of New Jersey, or any shore front along the Delaware bay and Delaware river, Raritan bay, Barnegat bay, Sandy Hook bay, Shrewsbury river including Navesink river, Shark river, and the coastal inland waterways extending southerly from Manasquan Inlet to Cape May Harbor, or at any inlet, estuary or tributary waterway or any inland waterways adjacent to any inlet, estuary or tributary waterway along the shores of the State of New Jersey, to prevent or repair damage caused by erosion and storm, or to prevent erosion of the shores and to stabilize the inlets or estuaries and to undertake any and all actions and work essential to the execution of this authorization and the powers granted hereby.

C. 12:6A-5. Repealed.

2. Section 2 of chapter 104 of P. L. 1960 is hereby repealed.

3. This act shall take effect immediately.

Approved July 28, 1966.

CHAPTER 213

AN ACT concerning restoration and protection of the shoreline on certain inland waters, and making an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Temporary act.

1. The Department of Conservation and Economic Development is authorized and empowered to undertake shore protection in accordance with P. L. 1940, chapter 52 to prevent erosion and protect the shoreline fronting on the inland waters adjacent to the Atlantic ocean in the borough of West Wildwood, Cape May county, provided, however, the municipality shall acquire and make available without cost to the State of New Jersey all lands, easements and rights-of-way required for construction and future maintenance of the shore protection work. All shore protection work hereunder shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development.

Appropriation $40,000.00.

2. The sum of $40,000.00 is hereby appropriated out of the general treasury for the purposes of this act.

3. This act shall take effect immediately but shall remain inoperative until enactment of an act entitled "An act concerning the Board of Commerce and Navigation, and supplementing Title 12, chapter 6, of the Revised Statutes," approved May 1, 1940 (P. L. 1940, c. 52) now pending before the Legislature as Assembly Bill No. 415.

Approved July 28, 1966.

CHAPTER 214

AN ACT establishing a New Jersey State Council on the Arts in the Department of State and making an appropriation therefor.

Preamble. WHEREAS, The Commission to Study the Arts in New Jersey has found that there is widespread interest and participation in the arts among the people of our State, and that numerous institutions, organizations and individuals provide the people with facilities and programs in the arts within the limit of their present resources; and

Preamble. WHEREAS, The commission has found that many of New Jersey's citizens still lack adequate opportunities to view, study, or participate in theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibitions, architecture, literature, and the performing and creative arts generally; and

Preamble. WHEREAS, The commission has found that New Jersey's facilities in the performing and creative arts need and deserve greater public support and encouragement in order to carry out more effectively programs of benefit to the people of the State, and that more adequate opportunities are needed in New Jersey for professional training and practice in the performing and creative arts; and

Preamble. WHEREAS, The general welfare of the people of the State will be promoted by giving recognition and encouragement to the arts as a vital aspect of our culture and heritage and as an integral part of our educational programs; and

Preamble. WHEREAS, The Commission to Study the Arts in New Jersey has indicated that the State must make prompt application for available Federal

funds to avoid their being reallocated to other areas; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 52:16A-25. Establishment of Council on the Arts.

1. There is hereby established in the Department of State the New Jersey State Council on the Arts to be referred to hereafter as the council.

The council shall consist of 15 members, to be appointed by the Governor with the advice and consent of the Senate from among citizens of New Jersey or persons otherwise associated with the State who are known for their competence and experience in connection with the performing and creative arts

The term of office of each member shall be 3 years; provided that of the members first appointed, 5 shall be appointed for terms of 1 year, 5 for terms of 2 years, and 5 for terms of 3 years. All vacancies shall be filled for the balance of the unexpired term only, in the same manner as original appointments. The members of the council shall not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

C. 52:16A-26. Duties.

2. The duties of the council shall be:

(a) To take such steps as may be deemed necessary and appropriate to stimulate and encourage the study and presentation of the performing and creative arts, and to foster public interest in and support of the arts in our State.

(b) To make such surveys as may be deemed advisable to public and private institutions within the State engaged in the performing and creative arts, and to make recommendations for appropriate action to enlarge the State's resources in the performing and creative arts.

(c) To encourage and assist freedom of expression in the performing and creative arts.

For the purposes of this act, the term "performing and creative arts" shall include, but not be

limited to, music, theater, dance, literature, painting, sculpture, architecture, photography, film art, handicrafts, graphic arts and design.

C. 52:16A-27. Powers.

3. (a) The council shall employ an executive director and such other personnel as may be deemed necessary to accomplish its objectives within the limit of funds available therefor.

(b) The members of the council shall elect annually a chairman and a vice chairman from their number. The executive director shall serve as secretary of the council. The chairman shall be the chief executive officer of the council. The chairman shall preside at all meetings of the council and shall perform such other duties as shall be prescribed by the council. The executive director shall carry out the policies of the council under the direction of the chairman.

(c) The council shall adopt rules and regulations concerning the operation of the council, the functions and responsibilities of its officers and employees and such other matters as may be necessary to carry out the purpose of this act.

(d) The council shall be authorized and empowered to hold public and private hearings, and, within the limit of funds available therefor, to enter into contracts with individuals, organizations, and institutions for services or endeavors furthering the objectives of the council's programs; to accept gifts, grants and bequests of funds from individuals, foundations, corporations, governmental agencies, and other organizations or institutions; to make and sign any agreements and to do and perform any acts that may be necessary to carry out the purposes of this act. The council may request and shall receive from any department or agency of the State Government such assistance, information, and advice as will enable it to carry out its powers and duties hereunder.

(e) The council shall make an annual report to the Governor and the Legislature concerning the status of the arts in New Jersey and such other matters as the council deems desirable.

4. The council shall be the official agency of this State to receive and disburse all funds made available to the State Government by the National Endowment for the Arts or by any successor agency. C. 52:16A-28. Official agency.

5. There is hereby appropriated from the General Treasury for the fiscal period ending June 30, 1967, to the council the sum of $75,000.00, at least $50,000.00 of which shall be used to match Federal grants for programs in the performing and creative arts. Appropriation $75,000.00.

6. This act shall take effect immediately. Effective date.

Approved July 29, 1966.

CHAPTER 215

AN ACT concerning kosher foods and amending sections 2A:108–5 and 2A:108–7 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2A:108–5 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:108–5. No person shall sell or expose for sale in any restaurant, hotel, or other place where food products are sold, any article of food which is falsely represented to be kosher, either: Falsely representing nonkosher foods as kosher.

a. By direct statements, orally or in writing which are untrue, deceptive or misleading; or

b. By the display of the word "kosher" in English or Hebrew letters, or by the display of any sign or mark in simulation of that word; or

c. By having or permitting to be inscribed on any food product, or on any package or container or its contents, the word "kosher" in any language; or

d. By display of any insignia, 6-pointed star, or any mark which might reasonably be calculated to deceive or lead a reasonable person to believe that a representation is being made that the food exposed for sale or sold is kosher, or prepared in accordance with Orthodox Hebrew religious requirements.

Section amended.

2. Section 2A:108–7 of the New Jersey Statutes is amended to read as follows:

Penalties for violation of sections 2A:108-5 or 2A:108-6.

2A:108–7. Any person who violates any of the provisions of sections 2A:108–5 or 2A:108–6 of this Title shall be liable to a penalty of not less than $50.00 or more than $100.00 for the first offense and not less than $100.00 or more than $250.00 for the second and each subsequent offense.

Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of the act of which this act is amendatory. The penalty shall be collected and enforced in a summary proceeding pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1, et seq.). Process shall be either in the nature of a summons or warrant and shall issue in the name of the State upon the complaint of the Attorney General.

3. This act shall take effect immediately.

Approved July 29, 1966.

CHAPTER 216

AN ACT creating a commission to study the relationship between the public and private school systems in New Jersey and to determine methods of increasing financial assistance to private school students and making an appropriation.

WHEREAS, There are approximately 335,000 New Jersey students attending private schools within this State; Preamble.

WHEREAS, Said private schools provide educational services which directly benefit the citizens of the State of New Jersey; and Preamble.

WHEREAS, The cost of education has increased greatly and pupils attending private schools in this State may receive an education inadequate in some respects, for the needs of our society, unless State financial assistance be granted to said students; now, therefore, Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to consist of 9 members, 2 to be appointed from the membership of the Senate by the President thereof, no more than one of whom shall be of the same political party and 2 to be appointed from the membership of the General Assembly by the Speaker thereof, no more than one of whom shall be of the same political party, and 5 to be appointed by the Governor. Of those appointed by the Governor, at least one shall be a representative from each of the fields of education comprising public education, parochial education, vocational education and nonsectarian private education. Vacancies in the membership of the commission shall be filed in the same manner as the original appointments were made. Commission created.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman from among its members and a secretary who need not be a member of the commission.

3. It shall be the duty of said commission to study the relationship between public and private education in New Jersey and to recommend measures to increase co-operation and assistance between public and private school systems and to

further study and recommend measures, within the limits of the Constitution of the United States and the Constitution of the State of New Jersey, to provide State financial assistance to pupils attending private schools, whether they be parochial, nonsectarian, or vocational. The commission may inquire into financial assistance for said pupils in such areas as textbooks, school supplies, bus transportation, instruction and any other appropriate area in which financial assistance may be feasible.

4. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ such legal, technical, stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

5. The commission may meet and hold hearings at such place or places as it shall designate and shall report as soon as may be its findings and recommendations to the Governor and the Legislature, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature.

6. The study by the commission shall constitute a legislative inquiry and, in the performance of its duties, the commission shall have all the powers of joint committees of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes.

7. There is hereby appropriated to the commission the sum of $10,000.00 to carry out the purposes of this act.

8. This act shall take effect immediately.

Approved July 29, 1966.

CHAPTER 217

AN ACT to amend and supplement the "Public Employees' Retirement-Social Security Integration Act," approved June 28, 1954 (P. L. 1954, c. 84), repealing sections 12 and 78 of said act; repealing "A supplement to the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," approved July 25, 1955 (P. L. 1955, c. 166), "A supplement to the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," approved January 21, 1960 (P. L. 1959, c. 196), and "An act to supplement the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," approved February 8, 1966 (P. L. 1965, c. 234).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-6. Definitions.

6. As used in this act:

a. "Accumulated deductions" means the sum of all the amounts, deducted from the compensation of a member or contributed by him, standing to the credit of his individual account in the annuity savings fund.

b. "Annuity" means payments for life derived from contributions made by a member as provided in this act.

c. "Annuity reserve" means the present value of all payments to be made on account of any annuity or benefit in lieu of an annuity, granted under the provisions of this act, computed on the basis of such mortality tables as the board of trustees adopts, with regular interest.

d. "Beneficiary" means any person receiving a retirement allowance or other benefit as provided in this act.

e. "Final compensation" means the average annual compensation for which contributions are made for the 5 years of creditable service in New Jersey immediately preceding his retirement, or it shall mean the average annual compensation for which contributions are made during any 5 fiscal years of his or her membership providing the largest possible benefit to the member or his beneficiary.

f. "Fiscal year" means any year commencing with July 1 and ending with June 30 next following.

g. "Pension" means payments for life derived from appropriations made by the employer as formerly provided in chapters 14 and 15 of Title 43 of the Revised Statutes, or in this act.

h. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension formerly granted under the provisions of chapters 14 and 15 of Title 43 of the Revised Statutes, or as provided in this act, computed on the basis of such mortality tables as the board of trustees adopts, with regular interest.

i. "Public Employees' Retirement System of New Jersey," hereinafter referred to as the "retirement system," is the corporate name of the arrangement for the payment of retirement allowances and other benefits under the provisions of this act and for the system including the several funds created and placed under the board of trustees of said system. By that name all of its business shall be transacted, its funds invested, warrants for money drawn and payments made and all of its cash and securities and other property held.

j. "Regular interest" shall mean interest as determined from time to time by the board of trustees. The regular interest rate shall be limited to a minimum of 3% and a maximum of 4%.

k. "Retirement allowance" means the pension plus the annuity.

l. "Veteran" means any honorably discharged officer, soldier, sailor, airman, marine or nurse who served in any army, air force or navy of the allies of the United States in World War I, between July 14, 1914, and November 11, 1918, or who served in any army, air force or navy of the allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose his United States citizenship, and any officer, soldier, sailor, marine, airman, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections, expeditions, or emergencies, and who has presented to the board of trustees evidence of such record of service in form and content satisfactory to said board of trustees:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I, between April 6, 1917, and November 11, 1918;

(10) World War II, between September 16, 1940, and September 2, 1945, who shall have served at least 90 days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army specialized training program or the Navy college training program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies any part of which 90 days was served between said dates; provided, that any person receiving an actual service incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided.

(11) Korean Conflict after June 23, 1950, and prior to July 27, 1953, who shall have served at least 90 days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army specialized training program or the Navy college training program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided, that any person receiving an actual service incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided; and provided further, that any member classed as a veteran pursuant to this subparagraph prior to the effective date of this amendatory act shall continue to be classed as a veteran whether or not he completed the 90-day service between said dates as herein provided.

(12) Viet Nam Conflict after December 31, 1960, and prior to the date of termination as proclaimed

by the Governor, who shall have served at least 180 days in such active service on overseas duty, exclusive of any period he was assigned (1) for a course of education or training under the Army specialized training program or the Navy college training program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 180 days was served between said dates; and exclusive of any service performed pursuant to the provisions of section 511(d) of Title 10, United States Code, pursuant to an enlistment in the Army National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve.

Section amended.

2. Section 7 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-7. Membership of retirement system.

7. There is hereby established the Public Employees' Retirement System of New Jersey in the Division of Pensions of the Department of the Treasury. The membership of the retirement system shall include:

a. The members of the former "State Employees' Retirement System of New Jersey" enrolled as such as of December 30, 1954 who shall not have claimed for refund their accumulated deductions in said system as provided in this section;

b. Any person becoming an employee of the State or other employer after January 2, 1955 and every veteran, other than those whose appointments are temporary or seasonal, becoming an employee of the State or other employer after such date; and

c. Every employee veteran in the employ of the State or other employer on January 2, 1955 who is not a member of any retirement system supported wholly or partly by the state.

d. Membership in the retirement system shall be optional for elected officials other than veterans. State employees who become members of any other

retirement system supported wholly or partly by the State as a condition of employment shall not be eligible to membership in this retirement system. Notwithstanding any other law to the contrary all other persons accepting employment in the service of the State shall be required to enroll in the retirement system as a condition of their employment, regardless of age. No person in employment, office or position, for which the annual salary or remuneration is fixed at less than $500.00, shall be eligible to become a member of the retirement system.

e. Membership of any person in the retirement system shall cease if he shall discontinue his service for more than 2 consecutive years.

f. The accumulated deductions of the members of the former "State Employees' Retirement System" which have been set aside in a trust fund designated as Fund A as provided in section 5 of this act and which have not been claimed for refund prior to February 1, 1955 shall be transferred from said Fund A to the Annuity Savings Fund of the Retirement System, provided for in section 25 of this act. Each member whose accumulated deductions are so transferred shall receive the same prior service credit, pension credit, and membership credit in the retirement system as he previously had in the former "State Employees' Retirement System" and shall have such accumulated deductions credited to his individual account in the Annuity Savings Fund. Any outstanding obligation of such member shall be continued.

Section amended.

3. Section 8 of the act of which this act is amendatory to read as follows:

C. 43:15A-8. Restoration to membership of members discontinued from service; conditions.

8. a. If a member of the retirement system has been discontinued from service through no fault of his own or through leave of absence granted by his employer or permitted by any law of this State and he has not withdrawn his accumulated deductions, his membership may continue, notwithstanding any provisions of this act if such member returns to service within a period of 5 years from the date of his discontinuance from service.

No credit for pension purposes shall be allowed to such member, covering the period of his discontinuance, unless leave of absence was granted by his employer and the board, as provided for in section 39 of this act.

b. If an employee who has withdrawn his accumulated deductions from the former "State Employees' Retirement System" or the retirement system as provided in section 41 of this act is re-enrolled as a member of the retirement system, he may purchase credit for all of his previous membership service by paying into the annuity savings fund the amount required by applying the factor, supplied by the actuary, as being applicable to his age at the time of the purchase, to his salary at that time. Such purchase may be made in regular installments, equal to at least ½ the full normal contribution to the retirement system, over a maximum period of 10 years. In order to give to such person the same credit for such service as he had at the time of withdrawal, his pension credit shall be restored as it was at the time of his withdrawal upon the completion of 1 year of membership after his election to make the purchase and the payment of at least ½ the total amount due, except that in the case of retirement pursuant to sections 38, 41(b), 48 and 61, the credit granted for the service being purchased shall be in direct proportion as the amount paid bears to the total amount of the arrearage obligation.

Section amended.

4. Section 9 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-9. Nonmember State employee may join upon payment of arrears.

9. Any person other than a veteran who was in the employ of the State prior to January 2, 1955, and who did not join the former "State Employees' Retirement System," may join the retirement system at any time. Such person shall have the option of joining the retirement system as a new member upon proper application with no credit for previous service, or he may purchase membership credit for his previous service by paying into the annuity savings fund the amount required by applying the

factor, supplied by the actuary, as being applicable to his age at the time of the purchase, to his salary at that time. Such purchase may be made in regular installments, equal to at least ½ the full normal contribution to the retirement system, over a maximum period of 10 years.

In the case of any person coming under the provisions of this section, full pension credit for the period of employment for which arrears are being paid shall be given upon the payment of at least ½ of the total arrearage obligation and the completion of 1 year of membership and the making of such arrears payments, except that in the case of retirement pursuant to sections 38, 41(b), 48 and 61 the total membership credit for such service shall be in direct proportion as the amount paid bears to the total amount of the arrearage obligation.

Section amended.

5. Section 34 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-34. Borrowing from fund by members.

34. Any member who has at least 3 years of service to his credit for which he has contributed as a member may borrow from the retirement system, an amount equal to not more than 50% of the amount of his accumulated deductions, but not less than $50.00; provided, that the amount so borrowed, together with interest thereon, can be repaid by additional deductions from compensation, not in excess of 25% of the member's compensation, made at the same time compensation is paid to the member, but not after the attainment of age 60. The amount so borrowed, together with interest at the rate of 4% per annum on any unpaid balance thereof, shall be repaid to the retirement system in equal installments by deduction from the compensation of the member at the time the compensation is paid or in some other manner but such installments shall be at least equal to the member's full rate of contribution to the retirement system and at least sufficient to repay the amount borrowed with interest thereon by the time the member attains age 60. Not more than 2 loans

may be granted to any member in any calendar year. Notwithstanding any other law affecting the salary or compensation of any person or persons to whom this act applies or shall apply, the additional deductions required to repay the loan shall be made. Any unpaid balance of a loan at the time any benefit may become payable, shall be deducted from the benefit otherwise payable.

Loans may be made to a member from his accumulated deductions. In addition the board of trustees is hereby authorized to set aside moneys within the contingent reserve fund from which loans to members may be made. If such moneys are used for the purpose of making loans, the interest earned on such loans shall be treated in the same manner as interest earned from investments of the retirement system.

Section amended.

6. Section 38 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-38. Vesting.

38. Should a member of the Public Employees' Retirement System, after having completed 15 years of service, be separated voluntarily or involuntarily from the service, before reaching service retirement age, and not by removal for cause on charges of misconduct or delinquency, such person may elect to receive:

(a) The payments provided for in section 41 b of this act, if he so qualifies under said section, or;

(b) A deferred retirement allowance, beginning at the retirement age, which shall be made up of an annuity derived from the accumulated deductions standing to the credit of the individual member's account in the annuity savings fund at the time of his severance from the service together with regular interest, and a pension which when added to the annuity will produce a total retirement allowance of 1/70 of his final compensation for each year of service credited as Class A service and 1/60 of his final compensation for each year of service credited as Class B service, calculated in accordance with section 48 of this act, with optional privileges provided for in section 50 of

this act if he exercises such optional privilege at least 30 days before his attainment of the normal retirement age; provided, that such election is communicated by such member to the retirement system in writing stating at what time subsequent to the execution and filing thereof he desires to be retired; and provided further, that such member, as referred to in this subsection may later elect: (1) to receive the payments provided for in section 41 b of this act, if he had qualified under that section at the time of leaving service, except that in order to avail himself of the optional privileges pursuant to section 50, he must exercise such optional privilege at least 30 days before the effective date of his retirement or; (2) to withdraw his accumulated deductions with interest as provided in section 41a. If such member shall die before attaining service retirement age then his accumulated deductions, plus regular interest, shall be paid in accordance with section 41c; or if such member shall die after attaining service retirement age and has not withdrawn his accumulated deductions, an amount equal to 3/16 of the compensation received by the member in the last year of creditable service shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system otherwise to the executor or administrator of the member's estate.

Section amended.

7. Section 39 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-39. Service creditable toward allowances; rules and regulations; preserving annuity credit for period of leave of absence.

39. In computing for retirement purposes the total service as a member about to be retired, the retirement system shall credit him with the time of all service rendered by him since he last became a member, and in addition with all the service to which he is entitled and with no other service. Except as otherwise provided in this act, such service credit shall be final and conclusive for retirement purposes unless the member shall discontinue his service for more than 2 consecutive years.

For the purpose of computing service for retirement purposes, the board shall fix and determine by appropriate rules and regulations how much service in any year shall equal a year of service and a part of a year of service. Not more than 1 year shall be credited for all service in a calendar year. In computing the service or in computing final compensation, no time during which a member was absent on leave without pay shall be credited, unless such absence was for a period of less than 3 months or unless the period of leave is allowed for retirement purposes within 1 year following his return to service after the termination of such leave, both by the employer and by the board of trustees, or unless the period of leave was specifically allowed for retirement purposes by the provisions of any law of this State. Any such member shall be required to contribute, either in a lump sum or by installment payments, an amount calculated, in accordance with the rules and regulations of the board of trustees, to cover the period of such official leave of absence without pay. In computing the service or in computing final compensation no time during which a member was in employment, office, or position, for which the annual salary or remuneration was fixed at less than $500.00 shall be credited, except that in the case of a veteran member credit shall be given for service rendered prior to January 2, 1955, in an employment, office or position if the annual salary or remuneration therefor was fixed at not less than $300.00 and such service consisted of the performance of the full duties of such employment, office or position.

Section amended.

8. Section 41 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-41. Withdrawal; 25-year resignation; nonservice connected death benefit.

41. a. A member who withdraws from service or ceases to be an employee for any cause other than death or retirement shall receive all of the accumulated deductions standing to the credit of his individual account in the annuity savings fund, plus regular interest, less any outstanding loan,

except that for any period after June 30, 1944, the interest payable shall be such proportion of the interest determined at the regular rate of 2% per annum bears to the regular rate of interest, and except that no interest shall be payable on members' contributions made after December 30, 1954, in the case of a member who has less than 3 years of membership credit for which he has made contributions. Except as provided for in sections 8 and 38 of this act, he shall cease to be a member 2 years from the date he discontinued service as an employee, or, if prior thereto, upon payment to him of his accumulated deductions. No member shall be entitled to withdraw the amounts contributed by his employer covering his military leave unless he shall have returned to the payroll and contributed to the retirement system for a period of 90 days.

b. Should a member resign after having established 25 years of creditable service before reaching age 60, he may elect to receive, in lieu of the payment provided for above but subject to the provisions of section 59 of this act, an annuity which is the actuarial equivalent of his accumulated deductions together with regular interest, and in addition a pension which when added to the annuity will produce a total retirement allowance of 1/70 of his final compensation for each year of service credited as Class A service and 1/60 of his final compensation for each year of service credited as Class B service, reduced by ½ of 1% for each month that the member lacks of being age 60, except that in the case of a member who has not attained age 53 the reduction is equal to 42% plus 1/6 of 1% for each month the member lacks of being age 53, and with the optional privileges provided for in section 50 of this act; provided, however, that upon the receipt of proper proofs of the death of such a member after he shall have reached 60 years of age there shall be paid to his beneficiary an amount equal to 3/16 of the compensation upon which contributions by the member to the annuity savings fund were based in the last year of creditable service.

c. Upon the receipt of proper proofs of the death of a member in service on account of which no accidental death benefit is payable under section 49 there shall be paid to such member's beneficiary:

(1) The member's accumulated deductions at the time of death together with regular interest; and

(2) An amount equal to 1½ times the compensation upon which contributions by the member to the annuity savings fund were based in the last year of creditable service; provided, however, that if such death shall occur after the member shall have attained age 70, the amount payable shall equal 3/16 of such compensation instead of 1½ times such compensation.

Section amended.

9. Section 49 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-49. Accidental death; allowance to dependents.

49. Upon the death of a member in active service as a result of an accident arising out of and in the course of his employment and not as the result of his willful negligence, an accident death benefit shall be payable, if a report of the accident is filed in the office of the retirement system within 60 days next following the accident, but the board of trustees may waive such time limit, for a reasonable period, if in the judgment of the board the circumstances warrant such action. Evidence must be submitted to the board of trustees proving that the natural and proximate cause of his death was an accident arising out of and in the course of employment at some definite time and place.

Upon application by or on behalf of the dependents of such deceased member, in addition to the payment of his accumulated deductions with regular interest, an allowance of ½ of the final compensation of such employee, if the member was a male employee, shall be payable as a pension to his widow, to continue during her widowhood; or, if no widow, or in case the widow dies or remarries before the youngest child of such deceased member attains age 18, or if the member was a married female employee, then to the child or children of such member under age 18, to continue until the

youngest surviving child dies or attains age 18. If there be no widow or child under age 18 surviving such member, or if the member was never married, then there shall be paid a cash sum equal to the amount stipulated under section 41(c) (2) of this act to his or her beneficiary. In no case shall the accident death benefit under this section be less than that provided for ordinary death benefit under the provisions of section 41(c) (2).

No such application shall be valid or acted upon unless it is filed in the office of the retirement system within 2 years of the date of the accident; but the board may waive such time limit, for a reasonable period, if in the judgment of the board the circumstances warrant such action.

Section amended.

10. Section 50 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-50. Member's option on retirement.

50. Subject to the provisions of section 59 of this act, at the time of his retirement a member shall receive his benefits in a retirement allowance payable throughout life, or he may, on retirement, elect to receive the actuarial equivalent of his retirement allowance, in a lesser retirement allowance payable throughout life, with the provision that:

Option 1. If he dies before he has received in payments the present value of his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation acknowledged and filed with the retirement system, either in a lump sum or by equal payments over a period of years at the option of the payee. If the member shall have designated a natural person as the payee, said payee may elect to receive such payments in the form of a life annuity.

Option 2. Upon his death, his retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the retirement system at the time of his retirement.

Option 3. Upon his death, ½ of his retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the retirement system at the time of his retirement.

Option 4. Some other benefit or benefits shall be paid either to the member or to whomever he nominates, if such other benefit or benefits, together with the lesser retirement allowance, shall be certified by the actuary to be of equivalent actuarial value. In no case, however, shall the lesser retirement allowance be smaller than that provided under Option 2.

Except in the case of members who have elected to receive (1) a deferred retirement allowance pursuant to section 38 or (2) early retirement allowances pursuant to section 41b after separation from service pursuant to section 38, if a member dies within 30 days after the date of retirement or the date of board approval, whichever is later, his retirement allowance shall not become effective and he shall be considered an active member at the time of death.

Section amended.

11. Section 61 of chapter 84 of the laws of 1954 is amended to read as follows:

C. 43:15A-61. Special retirement privileges of veteran members.

61. a. Subject to the provisions of section 59 of this act, any public employee veteran member in office, position or employment of this State or of a county, municipality, public agency, or school district or board of education on January 2, 1955, who remains in such service thereafter and who has or shall have attained the age of 60 years and who has or shall have been for 20 years in the aggregate in office, position or employment of this State or of a county, municipality, public agency, or school district or board of education, shall have the privilege of retiring for service and of receiving, instead of the retirement allowance provided under section 48 of this act, a retirement allowance of ½ of the compensation received during the last year of employment upon which contributions to

the annuity savings fund or contingent reserve fund are made with the optional privileges provided for in section 50 of this act.

b. Subject to the provisions of section 59 of this act, any veteran becoming a member after January 2, 1955 who shall be in office, position or employment of this State or of a county, municipality, public agency, or school district or board of education and who shall have attained 62 years of age and who has 20 years of aggregate service credit in such office, position or employment, shall have the privilege of retiring for service and of receiving, instead of the retirement allowance provided under section 48 of this act, a retirement allowance of ½ of the compensation received during the last year of employment upon which contributions to the annuity savings fund or contingent reserve fund are made with the optional privileges provided for in section 50 of this act. The provisions of this subsection shall also apply to any veteran who was a member on January 2, 1955, but whose service was not continuous thereafter.

c. Subject to the provisions of section 59 of this act, any public employee veteran member who has been for 20 years in the aggregate in office, position or employment of this State or of a county, municipality, public agency, or school district or board of education as of January 2, 1955 shall have the privilege of retiring for ordinary disability and of receiving, instead of the retirement allowance provided under section 45 of this act, a retirement allowance of ½ of the compensation received during the last year of employment upon which contributions to the annuity savings fund or contingent reserve fund are made with the optional privileges provided for in section 50 of this act. Such retirement shall be subject to the provisions governing ordinary disability retirement in sections 42 and 44 of this act.

d. The death benefit provided in subsection d of section 48 shall apply in the case of any member retiring under the provisions of subsections a and

b of this section. The death benefit provided in section 45 shall apply in the case of any member retiring under the provisions of subsection c of this section.

Section amended.

12. Section 62 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-62. Effect upon political subdivisions previously under State Employees' Retirement System.

62. Where any county, municipality or public agency of the State has previously been covered by the former "State Employees' Retirement System," such county, municipality or public agency shall be covered under the provisions of this act and the employees of such county, municipality or public agency shall have the same rights and obligations with regard to becoming members of the Public Employees' Retirement System as they had with regard to the former "State Employees' Retirement System."

Section amended.

13. Section 63 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-63. Membership of certain veteran public employees.

63. Any veteran in office, position or employment of this State or of a county, municipality, school district or public agency who on January 2, 1955 is in office, position or employment not covered by a retirement system to which such employer and its employees make monetary contributions, other than the old-age and survivors' insurance provisions of Title II of the Federal Social Security Act, unless he shall have notified the board of trustees that he does not desire to become a member, shall be a member of the Public Employees' Retirement System as of January 2, 1955; and any veteran taking office, position or employment in the service of this State or of a county, municipality, school district or public agency, which office, position or employment is not covered by such a retirement system after January 2, 1955, shall be a member of the Public Employees' Retirement System. The employer of such public employee veterans shall make such contributions to the retirement system on behalf of all service rendered by such employees in office, position or employment of this State or of any county, municipality, school district or pub-

lic agency as are required of employers under the provisions of this act.

Section amended.

14. Section 64 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-64. Effect of lack of Social Security coverage.

64. Any other provision of this act notwithstanding, any member of the retirement system who is not covered under the old-age and survivors' insurance provisions of Title II of the Federal Social Security Act as a public employee shall not be eligible for the death benefit provisions of sections 41, 45(c), 46(c), 48 (d) and 57, except for the payment of accumulated deductions together with regular interest.

Section amended.

15. Section 65 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-65. Eligibility to participate in system.

65. (a) All employees of any public agency or organization of this State, which employs persons engaged in service to the public, shall be eligible to participate in the Public Employees' Retirement System provided, the employer consents thereto by resolution and files a certified copy of such resolution with the board of trustees of the Public Employees' Retirement System and the board of trustees approves thereof by resolution. Such organization shall be referred to in this act as the employer. If the participation of such employees is so approved then the employer shall contribute to the contingent reserve fund on account of its members at the same rate per centum as would be paid by the State if the members were State employees.

(b) Notwithstanding the provisions of paragraph (a) of this section, every person becoming an employee of a public agency or organization of this State, which employs persons engaged in service to the public, after June 30, 1966, who is not eligible to become a member of any other retirement system, shall be required to participate in the Public Employees' Retirement System. Notwithstanding the provisions of paragraph (a) of this section, membership in the Public Employees' Retirement System shall be optional with any person

in the employ of any such public agency or organization on June 30, 1966, provided such person is not required to be a member pursuant to another provision of this act, and provided further, that such person is not eligible to be a member of any other retirement system. The provisions of this subsection shall not apply to any person whose position is temporary or seasonal, nor to any person in office, position or employment for which the annual salary or remuneration is fixed at less than $500.00, nor to any person whose position is not covered by the old-age and survivors' insurance provisions of the Federal Social Security Act. The public agency or organization employing any such person who becomes a member of the retirement system pursuant to this paragraph shall contribute to the contingent reserve fund on account of such employees at the same rate per centum as would be paid by the State if the members were State employees.

Section amended.

16. Section 66 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-66. Effective date of participation.

66. (a) If the employer shall so consent to the enrollment of its employees and the board of trustees shall so approve, participation in the retirement system shall become effective on the date fixed by such board, but not later than 6 months following such approval by the board of trustees of the retirement system. In such event, all service rendered to the employer by its employees previous to the effective date of such participation or previous to July 1, 1966, whichever is earlier, shall be credited to its employees who file application for membership within 1 year from such effective date, and such credit to its employees shall be known as prior service credit, and the obligation of the employer on account of such credit shall be known as the accrued liability. Membership shall be compulsory for all employees entering the service of the employer after the effective date of such participation or after June 30, 1966, whichever is earlier.

(b) No credit shall be allowed for service rendered to the employer prior to July 1, 1966 to any person becoming a member of the retirement system pursuant to subsection b of section 65 of this act unless the employer consents thereto by resolution pertaining to all eligible employees and files a certified copy of such resolution with the board of trustees of the Public Employees' Retirement System and the said board of trustees approves thereof.

Section amended.

17. Section 67 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-67. Duties of employer's chief fiscal officer.

67. The chief fiscal officer of the employer shall submit to the retirement system such information and shall cause to be performed in respect to each of the employees of the employer such duties as would be performed in the State service by the head of a department of the State employing members of the retirement system.

Section amended.

18. Section 68 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-68. Information as to rates, etc., certified to chief fiscal officer; payment of charge and contributions.

68. The Public Employees' Retirement System shall certify to the chief fiscal officer of the employer the rates of contributions payable by members, as if they were State employees. The system shall further certify the contributions, including the accrued liability contribution similar to the State accrued liability contribution, payable by the employer to the Contingent Reserve Fund on behalf of these members, as if they were State employees, and a pro rata share of the cost of the administration of the retirement system, based upon the payroll of the members who are employees of the employer. The initial actuarial expense incident to the determination of the accrued liability contribution, payable by the employer, shall be paid by the employer. The amount certified by the system as payable by such employer to the Contingent Reserve Fund shall be included in the next budget subsequent to the certification by the system. The treasurer or corresponding officer shall pay on July 1 in each year to the State

Treasurer the amount of the employer's charges so certified. If payment of the full amount of such obligation is not made within 30 days after July 1, interest at the rate of 4% per annum shall commence to run against the unpaid balance thereof on the first day after such thirtieth day. The treasurer or corresponding officer shall also pay to the State Treasurer the amount of the deductions from the compensation of the members who are employees of the employer in accordance with the rules and regulations established by the board of trustees. The State Treasurer shall credit these amounts to the appropriate fund or account.

Section amended.

19. Section 74 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-74. State Retirement System extended to county and municipal employees; referendum; prior service.

7. Except as otherwise provided in the case of public employee veterans or in subsection b of section 75 of this act, this act shall not become effective in any county or municipality which has not previously been covered by the former "State Employees' Retirement System" until its governing body shall, by resolution, have directed that the question of adoption by that county or municipality shall be submitted to the qualified voters thereof at a general election and a majority of the voters voting on the question at such election shall have voted in favor of its adoption. This act shall be effective without referendum in any county or municipality in which chapter 15 of Title 43 of the Revised Statutes has been adopted. Any employee of any such county or municipality who prior to July 1, 1955, has filed an application covering service rendered to such county or municipality prior to the date upon which chapter 15 of Title 43 of the Revised Statutes became effective therein shall be entitled to prior service covering such service.

Section amended.

20. Section 75 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-75. Effective date; membership; prior service.

75. (a) If this act is so adopted it shall become effective in the county or municipality adopting it on June 30 of the following year. Membership in the Public Employees' Retirement System shall be

optional with the employees of the county or municipality in the service on the day the act so becomes effective or on June 30, 1966, whichever is earlier, in such county or municipality except in the case of public employee veterans who on such date are members. An employee who elects to become a member within 1 year after this act so takes effect shall be entitled to prior service covering service rendered to the county or municipality prior to July 1, 1966 or prior to the date this act so becomes effective, whichever is earlier. Membership shall be compulsory for all employees entering the service of the county or municipality on July 1, 1966 or after the date this act becomes effective, whichever is earlier. Where any such employee entering the service of the county or municipality after the date this act so becomes effective has had prior service for which evidence satisfactory to the retirement system is presented, as an employee in such county or municipality before the date upon which this act so becomes effective, or July 1, 1966, whichever is earlier, such employee shall be entitled to prior service covering service rendered to the county or municipality prior to the date this act so becomes effective, or July 1, 1966, whichever is earlier.

(b) Notwithstanding the provisions of section 74 of this act and subsection (a) of this section, every person, other than a nonveteran elected official, becoming an employee of a county, municipality or school district after June 30, 1966 who is not eligible to become a member of another retirement system, shall be required to become a member of the Public Employees' Retirement System. Notwithstanding the provisions of section 74 of this act and subsection (a) of this section, membership in the retirement system shall be optional with any elected official who is not a veteran, regardless of the date he assumes office, and with any other person in the employ of any county, municipality or school district on June 30, 1966, provided such elected official or other person is not then a mem-

ber and is not required to be a member of the retirement system pursuant to another provision of this act, and provided further that such person is not eligible to be a member of another retirement system. The provisions of this subsection shall not apply to any person whose position is temporary or seasonal, nor to any person in office, position or employment for which the annual salary or remuneration is fixed at less than $500.00, nor to any person whose position is not covered by the old age and survivors' insurance provisions of the Federal Social Security Act. No credit shall be allowed to any person becoming a member of the retirement system pursuant to this subsection for service rendered to the employer prior to July 1, 1966, until the provisions of section 74 of this act have been complied with, in which event such credit shall be allowed in accordance with the provisions of subsection (a) of this section.

Section amended.

21. Section 76 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-76. County, municipal or public agency employees entering military or naval service before applying for enrollment.

76. Any employee of any county, municipality or public agency which has adopted or shall hereafter adopt the retirement system as provided in this act, who has entered or shall hereafter enter into the active air, military or naval service of the United States before making application for enrollment in the retirement system, shall be accepted as a member upon his filing application, provided that, if an employee enters such service after January 1, 1955 and after the date upon which this act becomes effective with regard to his employer, such application is made within 3 months after entering such service or within 3 months after the date this act becomes effective with regard to his employer, whichever is later. His regular salary deductions as determined by the retirement system shall be paid to the system by his employer, as provided by chapter 252 of the laws of 1942, as amended by chapter 326 of the laws of 1942. If he entered such service prior to January 2, 1955, and was a contributing member of the State Employees' Retire-

ment System at that time, upon establishing his status as a veteran and contributing to the retirement system for a period of 90 days after his discharge from such service, he shall receive free prior service credit for all public employment prior to January 2, 1955. This provision shall not apply to any employee whose appointment is temporary or seasonal.

In addition to any prior service credit authorized in this act, such member shall be entitled to prior service credit from the date of his induction to the effective date of this section.

Section amended.

22. Section 77 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-77. Employees of school district coterminous with municipality adopting law in first-class counties.

77. Every employee of any school district including school districts in counties of the first class the boundaries of which are coterminous with those of a municipality, or more than one municipality, in which chapter 15 of Title 43 of the Revised Statutes has been adopted, or in which this act is adopted, who is not a member of or eligible to join the Teachers' Pension and Annuity Fund, except an employee required upon employment or appointment to become a member of some other pension fund, shall be entitled to receive the same benefits as employees of such municipality or municipalities are entitled to receive and the school district shall have the same obligations with respect to such employees as the municipality has to its own employees under this act; provided, such employee has been admitted to receive the benefits of the fund established under chapter 15 of Title 43 of the Revised Statutes, or small make application to be admitted to such benefits within 6 months from January 2, 1955, or within 1 year from the effective date of said chapter 15 of Title 43 of the Revised Statutes in such municipality or municipalities, whichever is later.

Any school district which is comprised of 2 or more municipalities may be deemed a municipality for the purposes of this act if all municipalities comprising such school district have not either

adopted the provisions of chapter 15 of Title 43 of the Revised Statutes or complied with the provisions of section 74 of this act. In any such case the board of education of such school district may direct that the question of adopting the retirement system shall be submitted to the qualified voters of the school district at a school election.

Section amended.

23. Section 80 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-80. Information required.

80. The chief fiscal officer of the county or municipality or the secretary of the board of education of the school district shall submit to the Public Employees' Retirement System such information and shall cause to be performed in respect to each of the employees of the county, municipality or school district such duties as would be performed in the State service by the head of a department of the State employing members of the retirement system.

Section amended.

24. Section 81 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-81. Rates of contributions; budget requirements; payments to State Treasurer.

81. The Public Employees' Retirement System shall certify to each employer the rates of contributions payable by members who are county, municipal or school district employees, as if they were State employees. The system shall further certify the contributions, including the accrued liability contribution similar to the State accrued liability contribution, payable by the county, municipality or school district to the contingent reserve fund on behalf of these members, as if they were State employees, and a pro rata share of the cost of the administration of the retirement system, based upon the payroll of the members who are employees of the county, municipality or school district. The initial actuarial expense incident to the determination of the accrued liability contribution, payable by the county, municipality or school district, shall be paid by the county, municipality or school district. The amount certified by the system as payable by the county, municipality or school district to the contingent reserve fund shall

be included in the next budget subsequent to the certification by the system and levied and collected as any other taxes are levied and collected. The treasurer or corresponding officer of any county, municipality or school district shall pay on or before July 1 in each year to the State Treasurer the amount of the county, municipal or school district charges so certified. If payment of the full amount of such obligation is not made within 30 days after July 1, interest at the rate of 4% per annum shall commence to run against the unpaid balance thereof on the first day after such thirtieth day. The treasurer or corresponding officer shall also pay to the State Treasurer the amount of deductions from the compensation of the members who are employees of the county, municipality or school district in accordance with the rules and regulations established by the board of trustees. The State Treasurer shall credit these amounts to the appropriate fund or account.

C. 43:15A-57.1 Designation of beneficiary.

25. The designation of beneficiary by a member or retirant shall be made in writing on a form satisfactory to the retirement system, and filed with the retirement system. The member or retirant may, from time to time and without the consent of his death benefit designee, change the beneficiary by filing written notice of the change with the system on a form satisfactory to it. The new nomination will be effective on the date the notice, in proper form, is received by the system, and any prior nomination shall thereupon become void.

If more than one beneficiary is nominated and in such nomination the member or retirant has failed to specify their respective interests, the beneficiaries shall share equally. If any beneficiary predeceases the member or retirant, the interest of such beneficiary shall terminate and shall be shared equally by such of the beneficiaries as survive the member or retirant, unless the member or retirant has made written request to the contrary in his beneficiary nomination.

Any amounts due for which there is no beneficiary at the death of a member, retirant or beneficiary shall be payable to the estate of such member, retirant or beneficiary.

Except with regard to the payment of the member's accumulated deductions with regular interest and the payment, upon the death of a retirant after attaining the age of 60 years, of the death benefits provided in sections 41, 45, 46, 48, and 57 of the act to which this section is a supplement, a member may elect, by making written request to the retirement system, that the whole or any part of his death benefits be made payable in accordance with rules and regulations of the board of trustees to his beneficiary either as a life annuity or in equal annual installments over a period of years specified in such election, and may alter such election from time to time during his lifetime by again making such written request. In the event of a change of beneficiary, any previous arrangement by the member or retirant under this paragraph shall be void. The election set forth in this paragraph shall not apply or be available when the beneficiary is an estate, or a corporation, partnership, association, institution, trustee, or any fiduciary.

If, at the member's or retirant's death, an amount of death benefit would be payable to the beneficiary in a single sum, any election with regard to such amount which was available to the member or retirant immediately prior to his death in accordance with the provisions of the immediately preceding paragraph shall then be available to such beneficiary for the benefit of such beneficiary.

The provisions of this section shall be construed separately with respect to each of the death benefits for which a beneficiary is designated by the member or retirant.

C. 43:15A-129. Membership in retirement system for employees in service prior to Jan. 2, 1955.

26. a. Any veteran who was in the employ of the State, or of a county, municipality, public agency, school district or board of education of this State on January 2, 1955 and who elected not

to become a member of the retirement system by notifying the system in writing of his desire not to become a member, may join the retirement system at any time during the continuation of such employment by filing an application for membership and agreeing to purchase membership credit for all service rendered after January 1, 1955. If such veteran becomes a member pursuant to this section, service rendered by him prior to January 2, 1955 shall be credited to him in accordance with the provisions of paragraph a of section 60 of the act to which this section is a supplement. The employer of such public employee veteran on the date of his becoming a member shall pay the accrued liability on behalf of such prior service and such accrued liability shall be paid in such a manner that the total obligation will be met within the period of time fixed for the liquidation of all veteran accrued liabilities of the employer.

b. Any person other than a veteran who was in the employ of the State, or of a county, municipality, public agency, school district or board of education of this State on January 2, 1955 and who elected not to become a member of the retirement system by claiming a refund of his accumulated deductions may join the retirement system at any time during the continuation of such employment by filing an application for membership and agreeing to purchase membership credit for all service rendered subsequent to January 1, 1955. Any such member may also be permitted to purchase credit pursuant to any other applicable provision of the act to which this section is a supplement and to purchase credit for service previously established in the former "State Employees' Retirement System" in order to give such person the same credit for such service as he had at the time of withdrawing his membership.

c. The purchase of credit pursuant to this section shall be made by a member's paying into the retirement system the amount required by applying the factor supplied by the actuary as being

applicable to the member's age at the time of his election to make the purchase to his salary at the time of such election. Such purchases may be made in regular installments equal to at least ½ of the full normal contribution to the retirement system over a maximum period of 10 years. In the event that such member retires before he completes the payment for all service for which he agreed to purchase credit, credit for such service shall be given in direct proportion as the amount paid bears to the total amount of the arrearage obligation, except that if any such veteran retires before he completes the purchase of credit for all service rendered by him subsequent to January 1, 1955, no credit for service rendered by him prior to January 2, 1955 shall be considered for retirement purposes.

d. Notwithstanding any other provision of the act of which this section is a supplement, any person becoming a member of the retirement system pursuant to the provisions of this section shall not be allowed any of the death benefits established by sections 41, 45, 46, 48 and 57 of the act to which this section is a supplement unless he shall have furnished satisfactory evidence of insurability.

C. 43:15A-57.2. Membership for those employed again.

27. If a former member of the State Employees' Retirement System or the retirement system, who has been granted a retirement allowance for any cause other than disability, becomes employed again in a position which makes him eligible to be a member of the retirement system, the pension portion of his retirement allowance, together with any optional selection pursuant to section 50 of the act to which this section is a supplement and the right to any death benefit as a result of his former membership, shall be suspended until he again retires.

Such person shall be re-enrolled in the retirement system and shall contribute thereto at a rate based on his age at the time of re-enrollment. Such person shall be treated as an active member for determining disability or death benefits while in service and no benefits pursuant to an optional

selection with respect to his former membership shal be paid if his death shall occur during the period of such re-enrollment.

Upon subsequent retirement of such member, the pension portion of his former retirement allowance shall, subject to the provisions of section 59 of the act to which this section is a supplement, be reinstated together with any optional selection, pursuant to section 50, based on his former membership. In addition, such member shall receive an additional retirement allowance, computed in accordance with applicable provisions of the act to which this section is a supplement including the reduction provided by section 59 and the optional privileges of section 50, provided, however, that his total retirement allowance upon such subsequent retirement shall not be a greater proportion of his final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement. Any death benefit to which such member shall be eligible shall be based on his latest retirement, but shall not be less than the death benefit that was applicable to his former retirement.

C. 43:15A-25.1. Deductions while receiving benefits under Workmen's Compensation Law.

28. a. If any member of the retirement system receives periodic benefits payable under the Workmen's Compensation Law during the course of his active service, in lieu of his normal compensation, his regular salary deductions shall be paid to the retirement system by his employer. Such payments shall be computed at the full rate of contribution on the base salary subject to the retirement system, just prior to the receipt of the workmen's compensation benefits. The moneys paid by the employer shall be credited to the member's account in the annuity savings fund and shall be treated as employee contributions for all purposes. The employer will terminate the payment of these moneys when the periodic benefits payable under the Workmen's Compensation Law are terminated.

The member for whom the employer is making such payments, will be considered as if he were in

the active service and shall be permitted to continue to make contributions to purchase the additional death benefit coverage provided by section 57 of the act to which this section is a supplement.

b. No application for retirement benefits may be approved by the board of trustees while the member, applying for such benefits, is in receipt of periodic benefits under the Workmen's Compensation Law.

C. 43:15A-130. Members holding multiple positions.

29. Any member who held multiple positions in public employment covered by the retirement system, and who retired from one of these positions prior to the enactment of chapter 229, P. L. 1964, shall (a) not be required to enroll from any position covered by the retirement system, or (b) if enrolled, be permitted to withdraw from the retirement system upon waiver of his rights as an active member in the system.

Repealed: C. 43:15A-12. C. 43:15A-78. C. 43:15A-87. C. 43:15A-128. C. 43:15A-8.1.

30. a. Sections 12 and 78 of P. L. 1954, chapter 84 are repealed.

b. P. L. 1955, chapter 166 is repealed.

c. P. L. 1959, chapter 196 is repealed.

d. P. L. 1965, chapter 234 is repealed.

31. This act shall take effect immediately.

Approved August 1, 1966.

CHAPTER 218

AN ACT to amend and supplement the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37) and repealing sections 12, 23, 50 and 72 thereof; repealing sections 14 and 15 of P. L. 1946, chapter 145.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.4. Definitions.

2. As used in this act:

a. "Accumulated deductions" means the sum of all the amounts, deducted from the compensation of a member or contributed by him, including interest credited prior to January 1, 1956, standing to the credit of his individual account in the annuity savings fund.

b. "Annuity" means payments for life derived from contributions made by a member as provided in this act.

c. "Beneficiary" means any person receiving a retirement allowance or other benefit as provided in this act.

d. "Compensation" means the contractual salary for services as a teacher as defined in this act.

e. "Employer" means the State, the board of education or any educational institution or agency of or within the State by which a teacher is paid.

f. "Final compensation" means the average annual compensation for which contributions are made for the 5 years of creditable service in New Jersey immediately preceding his retirement, or it shall mean the average annual compensation for which contributions are made during any 5 fiscal years of his or her membership providing the largest possible benefit to the member or his beneficiary.

g. "Fiscal year" means any year commencing with July 1, and ending with June 30, next following.

h. "Pension" means payments for life derived from appropriations made by the State or employers to the Teachers' Pension and Annuity Fund.

i. "Annuity reserve" means the present value of all payments to be made on account of any annuity or benefit in lieu of an annuity, granted under the provisions of this act, computed on the basis of such mortality tables as the board of trustees adopts, with regular interest.

j. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension granted to a member from the Teachers' Pension and Annuity Fund computed on the basis of such mortality tables as the board of trustees adopts, with regular interest.

k. "Present-entrant" means any member of the Teachers' Pension and Annuity Fund who has established status as a "present-entrant member" of said fund prior to the effective date of this act.

l. "Rate of contribution initially certified" means the rate of contribution certified based upon the member's age when last he became a member.

m. "Regular interest" shall mean interest as determined from time to time by the board of trustees. The regular interest rate shall be limited to a minimum of 3% per annum, and a maximum of 4% per annum.

n. "Retirement allowance" means the pension plus the annuity.

o. "School service" means any service as a "teacher" as defined in this section.

p. "Teacher" means any regular teacher, special teacher, helping teacher, teacher clerk, principal, vice-principal, supervisor, supervising principal, director, superintendent, city superintendent, assistant city superintendent, county superintendent, State commissioner or assistant commissioner of education and other members of the teaching or professional staff of any class, public school, high school, normal school, model school, training school, vocational school, truant reformatory school, or parental school, and of any and all classes or schools within the State conducted under the order and superintendence, and wholly or partly at the expense of the State Board of Education, of a duly elected or appointed board of education, board of school directors, or board of trustees of the State or of any school district or normal school district thereof, and any such persons under contract or engagement to perform one or more

of these functions. No person shall be deemed a teacher within the meaning of this act who is a substitute teacher or is a teacher not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods. In all cases of doubt the board of trustees shall determine whether any person is a teacher as defined in this act.

q. "Teachers' Pension and Annuity Fund" hereinafter referred to as the "retirement system," is the corporate name of the arrangement for the payment of retirement allowances and other benefits under the provisions of this act, including the several funds placed under the management of the board of trustees of said system. By that name all its business shall be transacted, its funds invested, warrants for money drawn, and payments made and all of its cash and securities and other property held.

r. "Veteran" means any honorably discharged officer, soldier, sailor, airman, marine or nurse who served in any army, air force or navy of the allies of the United States in World War I between July 14, 1914, and November 11, 1918, or who served in any army, air force or navy of the allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose his United States citizenship, and any officer, soldier, sailor, marine, airman, nurse or army field clerk who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections, expeditions or emergencies, and who has presented to the board of trustees evidence of such record of service in form and content satisfactory to said board of trustees:

(1) The Indian wars and uprisings during any

of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I, between April 6, 1917, and November 11, 1918;

(10) World War II, between September 16, 1940, and September 2, 1945, who shall have served at least 90 days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army specialized training program or the Navy college training program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided;

(11) Korean Conflict after June 23, 1950, and prior to July 27, 1953, who shall have served at least 90 days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army specialized training program or the Navy college training pro-

gram which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided; and provided further, that any member classed as a veteran pursuant to this subparagraph prior to the effective date of this amendatory act shall continue to be classed as a veteran whether or not he completed the 90-day service between said dates as herein provided.

(12) Viet Nam Conflict after December 31, 1960, and prior to the date of termination as proclaimed by the Governor, who shall have served at least 180 days in such active service on overseas duty, exclusive of any period he was assigned (1) for a course of education or training under the Army specialized training program or the Navy college training program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 180 days was served between said dates; and exclusive of any service performed pursuant to the provisions of section 511(d) of Title 10, United States Code, pursuant to an enlistment in the Army National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve.

Section amended.

2. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.8. New members in Class B.

6. Any person becoming a member on or after January 1, 1956, shall become a Class B member as a condition of his employment, and thereafter shall participate in the retirement system under the same conditions and with the same rights and privileges as other members, except as hereinafter provided.

3. Section 7 of the act of which this act is amendatory is amended to read as follows:

Section amended.

C. 18:13-112.9. Cessation of membership.

7. Membership of any person shall cease:

(a) if, except as provided in section 8, he shall discontinue his service for more than 2 consecutive years;

(b) upon the withdrawal by a member of his accumulated deductions as provided in this act;

(c) upon resignation and election to receive, in lieu of the return of his accumulated deductions, the benefits provided in sections 36 and 37 of this act;

(d) upon retirement;

(e) at death;

but not otherwise except as provided in this act.

The pension fund shall send written notice in care of the last employer of a member at least 60 days in advance of the date on which his inactive membership shall expire as provided in paragraph "a" of this section.

4. Section 8 of the act of which this act is amendatory is amended to read as follows:

Section amended.

C. 18:13-112.10. Continuance of membership.

8. If a teacher is dismissed by his employer by reason of reduction in number of superintendents of schools, assistant superintendents, principals or teachers employed in the school district when in the judgment of the board of education it is advisable to abolish any office, position or employment for reasons of a reduction in the number of pupils, economy, a change in the administrative or supervisory organization of the district, or other good cause; or if a teacher becomes unemployed by reason of the creation of a regional school district or a consolidated school district; or if a teacher has been discontinued for service through no fault of his own or through leave of absence granted by his employer or permitted by any law of this State; and if such teacher has not withdrawn his accumulated contributions, his membership may continue in the retirement system notwithstanding any provisions of this act, if such member returns to service within a period of 5 years from the date of such

dismissal, or the beginning of such unemployment or leave of absence, and no credit for retirement purposes shall be allowed except as provided hereinafter in this section. In computing the service or in computing final compensation no time after September 1, 1919, during which a member was employed as a teacher at an annual salary or remuneration fixed at less than $500.00 shall be credited, except that in the case of a veteran member credit shall be given for service rendered prior to January 1, 1955, in an employment, office or position if the annual salary or remuneration therefor was fixed at not less than $300.00 and such service consisted of the performance of the full duties of such employment, office or position. In computing service for retirement purposes or in computing final compensation no time during which such teacher was absent on such leave shall be credited unless such absence was for a period of less than 3 months or unless the service was allowed for retirement purposes within 1 year following his return to service after completion of such leave, both by his employer and by the board of trustees, or unless the period of leave was specifically allowed for retirement purposes by the provisions of any law of this State. Any such member shall be required to contribute, either in a lump sum or by installment payments, an amount calculated, in accordance with the rules and regulations of the board of trustees, to cover the period of such official leave of absence without pay.

Section amended.

5. Section 9 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.11. Resumption of discontinued membership.

9. If a teacher who has withdrawn his accumulated deductions from the retirement system as provided in section 34 of this act is re-enrolled as a member, he may purchase credit for all of his previous membership service by paying into the annuity savings fund the amount required by applying the factor, supplied by the actuary, as being applicable to his age at the time of the purchase, to his salary at that time. Such purchase may be

made in regular installments, equal to at least ½ the full normal contribution to the retirement system, over a maximum period of 10 years. In order to give to such person the same credit for such services as he had at the time of withdrawal, his pension credit shall be restored as it was at the time of his withdrawal upon the completion of 1 year of membership after his election to make the purchase and the payment of at least ½ the total amount due, except that in the case of retirement pursuant to sections 36, 37, 44 and 71 the credit granted for the service being purchased shall be in direct proportion as the amount paid bears to the total amount of the arrearage obligation.

Section amended.

6. Section 10 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.12. Nonmembers may join.

10. Any person who was employed as a teacher prior to January 2, 1955, and who did not join the Teachers' Pension and Annuity Fund, may join at any time. Such person shall have the option of joining the retirement system as a new member upon proper application with no credit for previous service, or he may purchase membership credit for his previous service by paying into the annuity savings fund the amount required by applying the factor, supplied by the actuary, as being applicable to his age at the time of the purchase, to his salary at that time. Such purchase may be made in regular installments, equal to at least ½ the full normal contribution to the retirement system, over a maximum period of 10 years.

In the case of any person coming under the provisions of this section, full pension credit for the period of employment for which arrears are being paid shall be given upon the payment of at least ½ of the total arrearage obligation and the completion of 1 year of membership and the making of such arrears payments, except that in the case of retirement pursuant to sections 36, 37, 44 and 71 the total membership credit for such service shall be in direct proportion as the amount paid bears to the total amount of the arrearage obligation.

Any person coming under the provisions of this section shall not be allowed any of the death benefits established by sections 38, 41, 42, 44, 46 and 53 of this act unless he becomes a member within 12 months after the effective date of this act, or furnishes satisfactory evidence of insurability.

Section amended.

7. Section 13 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.15. Prior service certificate.

13. A member may file a detailed statement of school service and service in a similar capacity in other States rendered by him prior to becoming a member for which he desires credit and on account of which he desires to contribute, and of such other facts as the retirement system may require. He shall have the right to purchase credit for the prior service evidenced therein, up to the nearest number of years and months, but not exceeding 10 years. No application shall be accepted after the effective date of this act for the purchase of credit for such prior service, however, if, at the time of application, the member has a vested right to retirement benefits in another retirement system based in whole or in part upon that service.

He may purchase credit for such service by paying into the annuity savings fund the amount required by applying the factor, supplied by the actuary, as being applicable to his age at the time of the purchase to his salary at that time. Such purchase may be made in regular installments, equal to at least ½ the full normal contribution to the retirement system, over a maximum period of 10 years.

Any member electing to contribute toward such service, who retires prior to completing payments as agreed with the retirement system for the purchase of such service will receive pro rata credit for service purchased prior to the date of retirement, subject to provisions of section 68 of this act, but if he so elects at the time of retirement, he may make such additional lump sum payment at that time as will be necessary to provide full credit.

Section amended.

8. Section 15 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.17. Service credit for retirement.

15. In computing for retirement or for purposes of resignation or separation from service under sections 36 and 37 of this act the total service of a member about to be retired, the retirement system shall credit him with all service rendered by him since he last became a member and in addition, with all the service to which he is entitled and with no other service. Except as otherwise provided in this act, such service credit shall be final and conclusive for retirement purposes, or for purposes of resignation under sections 36 and 37 of this act, unless the member shall discontinue his service for more than 2 consecutive years.

For the purpose of computing service for retirement purposes, the board of trustees shall fix and determine by appropriate rules and regulations how much service in any year shall equal a year of service and part of a year of service. Not more than 1 year shall be credited for all service in a calendar year.

Section amended.

9. Section 31 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.33. Retirement system certify contribution rates.

31. The retirement system shall certify to each employer the proportion of each member's compensation to be deducted in accordance with rules and regulations established by the board of trustees, and to facilitate the making of deductions the retirement system may modify the deduction required by a member of such amount as shall not exceed 1/10 of 1% of the compensation upon the basis of which the deduction is to be made.

Except as provided in sections 26 and 27 there shall be credited in the annuity savings fund to the individual account of each member any amounts so deducted or contributed by him.

Section amended.

10. Section 32 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.34. Employers' duties.

32. Upon the employment of a person to whom this act may apply, his employer shall inform him of his duties and obligations under this act as a

condition of his employment; the employer shall notify the retirement system of such appointment within 10 days thereafter; it shall keep such records and from to time furnish such information as the retirement system may require; deduct the proportion of salary and extra salary deductions as certified by the retirement system; transfer each of the amounts so deducted to the retirement system; and shall transmit to the retirement system monthly or at such intervals as the system designates a detailed statement of all amounts so paid. Where there is a delay of more than 30 days in the transmittal of such amounts, there shall be an interest charge of 6% per annum. Any failure on the part of the employer to comply with the provisions of this section shall constitute a default, and the State Department of Education may withhold school moneys from the district until the default is made good.

Where an employer fails to notify the retirement system of a teacher's employment and more than 1 year has elapsed from the compulsory enrollment date of such teacher, the employer shall be liable for the payment, with interest of 6% per annum, to the Contingent Reserve Fund which would otherwise have been required of, and timely paid, by the State.

Section amended.

11. Section 34 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.36. Withdrawal.

34. A member who withdraws from service or ceases to be a teacher for any cause other than death or retirement shall receive all of the accumulated deductions standing to the credit of his individual account in the annuity savings fund, plus regular interest on contributions made after January 1, 1956, less any loan outstanding, and except that for any period after June 30, 1944, the interest payable shall be such proportion of the interest determined at the regular rate as 2% per annum bears to the regular rate of interest; provided, however, that no interest shall be payable if such a member does not have 3 years of member-

ship service at the time of withdrawal from service or cessation of employment.

Except as provided for in sections 7 and 8 of this act, he shall cease to be a member 2 years from the date he discontinued service as a teacher, or, if prior thereto, upon payment to him of his accumulated deductions. No member shall be entitled to withdraw the amounts contributed by his employer covering his military leave unless he shall have returned to the payroll and contributed to the retirement system for a period of 90 days.

Section amended.

12. Section 35 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.37. Loans.

35. After January 1, 1959, any member who has at least 3 years of service to his credit as a member may borrow from the retirement system, an amount equal to not more than 50% of the amount of his accumulated deductions, but not less than $50.00; provided, that the amount so borrowed, together with interest thereon, can be repaid by additional deductions from compensation, not in excess of 25% of the member's compensation, made at the same time compensation is paid to the member, but not after the attainment of age 60. The amount so borrowed, together with interest at the rate of 4% per annum on any unpaid balance thereof, shall be repaid to the retirement system in equal installments by deduction from the compensation of the member at the time the compensation is paid or in some other manner but such installments shall be at least equal to the member's full rate of contribution to the retirement system and at least sufficient to repay the amount borrowed with interest thereon by the time the member attains age 60. Not more than 2 loans may be granted to any member in any calendar year. Notwithstanding any other law affecting the salary or compensation of any person or persons to whom his act applies or shall apply, the additional deductions required to repay the loan shall be made. Any unpaid balance of a loan at the time any benefit may become payable, shall be deducted from the benefit otherwise payable.

Loans may be made to a member from his accumulated deductions. In addition the board of trustees is hereby authorized to set aside moneys within the contingent reserve fund from which loans to members may be made. If such moneys are used for the purpose of making loans, the interest earned on such loans shall be treated in the same manner as interest earned from investments of the retirement system.

Section amended.

13. Section 36 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.38. Vesting.

36. Should a member, after having completed 15 years of service, be separated voluntarily or involuntarily from the service, before reaching service retirement age, and not by removal for conduct unbecoming a teacher or other just cause under the provisions of sections 18:13–16 to 18:13–19 of the Revised Statutes, inclusive, such person may elect to receive, in lieu of the payment provided in section 34:

a. the payments provided for in section 37 of this act, if he so qualified under said section; or

b. a deferred retirement allowance, beginning at age 60, which shall be 1/70 of his final compensation for each year of service credited as Class A service and 1/60 of his final compensation for each year of service credited as Class B service, calculated in accordance with section 44 of this act, with optional privileges provided for in section 47 of this act if he exercises such optional privilege at least 30 days before his attainment of the normal retirement age; provided, that such election is communicated by such member to the retirement system in writing stating at what time subsequent to the execution and filing thereof he desires to be retired; and provided, further, that such member may later elect: (1) to receive the payments provided for in section 37 of this act, if he had qualified under that section at the time of leaving service, except that in order to avail himself of the optional privileges pursuant to section 47, he must exercise such optional privilege at least 30 days

before the effective date of his retirement; or (2) to withdraw his accumulated deductions with interest as provided in section 34. If such member shall die before attaining service retirement age, then his accumulated deductions, plus regular interest after January 1, 1956, shall be paid, in accordance with section 38, or if such member shall die after attaining service retirement age and has not withdrawn his accumulated deductions, there shall be paid an amount equal to 3/16 of the compensation received by the member in the last year of creditable service to such person, if living, as he shall have nominated by written designation duly executed and filed with the retirement system, otherwise to the executor or administrator of the member's estate.

Section amended.

14. Section 37 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.39. Early retirement.

37. Should a member resign after having established 25 years of creditable service before reaching age 60, he may elect "early retirement," on which he shall receive, in lieu of the payment provided in section 34 of this act, a total retirement allowance of 1/70 of his final compensation for each year of service credited as Class A service and 1/60 of his final compensation for each year of service credited as Class B service, calculated in accordance with section 44 of this act, reduced by ½ of 1% for each month that the member lacks of being age 60, except that in the case of a member who has not attained age 53, the reduction is equal to 42% plus 1/6 of 1% for each month the member lacks of being age 53, and with the optional privileges provided for in section 47 of this act, provided, however, that upon the receipt of proper proofs of the death of such a member after he shall have reached 60 years of age there shall be paid to his beneficiary an amount equal to 3/16 of the compensation upon which contributions by the member to the annuity savings fund were based in the last year of creditable service.

Section amended.

15. Section 38 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.40. Death benefit.

38. Except as provided in section 69, upon the receipt of proper proofs of the death of a member in service on account of which no accidental death benefit is payable under section 46, there shall be paid to such member's beneficiary:

(a) The member's accumulated deductions at the time of death together with regular interest after January 1, 1956; and

(b) An amount equal to 1½ times the compensation upon which contributions by the member to the annuity savings fund were based in the last year of creditable service; provided, however, that if such death shall occur after the member shall have attained age 70, the amount payable shall equal 3/16 of such compensation instead of 1½ times such compensation.

For the purposes of this section and section 53 of this act, a member shall be deemed to be in service for a period of no more than 2 years while on official leave of absence without pay; provided, that satisfactory evidence is presented to the retirement system that such leave of absence without pay is due to illness. For the purposes of this section and section 53 of this act, a member shall be deemed to be in service for a period of not more than 93 days while on official leave of absence without pay when such leave of absence is due to any reason other than illness. In order for a member to be covered for the optional death benefits provided by section 53 of this act, he shall continue to make contributions for same during the period such member is on official leave of absence without pay, except that when such official leave of absence without pay is due to illness, no contribution shall be required of the member during the period he is deemed to be in service while on such leave of absence.

Section amended

16. Section 46 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.48 Accidental death benefit.

46. Upon the death of a member in active service as a result of an accident arising out of and in the course of his employment and not as the result of his willful negligence, an accident death benefit shall be payable, if a report of the accident is filed in the office of the retirement system within 60 days next following the accident, but the board of trustees may waive such time limit, for a reasonable period, if in the judgment of the board the circumstances warrant such action. Evidence must be submitted to the board of trustees proving that the natural and proximate cause of his death was an accident arising out of and in the course of employment at some definite time and place.

Upon application by or on behalf of the dependents of such deceased member, in addition to the payment of his accumulated deductions with regular interest, an allowance of ½ of the final compensation of such member, if the member was a male teacher, shall be payable as a pension to his widow, to continue during her widowhood; or, if no widow, or in case the widow dies or remarries before the youngest child of such deceased member attains age 18, or if the member was a married female employee, then to the child or children of such member under age 18, to continue until the youngest surviving child dies or attains age 18. If there be no widow or child under 18 surviving such member, then there shall be paid a cash sum equal to 1½ times the amount of his or her final compensation to his or her beneficiary. In no case shall the accident death benefit under this section be less than that provided for ordinary death benefit under the provisions of section 38.

No such application shall be valid or acted upon unless it is filed in the office of the retirement system within 2 years of the date of the accident; but the board of trustees may waive such time limit, for a reasonable period, if in the judgment of the board the circumstances warrant such action.

Section amended.

17. Section 47 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.49. Options.

47. Subject to the provisions of section 68 of this act, at the time of his retirement a member shall receive his benefits in a retirement allowance payable throughout life, or he may on retirement elect to receive the actuarial equivalent of his retirement allowance, in a lesser retirement allowance payable throughout life, with the provision that:

Option 1. If he dies before he has received in payments the present value of his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation acknowledged and filed with the retirement system, either in a lump sum or by equal payments over a period of years at the option of the payee. If the member shall have designated a natural person as the payee, said payee may elect to receive such payments in the form of a life annuity.

Option 2. Upon his death, his retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the retirement system at the time of his retirement.

Option 3. Upon his death, ½ of his retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the retirement system at the time of his retirement.

Option 4. Some other benefit or benefits shall be paid either to the member or to whomever he nominates, if such other benefit or benefits, together with the lesser retirement allowance, shall be certified by the actuary to be of equivalent actuarial value. In no case, however, shall the lesser retirement allowance be smaller than that provided under Option 2.

Except in the case of members who have elected to receive (1) a deferred retirement allowance pursuant to section 36 or (2) early retirement allowances pursuant to section 37 after separation from

service pursuant to section 36, if a member dies within 30 days after the date of retirement or the date of board approval, whichever is later, his retirement allowance shall not become effective and he shall be considered an active member at the time of death.

Section amended.

18. Section 69 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.71. Effect of lack of Social Security coverage.

69. Any other provision of this act notwithstanding, any member who is not covered under the old-age and survivors insurance provisions of Title II of the Federal Social Security Act as a teacher shall not be eligible for the death benefit provisions of sections 36, 37, 38, 41, 42, 44 and 53, except for the payment of accumulated deductions together with regular interest.

Section amended.

19. Section 71 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.73. Veterans' privileges.

71. a. Any veteran member in office, position or employment of this State or of a county, municipality, or school district, board of education or other employer on January 1, 1955, who remains in such service thereafter and who has or shall have attained the age of 60 years and who has or shall have been for 20 years in the aggregate in office, position or employment of this State or of a county, municipality or school district, board of education or other employer, shall have the privilege of retiring for service and of receiving, instead of the retirement allowance provided under section 44 of this act, a retirement allowance of ½ of the compensation received during the last year of employment upon which contributions to the annuity savings fund or contingent reserve fund are made with the optional privileges provided for in section 47 of this act.

b. Any veteran becoming a member after January 1, 1955, who shall be in office, position, or employment of this State or of a county, municipality or school district, board of education or other employer, and who shall have attained 62 years of age and who has 20 years of aggregate service credit

in such office, position, or employment shall have the privilege of retiring for service and of receiving, instead of the retirement allowance provided under section 44 of this act, a retirement allowance of ½ of the compensation received during the last year of employment upon which contributions to the annuity savings fund or contingent reserve fund are made with the optional privileges provided for in section 47 of this act. The provisions of this subsection shall also apply to any veteran who was a member on January 1, 1955, but whose service was not continuous thereafter.

c. Any veteran member who has been for 20 years in the aggregate in office, position, or employment of this State or of a county, municipality or school district, board of education or other employer as of January 1, 1955, shall have the privilege of retiring for ordinary disability and of receiving, instead of the retirement allowance provided under section 41 of this act, a retirement allowance of ½ of the compensation received during the last year of employment upon which contributions to the annuity savings fund or contingent reserve fund are made with the optional privileges provided for in section 47 of this act. Such retirement shall be subject to the provisions governing ordinary disability retirement in sections 39 and 40 of this act.

d. The death benefit provided in section 44 shall apply in the case of any member retiring under the provisions of subsections a and b of this section. The death benefit provided in section 41 shall apply in the case of any member retiring under the provisions of subsection c of this section.

C. 18:13-112.55a. Designation of beneficiary.

20. The designation of beneficiary by a member or retirant shall be made in writing on a form satisfactory to the retirement system, and filed with the retirement system. The member or retirant may, from time to time and without the consent of his death benefit designee, change the beneficiary by filing written notice of the change with the system on a form satisfactory to it. The

new nomination will be effective on the date the notice, in proper form, is received by the system, and any prior nomination shall thereupon become void.

If more than one beneficiary is nominated and in such nomination the member or retirant has failed to specify their respective interests, the beneficiaries shall share equally. If any beneficiary predeceases the member or retirant, the interest of such beneficiary shall terminate and shall be shared equally by such of the beneficiaries as survive the member or retirant, unless the member or retirant has made written request to the contrary in his beneficiary nomination.

Any amounts due for which there is no beneficiary at the death of a member, retirant or beneficiary shall be payable to the estate of such member, retirant or beneficiary.

Except with regard to the payment of the member's accumulated deductions with regular interest and the payment, upon the death of a retirant after attaining the age of 60 years, of the death benefits provided in sections 36, 37, 38, 41, 42, 44 and 53 of the act to which this section is a supplement, a member may elect, by making written request to the retirement system, that the whole or any part of his death benefits be made payable in accordance with rules and regulations of the board of trustees to his beneficiary either as a life annuity or in equal annual installments over a period of years specified in such election, and may alter such election from time to time during his lifetime by again making such written request. In the event of a change of beneficiary, any previous arrangement by the member or retirant under this paragraph shall be void. The election set forth in this paragraph shall not apply or be available when the beneficiary is an estate, or a corporation, partnership, association, institution, trustee, or any fiduciary.

If, at the member's or retirant's death, an amount of death benefit would be payable to the

beneficiary in a single sum, any election with regard to such amount which was available to the member or retirant immediately prior to his death in accordance with the provisions of the immediately preceding paragraph shall then be available to such beneficiary for the benefit of such beneficiary.

The provisions of this section shall be construed separately with respect to each of the death benefits for which a beneficiary is designated by the member or retirant.

C. 18:13-112.56a. Former members employed again.

21. If a former member of the retirement system who has been granted a retirement allowance for any cause other than disability, becomes employed again in a position which makes him eligible to be a member of the retirement system, the pension portion of his retirement allowance, together with any optional selection pursuant to section 47 of the act to which this section is a supplement and the right to any death benefit as a result of his former membership, shall be suspended until he again retires.

Such person shall be re-enrolled in the retirement system and shall contribute thereto at a rate based on his age at the time of re-enrollment. Such person shall be treated as an active member for determining disability or death benefits while in service and no benefits pursuant to an optional selection with respect to his former membership shall be paid if his death shall occur during the period of such re-enrollment.

Upon subsequent retirement of such member, the pension portion of his former retirement allowance shall, subject to the provisions of section 68 of the act to which this section is a supplement, be reinstated together with any optional selection, pursuant to section 47, based on his former membership. In addition, such member shall receive an additional retirement allowance, computed in accordance with applicable provisions of the act to which this section is a supplement including the reduction provided by section 68 and the optional

privileges of section 47, provided, however, that his total retirement allowance upon such subsequent retirement shall not be a greater proportion of his final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement. Any death benefit to which such member shall be eligible shall be based on his latest retirement, but shall not be less than the death benefit that was applicable to his former retirement.

C. 18:13-112.34a. Deductions while receiving benefits under workmen's compensation law.

22. a. If any member of the retirement system receives periodic benefits payable under the workmen's compensation law during the course of his active service, in lieu of his normal compensation, his regular salary deductions shall be paid to the retirement system by his employer. Such payments shall be computed at the full rate of contribution on the base salary subject to the retirement system, just prior to the receipt of the workmen's compensation benefits. The moneys paid by the employer shall be credited to the member's account in the annuity savings fund and shall be treated as employee contributions for all purposes. The employer will terminate the payment of these moneys when the periodic benefits payable under the workmen's compensation law are terminated.

The member for whom the employer is making such payments, will be considered as if he were in the active service and shall be permitted to continue to make contributions to purchase the additional death benefit coverage provided by section 53 of the act to which this section is a supplement.

b. No application for retirement benefits may be approved by the board of trustees while the member, applying for such benefits, is in receipt of periodic benefits under the workmen's compensation law.

Repealed:
C. 18:13-112.14.
C. 18:13-112.25.
C. 18:13-112.52.
C. 18:13-112.74.
C. 18:13-112.1.
C. 18:13-112.2.

23. a. Sections 12, 23, 50 and 72 of P. L. 1955, chapter 37 are repealed.

b. Sections 14 and 15 of P. L. 1946, chapter 145 are repealed.

24. This act shall take effect immediately.

Approved August 1, 1966.

CHAPTER 219

AN ACT to supplement "An act concerning school elections and supplementing Title 18 of the Revised Statutes and to repeal section 32 of 'An act concerning education prescribing certain offenses in connection with school elections and penalties for the commission thereof, and supplementing Title 18 of the Revised Statutes,' approved July 22, 1958 (P. L. 1958, c. 128)," approved May 27, 1963 (P. L. 1963, c. 58).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:5-82.32e. Penalty.

1. Any person violating any of the provisions of the act of which this act is a supplement shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 220

AN ACT to amend "An act concerning county tuberculosis hosptials, and supplementing chapter 9 of Title 30 of the Revised Statutes," approved May 10, 1955 (P. L. 1955, c. 11).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 30:9-52.2. Hospital for chest diseases.

1. In any county having a county tuberculosis hospital established and maintained by the board of chosen freeholders of that county, pursuant to

sections 30:9–45 to 30:9–60, both inclusive, of the Revised Statutes, the said board of chosen freeholders may authorize the admission to such hospital of persons who are suffering from nontuberculosis diseases and provide for the segregation and treatment of said persons at such hospitals. Where the admission of such person is so authorized the superintendent of the hospital may admit such persons upon the recommendation for hospitalization by a qualified physician and in all other respects the provisions of said sections 30:9–45 to 30:9–60 relating to the maintenance of patients in any such hospital shall be applicable to persons admitted as patients pursuant to the provisions of this act. The board of chosen freeholders of any such county may designate the said hospital as "Hospital for Chest Diseases."

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 221

AN ACT concerning the State Highway Department, and adding a new route to the State highway system.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The State Highway Commissioner shall as soon as practicable and in accordance with the procedure set forth in article 1 of chapter 7, Title 27, of the Revised Statutes add to the present State highway system the following described route: Route No. ...., beginning on existing Route 15 in the vicinity of Lake Shawnee, township of Jefferson, Morris county and thence northward on new alignment through the township of Sparta and township of Lafayette, terminating in the vicinity

C. 27:6-1. State highway routes.

of the intersection of Route 206 and County Route 565 in the township of Frankford: all in Sussex county, New Jersey.

As the route provided for in the act is taken in the State highway system, the State Highway Commissioner shall designate said route by an appropriate route number as provided by law.

2. The aforesaid route is hereby designated as a freeway as defined in chapter 83, laws of 1945.

3. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 222

AN ACT concerning taxation and amending sections 54:2–3 through 54:2–10, inclusive, of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 54:2–3 of the Revised Statutes is amended to read as follows:

Division; judges; qualifications.

54:2–3. The Division of Tax Appeals in the Department of the Treasury shall consist of 7 judges who shall be citizens of the State and not more than 4 of whom shall belong to the same political party. At least 4 judges shall be attorneys-at-law of the State of New Jersey of at least 10 years' standing. Judges shall be chosen because of their special qualifications, knowledge and experience in matters concerning the valuation and taxation of property, particularly of real property.

Section amended.

2. Section 54:2–4 of the Revised Statutes is amended to read as follows:

Judges; appointment and terms; vacancies.

54:2–4. All judges shall be appointed by the Governor, by and with the advice and consent of the Senate, for terms of 5 years and until the appointment and qualification of their successors.

Vacancies shall be filled for the unexpired term only. All full term appointments shall commence on July 1 of the year of the appointment.

The members of the Division of Tax Appeals who shall be members when this amendatory act becomes effective shall constitute the judges of the Division of Tax Appeals and shall hold office each for the period of his term which remains unexpired.

3. Section 54:2–5 of the Revised Statutes is amended to read as follows: Section amended.

54:2–5. Each judge shall, before entering upon the performance of his duties, file with the Secretary of State an oath taken before a justice of the Supreme Court, that he will faithfully discharge the duties of his office and that he is not directly or indirectly interested in any railroad, canal or other public utility company. Judges; oath; filing.

4. Section 54:2–6 of the Revised Statutes is amended to read as follows: Section amended.

54:2–6. A judge may be removed by the Governor for inefficiency, neglect of duty, or malfeasance in office, but for no other reason. Removal of judges by Governor.

5. Section 54:2–7 of the Revised Statutes is amended to read as follows: Section amended.

54:2–7. One of the judges shall be designated by the Governor as presiding judge and shall so act during his term of office. Presiding judge.

6. Section 54:2–8 of the Revised Statutes is amended to read as follows: Section amended.

54:2–8. Each judge, except the presiding judge, shall receive an annual salary of $17,000.00. The presiding judge shall receive an annual salary of $18,000.00. The presiding judge and the judges shall devote such time as shall be required for the efficient performance of the duties of office. Salaries of judges and presiding judge.

7. Section 54:2–9 of the Revised Statutes is amended to read as follows: Section amended.

54:2–9. No judge shall be permitted to practice before the division for a period of 2 years after leaving, or having been removed from office. Former judges not to practice before division for 2 years.

8. Section 54:2–10 of the Revised Statutes is amended to read as follows: Section amended.

Quorum; effect of vacancy.

54:2–10. A majority of the judges shall constitute a quorum for the transaction of business. A vacancy shall not impair the powers nor affect the duties of the division or of the remaining judges.

Note: Effective date.

9. This act shall take effect July 1, 1966.

Approved August 10, 1966.

CHAPTER 223

AN ACT concerning counties and authorizing the board of chosen freeholders of any county to provide a free county library or land or buildings therefor, to raise and appropriate moneys therefor, to issue bonds and other obligations of the county therefor, and to enter into agreements with respect thereto.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:33-13.2a. Authorization for free county library or land or buildings.

1. Notwithstanding the provisions of any other law, the board of chosen freeholders of any county is hereby authorized and empowered to acquire real property or any interest therein by purchase, condemnation, gift or otherwise, and to lease as lessor or as lessee, and to purchase, construct, reconstruct, enlarge, alter or improve, and to furnish and equip, and to operate and maintain, any buildings or facilities which are necessary or desirable in the judgment of said board for the purpose of establishing or providing a free county library or free county library services for the use of residents and inhabitants of the county, or jointly for such purpose and for any other county purpose or use, and to raise and appropriate moneys therefor in the same manner as moneys are raised and appropriated for other county purposes pursuant to the

Local Budget Law, and to issue bonds or other obligations of the county for such purpose pursuant to the Local Bond Law and to levy ad valorem taxes upon all the taxable property within the county for the payment of the principal of and interest on such bonds or other obligations without limitation as to rate or amount.

C. 40:33-13.2b. Agreements; authorization to enter into.

2. Said board of chosen freeholders and any county library commission, governing body of any municipality or board of trustees of any free public library in the county are hereby authorized and empowered to enter into agreements with respect to provision, leasing, use, operation or maintenance of all or any part of such real property, buildings or facilities, and for payments on account of any cost or expense or the use or services thereof, or the establishment or provision of such free county library or free county library services. Any such contract may be made with or without consideration and for an unspecified or unlimited period of time and on any terms and conditions therein set forth and shall be valid and binding on the parties thereto whether or not appropriation with respect thereto shall have been made prior to authorization or execution thereof.

3. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 224

AN ACT concerning the conveyance of lands by a municipality in this State to a county park commission located within the county wherein such land is situate, and amending section 40:61–22.1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 40:61–22.1 of the Revised Statutes is amended to read as follows:

Conveyance of land to county park commission.

40:61–22.1. When a municipality shall have purchased or otherwise acquired land for park use, or for other public use or uses, which, in the opinion of the governing body of such municipality, is no longer required for the public use of such municipality, such governing body may, by ordinance, authorize and direct its proper officers to grant and convey by deed, under the corporate seal of the municipality, said land or any part thereof with an absolute and unrestricted title thereto, and for a nominal consideration, to any county park commission established by law within the county wherein said land is situate; provided, however, such county park commission shall consent to such grant and conveyance, which consent such county park commission is hereby authorized to give.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 225

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating act.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby

ratified, validated and confirmed, notwithstanding that neither the supplemental debt statement or school debt statement filed prior to such meeting or election was prepared in accordance with the provisions of section 18:5–87; provided, however, that said proposal adopted by the legal voters at such meeting or election correctly disclosed the effect of the adoption thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of secton 18:5–86 of the Revised Statutes; and provided further, that no action, suit or other proceeding of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 226

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating act.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the

legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the adoption of such proposal authorized the board of education to issue bonds the principal amount of which, added to the amount of all the bonds and notes of the school district then issued and outstanding or authorized but unissued less the amount of any sinking funds held for payment of the same, exceeded any limitation or other restriction prescribed by section 18:5–84 of the Revised Statutes, and such proposal did not disclose or correctly disclose the effect thereof on the borrowing margin of any municipality comprised with the school district in compliance with the provisions of section 18:5–85 of the Revised Statutes; provided, however, that supplemental debt statements and school debt statements, prepared and filed as of a date not more than 60 days prior to such meeting or election show that the percentage of net debt of the municipality as stated in any such supplemental debt statement does not exceed any limitation or restriction prescribed by section 40A:2–6 of the New Jersey Statutes; and provided further, that no action, suit or other proceeding of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not therefore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 227

AN ACT concerning examinations for applicants seeking licenses as real estate salesmen or brokers and supplementing chapter 15 of Title 45 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 45:15-10.1. Prerequisite to admission to examination.

1. A. As a prerequisite to admission to an examination, every individual applicant for license as a real estate salesman shall give evidence of 30 hours satisfactory completion in the aggregate of such courses of education in real estate subjects at a school approved by the commission as the commission shall by regulation prescribe.

B. As a prerequisite to admission to an examination, every individual applicant for license as a real estate broker shall give evidence of 42 hours satisfactory completion in the aggregate of such courses of education in real estate subjects at a school approved by the commission as the commission shall by regulation prescribe.

C. 45:15-10.2. Waiver of educational requirements.

2. The educational requirements adopted by the commission pursuant to section 1 of this act may be waived in the case of an applicant for examination who: (1) holds a real estate broker's license issued by another State or (2) was previously licensed as a broker in this State; provided, however, that the commission shall determine that the experience of such applicant is substantially equivalent to such educational requirements. In the event any applicant for admission to examination for either a real estate salesman's or broker's license shall present evidence of having satisfactorily completed such courses in real estate subjects in any college, the educational requirements adopted by the commission pursuant to section 1 of this act may be waived.

Note: Effective date.

3. This act shall take effect 180 days from the date of its adoption.

Approved August 10, 1966.

CHAPTER 228

AN ACT concerning zoning, and amending section 40:55–36 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 40:55–36 of the Revised Statutes is amended to read as follows:

Board of adjustment; appointment, term and removal; vacancies.

40:55–36. The governing body or board of public works shall provide for the appointment of a board of adjustment, which shall consist of 5 members who shall not hold any elective office or position under the municipality, each to be appointed for such term as the governing body or board of public works may prescribe and be removable for cause by the governing body or board of public works upon written charges and after public hearing. The governing body or board of public works shall provide for the filling of vacancies resulting from the unexpired term of any member.

The governing body may provide in the ordinance creating the board for not more than 2 alternate members. Alternate members shall be designated by the chairman "Alternate No. 1" and "Alternate No. 2" and shall serve in rotation during the absence or disqualification of any regular member or members.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 229

AN ACT to amend the "Savings and Loan Act (1963)," approved August 30, 1963 (P. L. 1963, c. 144).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 27 of the act of which this act is amendatory is amended to read as follows:

Section amended.

C. 17:12B-27. Section 27 branch office; application for authority to operate; terms and conditions; decision of commissioner.

27. Any State association, into which another association has been merged or which has acquired by purchase, reorganization or in any other manner, all or a substantial portion of the assets of another association, may make application to the commissioner for authority to operate the office previously operated by such other association, or a suitable substitute therefor, as a section 27 branch office. The commissioner may grant authority for the operation of such section 27 branch office under such terms and conditions as he shall prescribe, and such authority may be inclusive of authorized branch offices operated by the selling or merging association; provided, however, that no branch office or offices shall be established under this section, unless the offices of the associations are in the same or contiguous counties and that the commissioner shall first determine that the operation of such branch office or offices is in the public interest and will be of benefit to the area served by such branch office or offices and to the members of the association.

Not less than 30 days nor more than 45 days after the filing of the merger or asset sale agreement with the commissioner or the holding of a hearing, whichever last occurs, the commissioner shall announce his decision upon such application and file in his office, a written memorandum stating the reasons therefor, which shall be open to public inspection; and he shall forthwith thereafter give written notice thereof to the applicant.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 230

AN ACT to amend the "Motor Vehicle Security-Responsibility Law," approved May 10, 1952 (P. L. 1952, c. 173).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 24 of the act of which this act is amendatory is amended to read as follows:

C. 39:6-46. Liability policies; requirements.

24. A motor vehicle liability policy furnished as proof of financial responsibility as provided herein shall be a policy of liability insurance issued by an insurance carrier authorized to transact business in this State or, in the case of a person not eligible for insurance under the automobile Assigned Risk Plan, by an eligible surplus lines insurer to the person therein named as insured, or in the case of a nonresident, by an insurance carrier authorized to transact business in any of the States or provinces hereinafter stated. The policy shall:

(a) Designate, by explicit description or appropriate reference, all motor vehicles with respect to which coverage is intended to be granted thereby, and insure the insured named therein and any other person using or responsible for the use of any such motor vehicle with the express or implied consent of the insured, against loss from the liability imposed upon the insured or other person by law, for injury to or the death of a person, other than a person who is covered, as respects the injury or death, by any workmen's compensation law, or damage to property, except property of others in charge of the insured or the insured's employees, growing out of the maintenance, use or operation of the motor vehicle in the United States of America; or,

(b) In the alternative, insure the person therein named as insured against loss from liability im-

posed by law upon the insured for injury to or death of a person, other than a person who is covered as respects the injury or death by any workmen's compensation law, or damage to property, except property of others in charge of the insured or the insured's employees, growing out of the operation or use by the insured of a motor vehicle, except a motor vehicle registered in the name of the insured, and occurring while the insured is personally in control, as driver or occupant, of the motor vehicle within the United States of America.

The policy shall insure to the amount or limit of $10,000.00, exclusive of interest and costs, on account of injury to or death of one person, and, subject to the same limit with respect to injury to or death of one person, of $20,000.00, exclusive of interest and costs, on account of one accident resulting in injury to or death of more than one person, and of $5,000.00 for damage to property of others, as herein provided, resulting from one accident, or a binder pending the issuance of any such policy, or an indorsement to an existing policy as hereinafter provided.

This section shall not be construed as preventing the insurance carrier from granting any lawful coverage in excess of or in addition to the coverage herein provided for, nor from embodying in the policy any agreement, provision or stipulation not contrary to the provisions of this chapter and not otherwise contrary to law.

Separate concurrent policies covering respectively (a) bodily injury or death, as aforesaid, and (b) property damage as aforesaid, shall be considered a "motor vehicle liability policy" within the meaning of this act.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 231

AN ACT concerning railroads, and amending section 2A:170–60 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:170–60 of the New Jersey Statutes is amended to read as follows:

Shooting or throwing objects at vehicles; placing objects on tracks; taking coal from cars or tracks.

2A:170—60. Any person who casts, shoots or throws anything at, against or into any vehicle, railroad car, airplane, or other facility of transportation, or places any stick, stone or other substance upon any street railway track, trolley track or railroad track, or who unlawfully climbs into or upon any coal car, either in motion or standing on the track of any railroad company in this State, and throws from the same any coal, or takes up from the tracks or alongside the tracks any coal so thrown from the cars, is a disorderly person.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 232

AN ACT concerning leave of absence from public employment, and amending section 38:23–2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 38:23–2 of the Revised Statutes is amended to read as follows:

Leave of absence to attend State or national conventions.

38:23–2. The head of every public department and of every court of this State, every superintendent or foreman on the public works of this

State, the heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities, shall give a leave of absence with pay to every person in the service of the State, county or municipality who is a duly authorized representative of the Grand Army of the Republic, United Spanish-American War Veterans, Disabled American Veterans of the World War, Veterans of Foreign Wars, Ladies Auxiliaries of Veterans of Foreign Wars, Ladies Auxiliary, Veterans of World War I of the U. S. A., American Gold Star Mothers, Indian War Veterans, American Legion, American Legion Auxiliary, Jewish War Veterans of the United States, Ladies Auxiliary, Department of New Jersey, Jewish War Veterans of the U. S. A., Catholic War Veterans of the United States, Women's Overseas Service League, American Veterans World War II, Reserve Officers Association of the United States, Marine Corps League of the United States, Army and Navy Legion of Valor, the Twenty-ninth Division Association, Council of State Employees, War Veteran Public Employees Association, New Jersey Civil Service Association, Blind Veterans Association of New Jersey, Army and Air National Guard Association of New Jersey, The National Guard Association of the United States, The United States Coast Guard Auxiliary, Navy League, Veterans of World War I of the United States of America, Polish Legion of American Veterans, Polish Legion of American Veterans, Ladies Auxiliary, the Italian American War Veterans of the United States, Incorporated, and the Ladies Auxiliary, Italian American War Veterans of the United States, Incorporated, to attend any State or national convention of such organization.

A certificate of attendance to the State convention or encampment shall, upon request, be submitted by the representative so attending.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention. No person shall be entitled to a total of more than 5 days leave of absence with pay each calendar year for the purpose of attending, as authorized representative, the State or national convention of one or more of the above enumerated organizations. The leaves of absence authorized hereunder shall not be cumulative and any unusued leaves shall be canceled at the end of any given year.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 233

AN ACT concerning the installation of pipes beneath public roads, streets and places by water companies and amending section 48:19–17 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 48:19–17 of the Revised Statutes is amended to read as follows:

Pipes in streets authorized; municipal consent.

48:19–17. Each water company may lay its pipes beneath such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charge to be made by any person or body politic whatsoever for such privilege, and may also construct and maintain hydrants on and along such roads, streets and places, provided that the pipes shall be laid at least 3 feet below the surface and shall not in anywise unnecessarily obstruct or interfere with the public travel or damage public or private property.

The consent of the public body charged with the repair and maintenance of such public roads, streets and places shall first be obtained.

If such public body shall refuse or fail to give its consent, the water company may appeal to the Board of Public Utility Commissioners of the State of New Jersey. A hearing thereon shall be had on notice to all parties in interest, who shall be afforded an opportunity to be heard. If, after such hearing the Board of Public Utility Commissioners shall determine that the installation of such pipes or hydrants is reasonably necessary for the service, convenience or welfare of the public, the water company shall be authorized to proceed in accordance with such determination.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 234

AN ACT to amend "An act concerning motor vehicles and traffic regulations, and supplementing chapter 4 of Title 39 of the Revised Statutes," approved May 13, 1942 (P. L. 1942, c. 192).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P. L. 1942, c. 192 is amended to read as follows: Section amended.

1. On highways having roadways not divided by safety islands or physical traffic separation installations, the driver of a vehicle approaching or overtaking a bus which is being used solely for the transportation of children to or from school and which has stopped for the purpose of receiving or discharging any school child shall stop such vehicle not less than 10 feet from such school bus and keep C. 39:4-128.1. Stopping vehicle for school bus; penalty for violation.

such vehicle stationary until such child has entered said bus or has alighted and reached the side of such highway and until a flashing red light is no longer exhibited by the bus; provided, such bus is designated as a school bus by one sign on the front and one sign on the rear with each letter on such signs at least 4 inches in height.

On highways having dual or multiple roadways separated by safety islands or physical traffic separation installations, the driver of a vehicle overtaking a school bus which has stopped for the purpose of receiving or discharging any school child shall stop such vehicle not less than 10 feet from such school bus and keep such vehicle stationary until such child has entered said bus or has alighted and reached the side of the highway and until a flashing red light is no longer exhibited by the bus.

On highways having dual or multiple roadways separated by safety islands or physical traffic separation installations, the driver of a vehicle on another roadway approaching a school bus which has stopped for the purpose of receiving or discharging any school child shall reduce the speed of his vehicle to not more than 10 miles per hour and shall not resume normal speed until the vehicle has passed the bus and has passed any school child who may have alighted therefrom or be about to enter said bus.

Whenever a school bus is parked at the curb for the purpose of receiving children directly from a school or discharging children to enter a school, which is located on the same side of the street as that on which the bus is parked, drivers of vehicles shall be permitted to pass said bus without stopping but at a speed not in excess of 10 miles per hour.

The driver of a bus which is being used solely for the transportation of children to or from school shall continue to exhibit a flashing red light and shall not start his bus until every child who may have alighted therefrom shall have reached a place of safety.

Any person who shall violate any provision of this act shall be fined not less than $10.00 for the first offense, and not less than $25.00 for each subsequent offense, which shall be enforced and recovered pursuant to the provisions of chapter 5 of Title 39 of the Revised Statutes.

The Director of the Division of Motor Vehicles may also revoke the license to drive a motor vehicle of any person who shall have been guilty of such willful violation of any of the provisions of this act as shall, in the discretion of the director, justify such revocation but the director shall, at all times, have power to validate such a license which has been revoked, or to grant a new license to any person whose license to drive a motor vehicle shall have been revoked, pursuant to this act.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 235

AN ACT concerning health and accident insurance, and amending section 2 of P. L. 1951, chapter 237 and section 2 of P. L. 1939, chapter 305.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of P. L. 1951, chapter 237 is amended to read as follows: Section amended.

2. (A) No such policy of insurance shall be delivered or issued for delivery to any person in this State unless: C. 17:38-13.1. Required policy provisions; size of type—family palicies—policies to be delivered in another state.

(1) the entire money and other considerations therefor are expressed therein; and

(2) the time at which the insurance takes effect and terminates is expressed therein; and

(3) it purports to insure only one person, except that a policy may insure, originally or

by subsequent amendment, upon the application of an adult member of a family who shall be deemed the policyholder, any 2 or more eligible members of that family, including husband, wife, dependent children or any children under a specified age which shall not exceed 19 years and any other person dependent upon the policyholder; and

(4) the style, arrangement and over-all appearance of the policy give no undue prominence to any portion of the text, and unless every printed portion of the text of the policy and of any endorsements or attached papers is plainly printed in light-faced type of a style in general use, the size of which shall be uniform and not less than 10-point with a lowercase unspaced alphabet length not less than 120-point (the "text" shall include all printed matter except the name and address of the insurer, name or title of the policy, the brief description if any, and captions and subcaptions); and

(5) the exceptions and reductions of indemnity are set forth in the policy and, except those which are set forth in section 3 of this act, are printed, at the insurer's option, either included with the benefit provision to which they apply, or under an appropriate caption such as "exceptions," or "exceptions and reductions," provided that if an exception or reduction specifically applies only to a particular benefit of the policy, a statement of such exception or reduction shall be included with the benefit provision to which it applies; and

(6) each such form, including riders and endorsements, shall be identified by a form number in the lower left-hand corner of the first page thereof; and

(7) it contains no provision purporting to make any portion of the charter, rules, constitution, or by-laws of the insurer a part of the policy unless such portion is set forth in

full in the policy, except in the case of the incorporation of, or reference to, a statement of rates or classification of risks, or short-rate table filed with the commissioner.

(8) A policy under which coverage of a dependent of the policyholder terminates at a specified age shall, with respect to an unmarried child covered by the policy prior to the attainment of age 19, who is incapable of self-sustaining employment by reason of mental retardation or physical handicap and who became so incapable prior to attainment of age 19 and who is chiefly dependent upon such policyholder for support and maintenance, not so terminate while the policy remains in force and the dependent remains in such condition, if the policyholder has within 31 days of such dependent's attainment of the limiting age submitted proof of such dependent's incapacity as described herein. The foregoing provisions of this paragraph shall not require an insurer to insure a dependent who is a mentally retarded or physically handicapped child where the policy is underwritten on evidence of insurability based on health factors set forth in the application or where such dependent does not satisfy the conditions of the policy as to any requirement for evidence of insurability or other provisions of the policy, satisfaction of which is required for coverage thereunder to take effect. In any such case the terms of the policy shall apply with regard to the coverage or exclusion from coverage of such dependent.

(B) If any policy is issued by an insurer domiciled in this State for delivery to a person residing in another State, and if the official having responsibility for the administration of the insurance laws of such other State shall have advised the commissioner that any such policy is not subject to approval or disapproval by such official, the commissioner may by ruling require that such policy

meet the standards set forth in subsection (A) of this section and in section 3.

Section amended.

2. Section 2 of P. L. 1939, chapter 305 is amended to read as follows:

C. 17:38-15. Eligible groups.

2. Eligible groups. (1) No policy of group accident, group health or group accident and health insurance may be delivered in this State except as follows:

(a) A policy issued to an employer or to the trustees of a fund established by one or more employers, or issued to a labor union, or issued to an association formed for purposes other than obtaining such insurance, or issued to the trustees of a fund established by one or more labor unions or by one or more employers and one or more labor unions, insuring employees and members of associations or labor unions.

(b) A policy issued to insure any other group which, in the opinion of the commissioner, may be insured for group accident, group health, or group accident and health insurance in accordance with sound underwriting principles.

(2) Benefits of group accident, group health, or group accident and health insurance, except benefits for loss of time on account of disability, may be provided for one or more members of the families or one or more dependents of persons who may be insured under a group policy referred to in (a) or (b) above.

A policy under which coverage of a dependent of an employee or other member of the insured group terminates at a specified age shall, with respect to an unmarried child covered by the policy prior to the attainment of age 19, who is incapable of self-sustaining employment by reason of mental retardation or physical handicap and who became so incapable prior to attainment of age 19 and who is chiefly dependent upon such employee or member for support and maintenance, not so terminate while the insurance of the employee or member remains in force and the dependent remains in such condi-

tion, if the insured employee or member has within 31 days of such dependent's attainment of the termination age submitted proof of such dependent's incapacity as described herein. The foregoing provision of this paragraph shall not require an insurer to insure a dependent who is a mentally retarded or physically handicapped child of an employee or other member of the insured group where such dependent does not satisfy the conditions of the group policy as to any requirements for evidence of insurability or other provisions as may be stated in the group policy required for coverage thereunder to take effect. In any such case the terms of the policy shall apply with regard to the coverage or exclusion from coverage of such dependent.

(3) The policy may provide that the term "employees" shall include as employees of a single employer the employees of one or more subsidiary corporations and the employees, individual proprietors and partners of affiliated corporations, proprietorships and partnerships if the business of the employer and such corporations, proprietorships or partnerships is under common control through stock ownership, contract or otherwise. The policy may provide that the term "employees" shall include the individual proprietor or partners of an individual proprietorship or a partnership. The policy may provide that the term "employees" shall include retired employees. A policy issued to trustees may provide that the term "employees" shall include the trustees or their employees, or both, if their duties are principally connected with such trusteeship. A policy issued to the trustees of a fund established by the members of an association of employers may provide that the term "employees" shall include the employees of the association.

3. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 236

AN ACT to amend "An act concerning hospital service corporations and regulating the establishment, maintenance and operation of hospital service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Hospital Service Corporations,'" approved June 14, 1938 (P. L. 1938, c. 366) and chapter 104 of the laws of 1964 amendatory and supplementary thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 17:48-6. Contracts; certificates; contents.

6. Every individual contract made by a corporation subject to the provisions of this chapter to furnish services to a subscriber shall provide for the furnishing of services for a period of 12 months, and no contract shall be made providing for the inception of such services at a date later than 1 year after the actual date of the making of such contract. Any such contract may provide that it shall be automatically renewed from year to year unless there shall have been at least 90 days prior written notice of termination by either the subscriber or the corporation.

No contract between any such corporation and a subscriber shall entitle more than one person to services, except that a contract issued as a family contract may provide that services will be furnished to a husband and wife, or husband, wife and their dependent child or children, or the subscriber and his (or her) dependent child or children. Adult dependents(s) of a subscriber may also be included for coverage under the contract of such subscriber.

A contract under which coverage of a dependent of a subscriber terminates at a specified age shall,

with respect to an unmarried child, covered by the contract prior to attainment of age 19, who is incapable of self-sustaining employment by reason of mental retardation or physical handicap and who became so incapable prior to attainment of age 19 and who is chiefly dependent upon such subscriber for support and maintenance, not so terminate while the contract remains in force and the dependent remains in such condition, if the subscriber has within 31 days of such dependent's attainment of the termination age submitted proof of such dependent's incapacity as described herein. The foregoing provisions of this paragraph shall not apply retrospectively or prospectively to require a hospital service corporation to insure as a covered dependent any mentally retarded or physically handicapped child of the applicant where the contract is underwritten on evidence of insurability based on health factors required to be set forth in the application. In such cases any contract heretofore or hereafter issued may specifically exclude such mentally retarded or physically handicapped child from coverage.

Every individual contract entered into by any such corporation with any subscriber thereto shall be in writing and a certificate stating the terms and conditions thereof shall be furnished to the subscriber to be kept by him. No such certificate form shall be made, issued or delivered in this State unless it contains the following provisions:

(a) A statement of the contract rate, or amount payable to the corporation by or on behalf of the subscriber for the original quarter-annual period of coverage and of the time or times at which, and the manner in which, such amount is to be paid; and a provision requiring 90 days written notice to the subscriber before any change in the contract, including a change in the amount of subscription rate, shall take effect;

(b) A statement of the nature of the services to be furnished and the period during which they will be furnished; and if there are any services to be

excepted, a detailed statement of such exceptions printed as hereinafter specified;

(c) A statement of the terms and conditions, if any, upon which the contract may be amended on approval of the commissioner or canceled or otherwise terminated at the option of either party. Any notice to the subscriber shall be effective if sent by mail to the subscriber's address as shown at the time on the plan's records, except that, in the case of persons for whom payment of the contract is made through a remitting agent, any such notice to the subscriber shall also be effective if a personalized notice is sent to the remitting agent for delivery to the subscriber, in which case it shall be the responsibility of the remitting agent to make such delivery. The notice to the subscriber as herein required shall be sent at least 90 days before the amendment, cancellation or termination of the contract takes effect. Any rider or endorsement accompanying such notice, and amending the rates or other provisions of the contract, shall be deemed to be a part of the contract as of the effective date of such rider or endorsement;

(d) A statement that the contract includes the endorsements thereon and attached papers, if any, and contains the entire contract for services;

(e) A statement that no statement by the subscriber in his application for a contract shall avoid the contract or be used in any legal proceeding thereunder, unless such application or an exact copy thereof is included in or attached to such contract, and that no agent or representative of such corporation, other than an officer or officers designated therein, is authorized to change the contract or waive any of its provisions;

(f) A statement that if the subscriber defaults in making any payment under the contract, the subsequent acceptance of a payment by the corporation or by one of its duly authorized agents shall reinstate the contract, but with respect to sickness and injury may cover such sickness as may be first manifested more than 10 days after the date of such acceptance;

(g) A statement of the period of grace which will be allowed the subscriber for making any payment due under the contract. Such period shall be not less than 10 days.

In every such contract made, issued or delivered in this State:

(a) All printed portions shall be plainly printed in type of which the face is not smaller than 10 point;

(b) There shall be a brief description of the contract on its first page and on its filing back in type of which the face is not smaller than 14 point;

(c) The exceptions of the contract shall appear with the same prominence as the benefits to which they apply; and

(d) If the contract contains any provision purporting to make any portion of the articles, constitution or by-laws of the corporation a part of the contract, such portion shall be set forth in full.

Section amended.

2. Section 2 of chapter 104 of the laws of 1964 is amended to read as follows:

C. 17:48-6.1. Group contract; requirements.

2. A hospital service corporation may issue to a policyholder a group contract, covering at least 10 employees or members at the date of issue, if it conforms to the following description:

(a) A contract issued to an employer or to the trustees of a fund established by one or more employers, or issued to a labor union, or issued to an association formed for purposes other than obtaining such contract, or issued to the trustees of a fund established by one or more labor unions or by one or more employers and one or more labor unions, covering employees and members of associations or labor unions.

(b) A contract issued to cover any other group which the Commissioner of Banking and Insurance determines may be covered in accordance with sound underwriting principles.

Benefits may be provided for one or more members of the families or one or more dependents of persons who may be covered under a group contract referred to in (a) or (b) above.

A contract under which coverage of such a dependent terminates at a specified age shall, with respect to an unmarried child, covered by the contract prior to attainment of age 19, who is incapable of self-sustaining employment by reason of mental retardation or physical handicap and who became so incapable prior to attainment of age 19 and who is chiefly dependent upon the covered employee or member for support and maintenance, not so terminate while the coverage of the employee or member remains in force and the dependent remains in such condition, if the employee or member has within 31 days of such dependent's attainment of the termination age submitted proof of such dependent's incapacity as described herein. The foregoing provisions of this paragraph shall not apply retrospectively or prospectively to require a hospital service corporation to insure as a covered dependent any mentally retarded or physically handicapped child of the applicant where the contract is underwritten on evidence of insurability based on health factors required to be set forth in the application. In such cases any contract heretofore or hereafter issued may specifically exclude such mentally retarded or physically handicapped child from coverage.

The contract may provide that the term "employees" shall include as employees of a single employer the employees of one or more subsidiary corporations and the employees, individual proprietors and partners of affiliated corporations, proprietorships and partnerships if the business of the employer and such corporations, proprietorships or partnerships is under common control through stock ownership, contract or otherwise. The contract may provide that the term "employees" shall include the individual proprietor or partners of an individual proprietorship or a partnership. The contract may provide that the term "employees" shall include retired employees. A contract issued to trustees may provide that the term "employees" shall include the trustees or

their employees, or both, if their duties are principally connected with such trusteeship. A contract issued to the trustees of a fund established by the members of an association of employers may provide that the term "employees" shall include the employees of the association.

3. This act shall take effect October 1, 1966. Note: Effective date.

Approved August 10, 1966.

CHAPTER 237

AN ACT to amend "An act concerning medical service corporations and regulating the establishment, maintenance and operation of medical service corporations and medical service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Medical Service Corporations,' " approved May 29, 1940 (P. L. 1940, c. 74) and chapter 105 of the laws of 1964 amendatory thereof and supplementary thereto.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 5 of chapter 74 of the laws of 1940 is amended to read as follows: Section amended.

5. Every subscription contract made by any corporation subject to the provisions of this chapter to provide payment for medical services shall provide for the payment of medical services for a period of 12 months from the date of issue of the subscription certificate. Any such contract may provide that it shall be automatically renewed from year to year unless there shall have been one month's prior written notice of termination by either the subscriber or the corporation. No contract between such corporation and subscriber shall C. 17:48A-5. Subscription contracts.

allow for the payment for medical services for more than one person, except that a family contract may provide that payment will be made for medical services rendered to a subscriber and any of those dependents defined in section 1 of this act.

A contract under which coverage of a dependent of a subscriber terminates at a specified age shall, with respect to an unmarried child, covered by the contract prior to attainment of age 19, who is incapable of self-sustaining employment by reason of mental retardation or physical handicap and who became so incapable prior to attainment of age 19 and who is chiefly dependent upon such subscriber for support and maintenance, not so terminate while the contract remains in force and the dependent remains in such condition, if the subscriber has within 31 days of such dependent's attainment of the termination age submitted proof of such dependent's incapacity as described herein. The foregoing provisions of this paragraph shall not apply retrospectively or prospectively to require a medical service corporation to insure as a covered dependent any mentally retarded or physically handicapped child of the applicant where the contract is underwritten on evidence of insurability based on health factors required to be set forth in the application. In such cases any contract heretofore or hereafter issued may specifically exclude such mentally retarded or physically handicapped child from coverage.

Section amended.

2. Section 1 of chapter 105 of the laws of 1964 is amended to read as follows:

C. 17:48A-7.1. Group contract; requirements.

1. A medical service corporation may issue to a policyholder a group contract, covering at least 10 employees or members at the date of issue, if it conforms to the following description:

(a) A contract issued to an employer or to the trustees of a fund established by one or more employers, or issued to a labor union, or issued to an association formed for purposes other than obtaining such contract, or issued to the trustees of a fund established by one or more labor unions or

by one or more employers and one or more labor unions, covering employees and members of associations or labor unions.

(b) A contract issued to cover any other group which the Commissioner of Banking and Insurance (hereinafter called the commissioner) determines may be covered in accordance with sound underwriting principles.

Benefits may be provided for one or more members of the families or one or more dependents of persons who may be covered under a group contract referred to in (a) or (b) above.

A contract under which coverage of such a dependent terminates at a specified age shall, with respect to an unmarried child, covered by the contract prior to attainment of age 19, who is incapable of self-sustaining employment by reason of mental retardation or physical handicap and who became so incapable prior to attainment of age 19 and who is chiefly dependent upon the covered employee or member for support and maintenance, not so terminate while the coverage of the employee or member remains in force and the dependent remains in such condition, if the employee or member has within 31 days of such dependent's attainment of the termination age submitted proof of such dependent's incapacity as described herein. The foregoing provisions of this paragraph shall not apply retrospectively or prospectively to require a medical service corporation to insure as a covered dependent any mentally retarded or physically handicapped child of the applicant where the contract is underwritten on evidence of insurability based on health factors required to be set forth in the application. In such cases any contract heretofore or hereafter issued may specifically exclude such mentally retarded or physically handicapped child from coverage.

The contract may provide that the term "employees" shall include as employees of a single employer the employees of one or more subsidiary corporations and the employees, individual pro-

prietors and partners of affiliated corporations, proprietorships and partnerships if the business of the employer and such corporations, proprietorships or partnerships is under common control through stock ownership, contract or otherwise. The contract may provide that the term "employees" shall include the individual proprietor or partners of an individual proprietorship or a partnership. The contract may provide that the term "employees" shall include retired employees. A contract issued to trustees may provide that the term "employees" shall include the trustees or their employees, or both, if their duties are principally connected with such trusteeship. A contract issued to the trustees of a fund established by the members of an association of employers may provide that the term "employees" shall include the employees of the association.

3. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 238

AN ACT authorizing the leasing of real estate by municipalities to nonprofit organizations in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:60-51.12. Lease of real estate to P. A. L. or P. B. A.

1. The governing body of any municipality having more than 30,000 inhabitants situated in a county of the first class having 800,000 or more inhabitants may lease any real estate owned or controlled by it or any interest therein when, and to the extent that, it is not required for municipal purposes, to any Police Athletic League, Inc. or Police Benevolent Association while it is used for

the purposes of such organization in promoting the health, safety, morals and general welfare of the community and not for commercial business, trade, or manufacturing purposes, without costs or at a nominal rental.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 239

AN ACT to validate certain proceedings at meetings or elections of school districts and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating act.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds or other obligations of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that no supplemental debt statement or complete executed original of such supplemental debt statement or school debt statement was prepared, made, sworn to or filed as required by the provisions of section 18:5–87 of the Revised Statutes; provided, that such supplemental debt statement and such school debt statement, prepared as of a date not more than 30 days prior to such meeting or election, shall, prior to the issuance of such bonds or other obligations,

have been made, sworn to and filed in the places required by said section 18:5–87; and provided further, that no action, suit or other proceeding of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 240

AN ACT authorizing municipalities to acquire, maintain and improve historic sites.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:60-25.53. Acquisition of real estate for historic use.

1. Any municipality may acquire by gift, purchase or condemnation, and maintain and improve any real estate or any interest therein, together with any and all buildings thereon, located within the municipality, as a historic site or for historical purposes, or for the purpose of preserving therein or thereon historical data or objects of historic interest.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 241

AN ACT relating to optometry and supplementing chapter 12 of Title 45 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 45:12-27. Testimony and reports of an optometrist within the scope of practice of optometry.

1. The testimony and reports of an optometrist licensed to practice in this State shall be received by any State, county, municipal, school district or other public board, body, agency, institution or official and by any private educational or other institution receiving public funds as qualified evidence with respect to any matter within the scope of the practice of optometry as defined in Revised Statutes 45:12–1; and no such board, body, agency, official or institution shall, in retaining and utilizing the professional services of ocular practitioners or in any other manner, discriminate between licensed practitioners of optometry and other ocular practitioners or interfere with any individual's right to free choice of ocular practitioner.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 242

A SUPPLEMENT to an act entitled "An act making appropriations for support of the State Government and for several public purposes for the fiscal year ending June 30, 1966, and regulating the disbursement thereof," approved June 16, 1965 (P. L. 1965, c. 112).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriations.

The following sums are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated, or as may be applicable, for the respective public officers and for the several purposes herein specified:

GENERAL STATE OPERATIONS

LEGISLATIVE

MISCELLANEOUS LEGISLATIVE COMMISSIONS

035–100. COMMISSION TO STUDY THE ARTS IN NEW JERSEY

Extraordinary:	
Expenses of the commission	$3,000 00

EXECUTIVE

080-100. CHIEF EXECUTIVE'S OFFICE

Governor's Annual Art Purchase Award	$4,250 00

CLAIMS

DEPARTMENT OF LAW AND PUBLIC SAFETY

140–100. DIVISION OF MOTOR VEHICLES

Marie Zagula, administratrix of the Estate of Martin Zagula, 463 Harrison avenue, Garfield, New Jersey, to refund unearned motor vehicle fees paid	$1,050 00

DEPARTMENT OF THE TREASURY

210–100. GENERAL

Frank Sweeney, 508 Ziegler avenue, Linden, New Jersey, for injuries sustained on property escheated to the State of New Jersey	$750 00

230–100. Division of Purchase and Property

Mrs. Mildred E. Thorn, 171 Clearview avenue, Trenton, New Jersey, for injuries sustained in a collision in a State parking area adjacent to the State House, Trenton, New Jersey	$2,256 25

Department of Labor and Industry

390–200. Division of Employment Security

Katherine Callahan, 259 South New York avenue, Atlantic City, New Jersey, for injuries resulting from a fall by reason of a partition with metal legs or pipes protruding at the Unemployment Compensation Office in Atlantic City, New Jersey, to be paid from the Unemployment Compensation Administration Fund	$435 00
Carmello DiMinno, 446 Westminster place, Lodi, New Jersey, for injuries sustained when she tripped and fell over a large concrete urn on the premises of the Passaic Unemployment Compensation Office, to be paid from the Unemployment Compensation Administration Fund	$330 00

Department of Conservation and Economic Development

430–100. Division of Water Policy and Supply

Peter Kiewit & Sons Co., 545 South Broad street, Trenton, New Jersey, for additional costs in connection with work performed under its contract for the construction of the South Branch Pumping Station . .	$87,500 00

420–105. New York World's Fair

Joseph T. Domareki, 1482 Fox Trail, Mountainside, New Jersey, for damages to an oil painting "Great Divide," exhibited in the New Jersey Pavilion of the recent New York World's Fair	$700 00
Gene E. Miller, 95 Rhoda avenue, Nutley, New Jersey, for damages to two naval cannon exhibited at the New Jersey Pavilion of the New York World's Fair	$500 00
Show Engineers, Steve Karkula Enterprises, Inc., Box 626, Route 17, Tuxedo, New York, for compensation for the design and construction of special projection equipment for use at the New Jersey Pavilion of the New York World's Fair	$13,000 00
Howard Wise Gallery, 50 West 57th street, New York, New York, for damages to an oil painting exhibited at the New Jersey Pavilion of the New York World's Fair	$560 00

Department of Education

572–100. Rutgers, The State University—Agricultural Experiment Station

Paterson Tallow Company, Garside avenue, Wayne township, New Jersey, for refund of unearned commissions for feeding stuffs inspection fees	$2,825 92

Highway Department

610–100. General

John Gyorfi, father of Kenneth Gyorfi, a minor, 639 Watson avenue, Woodbridge, New Jersey, for in-	

juries sustained on the Morgan Bridge, Sayreville, New Jersey, to be paid from funds presently appropriated to the State Highway Department $950 00

Michael P. Shaughnessy, 2207 Kilkare Parkway, Point Pleasant, New Jersey, for personal injury and property damage sustained while crossing Point Pleasant Drawbridge, which was not properly closed and locked into position suitable for traffic, to be paid from funds presently appropriated to the State Highway Department $750 00

Ruby B. White, 147 Leslie street, Newark, New Jersey, for injuries sustained as a result of a fall on State Highway Route 35; to be paid from funds presently appropriated to the State Highway Department $300 00

620–100. State Highway Construction

Brann and Stewart, 448 Whitehead road, Trenton, New Jersey, for additional costs in connection with work performed under its contract dated April 6, 1959, titled "Route 295, section 1-C, roads," to be paid from funds presently appropriated for the construction of the State highway system $205,787 24

Department of Institutions and Agencies

731–100. State Prison, Trenton

Joseph Campbell, New Jersey State Prison, Trenton, from and after his discharge from the institution, for injuries sustained during asignment

to the State Use Clothing Industries Shop at the prison, to be paid from funds presently appropriated to the New Jersey State Prison $300 00

Wilmer Lee Johnson, New Jersey State Prison, Trenton, from and after his discharge from the institution, for injuries sustained in the course of his assigned duties at the Jones Farm Dairy, to be paid from funds presently appropriated to the New Jersey State Prison.. $100 00

Edward Iver Olson, New Jersey State Prison, Trenton, from and after his discharge from the institution, for injuries sustained while assigned to the repair shop at the State Prison, Trenton, to be paid from funds presently appropriated to the New Jersey State Prison $500 00

William E. Moore, New Jersey State Prison, Trenton, from and after his discharge from the institution, as compensation for injuries sustained while performing his assigned duties at the Marlboro Camp, New Jersey State Prison, to be paid from funds presently appropriated to the New Jersey State Prison $500 00

732–100. State Prison Farm, Rahway

Andrew Bailey, New Jersey State Prison, Trenton, from and after his discharge from the institution, as compensation for injuries sustained while performing his assigned duties at the Rahway State Prison Farm, to be paid from funds heretofore appropriated to the State Prison Farm at Rahway .. $250 00

George William Brunner, New Jersey State Prison, Trenton, New Jersey, from and after his discharge from the institution, as compensation for injuries sustained during the performance of his assigned duties at Marlboro Camp of the Rahway Prison Farm, to be paid from funds presently appropriated to the State Prison Farm at Rahway .. $100 00

George R. Moody, Lock Box R, Rahway, New Jersey, from and after his discharge from the institution, as compensation for injuries received during the performance of his assigned duties at the Rahway State Prison Farm, to be paid from funds presently appropriated to the State Prison Farm at Rahway $250 00

733–100. State Prison Farm at Leesburg

Anthony Colle, Jr., Union, New Jersey, from and after discharge from the institution, as compensation for injuries received during the performance of his assigned duties at the State Colony at Woodbine, to be paid from funds presently appropriated to the State Prison Farm at Leesburg $1,500 00

740–100. State Home for Boys at Jamesburg

Stephen J. Gross, Inc., 59 Newman Springs road, Shrewsbury, New Jersey, for additional costs in connection with furnishing labor and materials for the mechanical work in connection with the replacement of underground steam distribution lines at the New Jersey State Home for Boys, Jamesburg $20,000 00

794–100. State Sanitorium for Chest Diseases, Glen Gardner

Mr. and Mrs. Leonides M. Rosado, Main street, Glen Gardner, New Jersey, for property damages sustained as the result of icing conditions caused by the overflow of a water tank, to be paid from funds presently appropriated to the State Sanitorium for Chest Diseases at Glen Gardner	$534 12	

Miscellaneous Executive Commissions

811–100. Palisades Interstate Park Commission

For loss of tax revenue for local purposes from lands owned by Palisades Interstate Park Commission:		
Borough of Alpine	$12,300 00	
Borough of Englewood Cliffs	19,000 00	
Borough of Fort Lee	14,700 00	
Total		$46,000 00
Total Claims		$174,092 17
Grand Total, Supplemental Appropriations		$181,342 17

The appropriations hereinabove made for claims shall fully settle and extinguish all claims, demands and liens of every character. The acceptance of said sums shall constitute a full and complete release and acquitance to the State of New Jersey, its agencies, instrumentalities and employees.

2. This act shall take effect immediately.

Approved August 10, 1966.

CHAPTER 243

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding 800,000 inhabitants," approved April 8, 1943 (P. L. 1943, c. 160) and to amend "An act to amend 'An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding 800,000 inhabitants,' approved April 8, 1943 (P. L. 1943, c. 160) and supplementing the 'Public Employees' Retirement-Social Security Integration Act,' approved July 30, 1954 (P. L. 1954, c. 84)," approved February 14, 1961 (P. L. 1960, c. 191).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of chapter 160 of the laws of 1943 is amended to read as follows: Section amended.

1. As used in this act: C. 43:10-18.1. Definitions.

"Service" shall always, unless otherwise stated, be considered as continuous or in the aggregate.

"Salary" or "compensation" when used solely for the purpose of fixing benefits under this act means the average annual salary or compensation earned by a member during his or her 5 years of service, or during his or her entire length of service if such service totaled less than 5 years, as a county employee immediately preceding death or retirement provided, however, that no benefit paid upon the death of any member under this act shall exceed $2,500.00 provided further however, that as to any employee who, at the time of the adoption of this act, is a member of any retirement system in operation in the county under and by virtue of arti-

cles 1, 2, 5, 6 and 7 of chapter 10 of Title 43 of the Revised Statutes and of sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes and of "An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June 21, 1938 (P. L. 1938, c. 397), the total annual salary received by such employee during the year immediately prior to his death or retirement shall be considered for pension or other purposes under this act.

"Pension fund" or "fund" means the fund referred to in section 16 of this act, and is the fund from which pensions provided for in this act shall be paid.

"State" shall, unless otherwise stated, mean the State of New Jersey.

"His" shall be construed to mean both sexes.

"County employee" or "employee" means and includes all employees and officers in service in any county of this State having a population of more than 800,000 inhabitants and shall mean and include all employees and officers of any county board, body or commission, maintained out of county funds in any such county, including the official stenographic reporter and proxies of such official stenographic reporter of such county, and shall also mean and include employees and officers appointed by such county to employment on intercounty bridges, but the same term "county employee" or "employee" does not include members of the judiciary, or any laborers, unless the labor work is paid on an hourly, daily, monthly, or annual salary basis for a continuous employment thereof and recognized as permanent appointees, it being the intent to exclude transient labor from the operation of this act. The pension commission shall determine whether or not the employment of an employee is permanent within the meaning of this act. "County employee" or "employee" shall also mean and include all elected and appointed officials of such county.

"Population" of a county shall mean the population of a county according to the Federal Census of 1940.

"Widow" or "widower" means the surviving unremarried spouse of a county employee who married such employee prior to the retirement of such employee and prior to the time when such employee reached the age of 50 years. No such surviving spouse shall be eligible for any benefit hereunder who was or shall be more than 15 years younger than the employee at the time of their marriage, if such marriage occurs hereafter while the employee is a member of this retirement system.

"Minor child" means an unmarried child under the age of 18 years.

"Permanent and total disability" means physical or mental incapacity of an employee to any longer perform the duties of his position or office.

"Employees' retirement system of (name of county)" shall be the name of the retirement system provided under the provisions of this act. By that name all of its business shall be transacted, its funds invested, warrants for money drawn and payments made and all of its cash and securities and other property held.

Section amended.

2. Section 6 of chapter 160 of the laws of 1943 is amended to read as follows:

C. 43:10-18.6. Members; certain conditions of membership; prior services; deductions; transfer; employees not members may become members.

6. The members and certain conditions of membership in the retirement system created by this act shall be as follows:

(a) All persons, employed by the county prior to March 26, 1961, who may be found physically and mentally fit to the satisfaction of the pension commission herein provided for, may become members of the county employees' retirement system created under this act, and shall receive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the county, nor shall they be required to make contributions to any other pension or retirement system of said county.

Such persons shall not be given credit for pension purposes hereunder for any prior service; provided, however, that where any such employee has had service prior to March 26, 1961 as an employee in any State, county or municipal position, such employee shall be given credit for pension purposes hereunder for such service upon written application therefor to the pension commission within 1 year after becoming a member of this retirement system and upon payment into the retirement system herein provided. Such member shall receive credit for all of his service in the employ of the county or for any part of his service in any other compensated, public position in the State of New Jersey, elected or appointed, provided that payments are made by such member in an amount or amounts calculated in accordance with the rules of the commission as may be necessary to provide ½ of the actuarial cost of such service credit. In the event that such member retires before he completes the payment for the service credit that he is purchasing, credit for such service shall be given in direct proportion as the amount paid bears to the total amount of the obligation. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(b) All employees at the time of the adoption of this act who are under 45 years of age and are not members of any retirement system supported wholly or in part by the county; and any official stenographic reporter and proxies of such official stenographic reporter who are serving as such at the time of the adoption of this act, may become members of the retirement system created under this act upon written application made to the pension commission before July 1, 1943, under one of the following 2 plans (B1) and (B2):

(B1) To receive credit for service rendered to the county prior to joining this retirement system such employee shall pay into this retirement system a sum of money equal to 3% of salary received either since June 1, 1929, or since August 1, 1932, depending upon which of the said 2 dates such employee first became eligible to membership in the county employees' retirement system of such county established under "An act providing for the retirement of certain county employees in counties of the first class of this State and providing a pension for such retired county employees and their dependents," approved April 22, 1929 (P. L. 1929, c. 122), or article 1 of chapter 10 of Title 43 of the Revised Statutes; or since the date of his entrance into county service, if he became an employee after June 1, 1929; provided, however, that as to the official stenographic reporter and proxies of such official stenographic reporter such employee shall pay into this retirement system a sum of money equal to 3% of salary received from the county upon order of the justice of the Supreme Court since June 1, 1929, or since the date of his entrance into such county service, if he became an employee after June 1, 1929. Such payment may be made either (1) in one sum, or (2) by equal semimonthly installments to be deducted together with each regular deduction from his salary for the retirement system provided for under this act; provided, however, that in case an employee chooses to pay for such prior county service by method (2), aforesaid, that is by equal semimonthly installments, such employee shall receive credit for so much of such prior county service as is thus paid for, and no more. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for a sum of money equal in amount to the employee's principal payment. All payments

aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission. Any such employee who elects to become a member of this retirement system under the aforesaid plan shall, upon his application to the pension commission prior to July 1, 1943, be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State, and of any municipalities or other political subdivisions of the State, upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 3% of salary, said 3% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for, a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(B2) The regular deductions from the salary of any employee electing to become a member under this plan (B2) shall commence upon the filing of such written application and such employee shall not receive credit for any service rendered theretofore in any State, county, or municipal office or position.

(c) All employees who, at the time of the adoption and approval of this act, are members of any of the following retirement systems in effect in said county:

County employees in counties of the first class (article 1 of chapter 10 of Title 43 of the Revised Statutes);

County detectives in counties of the first, second, third, and fifth classes (article 2 of chapter 10 of Title 43, of the Revised Statutes);

Probation officers of counties of over 83,000 inhabitants (article 5 of chapter 10 of Title 43, of the Revised Statutes);

Sheriff's employees in counties of the first and second classes (article 6 of chapter 10 of Title 43, of the Revised Statutes);

Sergeants-at-arms and court criers in counties of the first class (article 7 of chapter 10 of Title 43, of the Revised Statutes);

County superintendents of weights and measures and assistant county superintendents of weights and measures ("An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June 21, 1938 (P. L. 1938, c. 397);

County park police in counties of more than 200,000 population (sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes); shall on July 1, 1943, automatically become members of the county employees' retirement system provided for by this act and all such employees shall be deemed to agree and consent to the transfer of such membership unless they, or any one of them shall, before July 1, 1943, by written notice to the pension commission of their respective retirement systems operating in such county, elect to withdraw therefrom their contributions theretofore made, without interest. Any such members electing to withdraw from such membership shall thereafter be ineligible for membership in any retirement system of such county, or for any pension payable, in whole or in part, by funds of such county under the provisions of any statute of this State except sections 43:4–1 to 43:4–5, inclusive, of the Revised Statutes.

All such employees who become members of the county employees' retirement system provided by this act shall be given credit for pension purposes hereunder for all services, including services performed in any elective office, rendered to the county prior to July 1, 1943; provided, however, that where any such employee had theretofore agreed, under the provisions of article 1 of chapter 10 of Title 43, of the Revised Statutes, to pay for any part or all of such service rendered to the county prior to July 1, 1943, the transfer of such employee's membership into this system shall include the transfer to this system of all the conditions and obligations of such prior agreement made by such employee and such employee shall be deemed to agree and consent to the transfer to this system of such conditions and obligations until the conditions of such agreement have been fully complied with.

Except as otherwise provided by section 8 of this act, where any such employee's membership shall be transferred to this retirement system on July 1, 1943, such employee shall be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State and of any municipalities or other political subdivisions of the State, upon application therefor to the pension commission within 1 year after the transfer of such membership, and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 3% of salary, said 3% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the

employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(d) Any person who at the time of the adoption of this act shall be a county employee and not a member of this retirement system and who became a county employee prior to such employee reaching the age of 45 years, may become a member of this retirement system upon written application made to the pension commission within 1 year after the adoption of this act upon such employee complying with all of the following conditions.

(D1) Submit to a medical examination and be found mentally and physically fit to the satisfaction of the pension commission.

(D2) Pay into this retirement system, in addition to the regular deductions provided by this act, a sum of money equal to 5% of salary received by such employee for the period of time elapsing since such employee became 45 years of age, said 5% of salary being based upon the salary received by such employee at the time of the making of application for membership in this system. Said sum of money must be paid in one lump sum, together with interest thereon at a rate to be determined by the pension commission, and upon the same being paid, the county shall, within a reasonable time thereafter, pay into this retirement system a sum of money equal in amount to such employee's principal payment. Upon making the aforesaid payment, such employee shall be given credit for pension purposes for such period of prior service rendered to the county since he became 45 years of age.

(D3) Receive no credit for county service rendered prior to reaching the age of 45 years but be given the option of buying such prior service credits for pension purposes upon written application made therefor to the pension

commission within 1 year after becoming a member of this retirement system and upon payment into this retirement system, of a sum of money equal in amount to 3% of the salary received by such employee during the period of time for which service credits for pension purposes is allowed. At the time such employee applies for service credits for pension purposes, such employee may elect to pay said sum of money in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into this retirement system a sum of money equal in amount to the employee's principal payment, or payments. All payments aforesaid by the employee shall be made together with interest at a rate to be determined by the pension commission.

(e) Any member of the retirement system as of the effective date of this amendatory and supplementary act may receive credit for all service in the employ of the county or for any part of his service in any other compensated, public position in the State of New Jersey, elected or appointed, for which service credit has not already been established for him in the retirement system provided by the act to which this act is amendatory and supplementary; provided that payments are made by such member in an amount or amounts calculated in accordance with the rules of the commission as may be necessary to provide ½ of the actuarial cost of such service credit. In the event that such member retires before he completes payment for the service credit that he is purchasing, credit for such service shall be given in direct proportion as the amount paid bears to the amount of the obligation.

3. Section 9 of chapter 160 of the laws of 1943 is amended to read as follows:

Section amended.

C. 43:10-18.9. Retirement on half pay; surviving widow and children, pensions to.

9. (a) Subject to the other provisions of this act, any county employee who shall have served or who shall hereafter have served in the employ of such county continuously or in the aggregate for a period of 20 years, and who shall have attained the age of 60 years, or who shall regardless of age have served in the employ of such county continuously or in the aggregate for a period of 35 years, shall, upon his application, be retired on half pay. Upon and after the death of such employee or pensioner, said retirement pension shall be paid to the surviving widow, so long as she remains unmarried, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be.

(b) Should a member resign after having completed 30 years of service for which credit has been established in the pension fund, before reaching age 60, he may elect to receive, in lieu of the payment provided in section 18 of the act to which this act is amendatory and supplementary, or the benefit provided by subsection (c) of this section, a pension in the amount of ½ of his average annual salary; provided, however, that such pension shall be reduced in accordance with a table of actuarial equivalents recommended by the actuary and adopted by the commission reflecting all months that the member lacks of being age 60.

Upon and after the death of such pensioner, said pension shall be paid to the surviving widow, so long as she remains unmarried, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be.

(c) Should a member, after having completed 15 years of service for which credit has been established in the pension fund, be separated voluntarily or involuntarily from the service, before reaching age 60, and not by removal for cause or charges of misconduct or delinquency, he may elect to receive the payments provided for in section 18 of the act to which this act is amendatory and supplementary,

or the benefit provided by subsection (b) of this section, or a deferred pension beginning at age 60, in the amount based on his years of service credited in the fund bear to the total number of years of service that he could have achieved had he continued to age 60 and qualified for the pension of ½ of average annual salary.

Upon and after the death of such pensioner, said pension, which the pensioner was receiving prior to his death, shall be paid to the surviving widow, so long as she remains unmarried, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be.

Section amended.

4. Section 12 of chapter 160 of the laws of 1943 is amended to read as follows:

C. 43:10-18.12. Medical examination of persons retired for disability; modification of pensions.

12. Once each year the pension commission may, and upon his application, shall require any member retired for disability who is under the age of 60 years to undergo medical examination by a physician or physicians designated by the commission. The examination shall be made at the residence of the beneficiary or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the commission that the disability beneficiary is not permanently and totally incapacitated either physically or mentally for the performance of duty and that he is engaged in a gainful occupation, and if the commission concurs in the report, then the amount of his pension shall be reduced to an amount which, when added to the amount then being earned by him shall not exceed the amount of the compensation now attributable to his former position. If subsequent medical examination of such a beneficiary shows that his earnings have changed since the date of his last examination, then the amount of his pension may be further altered but the new pension shall not exceed the amount of the pension originally granted nor shall the new pension when added to the amount then being earned by the beneficiary exceed the salary or compensation then attributable to his former position.

5. Section 16 of chapter 160 of the laws of 1943 is amended to read as follows:

Section amended.

16. A fund to pay pensions under this act shall be created as follows:

C. 43:10-18.16. Pension fund; deductions and contributions; annual contribution by county; donattions; tax levy; reimbursement for excess expenditures.

(a) The county treasurer shall deduct from every payment of salary to any county employee who is or becomes a member of this retirement system and pay to the fund 6% of the amount of said salary.

Such deductions shall be continued to be made during the entire period of employment of the member and until the death or retirement of said member.

The deductions provided herein for pension purposes shall not be construed as reduction in the salary or compensation of any member of this retirement system.

Every employee to whom this act applies who shall continue in the service after the adoption and approval of this act, as well as every person to whom this act applies who may hereafter be appointed to a position or place, shall be deemed to consent and agree to the deductions made and provided for herein and payment with such deductions, for service, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such person during the period covered by such payment except his or her claim to the benefits to which he or she may be entitled under the provisions of this act.

(b) The board of chosen freeholders shall annually raise in the county budget and contribute annually to the fund an amount equal to 9% of all of such county employees' salaries. In the fiscal year next following the effective date of this amendatory and supplementary act, the county shall increase its contribution by 1% of all such county employees' salaries and in each fiscal year thereafter the contribution of the county required by the provisions of this act shall be increased over the previous percentage by an additional 1% of all such county employees' salaries until the actuary

of the fund certifies to the county that the county's contribution, together with the contributions of the members, is sufficient to meet the liabilities of the fund on a fully funded, reserve basis.

All moneys donated for the purpose of the funds shall be deposited in the fund.

(c) All interest earned on investments of moneys of this retirement system shall be credited to this pension fund.

(d) All moneys required to meet the county contributions provided for in this and all other sections of this act shall be raised annually in the county budget by the board of chosen freeholders and if at any time there is not sufficient money to meet these requirements and pay the pensions, the board of chosen freeholders shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of the retirement system.

(e) If in any 1 year the expenditures required to be made from the fund created under this act are in excess of the moneys received by said fund during that year under the provisions of subsections (a), (b) and (c) of this section, the board of chosen freeholders of the county shall appropriate, raise by taxation and pay over to said fund a sum or sums of money sufficient to wholly reimburse said fund for the amount so expended in excess of moneys received for that year.

Section amended.

6. Section 18 of chapter 160 of the laws of 1943 is amended to read as follows:

C. 43:10-18.18. Withdrawal from retirement system; separation from service; retirement on pension; death without surviving spouse or children.

18. From and after July 1, 1943, any employee who is or becomes a member of this retirement system may not withdraw therefrom and shall not be entitled to a refund of any moneys theretofore and thereafter deducted from his salary hereunder; provided, however, that any employee who separates from the county service through his discharge, resignation, or for any other reasons other than retirement shall be entitled to a refund of all moneys theretofore deducted from his salary for the retirement system established hereunder; provided, however, that any member of the retirement

system established hereunder who retires on pension under the provisions of any other act, shall be entitled, upon written application made therefor to the pension commission within 3 months after such retirement on pension, to a refund of the moneys theretofor deducted from his salary for the retirement system, less a sum equal to 2½% of the total of said deductions for each year for which said deductions were made; and provided, further, that where the service of an employee is terminated by death of the employee, if such employee leaves no widow, dependent widower, or dependent children under 18 years of age, all moneys theretofore deducted from his salary for the retirement system established hereunder shall be paid to the person designated by said employee as his or her beneficiary and if no such designation has been made or if the beneficiary has predeceased said employee, all moneys deducted from his or her salary for the retirement system shall be paid to the estate of the deceased employee.

Section amended.

7. Section 6 of chapter 191 of the laws of 1960 is amended to read as follows:

C. 43:10-18.17a. Actuarial valuation of fund; adoption of tables; changes in rates; classification of members.

6. The actuary appointed by the commission shall recommend and the board shall keep in convenient form, such data as shall be necessary for actuarial valuation of the fund every year. Once in every 3-year period the actuary shall make an actuarial investigation into the mortality, service and compensation or salary experience of the members and beneficiaries of the fund and shall make a valuation of the assets and liabilities of the fund. Upon the basis of such investigation and valuation the commission shall:

a. Adopt for the fund such mortality, service and other tables as shall be deemed necessary;

b. Recommend changes in the rates of contributions; and

c. Certify the rate of contribution, expressed as a proportion of the compensation of the members which shall be made by the county to the fund in order to continue the fund on a fully funded, re-

serve basis once the fund has achieved a fully funded status on the basis of increased contributions by the county and the members.

For the purpose of the valuation the commission shall classify the members in such group or groups as it deems necessary.

8. This act shall take effect immediately.

Approved August 17, 1966.

CHAPTER 244

AN ACT to amend "An act concerning the issuance by insurance companies of contracts on a variable basis and the regulation thereof, and amending section 17:34–19 of the Revised Statutes," approved June 18, 1959 (P. L. 1959, c. 122) and to amend "An act providing for the establishment and operation by any life insurance corporation of a variable contract account, and the regulation thereof," approved June 18, 1959 (P. L. 1959, c. 123).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of chapter 122 of the laws of 1959 is amended to read as follows:

C. 17:35A-5. Form of contract or group certificate and application; filing; acknowledgement by commissioner; grounds for disapproval; required provisions; regulations.

5. (a) No contract on a variable basis shall be delivered or issued for delivery in this State by any insurance company until a copy of the form thereof (and, in the case of a contract on a group basis, the form of any certificate evidencing variable benefits issued pursuant thereto) and any form of application for such contract shall have been filed with the Commissioner of Banking and Insurance. No such form shall be issued or used until the commissioner shall give his prior written

acknowledgment of the filing of such form. The commissioner shall disapprove or withdraw approval of any such contract form, application or certificate if:

(i) such contract or application or certificate contains provisions which are unjust, unfair, inequitable, ambiguous, misleading, likely to result in misrepresentation, or contrary to law, or

(ii) sales of such contracts are being solicited by any means of advertising, communication or dissemination of information which involves misleading or inadequate description of the provisions of the contract, or

(iii) such contracts are being issued in disregard of reasonable regulations which shall be promulgated by the Commissioner of Banking and Insurance relating to the conditions which must be met at time of issue of an individual contract on a variable basis for balance whereby (A) provision made for income from contracts on a variable basis shall not exceed (B) provision made for income payable in predetermined dollar amount (in whatever form such provision is made, including, but without limitation to, annuities, pensions, social security or other contracts or plans providing for the payment of income over a period of time).

He shall notify the company, specifying particulars, of his disapproval. It shall be unlawful for such company thereafter to issue any contract or certificate thereunder or use any application in the form so disapproved. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

(b) Illustrations of benefits payable under any contract on a variable basis shall not involve projections of past investment experience into the future and shall conform with reasonable regulations promulgated by the Commissioner of Banking and Insurance.

(c) No individual annuity contract on a variable basis shall be delivered or issued for delivery in this State unless it contains in substance the following provisions:

(i) that, in the event of default in the payment of any consideration beyond the period of grace allowed by the contract for the payment thereof, the insurance company will, subject to subsection (d) of this section, make payment of the value of the contract, in accordance with a plan provided by the contract, commencing not later than the date contractual payments by the company were otherwise to have commenced in accordance with the contract;

(ii) that, upon request of the contract holder received by the insurance company at least 4 months prior to the date contractual payments by the company were otherwise to have commenced, the company will, subject to subsection (d) of this section, make payment of the value of the contract, in accordance with a plan provided by the contract and selected by the contract holder, commencing as of the first day of the first month which is at least 4 months after the date of receipt of such request, unless another date of commencement is requested by the contract holder and agreed to by the company;

(iii) that the insurance company will mail to the holder of the contract at least once in each contract year after the first, at his last address known to the company, a report in a form approved by the Commissioner of Banking and Insurance, which shall include a statement of the number of units credited to such contract and the dollar value of a unit as of a date not more than 2 months previous to the date of mailing and a statement in a form and of a date approved by the commissioner of the investments held in the variable contract account designated in such contract.

(d) The insurance company shall not make payment of the value of an individual annuity contract on a variable basis by surrender, loan, advance or otherwise, except on a plan providing for contractual payments, on a variable basis, for life or for at least 3 years; provided, however, that this provision shall not be applicable (i) if the value of the units credited under the contract is less than $1,000.00 (A) on the date of default, in the case of default in payment of considerations beyond the period of grace allowed therefor by the contract or (B) in any other case, on the date as of which the dollar amount of the first contractual payment to be made by the company is determined or (ii) after the death of the annuitant.

(e) Any individual contract on a variable basis delivered or issued for delivery in this State shall stipulate the expense, mortality, and investment increment factors to be used in computing the dollar amount of variable benefits or other contractual payments or values thereunder, and shall guarantee that expense and mortality results shall not adversely affect such dollar amounts. The mortality and investment increment factors used in computing the dollar amount of variable benefits or other contractual payments or values under an individual contract on a variable basis shall not produce a larger initial payment than would be produced by the use of the 1937 Standard Annuity Mortality Table and an annual investment increment assumption of 3%.

Any group contract on a variable basis delivered or issued for delivery in this State shall stipulate the expense, mortality and investment increment factors to be used in computing the dollar amount payable with respect to a unit of variable benefits purchased thereunder and shall guarantee that expense and mortality results shall not adversely affect such dollar amounts.

"Expense" as used in this subsection (e), may exclude some or all taxes, as stipulated in the contract. Any company issuing a contract on a

variable basis shall submit annually to the Commissioner of Banking and Insurance a separate annual statement for the business of its variable contract accounts. This statement shall be on the same form as that prescribed by the commissioner for insurance companies doing business in New Jersey which do not operate variable contract accounts, and shall include details as to all of the income, disbursements, assets and liability items associated with the variable contract accounts.

The commissioner shall make a separate valuation of the assets of the variable contract accounts and a copy of such valuation shall be filed in the commissioner's office as a public document.

Such valuation shall be on the same basis required of a life insurance company doing business in New Jersey but which has not established a variable contract account.

The commissioner shall further prescribe by regulation the steps to be taken by the company in disposing of those holdings which at any time subsequent to purchase fail to meet the standards and regulations for new investments.

Section amended.

2. Section 1 of chapter 123 of the laws of 1959 is amended to read as follows:

C. 17:35A-6. Establishment of variable contract account.

1. Any life insurance corporation heretofore or hereafter incorporated pursuant to the provisions of any general or special law of this State shall have authority to establish and operate a separate account known as the variable contract account. Any life insurance corporation may establish more than one such separate account with the approval of the Commissioner of Banking and Insurance.

Section amended.

3. Section 2 of chapter 123 of the laws of 1959 is amended to read as follows:

C. 17:35A-7. Receipts and liabilities.

2. Except as may be otherwise specifically provided by the contract, all amounts received in connection with any contract on a variable basis shall be placed in the variable contract account designated in such contract, and all liabilities on any such contract shall be set up in said account.

4. This act shall take effect immediately.

Approved August 17, 1966.

CHAPTER 245

AN ACT to amend the title of "An act empowering the governing bodies of municipalities and boards of commissioners of fire districts to pay the premiums and costs in connection with group forms of life insurance covering members of volunteer fire departments and incorporated fire companies in such municipalities and fire districts, and further empowering said municipalities and boards of commissioners of fire districts to effect, maintain and continue policies of insurance for the protection, health, safety and welfare of the members of such volunteer fire departments and incorporated fire companies, and to pay the premiums therefore," approved March 21, 1945 (P. L. 1945, c. 47), so that the same shall read "An act empowering the governing bodies of municipalities and boards of commissioners of fire districts to pay the premiums and costs in connection with group forms of life insurance covering members of volunteer fire departments and incorporated fire companies in such municipalities and fire districts, and further empowering said municipalities and boards of commissioners of fire districts to effect, maintain and continue policies of insurance for the protection, health, safety and welfare of the members, equipment and apparatus of such volunteer fire departments and incorporated fire companies, and to pay the premiums therefor," and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The title of chapter 47 of the laws of 1945 is amended to read as follows: An act empowering Title amended.

the governing bodies of municipalities and boards of commissioners of fire districts to pay the premiums and costs in connection with group forms of life insurance covering members of volunteer fire departments and incorporated fire companies in such municipalities and fire districts, and further empowering said municipalities and boards of commissioners of fire districts to effect, maintain and continue policies of insurance for the protection, health, safety and welfare of the members, equipment and apparatus of such volunteer fire departments and incorporated fire companies, and to pay the premiums therefor.

Section amended.

2. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 40:47-30.2. Maintenance of other forms of insurance; appropriations.

2. In any municipality, or fire district in this State maintaining a volunteer fire department, or wherein there shall exist one or more incorporated volunteer fire companies affording fire protection to said municipality or fire district, it shall be lawful for the governing body of such municipality, or the board of commissioners of such fire district, to effect, maintain and continue any and all forms of insurance covering the members of said volunteer fire department or incorporated volunteer fire company or companies, other than that provided for in section one hereof, which, in the estimation of said governing body, or board of fire commissioners may be necessary or desirable for the protection, safety and welfare of the members, equipment and apparatus of said volunteer fire department, or incorporated volunteer fire company or companies, or for the protection of said municipality, or fire district, and by resolution, to appropriate from time to time, and pay, such sums of money as may be required to cover the premiums and costs of said insurance, or such portion of the same as said governing body, or board of fire commissioners, in its discretion, may consider proper and advisable.

3. This act shall take effect immediately.

Approved August 17, 1966.

CHAPTER 246

AN ACT to authorize the issuance of a residents' family fishing license, and amending section 23:3–4 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 23:3–4 of the Revised Statutes is amended to read as follows: Section amended.

23:3–4. The licenses issued under this article shall be as follows: Licenses; residents', nonresidents' and aliens'; fees; term of licenses.

a. A license issued to citizens of the United States above 14 years of age, who have an actual and bona fide domicile in this State at the time of the application for the license and who have had an actual and bona fide domicile in this State for at least 1 year immediately prior thereto. These licenses shall be of 4 kinds and designated as the residents' firearm hunting and trapping license, the residents' bow and arrow license, the residents' fishing license and the residents' family fishing license. The Fish and Game Council in the Division of Fish and Game of the Department of Conservation and Economic Development shall have the authority to adopt and promulgate regulations for said family fishing licenses.

The residents' firearm hunting and trapping license shall authorize its holder to trap and to hunt with hounds and firearms only, and a fee of $5.00 and an issuance fee of $0.15 shall be charged therefor. The residents' bow and arrow license shall authorize its holder to hunt with bow and arrow only, and a fee of $5.00 and an issuance fee of $0.15 shall be charged therefor. The residents' fishing license shall authorize its holder to fish only, and a fee of $4.00 and an issuance fee of $0.15 shall be charged therefor except that in any case where the applicant is 70 or more years of age and is otherwise qualified no fee shall be charged. The residents' family fishing license shall authorize the parents or guardians and their children, foster

children or wards between the ages of 14 and 18, named therein, to fish only. The fee for the parent license permitting fishing only by the father or mother, or both, or the guardian shall be $8.00 with an issuance fee of $0.15; and each child, foster child or ward named therein shall be required to have and shall be issued an individual supplementary license as a member of such family at a fee of $1.00 and an issuance fee of $0.15. The license shall be invalid from the date of its issuance when issued to a person not entitled thereto hereunder. Any person, a resident of this State, who is afflicted with total blindness, upon application to the Division of Fish and Game shall be entitled to a residents' fishing license without fee or charge.

b. A license issued to a person above 14 years of age not entitled to a residents' license, authorizing him to trap and to hunt. These licenses shall be designated as the nonresidents' and aliens' firearm hunting and trapping license, and the nonresidents' and aliens' bow and arrow license. The fee for each of these licenses shall be $15.00, and an issuance fee of $0.15.

c. A license issued to a person above 14 years of age not entitled to a residents' license, authorizing him to fish only. These licenses shall be designated as the nonresidents' and aliens' fishing license and the nonresidents' and aliens' 3-day vacation fishing license valid for a period of 3 consecutive days and only obtainable after June 1 of each year. The fee for these licenses shall be $7.00 for the annual fishing license, together with an issuance fee of $0.15, and $3.50 and an issuance fee of $0.15 for the 3-day vacation fishing license.

Every license issued hereunder shall be void after December 31 next succeeding its issuance excepting the nonresidents' 1-day hunting license which shall expire on the date of issuance, and the nonresidents' and aliens' 3-day fishing license which is valid only for 3 consecutive days after date of issuance.

Note: Effective date.

2. This act shall take effect January 1, 1967.

Approved August 17, 1966.

CHAPTER 247

AN ACT concerning municipalities and supplementing chapter 47 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:47-12.12. Definition of emergency.

1. "Emergency" as used herein shall include any unusual conditions caused by fire, weather or any circumstances or situation including shortages in the personnel of the police or fire department caused by vacancies, sickness or injury, or by the taking of accrued vacation or sick leave or both, whereby the safety of the public is endangered or imperiled, as shall be determined within the sole discretion of the officer, board or official having charge of the police or fire department in any municipality.

C. 40:47-12.13. Authority in times of emergency.

2. In any municipality in which the officer, board or official having charge or control of the police or fire department has authority, in times of emergency as determined pursuant to this act, to summon and keep on duty any paid members of the police or fire department for a period of time or times in excess of the hours of ordinary duty, the governing body may provide compensation for some or all of such emergency duty by any such policeman or fireman at his prevailing wage, which compensation shall be in lieu of any compensatory time off otherwise due for the emergency duty so compensated.

C. 40:47-12.14. Emergency appropriations.

3. The governing body of the municipality may, if necessary, make emergency appropriations to provide funds for the payment of such compensation in accordance with section 40A:4–46 of the New Jersey Statutes.

4. This act shall take effect immediately.

Approved August 18, 1966.

CHAPTER 248

AN ACT authorizing the leasing of certain real estate by certain cities to certain nonprofit organizations.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:176-8.1. Authorization to lease real estate to certain organizations.

1. The governing body of any city having more than 300,000 inhabitants may lease any real estate owned or controlled by it or any interest therein when, and to the extent that, it is not required for municipal purposes, to any Police Athletic League Inc. or Police Benevolent Association while it is used for the purposes of such organization in promoting the health, safety, morals and general welfare of the community and not for commercial business, trade, or manufacturing purposes, without costs or at a nominal rental.

2. This act shall take effect immediately.

Approved August 18, 1966.

CHAPTER 249

AN ACT to amend the "Sewerage Authorities Law," approved April 23, 1946 (P. L. 1946, c. 138).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 40:14A-4. Sewerage authorities in counties and municipalities.

4. (a) The governing body of any county may, by resolution duly adopted, create a public body corporate and politic under the name and style of

"the ..... sewerage authority," with all or any significant part of the name of such county inserted. Said body shall consist of the 5 members thereof, who shall be appointed by resolution of the governing body as hereinafter in this section provided, together with the additional members thereof, if any, appointed as hereinafter in subsection (i) of this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of said county. After the taking effect of the resolution for the creation of said body and the filing of a certified copy thereof as in subsection (d) of this section provided, 5 persons shall be appointed as the members of the sewerage authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after January 1 in each year after such first appointments, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on February 1 in such year and expiring on February 1 in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term.

(b) The governing body of any municipality may, by ordinance duly adopted, create a public body corporate and politic under the name and style of "the ..... sewerage authority," with all or any significant part of the name of such municipality inserted. Said body shall consist of 5 members thereof, who shall be appointed by resolution of the governing body as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and in-

strumentality of said municipality. After the taking effect of such ordinance and the filing of a certified copy thereof as in subsection (d) of this section provided, 5 persons shall be appointed as the members of the sewerage authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after January 1 in each year after such first appointments, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on February 1 in such year and expiring on February 1 in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term.

(c) The governing bodies of any 2 or more municipalities or any 2 or more counties, the areas of which together comprise an integral body of territory, may, by parallel ordinances or in the case of counties by parallel resolutions, duly adopted by each of such governing bodies within any single calendar year, create a public body corporate and politic under the name and style of "the .... sewerage authority," with all or any significant part of the name of each such municipality or county or some identifying geographical phrase inserted. Said body shall consist of the members thereof, in an aggregate number determined as hereinafter in this subsection provided, who shall be appointed by resolutions of the several governing bodies as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of the said municipalities or counties. The number of members of the sewerage authority to be appointed at any time for full terms of office by the governing body of any

such municipality or county shall be as may be stated in said ordinances or resolutions which shall be not less than one nor more than 3. After the taking effect of the said ordinances or resolutions of all such municipalities or counties and after the filing of certified copies thereof as in subsection (d) of this section provided, the appropriate number of persons shall be appointed as members of the sewerage authority by the governing body of each municipality or county. The members first appointed or to be first appointed shall serve for terms expiring on the first day of the fifth February next ensuing after the date of the first appointment of any member. On or after January 1 in the year in which expire the terms of the said members first appointed and in every fifth year thereafter, the appropriate number of persons shall be appointed as members of the sewerage authority by the governing body of each municipality or county, to serve for terms commencing on February 1 in such year and expiring on February 1 in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during the unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term by the governing body which made the original appointment for such unexpired term.

(d) A copy of each resolution or ordinance for the creation of a sewerage authority adopted pursuant to this section, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. Upon proof of such filing of a certified copy of the resolution or ordinance or of certified copies of the parallel ordinances for the creation of a sewerage authority as aforesaid, the sewerage authority therein referred to shall, in any suit, action or proceeding involving the validity or enforcement of, or relating to, any contract or obligation or act of the sewerage authority, be conclusively deemed to have been lawfully and properly created and established and

authorized to transact business and exercise its powers under this act. A copy of any such certified resolution or ordinance, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding.

(e) A copy of each resolution appointing any member of a sewerage authority adopted pursuant to this section, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. A copy of such certified resolution, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding and, except in a suit, action or proceeding directly questioning such appointment, shall be conclusive evidence of the due and proper appointment of the member or members named therein.

(f) The governing body of a county which may create or join in the creation of any sewerage authority pursuant to this section shall not thereafter create or join in the creation of any other sewerage authority. No governing body of any municipality constituting the whole or any part of a district shall create or join in the creation of any sewerage authority except upon the written consent of the sewerage authority and in accordance with the terms and conditions of such consent, and in the event such consent be given and a sewerage authority be created pursuant thereto, the terms and conditions of such consent shall thereafter be in all respects binding upon such municipality and the sewerage authority so created and any system of sewers or sewage disposal plants constructed or maintained in conformity with the terms and conditions of such consent by the sewerage authority so created shall be deemed not to be competitive with the sewerage systems of the sewerage authority giving such consent. In the event that prior to the creation of a sewerage authority of a county the governing body of any municipality located in said county shall have created or joined in the creation of a sewerage authority, the area within the

territorial limits of such municipality shall not be part of the district of the sewerage authority of said county.

(g) Within 10 days after the filing in the office of the Secretary of State of a certified copy of a resolution for the creation of a sewerage authority adopted by the governing body of any county pursuant to this section, a copy of such resolution, duly certified by the appropriate officer of the county, shall be filed in the office of the clerk of each municipality within the county. In the event that the governing body of any such municipality shall, within 60 days after such filing in the office of the Secretary of State, adopt a resolution determining that such municipality shall not be a part of the district of such sewerage authority and file a copy thereof duly certified by its clerk, in the office of the Secretary of State, the area within the territorial limits of such municipality shall not thereafter be part of such district, but at any time after the adoption of such resolution, the governing body of such municipality may, by ordinance duly adopted, determine that such area shall again be a part of such district and if thereafter a copy of such ordinance duly certified by the appropriate officer of such municipality, together with a certified copy of a resolution of such sewerage authority approving such ordinance, shall be filed in the office of the Secretary of State, then from and after such filing the area within the territorial limits of such municipality shall forever be part of such district.

(h) The governing body of any local unit which has created a sewerage authority pursuant to subsection (a) of subsection (b) of this section may, in the case of a county by resolution duly adopted or in the case of a municipality by ordinance duly adopted, dissolve such sewerage authority on the conditions set forth in this subsection. The governing bodies of 2 or more local units which have created a sewerage authority pursuant to subsection (c) of this section may, by parallel ordinances duly adopted by each of such governing bodies within

any single calendar year, dissolve such sewerage authority on the conditions set forth in this subsection. Such a sewerage authority may be dissolved on condition that (1) either the members of such authority have not been appointed or the sewerage authority, by resolution duly adopted, consents to such dissolution, and (2) the sewerage authority has no debts or obligations outstanding. Upon the dissolution of any sewerage authority in the manner provided in this subsection, the governing body or bodies dissolving such sewerage authority shall be deemed never to have created or joined in the creation of a sewerage authority. A copy of each resolution or ordinance for the dissolution of a sewerage authority adopted pursuant to this subsection, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. Upon proof of such filing of a certified copy of the resolution or ordinance or of certified copies of the parallel ordinances for the dissolution of a sewerage authority as aforesaid and upon proof that such sewerage authority had no debts or obligations outstanding at the time of the adoption of such resolution, ordinance or ordinances, the sewerage authority therein referred to shall be conclusively deemed to have been lawfully and properly dissolved and the property of the sewerage authority shall be vested in the local unit or units. A copy of any such certified resolution or ordinance, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding.

(i) Whenever the sewerage authority of any county shall certify to the governing body of any county that it has entered into a contract pursuant to section 23 of this act with one or more municipalities situate within any other county, one additional member of the sewerage authority for each such other county shall be appointed by resolution of the governing body of such other county as in this section provided. The additional member so appointed for any such other county, and his suc-

cessors shall be a resident of one of said municipalities situate within such other county. The additional member first appointed or to be first appointed for any such other county shall serve for a term expiring on the first day of the fifth February next ensuing after the date of such appointment, and on or after January 1 in the year in which expires the term of the said additional member first appointed and in every fifth year thereafter, one person shall be appointed by said governing body as a member of the sewerage authority as successor to said additional member, to serve for a term commencing on February 1 in such year and expiring on February 1 in the fifth year after such year. If after such appointment of an additional member for any such other county the sewerage authority shall certify to said governing body of such other county that it is no longer a party to a contract entered into pursuant to section 23 of this act with any municipality situate within such other county, the term of office of such additional member shall thereupon cease and expire and no additional member for such other county shall thereafter be appointed.

(j) If a municipality, the governing body of which has created a sewerage authority pursuant to subsection (b) of this section, has been or shall be consolidated with another municipality, the governing body of the new consolidated municipality may, by ordinance duly adopted, provide that the members of the sewerage authority shall thereafter be appointed by the governing body of such new consolidated municipality, which shall make appointment of members of the sewerage authority by resolution as hereinafter in this subsection provided. On or after the taking effect of such ordinance, one person shall be appointed as a member of the sewerage authority for a term commencing on February 1 in each year, if any, after the date of consolidation, in which has or shall have expired the term of a member of the sewerage authority theretofore appointed by the governing body of the

municipality which has been or shall be so consolidated, and expiring on February 1 in the fifth year after such year. Thereafter, on or after January 1 in each year, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on February 1 in such year and expiring February 1 in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term. Each member of the sewerage authority appointed by the governing body of a municipality which has been or shall be so consolidated shall continue in office until his successor has been appointed as in this subsection provided and has qualified.

(k) If a municipality, the governing body of which has created a sewerage authority pursuant to subsection (b) of this section, has been or shall be consolidated with another municipality, the governing body of the new consolidated municipality, subject to the rights of the holders, if any, of bonds issued by the sewerage authority, and upon receipt of the sewerage authority's written consent thereto, may provide, by ordinance duly adopted, that the area within the territorial boundaries of the new consolidated municipality shall constitute the district of the sewerage authority, and upon the taking effect of such ordinance, such area shall constitute the district of the sewerage authority. Until the taking effect of such ordinance, the district of the sewerage authority shall be the area within the territorial boundaries, as they existed at the date of the consolidation, of the municipality the governing body of which created the sewerage authority.

2. This act shall take effect immediately.

Approved August 23, 1966.

CHAPTER 250

AN ACT concerning issuance of permits by the State Department of Health for construction of sewerage facilities and amending section 58:12–3 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 58:12–3 of the Revised Statutes is amended to read as follows: Section amended.

58:12–3. Except under such conditions as shall be approved by the department, no person, corporation or municipality shall build any sewer, drain or sewerage system from which it is designed that any sewage or other harmful and deleterious matter, solid or liquid, shall flow into any of the waters of this State, or build, cause to be built or operate any plant for the treatment of sewage or other polluting substance from which the effluent is to flow into any of such waters, or, after the date specified in the notice provided for by section 58:12–2 of this Title, permit any sewage or other polluting matter to flow into such waters from any sewer, drain or sewerage system under its control. Before the building of any plant for the treatment of sewage or other polluting substance as aforesaid, any new plans therefor shall be submitted to the department. Pollution of waters by sewage prohibited.

In reviewing plans submitted in compliance with this section and in determining conditions under which such plans may be approved, the department shall give due consideration to community development of comprehensive regional sewerage facilities in order to be assured insofar as is practicable that all proposed sewerage works shall conform to reasonably contemplated development of comprehensive community or regional sewage facilities.

2. This act shall take effect immediately.

Approved August 23, 1966.

CHAPTER 251

AN ACT concerning certain motor vehicles and amending section 39:4–77 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 39:4–77 of the Revised Statutes is amended to read as follows:

Loading so as to spill prohibited.

39:4–77. No person shall cause or permit a vehicle to be so loaded or operate a vehicle so loaded that the contents or any part thereof may be scattered in any street.

The director, where public safety so warrants, shall, after a public hearing, prescribe by rule or regulation minimum safety standards for fastening loads on and fix loading procedures for any commercial type flat bed motor vehicle or motor-drawn vehicle. Any rule or regulation so promulgated by the director shall be filed in the Secretary of State's office and copies thereof shall be available, upon request, in the director's office.

The owner, lessee, bailee, or operator of any vehicle described above found on a highway in violation of any such safety standard or procedure that may be prescribed by the director shall be fined not more than $500.00 for each violation.

Note: Effective date.

2. This act shall take effect on the sixtieth day next following the date of its enactment.

Approved August 24, 1966.

CHAPTER 252

AN ACT to amend and supplement "An act to provide for the creation, setting apart, maintenance and administration of a city employees' retirement system in cities of the first class having, at the time of the enactment of this act, a population in excess of 400,000 inhabitants; and merging and superseding the provisions of pension funds established pursuant to article 2 of chapter 13, chapters 18 and 19, of Title 43 of the Revised Statutes, in said cities," approved November 22, 1954 (P. L. 1954, c. 218).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows: Section amended.

1. As used in this act: C. 43:13-22.3. Definitions.

"Service" shall always, unless otherwise stated, be considered as in the aggregate.

"Salary" or "compensation," when used solely for the purpose of fixing benefits under this act, means annual salary or compensation earned by a member as a permanent employee at the time of his death or retirement; provided, however, that $12,000.00 shall be the maximum amount of the annual salary of any member which shall be considered for any purpose under this act; provided further, however, that as to any employee who, at the time of the adoption of this act, is a member of any retirement system in operation in the city under and by virtue of article 2, chapter 13, Title 43 of the Revised Statutes; and of chapter 18, Title 43 of the Revised Statutes; and of chapter 19, Title 43 of the Revised Statutes, the total annual salary received by such member as a permanent employee at the time of his death or retirement

shall be considered for pension or other purposes under this act, except as otherwise provided herein.

"Pension fund" or "fund" means the fund referred to in section 2 of this act, and is the fund from which pensions and other benefits provided for in this act shall be paid.

"State" shall, unless otherwise stated, mean the State of New Jersey.

"City," unless otherwise specified, means any city of the first class of the State of New Jersey having, at the time of the enactment of this act, a population in excess of 400,000 inhabitants.

"His" shall be construed to mean both sexes.

"City employee" or "employee" means and includes all permanent employees as defined by Title 11 of the Revised Statutes of New Jersey (Civil Service Law) in service in any city of the first class of this State, as hereinabove defined; and shall mean and include all permanent employees of any city board, body or commission maintained out of city funds in such city. Notwithstanding the provisions of any other statute of this State, any person under 45 years of age hereafter accepting permanent employment in the city (excepting uniformed policemen or firemen) shall, subject to the provisions of section 13 (a) of this act, become a member of the pension fund provided by this act as a "city employee" or "employee" as hereinabove defined; and except as herein otherwise provided, any such person of the age of 45 years or over shall be ineligible to become a member; provided, however, that any employee who, at the time of the adoption of this act, is a member of any retirement system in operation in such city under and by virtue of article 2, chapter 13, Title 43 of the Revised Statutes; or of chapter 18, Title 43 of the Revised Statutes; or of chapter 19, Title 43 of the Revised Statutes, shall not be barred from membership in this retirement system on account of age of any such employee.

Notwithstanding the provisions of chapter 1, Title 43 of the Revised Statutes, any present em-

ployee of the city as herein defined, who was not more than 45 years of age at the time of his permanent appointment, shall, subject to the provisions of section 13 of this act, have the right, subject to section 13 (b) of this act, to become a member of the retirement system established by this act, by declaring his intention in writing so to do, within 2 months after the formation of the commission created by this act.

All such applicants shall submit to and pass a physical examination as required by the commission, and shall pay into the retirement system all arrears of dues and assessments determined by the commission, with interest thereon at 3%, in order to receive credit for said prior service as an employee, for the purposes of this act. The maximum length of time to be afforded any such employee for payment of said arrears and interest thereon shall be 5 years from the date of membership in said system.

"Widow" or "widower" means the surviving spouse of a city employee married to such employee for a period of at least 5 years prior to the retirement or death of such employee, except as otherwise provided herein, and said marriage having occurred prior to the time when such employee reached the age of 55 years, except that where death results from and as a result of an accident or injury sustained in the line of duty, the widow or widower shall be entitled to the benefits hereinafter set forth, even though the marriage has not been in existence for a period of 5 years; provided, however, that no pension shall be paid to the surviving husband of a deceased employee unless he shall be and shall continue to remain dependent upon the income which such employee was receiving at the time of her death, or unless he shall be and shall continue to remain physically or mentally incapable of pursuing a gainful occupation. No pension shall be paid to any minor child or dependent parent of such female employee unless such minor child or dependent parent shall be and

shall continue to remain dependent upon the income which such employee was receiving at the time of her death. The pension commission shall determine the question of the dependency of the surviving husband, minor child or dependent parent, as well as the ability of the surviving husband to pursue some gainful occupation.

"Minor child" means a child under the age of 18 years, whose father or mother was married to the employee-member for a period of at least 5 years prior to the retirement of said employee, and the said marriage having occurred prior to the time such employee arrived at the age of 55 years.

"Dependent parent" shall mean a dependent parent or parents who is or are solely dependent for support upon the employee-member.

"Commission" shall mean pension commission.

"Commissioners" shall mean pension commissioners, unless otherwise specified.

"Permanent" and "total" disability means physical or mental incapacity of an employee, as determined by the commission, and which would make the employee unable to perform the duties of his position or office.

"Employees' Retirement System of (name of city)" shall be the name of the retirement system provided under the provisions of this act. By that name all of its business shall be transacted, its funds invested, warrants for money drawn and payments made, and all of its cash and securities and other property held.

Section amended.

2. Section 17 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.19. Retirement for age and service; maximum pensions.

17. Subject to the other provisions of this act, any employee member who shall have served or who shall hereafter have served in the employ of such city in the aggregate for a period of 30 years and who shall have attained the age of 55 years, or who shall have served in the aggregate for a period of 25 years and have attained the age of 60 years, shall, upon his application, be retired on a pension equal to ½ of the salary he is receiv-

ing at the time of his retirement, and for each year of service beyond 30 years and up to 40 years the retiring employee shall, for each additional year, receive an additional pension of 2½% of the salary received by him at the time of his retirement; provided, however, that no pension shall exceed ¾ of the annual salary received by the said employee member, nor shall any pension exceed the sum of $9,000.00 per annum.

Section amended.

3. Section 19 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.21. Disability not arising out of employment; retirement pension; pension to dependents after death.

19. Subject to the other provisions of this act, any member employee who shall have served or who shall hereafter have served in the employ of such city continuously for a period of 1 year and shall become permanently and totally disabled as the result of injury or illness not arising out of and in the course of his employment, shall, upon his application and approval thereof by the commissioners be retired on a pension equal to 2½% of the salary received by him at the time of his retirement; and for each additional year of aggregate service, but not more than 20 years of service in the aggregate, the amount of said pension shall be increased to the extent of 2½% of said salary for each year, not exceeding in any event 50% of said salary; provided, however, that for each year of service over 30 years there shall be an increase of disability pension of 2½% of the salary received by the employee at the time of said retirement; provided, further, however, that no such pension, regardless of service or disability, shall exceed ¾ of the annual salary of said employee at the time of retirement; nor shall any such pension be in excess of $9,000.00 per annum. Upon and after the death of such retired member or upon and after the death of any member who died as a result of injury or illness not arising out of and in the course of his employment, the said pension or a pension based upon the services of said member as the case may be, shall be paid to the surviving widow, so long as she remains unmarried, surviving de-

pendent widower, so long as he remains unmarried, minor children or dependent parent, as the case may be; provided, however, that in no instance shall said pension exceed the sum of $2,000.00 per annum.

Section amended.

4. Section 20 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.22. Disability arising out of employment; retirement pension.

20. Subject to the other provisions of this act, any city employee who shall become permanently or totally disabled as a result of injury or illness arising out of and in the course of his employment shall, upon his application and approval thereof by the commission, be retired on a pension equal to ½ of the annual salary received by him at the time of his retirement; provided, however, that in no instance shall the pension exceed $9,000.00 per annum; and provided further, however, that where an employee has served more than 30 years he shall be entitled to 2½% of his annual salary for each additional year of service over 30 years, but not exceeding 40 years, and in no event shall such pension exceed $9,000.00 annually. Upon and after the death of such retired member or upon and after the death of any member who dies as a result of any injury or illness arising out of and in the course of his employment, the said pension or a pension of ½ of the said annual salary of such member shall be paid as hereinafter provided to the surviving widow, so long as she remains unmarried; surviving dependent widower, so long as he remains unmarried; minor children or dependent parent, as the case may be, provided, however, that in no instance shall the pension exceed $2,000.00 per annum.

Section amended.

5. Section 35 of the act of which this act is amendatory is amended to read as follows:

C. 43:13-22.37. New members; retirement for age of service.

35. Any person who, after the enactment of this act, becomes a permanent employee of the city and becomes a member of this retirement system and shall have served in the employ of the city in the aggregate for a period of at least 25 years, and who shall have attained the age of 70 years, shall

be retired on a pension equal to ½ of the salary he is receiving at the time of his retirement, and for each year of service beyond 30 years and up to 40 years, the retiring employee shall for each additional year of service receive an additional pension of 2½% of the salary received by him at the time of his retirement; provided, however, that no pension shall exceed ¾ of the annual salary received by the said employee, nor shall any pension exceed the sum of $9,000.00 per annum.

C. 43:15-22.29a. Increased contribution by city.

6. In addition to the contributions of the city prescribed in the act to which this act is supplementary, in fiscal year 1967 the city shall increase its contribution by 1% of the amount of the salaries paid to all members of the pension fund in 1966 and in each fiscal year thereafter the contribution of the city required by the provisions of this act shall be increased over the previous percentage by an additional 1% of the salaries paid to all members of the pension fund in the immediately preceding year until the actuary shall certify to the city that the total of the contributions made by the city, together with the contributions of the members and all earnings, is sufficient to meet the liabilities of the fund on a fully funded, reserve basis.

The actuary of the fund shall then certify the rate of contribution, expressed as a portion of the compensation of the members, which shall be made by the city to the fund in order to continue the fund on a fully funded, reserve basis once the fund has achieved a fully funded status on the basis of increased contributions by the city and the members.

C. 43:15-22.15d. Application for membership.

7. Notwithstanding any of the provisions of the act to which this act is amendatory and supplementary limiting the time within which application for membership in the retirement system was required to be made and the rates and salaries upon which payments were to be computed, all present employees of the city who are otherwise eligible for membership may make application for and be

admitted to membership in the retirement system upon declaration of intention in writing, made to the commission within 3 months of the effective date of this act, or within the time prescribed by the act hereby supplemented, whichever is later. To receive credit for all the time served as a permanent employee with the city prior to joining the retirement system, such employee shall pay into the fund a sum equal to an amount computed for the period of time at the salary scale and rate of contribution effective at the time application for purchase is made. Time payments and methods of deductions shall be the same as are presently in effect under the act hereby supplemented.

No person becoming a member of the retirement system pursuant to this section shall be eligible for retirement or disability retirement pension for a period of 5 years following the date of his admission to membership, except for disability arising out of and in the course of his employment.

C. 43:15-22.16f. Purchase prior service credit by city employees.

8. Any member of the city employees retirement system may upon application to the pension commission purchase prior service credit for full time service as a permanent employee of the city which preceded his membership in its pension system. Purchase payments for prior service shall be made at the salary scale and rate of contribution effective at the time such application is made. Time payments and methods of deductions shall be the same as are presently in effect under the act hereby supplemented.

Applications for such purchase of prior service shall be made to the commission within 3 months next succeeding the effective date of this act.

C. 43:15-22.16g. Purchase prior service credit by employees of board of education.

9. Any member of the city employees' retirement system may upon application to the pension commission purchase prior service credit for full-time service as a permanent employee of the board of education of the city or of the city's police or fire departments which preceded his membership in its pension system. Purchase payment for prior service shall be made at the salary scale and rate

of contribution effective at the time application for purchase is made. Time payments and methods of deductions shall be the same as are presently in effect under this act.

10. This act shall take effect immediately.

Approved August 25, 1966.

CHAPTER 253

AN ACT to amend "An act authorizing the leasing of certain real estate by municipalities to certain nonprofit organizations, supplementing chapter 60 of Title 40 of the Revised Statutes," approved June 5, 1950 (P. L. 1950, c. 184) as said title was amended by chapter 132 of the laws of 1951.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows: Section amended.

1. The governing body of any municipality may lease any real estate owned or controlled by it or any interest therein when, and to the extent that, it is not required for municipal purposes, to any incorporated boys' club, affiliated with, or a member of, the Boys' Club of America or the Pioneer Boys of America, Inc. or to any incorporated or unincorporated association known as Young Men's Christian Association, Young Women's Christian Association, Catholic Youth Organization, Young Men's Hebrew Association, Young Women's Hebrew Association or Young Men's and Young Women's Hebrew Association in this State or to any incorporated or unincorporated boy scout council, club or troop affiliated with the Boy Scouts of America or girl scout council, club or troop affiliated with the Girl Scouts of America, or to any C. 40:60-45.3. Boys and girls' clubs; leases.

local Little League affiliated with Little League Baseball, Inc. or to any local unit of the New Jersey Association for Retarded Children while it is used for the purposes of such organization in promoting the health, safety, morals and general welfare of the community and not for commercial business, trade, or manufacturing purposes, without cost or at a nominal rental.

2. This act shall take effect immediately.

Approved August 26, 1966.

CHAPTER 254

AN ACT to amend the "Law Against Discrimination," approved April 16, 1945 (P. L. 1945, c. 169).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25.5. Definitions

5. As used in this act, unless a different meaning clearly appears from the context:

a. "Person" includes one or more individuals, partnerships, associations, organizations, labor organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and fiduciaries.

b. "Employment agency" includes any person undertaking to procure employees or opportunities for others to work.

c. "Labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

d. "Unlawful employment practice" and "unlawful discrimination" includes only those unlawful practices and acts specified in section 11 of this act.

e. "Employer" does not include a club exclusively social or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized and operated for private profit.

f. "Employee" does not include any individual employed by his parents, spouse or child, or in the domestic service of any person.

g. "Liability for service in the Armed Forces of the United States" means subject to being ordered as an individual or member of an organized unit into active service in the Armed Forces of the United States by reason of membership in the National Guard, naval militia or a reserve component of the Armed Forces of the United States, or subject to being inducted into such armed forces through a system of national selective service.

h. "Division" means the "Division on Civil Rights" created by this act.

i. "Attorney General" means the Attorney General of the State of New Jersey or his representative or designee.

j. "Commission" means the Commission on Civil Rights created by this act.

k. "Director" means the Director of the Division on Civil Rights.

l. "A place of public accommodation" shall include, but not be limited to: any tavern, roadhouse, hotel, motel, trailer camp, summer camp, day camp, or resort camp, whether for entertainment of transient guests or accommodation of those seeking health, recreation or rest; any producer, manufacturer, wholesaler, distributor, retail shop, store, establishment, or concession dealing with goods or services of any kind; any restaurant, eating house, or place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice and fruit preparations

or their derivatives, soda water or confections, or where any beverages of any kind are retailed for consumption on the premises; any garage, any public conveyance operated on land or water, or in the air, any stations and terminals thereof; any bathhouse, boardwalk, or seashore accommodation; any auditorium, meeting place, or hall; any theatre, motion-picture house, music hall, roof garden, skating rink, swimming pool, amusement and recreation park, fair, bowling alley, gymnasium, shooting gallery, billiard and pool parlor, or other place of amusment; any comfort station; any dispensary, clinic or hospital; any public library; any kindergarten, primary and secondary school, trade or business school, high school, academy, college and university, or any educational institution under the supervision of the State Board of Education, or the Commissioner of Education of the State of New Jersey. Nothing herein contained shall be construed to include or to apply to any institution, bona fide club, or place of accommodation, which is in its nature distinctly private; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fire religious or sectarian institution, and the right of a natural parent or one in loco parentis to direct the education and upbringing of a child under his control is hereby affirmed; nor shall anything herein contained be construed to bar any private secondary or post-secondary school from using in good faith criteria other than race, creed, color, national origin or ancestry, in the admission of students.

m. "A publicly assisted housing accommodation" shall include all housing built with public funds or public assistance pursuant to chapter 300 of the laws of 1949, chapter 213 of the laws of 1941, chapter 169 of the laws of 1944, chapter 303 of the laws of 1949, chapter 19 of the laws of 1938, chapter 20 of the laws of 1938, chapter 52 of the laws of 1946, and chapter 184 of the laws of 1949, and all housing financed in whole or in part by a loan, whether or not secured by a mortgage, the repay-

ment of which is guaranteed or insured by the Federal Government or any agency thereof.

n. The term "real property" includes real estate, lands, tenements and hereditaments, corporeal, and incorporeal, and leaseholds, provided however that, except as to publicly assisted housing accommodations, the provisions of this act shall not apply to the rental: (1) of a single apartment or flat in a 2-family dwelling, the other occupancy unit of which is occupied by the owner as his residence or the household of his family at the time of such rental; or (2) of a room or rooms to another person or persons by the owner or occupant of a one-family dwelling occupied by him as his residence or the household of his family at the time of such rental. Nothing herein contained shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, in the sale, lease or rental of real property, from limiting admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.

o. "Real estate broker" includes a person, firm or corporation who, for a fee, commission or other valuable consideration, or by reason of promise or reasonable expectation thereof, lists for sale, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale, exchange, purchase, or rental of real estate or an interest therein, or collects or offers or attempts to collect rent for the use of real estate, or solicits for prospective purchasers or assists or directs in the procuring of prospects or the negotiation or closing of any transaction which does or is contemplated to result in the sale, exchange, leasing, renting or auctioning of any real estate, or negotiates, or offers or attempts or agrees to negotiate a loan secured or to be secured

by mortgage or other encumbrance upon or transfer of any real estate for others; or any person who, for pecuniary gain or expectation of pecuniary gain conducts a public or private competitive sale of lands or any interest in lands. In the sale of lots, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange, of any such lot or parcel of real estate.

p. "Real estate salesman" includes any person who, for compensation, valuable consideration or commission, or other thing of value, or by reason of a promise or reasonable expectation thereof, is employed by and operates under the supervision of a licensed real estate broker to sell or offer to sell, buy or offer to buy or negotiate the purchase, sale or exchange of real estate, or offers or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate, or to lease or rent, or offer to lease or rent any real estate for others, or to collect rents for the use of real estate, or to solicit for prospective purchasers or lessees of real estate, or who is employed by a licensed real estate broker to sell or offer to sell lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise to sell real estate, or any parts thereof, in lots or other parcels.

2. This act shall take effect immediately.

Approved August 26, 1966.

CHAPTER 255

AN ACT to amend the "State Library Aid Act," approved December 1, 1959 (P. L. 1959, c. 177), and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 5 of the act of which this act is amendatory is amended to read as follows: Section amended.

5. State funds shall be provided annually as follows: C. 18:24A-5. Minimum aids.

(a) Each municipality that supports, in whole or in part, library service from municipal tax sources pursuant to chapter 33 or 54 of Title 40 of the Revised Statutes shall qualify for the sum of $0.40 per capita of the population of the municipality provided that:

1. Its annual expenditure for library purposes shall be equal to or in excess of the local fair share as determined in section 4 of this act; and

2. The municipality shall be a member of a regional or county library system, or its annual expenditure for library purposes shall not be less than $50,000.00, or, if it is a member of a federation, the sum of the annual expenditure for library purposes of the municipalities contracting to form the federation shall not be less than $50,000.00.

(b) Each municipality that supports, in whole or in part, library services from municipal tax sources pursuant to Revised Statutes 40:33–1 et seq., or Revised Statutes 40:54–1 et seq., and does not qualify for aid under subdivision (a) of this section shall qualify for the sum of $0.10 per capita.

2. Section 9 of the act of which this act is amendatory is amended to read as follows: Section amended.

9. There shall be appropriated annually the sum of $100,000.00 to be distributed by the Commissioner of Education upon the approval of the State C. 18:24A-9. Emergency aid.

Board of Education to meet unforeseeable conditions in any municipality or county, and to encourage the formation and development of larger units of service pursuant to law. The amount of such emergency aid or incentive grant shall be payable by the State Treasurer upon the certification of the Commissioner of Education and the warrant of the Director of the Division of Budget and Accounting.

Appropriation $300,000.00.

3. There is appropriated to the Department of Education in addition to any other appropriations for the purposes of the act of which this act is amendatory the sum of $300,000.00.

Note: Effective date.

4. This act shall take effect July 1, 1966.

Approved August 29, 1966.

CHAPTER 256

AN ACT concerning boards of school estimate of county vocational schools and amending section 18:15–56 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 18:15–56 of the Revised Statutes is amended to read as follows:

Determination, certification and appropriation of amount necessary; apportionment.

18:15–56. (A) Between February 1 and February 15 in each year the board of school estimate shall fix and determine by official action taken at a public meeting of the board the amount of money necessary to be appropriated for the use of the county vocational school district for the ensuing school year exclusive of the amount to be received from the State as provided in section 18:15–58 of this Title.

(B) The board of school estimate shall, on or before the last named date, make 2 certificates of the amount, signed by at least 3 of its members,

one of which certificates shall be delivered to the board of education of the county vocational school district and the other to the board of chosen freeholders of the county in which the school is situated.

(C) The board of chosen freeholders shall, upon receipt of the certificate, appropriate, in the same manner as other appropriations are made by it, the amount so certified, and the amount shall be assessed, levied, and collected in the same manner as moneys appropriated for other purposes in the county are assessed, levied, and collected, unless such amount is to be raised as otherwise hereinafter provided in this section.

(D) The board of chosen freeholders of any county of the second class having a population of not less than 375,000 nor more than 425,000 inhabitants and which has created a county vocational school district subsequent to July 1, 1962, may provide that the amounts (other than amounts to be raised for interest and redemption of bonds or notes issued by the county for purposes of such county vocational school district) to be raised for annual or special appropriations for such county vocational school district are to be apportioned on the basis of (1) the apportionment valuations, as defined in section 54:4–49 of the Revised Statutes, of the municipalities in such county, or (2) the average daily enrollment of pupils from municipalities within such county during the preceding school year, or (3) any combination or percentage of either of the aforesaid, as shall be determined by said board of chosen freeholders prior to October 1 for and with respect to the school year commencing on July 1 next succeeding said date. Determination as to any basis as aforesaid shall be made by resolution of such board of chosen freeholders, if such board, after consideration of the vocational school needs of such county and of the municipalities therein and of the costs and expenses of such county vocational school district and of the financial resources and abilities of such county and of the municipalities therein, shall find that such basis is in

the best interests of the county and of such county vocational school district and the municipalities therein. Any basis so established shall continue without change for a period of 5 school years, unless prior to the end of such period the State Commissioner of Education, upon the request of the board of chosen freeholders or the board of education of the county vocational school district, shall determine that some other or different basis, as herein permitted or provided for, shall be in the best interests of such county, such county vocational school district and the municipalities therein, and is a basis which could have been established by the board of chosen freeholders of such county. Until any other basis shall have been established, the basis referred to clause (1) above shall be applicable to such county vocational school district. Where average daily enrollment of the preceding school year is to be used as the whole or any part of a basis for apportionment of amounts to be raised for annual or special appropriations, the State Commissioner of Education shall certify to the county vocational school district and to the county board of taxation, from the latest official statistics then available or estimates thereof, the average daily enrollment to be used until such time as actual average daily enrollment statistics shall be available and certified by the State Commissioner of Education as aforesaid. No amount to be raised for annual or special appropriations for the county vocational school district shall be appropriated as in this paragraph provided except with the concurrence and consent of the board of chosen freeholders if the basis for raising such annual or special appropriations of the county vocational school district shall require that more than 50% of such basis shall be apportionment valuations as referred to in clause (1) above.

2. This act shall take effect immediately.

Approved August 29, 1966.

CHAPTER 257

AN ACT to amend "An act concerning the establishment and operation of county colleges and providing for the method of financing and raising the necessary funds therefor," approved May 14, 1962 (P. L. 1962, c. 41).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 16 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 18:22-115. Appointments; vacancies; secretary; duties of board.

16. Appointments to the board of school estimate shall be made annually on or before December 1 and any vacancy in the board's membership by reason of the resignation, death or removal of any member thereof shall be filled by the board which originally appointed the members. The secretary of the board of trustees shall be the secretary of the board of school estimate but shall receive no additional compensation therefor.

The board of school estimate shall fix and determine, by official action taken at a public meeting of the board, the amount of money necessary to be appropriated for use of the county college for the operation and capital outlay expenses for the school year, exclusive of the amount to be received from the State and other sources.

2. Section 17 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 18:22-116. Fixing and determining amount necessary for operation and capital outlay expenses; apportionment among participating counties.

17. On or before February 1 in each year, the board of trustees of the county college shall prepare and deliver to each member of the board of school estimate an itemized statement of the amount of money estimated to be necessary for the operation and capital outlay expenses for the ensuing year. Said board of trustees shall, at the same time, fix a date, place and time for the holding of a public hearing by the board of school estimate

with respect to said itemized statement of the amount of money estimated to be necessary for the operation and capital outlay expenses for the ensuing year and with respect to the various items and purposes for which said money is to be appropriated, which date shall be between February 1 and February 15 and which date shall be not less than 7 days after the publication of said itemized statement as herein provided and shall cause notice of such public hearing and said statement to be published at least once in at least one newspaper published in the county not less than 7 days prior to the date fixed for such public hearing, and said notice shall also set forth that said itemized statement will be on file and open to examination of the public, between reasonable hours to be fixed therein, and, at a place to be named therein, from the date of said publication until the date of the holding of said public hearing and said board of trustees shall cause said itemized statement to be on file and open to the examination of the public accordingly and to be produced at said public hearing for the information of those attending the same.

On the date and at the time and place so fixed by the board of trustees for such public hearing, the board of school estimate shall at a public hearing grant the taxpayers and other interested persons an opportunity to present objections and to be heard with respect to said itemized statement of the amount of money estimated to be necessary for the operation and capital outlay expenses for the ensuing year and with respect to the various items and purposes for which said money is to be appropriated and at or after said public hearing but not later than February 15 of each year, the board of school estimate shall fix and determine, by official action taken at a public meeting of the board, the amount of money necessary for the operation and capital outlay expenses of the college for the ensuing year, exclusive of the amount to be received from the State and from other sources.

The board of school estimate shall, on or before February 15 of each year, make a certificate of such amount signed by at least a majority of its members. Copies thereof shall be delivered to the commissioner, to the board of trustees of the college and to each participating board of chosen freeholders.

In the case of a county college established by more than one county, the amount to be raised for the annual operation and capital outlay expenses shall be apportioned among the participating counties upon the basis of appropriation valuations, as defined in section 54:4–49 of the Revised Statutes. In such case, the certificate of the board of school estimate shall certify the proportioned part of the total to be raised by each participating county.

3. This act shall take effect immediately.

Approved August 29, 1966.

CHAPTER 258

AN ACT concerning boards of school estimate in school districts having appointive boards of education pursuant to chapter 6 of Title 18, and amending section 18:6–50, of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 18:6–50 of the Revised Statutes is amended to read as follows: Section amended.

18:6–50. On the date and at the time and place so fixed by the board of education for such public hearing the board of school estimate shall at a public hearing grant the taxpayers and other interested persons an opportunity to present objections and to be heard with respect to said budget Objections; hearing; determination of amount necessary; certificates.

and the amount of money necessary to be appropriated for the use of the public schools in the district for the ensuing school year and with respect to the various items and purposes for which the same is to be appropriated and at or after said public hearing but not later than on February 15, the board of school estimate shall fix and determine by official action taken at a public meeting of the board, the amount of money necessary to be appropriated for the use of the public schools in the district for the ensuing school year, exclusive of the amount which shall have been apportioned to it by the county superintendent of schools.

The board of school estimate shall, on or before the last named date, make 2 certificates of the amount, signed by at least 3 members of the board, one of which certificates shall be delivered to the board of education of the district and the other to the governing body of the municipality.

2. This act shall take effect immediately.

Approved August 29, 1966.

CHAPTER 259

AN ACT concerning leave of absence and supplementing Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:13-23.22. Authorized time off.

1. Any person employed by a public educational system or institution in a position which requires a certificate issued by the State Board of Examiners or employed in a professional educational capacity by a school, college, or university which is either tax-supported or operated under contract with the State Board of Education, who is a member of the board of chosen freeholders of any county

of this State shall be entitled to time off from his duties as such employee, without pay, during the periods of his attendance at regular or special meetings of the board and of any committee thereof and at such other times as he shall be engaged in performing the necessary functions and duties of his office as a member of the board.

2. This act shall take effect immediately.

Approved September 1, 1966.

CHAPTER 260

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 202 of the act of which this act is amendatory is amended to read as follows: Section amended.

202. Issuance of license; fee. C. 54:40A-4. Issuance of license; fee.

All licenses shall be issued by the director, who shall make rules and regulations respecting applications therefor and issuance thereof. The director may refrain from the issuance of any license under this act where he has reasonable cause to believe that the applicant has willfully withheld information requested of him for the purpose of determining the eligibility of the applicant to receive a license, or where he has reasonable cause to believe that information submitted in the application is false or misleading and is not made in good faith. Each such license shall lapse on June 30 of the period for which it is issued through and including the year 1952; thereafter each license shall lapse on March 31 of the period for which it is issued, and each such license shall be continued annually upon the conditions that the licensee shall have

paid the required fee and complied with all the provisions of this act and the rules and regulations of the director made pursuant thereto.

For each license issued to a distributor, and for each continuance thereof, there shall be paid to the director a fee of $250.00, through and including June 30, 1952. Thereafter, for each license issued to a distributor there shall be paid to the director a fee of $350.00. If a distributor sells or intends to sell cigarettes at 2 or more places of business, whether established or temporary, a separate license shall be required for each place of business. Each license, or certificate thereof, and such other evidence of license shall be exhibited in the place of business for which it is issued and in such manner as may be prescribed by the director. The director shall require each licensed distributor to file with him a bond in an amount not less than $1,000.00 to guarantee the proper performance of his duties and the discharge of his liabilities under this act. The bond shall be executed by such licensed distributor as principal, and by a corporation approved by the director and duly authorized to engage in business as a surety company in the State of New Jersey, as surety. The bond shall run concurrently with the distributor's license.

For each license issued to a wholesale dealer, and for each continuance thereof there shall be paid to the director a fee of $100.00, through and including June 30, 1952. Thereafter, for each license issued to a wholesale dealer there shall be paid to the director a fee of $200.00. If a wholesale dealer sells or intends to sell cigarettes at 2 or more places of business, whether established or temporary, a separate license shall be required for each place of business. Each license, or certificate thereof, and such other evidence of license shall be exhibited in the place of business for which it is issued and in such manner as may be prescribed by the director.

For each license issued to a retail dealer and for each continuance thereof, excepting a retail dealer

operating a cigarette vending machine, there shall be paid to the director a fee of $5.00. For each license issued to a retail dealer operating a vending machine for the sale of cigarettes, and for each continuance thereof, there shall be paid to the director a fee of $1.00. If a retail dealer sells or intends to sell cigarettes at 2 or more places of business, whether established or temporary, or whether in the same building or not, a separate license shall be required for each place of business. Each vending machine for the sale of cigarettes shall be separately licensed and be deemed a separate place of business. Each license, or certificate thereof, and such other evidence of license shall be exhibited in the place of business for which it is issued and in such manner as may be prescribed by the director.

Any person licensed only as a distributor or as a wholesale dealer or as a retail dealer shall not operate in any other capacity except under that for which he is licensed herein, unless the appropriate license or licenses therefor are first secured.

For each license issued to a consumer and for each continuance thereof there shall be paid to the director a fee of $1.00. Each license, or certificate thereof, or such other evidence of license as may be prescribed by the director, shall be so kept by the consumer as to be readily available for inspection.

No license shall be issued to any person except upon the payment of the full fee therefor, any statute or exemption to the contrary notwithstanding. No license shall be assignable or transferable, except as hereinafter provided, but in the case of death, bankruptcy, receivership, or incompetency of the licensee, or if for any other reason whatsoever the business of the licensee shall devolve upon another by operation of law, the director may, in his discretion, extend said license for a limited time to the executor, administrator, trustee, receiver, or person upon whom the same has devolved. A purchaser or assignee of a licensed wholesaler or

licensed distributor, or any other person upon whom the business of a licensed wholesaler or licensed distributor shall devolve by operation of law, shall, upon application to the director, be entitled to an assignment or transfer of the wholesale or distributor license for the balance of the existing license period upon payment of a transfer fee of $5.00 and subject to his qualification to be a licensed wholesaler or licensed distributor under the provisions of this act. The license issued for each vending machine for the sale of cigarettes may be transferred from machine to machine in the same ownership. No refund of the license fee shall be paid to any person upon the surrender or revocation of any license except a license fee paid or collected in error. But, upon payment of a $0.50 fee, there may be obtained (1) a duplicate license, or certificate thereof, in the event the original is lost, destroyed or defaced, and (2) an amended license, or certificate thereof, upon a change in the location of the place of business of any distributor or dealer.

2. This act shall take effect immediately.

Approved September 1, 1966.

CHAPTER 261

AN ACT to amend the title of "An act to provide the precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; to make provisions for the administration and enforcement thereof by the Commissioner of Labor and to prescribe penalties for violations thereof," approved July 21, 1948 (P. L. 1948, c. 249), so that the same shall read "An act to provide the precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; to make provisions for the administration and enforcement thereof by the Commissioner of Labor and Industry, and to prescribe penalties for violations thereof," and to repeal section 3 and section 7 of said act and to amend and supplement the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title of act.

1. The title of "An act to provide the precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; to make provisions for the administration and enforcement thereof by the Commissioner of Labor and to prescribe penalties for violations thereof," approved July 21, 1948, is amended to read, "An act to provide the precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; to make provisions for the administration and enforcement thereof by the Commissioner of Labor and Industry, and to prescribe penalties for violations thereof."

Section amended.

2. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 34:6-47.1. Definitions.

1. Definitions. For the purpose of this act:

a. "Commissioner" shall mean the Commissioner of Labor and Industry or any of his authorized representatives.

b. "High-voltage lines" means electrical conductors installed above ground and having a voltage differential in excess of 750 volts between any pair of conductors or between any conductor and ground. In the case of alternating current, the voltage shall be measured in R.M.S. value. This definition shall not include approved armored cable used to supply power to portable equipment and insulated power cables enclosed in approved metallic raceways.

Section amended.

3. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 34:6-47.2. Prohibited activities.

2. Prohibited activity. No employer or supervising agent of an employer shall require or permit an employee to participate in the operation, erection, transportation, handling, or storage of any tools, machinery, equipment, supplies, materials, or apparatus or the moving of any building, if in the course of such operation, erection, transportation, handling, storage or moving it is possible for such tools, machinery, equipment, supplies, materials, apparatus or building, to come within 6 feet of a high-voltage line; or to participate in any activity which would cause the employee to come within 6 feet of a high-voltage line; unless precautionary action has been taken to protect against the danger from contact with such high-voltage line, either by de-energizing such high-voltage line and grounding it where necessary, or other effective methods or devices which have been approved in advance by the commissioner for the particular case and for the particular location.

No person shall operate, erect, transport, handle or store any tools, machinery, equipment, supplies, materials or apparatus, or move any building, if in the course of such operation, erection, transportation, handling, storage or moving, it is possible for such tools, machinery, equipment, supplies,

materials, apparatus or building, to come within 6 feet of a high-voltage line unless precautionary action has been taken to protect against the danger from contact with such high-voltage line either by de-energizing such high-voltage line and grounding it where necessary, or by using other effective methods or devices which have been approved in advance by the commissioner for the particular case and for the particular location.

In no case shall the required 6 foot clearance be provided by moving or displacing any conductor, except where the same is temporarily relocated pursuant to arrangements made with the owner or person in charge of the high-voltage line

4. Section 4 of the act of which this act is amendatory is amended to read as follows: Section amended.

4. Warning sign required. The owner, agent, lessee, bailee, user, or employer responsible for the operations of equipment capable of coming in contact with a high-voltage line in the course of its operation, shall post and maintain in plain view of the operator on each piece of such equipment, an approved durable warning sign legible at a distance of 12 feet reading "Unlawful to operate this equipment within 6 feet of high-voltage lines." The owner, agent, lessee, bailee, user, or employer responsible for the operations of equipment shall provide such other warning signs on equipment or at the work site as may be required by regulations promulgated hereunder. The requirement that warning signs be posted shall not apply to railway equipment operating on railway right-of-way in relation to high-voltage conductors of such railway system under conditions for which exemption is granted under section 8 of this act. C. 34:6-47.4. Warning sign required.

5. Section 5 of the act of which this act is amendatory is amended to read as follows: Section amended.

5. Notification to power company and responsibility for safeguards. Whenever any activity is to be performed requiring precautionary action under section 2 of this act, the employer, contractor or other person responsible for the activity shall, C. 34:6-47.5. Notification to power company and responsibility for safeguards.

promptly notify the owner or person in charge of the high-voltage line of the intended activity and shall fully comply with and shall be responsible for the cost and for the completion of the precautionary action required under section 2 of this act before proceeding with such activity.

C. 34:6-47.7a. Penalty for violation.

6. Any person violating any of the provisions of this act shall be liable to a penalty of not less than $25.00 nor more than $500.00 to be collected in a civil action by a summary proceeding under the Penalty Enforcement Law (N. J. S. 2A:58–1). Any violation of the act by an officer, agent or employee shall also be a violation of the act by his employer if such employer had knowledge of and actual control over the cause of such violation. Where the violation is of a continuing nature each day during which is continues, shall constitute an additional, separate and distinct offense.

The commissioner is hereby authorized and empowered to compromise and settle any claim for a penalty under this section in such amount in the discretion of the commissioner as may appear appropriate and equitable under all of the circumstances.

Section amended.

7. Section 8 of the act of which this act is amendatory is amended to read as follows:

C. 34:6-47.8. Exceptions.

8. Exceptions. This act shall not be construed as applying to, shall not apply to, and is not intended to apply to, the construction, reconstruction, operations, and maintenance of overhead electrical conductors and their supporting structures and associated equipment by authorized and qualified electrical workers; nor to the authorized and qualified employees of any person engaged in the construction, reconstruction, operation, and maintenance of overhead electrical circuits or conductors and their supporting structures and associated equipment of rail transportation systems, or electrical generating, transmission, distribution, and communication systems. This exception when applied to railway systems, shall be construed as permitting operation of standard rail equipment,

which is normally used in the transportation of freight or passengers or both and the operation of relief trains, or other equipment in emergencies, or in maintenance of way service, at a distance of less than 6 feet from any high-voltage conductor of such railway system; but this act shall be construed as prohibiting normal repair or construction operations at a distance of less than 6 feet from any high-voltage conductor by other than properly qualified and authorized persons or employees under the direct supervision of an authorized person who is familiar with the hazards involved, unless there has been compliance with the safety provisions of sections 2, 4, and 5 hereof.

This act shall not be construed as applying to, shall not apply to and is not intended to apply to, motor vehicle transportation across or along a public road or highway where such transportation is subject to the requirements of Title 39, Motor Vehicles and Traffic Regulation of the Revised Statutes, nor to motor vehicle transportation subject to the requirements of P. L. 1952, chapter 16, page 65, section 1 et seq., New Jersey Highway Authority or P. L. 1948, chapter 454, page 1956, section 1 et seq., New Jersey Turnpike Authority.

8. Sections 3 and 7 of the act of which this act is amendatory are hereby repealed. C. 34:6-47.3, C. 34:6-47.7 repealed.

9. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 262

AN ACT concerning the labeling of certain hazardous substances, supplementing subtitle 1 of Title 24 of the Revised Statutes and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 24:5A-1. Title or act.

1. This act may be cited as the "New Jersey Hazardous Substances Labeling Act."

C. 24:5A-2. Definitions.

2. As used in this act:

(a) The term "department" means the New Jersey State Department of Health.

(b) The term "commissioner" means the New Jersey State Commissioner of Health.

(c) The term "person" includes an individual, partnership, corporation or association.

(d) The term "hazardous substance" means:

1. Any substance or mixture of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is a strong sensitizer, (v) is flammable, or (vi) generates pressure through decomposition, heat, or other means, if such substance or mixture of substances may cause significant personal injury or illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonable foreseeable ingestion by children.

2. Any substances which, by regulation issued after public hearing, are deemed to meet the requirements of subparagraph 1 of this section.

(e) The term "toxic" means any substance which has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through any body surface.

(f) The term "highly toxic" means and substance which falls within any of the following categories: (1) produces death within 14 days in half or more than half a group of 10 or more laboratory white rats each weighing between 200 and 300 grams, at a single dose of 50 milligrams or less per kilogram of body weight, when orally administered; or (2) produces death within 14 days in half or more than half a group of 10 or more laboratory white rats each weighing between 200 and 300 grams, when inhaled continuously for a period of 1 hour or less at an atmosphere concentration of

200 parts per million by volume or less of gas or vapor or 2 milligrams per liter by volume or less of mist or dust, provided such concentration is likely to be encountered by man when the substance is used in any reasonably foreseeable manner; or (3) produces death within 14 days in half or more than half of a group of 10 or more rabbits tested in a dosage of 200 milligrams or less per kilogram of body weight, when administered by continuous contact with the bare skin for 24 hours or less; provided, that, if the commissioner finds that available data on human experience with any substance indicate results different from those obtained on animals in the above named dosages or concentrations, the human data shall take precedence.

(g) The term "corrosive" means any substance which in contact with living tissue will cause destruction of tissue by chemical action; but shall not refer to action on inanimate surfaces.

(h) The term "irritant" means any substance not corrosive within the meaning of subparagraph (g) which on immediate, prolonged, or repeated contact with normal living tissue will induce a local inflammatory reaction.

(i) The term "strong sensitizer" means a substance which will cause on normal living tissue through an allergic or photodynamic process a hypersensitivity which becomes evident on reapplication of the same substance.

(j) The term "extremely flammable" shall apply to any substance which has a flash point at or below 20 degrees Fahrenheit as determined by the Tagliabue Open Cup Tester, and the term "flammable" shall apply to any substance which has a flash point of above 20 degrees to and including 80 degrees Fahrenheit, as determined by the Tagliabue Open Cup Tester. The flammability of solids and of the contents of self-pressurized containers may be determined by methods found by the commissioner to be generally applicable to such materials or containers, respectively, and established by regulations issued by him, which regulations shall also define

the terms "flammable" and "extremely flammable" in accord with such methods.

(k) The term "label" means a display of written, printed or graphic matter upon the immediate container of any substance; and a requirement made by or under authority of this act that any word, statement, or other information appear on the label shall not be considered to be complied with unless such word, statement or other information also appears (1) on the outside container or wrapper, if any there be, unless it is legible through the outside container or wrapper and (2) on all accompanying literature where there are directions for use, written or otherwise.

(l) The term "immediate container" does not include package liners.

(m) The term "misbranded package" or "misbranded package of a hazardous substance" means a hazardous substance in a suitable container intended or suitable for household use which, except as otherwise provided by or pursuant to section 5, fails to bear a label (1) which states conspicuously the name and business address of the manufacturer, packer, distributor, or seller; the common or usual name or the chemical name (if there be no common or usual name) of the hazardous substance or of each component which contributes substantially to its hazard, unless the commissioner by regulation permits or requires the use of a recognized generic name; the signal word "DANGER" on substances which are extremely flammable, corrosive, or highly toxic; the signal word "WARNING" or "CAUTION" on all other hazardous substances; an affirmative statement of the principal hazard or hazards, such as "Flammable," "Vapor Harmful," "Causes Burns," "Absorbed Through Skin," or similar wording descriptive of the hazard; precautionary measures describing the action to be followed or avoided, except when modified by regulation of the commissioner pursuant to section 5; instruction, when necessary or appropriate, for first-aid treatment; the word "poison" for any hazardous sub-

stance which is defined as "highly toxic" by subsection (f); instructions for handling and storage of packages which require special care in handling or storage and; the statement "Keep out of the reach of children," or its practical equivalent, and,

(2) on which any statements required under subparagraph (1) of this paragraph are located prominently and are in the English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the label.

C. 24:5A-3. Hazardous substance.

3. The term "hazardous substance" shall not apply to economic poisons subject to "The Economic Poison Act of 1951" nor to foods, drugs, cosmetics and devices subject to the provisions of subtitle 1 of Title 24 of the Revised Statutes relating to these products, nor to substances intended for use as fuels when stored in suitable containers and used in the heating, cooking, or refrigeration system of a house, nor to substances subject to control under the Atomic Energy Commission Act of 1954 as amended, or the Radiation Protection Act of New Jersey (chapter 116, P. L. 1958).

C. 24:5A-4. Conformity to Federal Hazardous Substances Labeling Act.

4. No hazardous substance subject to and conforming with the Federal Hazardous Substances Labeling Act and regulations promulgated thereunder shall be deemed to be in violation of this act and regulations promulgated hereunder.

C. 24:5A-5. Regulations.

5. (a) The commissioner is hereby empowered to promulgate such regulations as may be necessary for the efficient enforcement of this act after public hearing to be held after 30 days prior notice thereof by public advertisement of the date, time and place of such hearing.

(b) Whenever in the judgment of the commissioner such action will promote the objectives of this act by avoiding or resolving uncertainty as to its application, the commissioner may by regulation declare to be a hazardous substance, for the purposes of this act, any substance or mixture of substances which he finds meets the requirements of section 2 (d).

(c) If the commissioner finds that the requirements of section 2 (m) are not adequate for the protection of the public health and safety in view of special hazard presented by any particular hazardous substance, he may by regulation establish such reasonable variations or additional label requirements as he finds necessary for the protection of the public health and safety; and any container of such hazardous substance intended or suitable for household use which fails to bear a label in accordance with such regulations shall be deemed to be a misbranded package of a hazardous substance.

(d) If the commissioner finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, full compliance with the labeling requirements otherwise applicable under this act is impracticable or is not necessary for the adequate protection of the public health and safety, the commissioner shall promulgate regulations exempting such substances from these requirements to the extent he determines to be consistent with adequate protection of the public health and safety.

(e) The commissioner may exempt from the requirements established by or pursuant to this act any container of a hazardous substance with respect to which he finds adequate requirements satisfying the purposes of this act have been established by or pursuant to and in compliance with any other Federal or State law.

(f) In the preparation of regulations for promulgation under this act, the commissioner shall take into consideration the requirements of regulations promulgated under the Federal Hazardous Substances Labeling Act and consult with the Commissioner of the Department of Labor and Industry.

C. 24:5A-6. Acts prohibited.

6. The following acts and the causing thereof are hereby prohibited:

(a) The selling, offering for sale or keeping for sale within this State of any misbranded package.

(b) The alteration, mutilation, destruction, obliteration or removal of the whole or any part of the labeling of, or the doing of any other act with respect to, a hazardous substance being held for sale if such act results in the hazardous substance being in a misbranded package.

(c) The selling, offering for sale or keeping for sale of a hazardous substance in a reused food, drug or cosmetic container or in a container which though not a reused container is identifiable as a food, drug or cosmetic container by its labeling or by other identification.

(d) The use by any person to his own advantage, or revealing other than to the commissioner or officers or employees of the department, or to the courts when relevant in any judicial proceeding under this act, of any information acquired concerning any method or process which as a trade secret is entitled to protection.

C. 24:5A-7. Act not applicable to.

7. This act shall not apply to:

(a) Any carrier, while lawfully engaged in transporting a hazardous substance within this State, if such carrier shall, upon request, permit the commissioner or his designated agent to copy all records showing the transactions in and movements of the articles.

(b) Public officials of this State and of the Federal Government engaged in the performance of their official duties.

(c) The manufacturer or shipper of a hazardous substance for experimental use only:

(1) By or under the supervision of an agency of this State or of the Federal Government authorized by law to conduct research in the field of hazardous substances; or

(2) By others if the hazardous substance is not sold and if the container thereof is plainly and conspicuously marked "For experimental use only—Not to be sold" together with the manufacturer's name and address; provided, however, that if a written permit has been obtained from the commissioner, hazardous sub-

stances may be sold for experimental purposes subject to such restrictions and conditions as may be set forth in the permit.

C. 24:5A 8. Execution and enforcement of provisions of act; penalty for violation.

8. (a) The department shall execute and enforce the provisions of this act and in that enforcement is hereby vested with all powers relating to inspection, sampling, condemnation and embargoing of hazardous substances granted to it with respect to food and drugs under subtitle 1, Title 24 of the Revised Statutes.

(b) If any person shall violate directly or indirectly, through his officers or employees, any of the provisions of this act, or regulations promulgated thereunder, the commissioner may order the correction of the violation within such reasonable period of time as the commissioner may prescribe. Such order shall be complied with in the time specified.

(c) Any person violating any of the provisions of this act or orders or regulations promulgated thereunder shall be liable to a penalty of not less than $50.00 nor more than $500.00 and for the second and each succeeding violation, to a penalty of not less than $100.00 nor more than $1,000.00, to be collected in a civil action by summary proceeding under the Penalty Enforcement Law (N. J. S. A. 2A:58–1). Where the violation is of a continuing nature, each day during which it continues, after the date given by which the violation must be eliminated in the order by the commissioner, shall constitute an additional, separate and distinct offense, except during the time an appeal from said order may be taken or is pending.

The commissioner is hereby authorized and empowered to compromise and settle any claim for a penalty under this section in such amount in the discretion of the commissioner as may appear appropriate and equitable under all of the circumstances.

(d) Payment of a penalty for any violation of this act or regulations promulgated thereunder either before or after the institution of proceedings

for the collection thereof shall be deemed equivalent to a conviction of the violation for which such penalty was claimed.

C. 24:5A-9. Institution of action.

9. The department either before or after the institution of a proceeding for the collection of a penalty for violation of any provision of this act or regulations promulgated thereunder may institute an action in the Superior Court in the name of the State at the relation of the department to restrain such violation and for such other or further relief as the court shall deem proper.

Appropriation.

10. There is hereby appropriated to the State Department of Health for the purposes of administering this act to June 30, 1967, the sum of $30,000.00.

Note: Effective date.

11. This act shall take effect immediately, but no penalty or condemnation shall be enforced for any violation which occurs within 6 months after its enactment.

Approved September 6, 1966.

CHAPTER 263, P. L. 1966

AN ACT to provide for the registration and protection of trademarks, and repealing sections 56:3–1 to 56:3–13 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 56:3-13.1. Definitions.

1. Definitions.

(A) The term "trademark" as used herein means any word, name, symbol, or device or any combination thereof adopted and used by a person to identify goods made or sold by him and to distinguish them from goods made or sold by others.

(B) The term "service mark" as used herein means a mark used in the sale or advertising of services to identify the services of one person and distinguish them from the services of others.

(C) The term "mark" as used herein includes any trademark or service mark entitled to registration under this act whether registered or not.

(D) The term "person" as used herein means any individual, firm, partnership, corporation, association, union or other organization.

(E) The term "applicant" as used herein embraces the person filing an application for registration of a trademark under this act, his legal representatives, successors or assigns.

(F) The term "registrant" as used herein embraces the person to whom the registration of a trademark under this act is issued, his legal representatives, successors or assigns.

(G) For the purposes of this act, a trademark shall be deemed to be "used" in this State (a) on goods when it is placed in any manner on the goods or their containers or the displays associated therewith or on the tags or labels affixed thereto and such goods are sold or otherwise distributed in the State, and (b) on services when it is used or displayed in the sale or advertising of services and the services are rendered in this State.

C. 56:3-13.2. Registrability.

2. Registrability.

A mark by which the goods or services of any applicant for registration may be distinguished from the goods or services of others shall not be registered if it

(a) consists of or comprises immoral, deceptive or scandalous matter; or

(b) consists of or comprises matter which may disparage or falsely suggests a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or

(c) consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof; or

(d) consists of or comprises the name, signature or portrait of any living individual, except with his written consent; or

(e) consists of a mark which, (1) when applied to the goods or services of the applicant, is merely descriptive or deceptively misdescriptive of them, or (2) when applied to the goods or services of the applicant is primarily geographically descriptive or deceptively misdescriptive of them, or (3) is primarily merely a surname provided, however, that nothing in this section (e) shall prevent the registration of a mark used in this State by the applicant which has become distinctive of the applicant's goods or services. The Secretary of State may accept as evidence that the mark has become distinctive, as applied to the applicant's goods or services, proof of continuous use thereof as a mark by the applicant in this State or elsewhere for the 5 years next preceding the date of the filing of the application for registration; or

(f) consists of or comprises a mark which so resembles a mark registered in this State or a mark or trade name previously used in this State by another and not abandoned, as to be likely, when applied to the goods or services of the applicant, to cause confusion or mistake or to deceive.

C. 56:3-13.3. Application for registration.

3. Application for Registration.

Subject to the limitations set forth in this act, any person who adopts and uses a mark in this State may file in the office of the Secretary of State, on a form to be furnished by the Secretary of State, an application for registration of that mark setting forth, but not limited to, the following information:

(a) the name and business address of the person applying for such registration; and, if a corporation, the State of incorporation,

(b) the goods or services in connection with which the mark is used and the mode or manner in which the mark is used in connection with such goods or services and the class in which such goods or services fall,

(c) the date when the mark was first used anywhere and the date when it was first used in this State by the applicant or his predecessor in business, and

(d) a statement that the applicant is the owner of the mark and that no other person has the right to use such mark in this State either in the identical form thereof or in such near resemblance thereto as might be calculated to deceive or to be mistaken therefor.

The application shall be signed and verified by the applicant or by a member of the firm or an officer of the corporation or association applying.

The application shall be accompanied by a specimen or facsimile of such mark in triplicate.

The application for registration shall be accompanied by a filing fee of $5.00 payable to the Secretary of State.

C. 56:3-13.4. Certificate of registration.

4. Certificate of Registration.

Upon compliance by the applicant with the requirements of this act, the Secretary of State shall cause a certificate of registration to be issued and delivered to the applicant. The certificate of registration shall be issued under the signature of the Secretary of State and the Seal of the State, and it shall show the name and business address and, if a corporation, the State of incorporation, of the person claiming ownership of the mark, the date claimed for the first use of the mark anywhere and the date claimed for the first use of the mark in this State, the class of goods or services and a description of the goods or services on which the mark is used, a reproduction of the mark, the registration date and the term of the registration.

Any certificate of registration issued by the Secretary of State under the provisions hereof or a copy thereof duly certified by the Secretary of State shall be admissible in evidence as competent and sufficient proof of the registration of such mark in any action or judicial proceedings in any court of this State.

C. 56:3-13.5. Duration and renewal.

5. Duration and Renewal.

Registration of a mark hereunder shall be effective for a term of 10 years from the date of registration and, upon application filed within 6 months prior to the expiration of such term, on a form to be furnished by the Secretary of State, which in-

cludes a statement that the mark is still in use in this State, the registration may be renewed for a like term. A renewal fee of $5.00, payable to the Secretary of State, shall accompany the application for renewal of the registration.

A mark registration may be renewed for successive periods of 10 years in like manner.

The Secretary of State shall notify registrants of marks hereunder of the necessity of renewal within the year next preceding the expiration of the 10 years from the date of registration, by writing to the last known address of the registrants.

Any registration in force on the date on which this act shall become effective shall expire 10 years from the date of the registration or of the last renewal thereof or 1 year after the effective date of this act, whichever is later, and may be renewed by filing an application with the Secretary of State on a form furnished by him and paying the aforementioned renewal fee therefor within 6 months prior to the expiration of the registration.

The Secretary of State shall within 6 months after the effective date of this act notify all registrants of marks under previous acts of the date of expiration of such registrations unless renewed in accordance with the provisions of this act, by writing to the last known address of the registrants.

6. Assignment.

C. 56:3-13.6. Assignment.

Any mark and its registration hereunder shall be assignable with the good will of the business in which the mark is used, or with that part of the good will of the business connected with the use of and symbolized by the mark. Assignment shall be by instruments in writing duly executed and may be recorded with the Secretary of State upon the payment of a fee of $5.00 payable to the Secretary of State who, upon recording of the assignment, shall issue in the name of the assignee a new certicate for the remainder of the term of the registration or of the last renewal thereof. An assignment of any registration under this act shall be void as against any subsequent purchaser for valuable con-

sideration without notice, unless it is recorded with the Secretary of State within 3 months after the date thereof or prior to such subsequent purchase.

C. 56:3-13.7. Records.

7. Records.

The Secretary of State shall keep for public examination a record of all marks registered or renewed under this act.

C. 56:3-13.8. Cancellation.

8. Cancellation.

The Secretary of State shall cancel from the register:

(a) after 1 year from the effective date of this act, all registrations under prior acts which are more than 10 years old and not renewed in accordance with this act;

(b) any registration concerning which the Secretary of State shall receive a voluntary request for cancellation thereof from the registrant or the assignee of record;

(c) all registrations granted under this act and not renewed in accordance with the provisions hereof;

(d) any registration concerning which the Superior Court shall find

(1) that the registered mark has been abandoned,

(2) that the registrant is not the owner of the mark,

(3) that the registration was granted improperly,

(4) that the registration was obtained fraudulently,

(5) that the registered mark is so similar, as to be likely to cause confusion or mistake or to deceive, to a mark registered by another person in the United States Patent Office, prior to the date of the filing of the application for registration by the registrant hereunder, and not abandoned; provided, however, that should the registrant prove that he is the owner of a concurrent registration of his mark in the United States Patent Office covering an area including this State, the registration hereunder shall not be canceled.

(e) when the Superior Court shall order cancellation of a registration on any ground.

9. Classification.

C. 56:3-13.9. Classification.

The following general classes of goods and services are established for convenience of administration of this act, but not to limit or extend the applicant's or registrant's rights, and a single application for registration of a mark may include any or all goods upon which, or services with which, the mark is actually being used comprised in a single class, but in no event shall a single application include goods or services upon which the mark is being used which fall within different classes of goods or services.

The said classes are as follows:

(a) Goods:

(1) Raw or partly prepared materials

(2) Receptacles

(3) Baggage, animal equipments, portfolios, and pocketbooks

(4) Abrasives and polishing materials

(5) Adhesives

(6) Chemicals and chemical compositions

(7) Cordage

(8) Smokers' articles, not including tobacco products

(9) Explosives, firearms, equipments, and projectiles

(10) Fertilizers

(11) Inks and inking materials

(12) Construction materials

(13) Hardware and plumbing and steamfitting supplies

(14) Metals and metal castings and forgings

(15) Oils and greases

(16) Paints and painters' materials

(17) Tobacco products

(18) Medicines and pharmaceutical preparations

(19) Vehicles

(20) Linoleum and oiled cloth

(21) Electrical apparatus, machines, and supplies

(22) Games, toys, and sporting goods
(23) Cutlery, machinery, and tools, and parts thereof
(24) Laundry appliances and machines
(25) Locks and safes
(26) Measuring and scientific appliances
(27) Horological instruments
(28) Jewelry and precious-metal ware
(29) Brooms, brushes, and dusters
(30) Crockery, earthenware, and porcelain
(31) Filters and refrigerators
(32) Furniture and upholstery
(33) Glassware
(34) Heating, lighting, and ventilating apparatus
(35) Belting, hose, machinery packing, and nonmetallic tires
(36) Musical instruments and supplies
(37) Paper and stationery
(38) Prints and publications
(39) Clothing
(40) Fancy goods, furnishings, and notions
(41) Canes, parasols, and umbrellas
(42) Knitted, netted and textile fabrics, and substitutes therefor
(43) Thread and yarn
(44) Dental, medical, and surgical appliances
(45) Soft drinks and carbonated waters
(46) Foods and ingredients of foods
(47) Wines
(48) Malt beverages and liquors
(49) Distilled alcoholic liquors
(50) Merchandise not otherwise classified
(51) Cosmetics and toilet preparations
(52) Detergents and soaps

(b) Services:
(100) Miscellaneous
(101) Advertising and business
(102) Insurance and financial
(103) Construction and repair

(104) Communications
(105) Transportation and storage
(106) Material treatment
(107) Education and entertainment

10. Fraudulent Registration. C. 56:3-13.10. Fraudulent registration.

Any person who shall for himself, or on behalf of any other person, procure the filing or registration of any mark in the office of the Secretary of State under the provisions hereof, by knowingly making any false or fraudulent representation or declaration, verbally or in writing, or by any other fraudulent means, shall be liable to pay all damages sustained in consequence of such filing or registration, to be recovered by or on behalf of the party injured thereby in an action instituted in the Superior Court.

11. Infringement. C. 56:3-13.11. Infringement.

Subject to the provisions of section 13 hereof, any person who shall

(a) use, without the consent of the registrant, any reproduction, counterfeit, copy, or colorable imitation of a mark registered under this act in connection with the sale, offering for sale, or advertising of any goods or services on or in connection with which such use is likely to cause confusion or mistake or to deceive as to the source of origin of such goods or services; or

(b) reproduce, counterfeit, copy or colorably imitate any such mark and apply such reproduction, counterfeit, copy or colorable imitation to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used upon or in conjunction with the sale or other distribution in this State of such goods or services; shall be liable to a civil action by the owner of such registered mark for any or all of the remedies provided in section 12 hereof, except that under subsection (b) hereof the registrant shall not be entitled to recover profits or damages unless the acts have been committed with knowledge that such mark is intended to be used to cause confusion or mistake or to deceive.

C. 56:3-13.12. Remedies.

12. Remedies.

Any owner of a mark registered under this act may proceed by suit to enjoin the manufacture, use, display or sale of any counterfeits or imitations thereof in an action instituted in the Superior Court and the court may restrain such manufacture, use, display or sale as may be by the said court deemed just and reasonable, and may require the defendants to pay to such owner all profits derived from or all damages suffered by reason of such wrongful manufacture, use, display or sale; and such court may also order that any such counterfeits or imitations in the possession or under the control of any defendant in such case, be delivered to an officer of the court, or to the complainant, to be destroyed.

The enumeration of any right or remedy herein shall not affect a registrant's right to prosecute under any penal law of this State.

C. 56:3-13.13. Common law rights.

13. Common Law Rights.

Nothing herein shall adversely affect the rights or the enforecement of rights in marks acquired in good faith at any time at common law.

C. 56:3-13.14. Severability.

14. Severability.

If any provision hereof, or the application of such provision to any person or circumstance is held invalid, the remainder of this act shall not be affected thereby.

C. 56:3-13.15. Repealed.

15. Sections 56:3–1 to 56:3–13 of the Revised Statutes are repealed, except that as to any suit, proceeding or appeal, and for that purpose only, pending at the time this act takes effect such repeal shall be deemed not to be effective until final determination of said pending suit, proceeding or appeal.

Note: Effective date.

16. This act shall take effect January 1, 1967.

Approved September 6, 1966.

CHAPTER 264

AN ACT to amend the title of "An act concerning municipalities in relation to the sale of certain real property not needed for public use to persons whose residential improved property is to be acquired for highway purposes and supplementing chapter 60 of Title 40 of the Revised Statutes," approved April 12, 1965 (P. L. 1965, c. 18), so that the same shall read "An act concerning municipalities in relation to the sale of certain real property not needed for public use to persons whose residential improved property is to be acquired for highway or other public purposes and supplementing chapter 60 of Title 40 of the Revised Statutes," and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title amended.

1. The title of chapter 18 of the laws of 1965 is amended to read as follows: An act concerning municipalities in relation to the sale of certain real property not needed for public use to persons whose residential improved property is to be acquired for highway or other public purposes and supplementing chapter 60 of Title 40 of the Revised Statutes.

C. 40:60-40.7. Persons whose residential improved property is to be acquired for highway purposes; application to buy unneeded lands.

2. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. Any person who owns and resides in improved real property which is to be acquired by the Federal Government, the State, a county, municipality, or an authority or agency created by any thereof, for highway or other public purposes, may apply to the governing body of the municipality wherein such property is situated, to purchase at private sale,

for residential purposes, a parcel of real property owned by the municipality not needed for public use, provided said person owned and resided in said property at the time notice was first given by any of the above of said acquisition to be made thereof.

3. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 265

AN ACT concerning county investigators and amending section 2A:157–11 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:157–11 of the New Jersey Statutes is amended to read as follows:

County investigators in first-class counties.

2A:157–11. In counties of the first class there may be appointed not in excess of 30 county investigators, who shall be paid annual salaries of not less than $6,500.00.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 266

AN ACT concerning county detectives and amending section 2A:157–3 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2A:157–3 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:157–3. In counties of the first class there may be appointed not in excess of 30 county detectives, of whom one may be designated chief of county detectives, 2 captains of county detectives, and not more than 6 lieutenants of county detectives; their annual salaries shall be fixed as follows: chief of county detectives, not less than $11,500.00; captains of county detectives, not less than $9,500.00; lieutenants of county detectives, not less than $7,500.00; and other county detectives, not less than $6,500.00. County detectives in first-class counties.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 267

AN ACT to validate certain proceedings at meetings or elections of school districts and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election held prior to May 31, 1966 and not more than 1 year prior to said date for or with respect to the authorization or issuance of bonds of the school district, and any bonds or other obli- Validating act.

gations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed notwithstanding that the proposal contained in the notice of election or meeting did not correctly show the increase in the net debt of the municipality comprising the school district after the issuance of the bonds; provided, however, that prior to said meeting or election the school district did cause to be published and posted corrected notices of said election or meeting and the ballots used at the polling districts in such election or meeting in such school district did show the correct increase in the net debt of such municipality comprising such school district; and provided further, that all other proceedings, actions and other things required to be done, had or taken in connection with such school district meeting or election were duly had and taken in accordance with law; and provided further, that no action, suit or proceeding to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 268

AN ACT to validate certain proceedings at general and municipal elections relating to the adoption of the provisions of chapter 7 of Title 18 of the Revised Statutes by municipalities which had theretofore adopted the provisions of chapter 6 of Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating act.

1. All proceedings heretofore had or taken by any municipality in which the provisions of chapter 6 of Title 18 had theretofore been accepted, at any general or municipal election held prior to December 31, 1965, and not more than 1 year prior to said date, to accept the provisions of and thereafter be governed by chapter 7 of Title 18 of the Revised Statutes, are hereby ratified, validated and confirmed notwithstanding that the question voted upon by the voters of such municipality who voted at such general or municipal election was in the form provided in section 1 of chapter 100 of the laws of 1951 (c. 18:7–52.1) rather than upon the acceptance of the provisions of chapter 7 of Title 18 of the Revised Statutes as provided in section 18:7–3 of the Revised Statutes; provided however that the governing body of such municipality did prior to the date of said general or municipal election adopt a resolution which was submitted to the county election board and county clerk providing that the question to be submitted to the voters of such municipality at such general or municipal election was whether to change the existing appointed school district in such municipality governed by the provisions of chapter 6 of Title 18 of the Revised Statutes to an elected school district governed by the provisions of chapter 7 of Title 18 of the Revised Statutes; and such school district in such municipality shall hereafter be subject to and governed by the provisions of chapter 7 of Title 18 of the Revised Statutes; and provided further, that all other proceedings, actions or other things required to be done, had or taken in connection with such general or municipal election were duly had and taken in accordance with law; and provided further, that no action, suit or proceeding to contest the validity of such general or municipal election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 269

AN ACT concerning the State highway system and designating a portion of Route 31A as a freeway.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

27:6. State highway route.

1. That portion of Route 31A, established by P. L. 1938, chapter 345 as amended by P. L. 1941, chapter 105, beginning at a point on U. S. Route No. 1 north of the Penns Neck Circle, and thence to a point at or near Hightstown and connecting there with State Highway Route No. 33 east of Hightstown, is hereby designated as a freeway as defined in P. L. 1945, chapter 83.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 270

AN ACT to amend "An act to supplement 'An act concerning banking and banking institutions (Revision of 1948),' approved April 29, 1948 (P. L. 1948, c. 67)," approved June 5, 1951 (P. L. 1951, c. 167).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-180.3. Additional limitation on investments in such corporate interest-bearing securities.

3. No savings bank shall make an investment pursuant to this act at any time when the total of all such investments exceeds, or if the making of such investment would cause such total to exceed 75% of the aggregate of its surplus, undivided

profits and unallocated reserves. As used in this section, the aggregate of the surplus, undivided profits and unallocated reserves shall be that amount as shown as the total surplus accounts in the latest report of condition made and filed as required by section 256 (A), of the Banking Act of 1948.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 271

AN ACT to amend "An act to supplement 'An act concerning banking and banking institutions (Revision of 1948),' approved April 29, 1948 (P. L. 1948, c. 67)," approved April 9, 1953 (P. L. 1953, c. 78).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of the act of which this act is amendatory is amended to read as follows: Section amended.

3. No savings bank shall make an investment pursuant to this act at any time when the total of all such investments exceeds, or if the making of such investment would cause such total to exceed 75% of its surplus (as hereinafter defined). C. 17:9A-180.7. Investments in stocks limited to certain percentage of surplus.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 272

AN ACT to provide for the issuance by banks of convertible and nonconvertible capital notes and debentures, and supplementing "An act concerning banking and banking institutions (Revision of 1948), approved April 29, 1948 (P. L. 1948, c. 67)."

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:9A-131.20. Definitions.

1. As used herein, (a) "capital notes" means notes, debentures and other like writings having maturities of more than 1 year, issued by a bank to evidence its obligation to repay money borrowed by it; (b) "Commissioner" means the Commissioner of Banking and Insurance; (c) "bank" means those corporations defined as banks in section 1 of the act to which this act is a supplement and does not include savings banks; and (d) "capital funds" means the aggregate of the unimpaired capital stock, surplus, undivided profits and contingent reserves of a bank.

C. 17:9A-131.21. Issuance of notes.

2. A bank may, from time to time, issue convertible or nonconvertible capital notes, or both, in series or otherwise.

C. 17:9A-131.22. Conversion into common stock.

3. Capital notes may be issued only for cash. Convertible capital notes issued by a bank may be converted only into common stock of the issuing bank.

C. 17:9A-131.23. Payment of notes.

4. The indebtedness evidenced by capital notes shall be unsecured and shall be subordinate to the claims of depositors and other creditors of the bank, regardless whether such claims predate or postdate the issuance of such notes. Upon the liquidation of the bank, depositors and other creditors shall be entitled to payment in full before any payment on account of principal or interest is made on such capital notes.

C. 17:9A-131.24. Nonconvertible notes.

5. Nonconvertible capital notes may be issued pursuant to a resolution of a bank's board of directors without action by the bank's stockholders.

C. 17:9A-131.25. Convertible notes.

6. Convertible capital notes may not be issued except pursuant to an amendment of the issuing bank's certificate of incorporation made as provided in article 19 of the act to which this act is a supplement. Such amendment shall also make provision for authorized but unissued shares of the bank's capital stock in an aggregate par value sufficient to effect the conversion of such capital notes into shares of capital stock according to the provisions of such capital notes.

C. 17:9A-131.26. Offer for purchase.

7. No bank shall issue its convertible capital notes to others than the holders of its common stock until after it has offered such notes to such holders for purchase by each of them in an amount sufficient to give effect to such stockholder's right to participate ratably in an increase in the bank's common stock as provided by section 99 of the act to which this act is a supplement. Capital notes not purchased by stockholders in the exercise of the right conferred by this section may be sold by the bank to such persons, who may but need not be stockholders, as shall be determined by the board of directors, at a price not less than that paid by stockholders of the bank in the exercise of their rights under this section.

C. 17:9A-131.27. Certificate to be filed.

8. Within 90 days after any capital notes are converted, a certificate made by 2 officers of the bank which issued such capital notes, one of whom shall be the president or a vice president, shall be filed in the Department of Banking and Insurance, stating the amount of the capital notes so converted, and the number and the par value of the shares into which they were converted.

C. 17:9A-131.28. Approval of commissioner.

9. No capital notes shall be issued unless they and any agreement to which they are subject are approved by the commissioner. Such capital notes and such agreements may contain such provisions, not inconsistent with the provisions of this act, as are customarily made in connection with similar

evidences of indebtedness issued by corporations other than banks, including, but not limited to, provisions respecting maturities, interest rates, conversion ratios, rates of amortization of principal, prepayment privileges, reserves, sinking funds, and the like, except that no capital notes shall be issued which provide for interest at a rate higher than 6% per annum or provide for conversion at a rate per share less than the par value of the shares issued on such conversion. Unless special cause is shown to the satisfaction of the commissioner, (a) no capital notes shall be issued by a bank at a time when the principal amount owing on all outstanding capital notes of the bank exceeds 50% of the bank's capital funds, or if such issue would cause such amount to exceed 50% of the bank's capital funds; (b) no payment shall be made on account of the principal of any such note otherwise than as provided in such note or in any agreement to which such note is subject; and (c) no capital notes shall mature in more than 25 years from their dates. The commissioner may withhold his approval of any capital notes containing provisions which, in his opinion, are prejudicial to the interests of the bank's depositors or other creditors, or are inconsistent with sound financing or with the maintenance by the bank of a sound capital structure.

C. 17:9A-131.29. Outstanding notes included with bank's capital funds.

10. The principal amount owing on all capital notes of a bank at any time outstanding, whether issued by the bank pursuant to this act, or issued as capital notes or debentures before the effective date of this act with the approval of the commissioner, shall be included with the amount of the bank's capital funds for the purposes of determining the limitations on liability to a bank pursuant to article 13 of the act to which this act is a supplement.

C. 17:9A-131.30. Issuance pursuant to act.

11. No bank shall hereafter issue capital notes or debentures except pursuant to this act.

C. 17:9A-131.31. Act not applicable.

12. This act shall not apply to any borrowing by a bank, however evidenced, which is payable in one year or less from the date of such borrowing.

13. A determination made by the commissioner pursuant to this act shall be subject to review, hearing and relief in the Superior Court in a proceeding in lieu of prerogative writ. C. 17:9A-131.32. Determination subject to review.

14. P. L. 1953, chapter 215, is hereby repealed insofar as it provides for the original issuance of capital notes or debentures after the effective date of this act. C. 17:9A-131.33. Repealed.

15. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 273

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 71 of the act of which this act is amendatory is amended to read as follows: Section amended.

71. Definitions. C. 17:9A-71. Definitions.

For the purposes of this article.

(1) "controlling interest" means ownership or control of a majority of the issued and outstanding capital stock or securities of a corporation, having voting rights;

(2) "corporation" means a corporation in which a director or an officer of a bank has a controlling interest or in which a director or an officer of a bank together with one or more other directors or officers of the bank has a controlling interest; "corporation" includes all subsidiaries of a corporation in which the corporation has a controlling interest;

(3) "officer" includes only those officers of a bank who participate in the operating management of the bank otherwise than in the capacity of a

director of the bank. The commissioner shall have power to make regulations prescribing what constitutes participation in the operating management of a bank for the purposes of this section;

(4) "partnership" means a partnership in which a director or an officer of a bank is a general or limited partner;

(5) "liability" means indebtedness and liability to a bank of every kind and in every capacity, other than liability in a fiduciary capacity in which the fiduciary may lawfully incur such liability without personal responsibility therefor; "liable" means obligated for a liability;

(6) "board of directors" means at least a majority of the members of the board of directors of a bank, and "executive committee" means at least a majority of the members of the executive committee of the board of directors;

(7) "application" means a written, signed request by a director or an officer or a bank, or by a corporation or partnership, to be permitted to incur liability to the bank, and "applicant" means the signer of an application;

(8) liability to a bank, payable on demand, shall be deemed to have a maturity 6 months from the date of incurring such liability;

(9) any whole or part renewal or extension of any liability to a bank incurred pursuant to this article shall be deemed to be an initial incurring of liability to the bank.

Section amended.

2. Section 72 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-72. Prerequisites to incurring liability; amounts.

72. Prerequisites to incurring liability; amounts.

A. No bank shall permit a director or an officer of the bank or a corporation or partnership to become liable to the bank, and no such director, officer, corporation or partnership shall become liable to a bank, except as authorized by this article.

B. A bank may permit a director or an officer of the bank or a corporation or a partnership to become liable to the bank, provided that:

(1) an application for the incurring of the proposed liability, containing such information as the commissioner may by regulation require, shall first be approved by resolution of the board of directors or of the executive committee; such resolution and the vote of each person thereon shall be recorded in the minutes of the meeting;

(2) if the applicant is an officer, the proposed liability will not cause the total of all liabilities of such officer to the bank to exceed $5,000.00;

(3) if the applicant is a director, corporation or partnership, the bank shall be offered security having an ascertainable market value at least 20% greater than the amount of the proposed liability, or, if no such security or only partial security is offered, the proposed unsecured liability or the portion thereof for which no security is offered is, in the opinion of the board of directors or the executive committee, warranted by a written statement of the financial condition of the applicant;

(4) the proposed liability will not cause the total of

(a) the liabilities of a director or an officer, and

(b) the liabilities of each corporation in which such director or officer has a controlling interest, or in which such director or officer together with one or more other directors or officers has a controlling interest, and

(c) the liabilities of each partnership in which such director or officer is a partner to exceed 10% of the aggregate of the unimpaired capital stock, the surplus, and the undivided profits of the bank.

C. When an application is made by a director of a bank or by a corporation or partnership, the applying director and any director who alone or with any one or more other directors or officers of the bank has a controlling interest in the corporation, and any director who is a general or limited partner in the partnership shall not vote to grant such application.

D. When an application is approved by the executive committee, the application shall be presented and the approving resolution of the executive committee shall be read at the next meeting of the board of directors, and such presentation and reading shall be noted in the minutes of such meeting.

Section amended.

3. Section 74 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-74. Exempt transactions.

74. Exempt transactions.

A. Any liability incurred prior to the effective date of this act which would if incurred after the effective date of this act, be subject to this article, may from time to time be wholly or partly renewed to the extent and in the manner authorized by the law in effect when such liability was initially incurred.

B. Nothing in this article shall apply to a mortgage loan made by a bank under Article 14 to an officer of the bank or to him or her and his or her spouse, if

(1) the mortgaged property has erected thereon a one- or 2-family dwelling occupied or to be occupied wholly or partly by such officer, or

(2) the proceeds of the loan shall be used for the purpose of erecting upon the mortgaged property a one- or 2-family dwelling to be so occupied.

Section amended.

4. Section 75 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-75. Violations, penalties; liability.

75. Violations; penalties; liability.

A. The following shall be guilty of misdemeanors:

(1) a director or an officer of a bank who knowingly incurs liability to the bank in violation of subsections B and C of section 72;

(2) any person who knowingly permits or aids a director or an officer of a bank or a corporation or partnership to incur liability to a bank in violation of subsections B and C of section 72;

(3) a director of a bank who votes in favor of an application presented to the bank by such director or by a corporation in which such director alone, or with one or more directors or officers of the bank, has a controlling interest, or by a partnership of

which such director is a general or limited partner, if, pursuant to such application, liability is incurred in violation of subsections B and C of section 72;

(4) a director or an officer of a bank, who alone, or with one or more directors or officers of the bank, has a controlling interest in a corporation or who is a general or limited partner of a partnership which presents an application to the bank pursuant to which liability is incurred in violation of subsections B and C of section 72 and who, having knowledge of such application prior to its acceptance, fails to disclose his interest to the executive committee or the board of directors prior to such acceptance.

B. Each person described in paragraphs (2), (3) and (4) of subsection A of this section shall be personally liable on demand to the bank for the liability incurred in violation of subsections B and C of section 72, with interest, and, upon payment thereof, shall be subrogated to the rights of the bank.

5. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 274

AN ACT to amend the "Banking Act of 1948," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 181 of the act of which this act is amendatory is amended to read as follows: Section amended.

181. Mortgage loans. C. 17:9A-181. Mortgage loans.

A–1. A savings bank may make or invest in mortgage loans in the manner and subject to the limitations prescribed by this section. For the purposes of this section, "mortgage loan" shall include every

indebtedness secured by mortgage on real property, or on a lease of the fee of real property (in any case in which such lease is lawful security for such mortgage loan), except as otherwise provided by subsection Q of this section, and a savings bank shall be deemed to have made a mortgage loan when

(a) it lends or participates in lending money to a borrower upon the security of real property; or

(b) it acquires, by purchase or otherwise, a mortgage loan or any share or part of or interest in a mortgage loan which is not subordinate to any share or part thereof or interest therein held by any other person.

A savings bank may sell, assign or otherwise dispose of a share or part of or interest in a mortgage loan held by it to any other person.

A–2. For all purposes of compliance with the applicable provisions and restrictions of subsections D, E, F and G of this section as to the percentage of the mortgage loan to the appraised value of the mortgaged property, and the term of and rate of amortization of such loan, the date of the acquisition by a savings bank of a mortgage loan or a share or part thereof or interest therein shall, as respects such savings bank, be deemed to be the date as of which the mortgage loan was made and the unpaid amount of the principal then due shall be deemed to be the amount of such mortgage loan.

B. No savings bank shall make a mortgage loan at any time when the total cost of acquisition by the savings bank of all real property owned by it, other than real property held for the purposes specified in subparagraph (a) of paragraph (5) of section 24, and the total of all principal balances owing to the savings bank on mortgage loans, less all write-offs and reserves with respect to such real property and mortgage loans, together exceeds, or by the making of such loan will exceed, 80% of its deposits. For the purposes of this subsection, principal balances owing on mortgage loans made pursuant to subsection Q(1) of this section shall, only to the extent of the unguaranteed portion of such balances, and

loans made pursuant to subsection Q(2) of this section shall, only to the extent of 50% of such balances, be included in the total of all principal balances owing to the savings bank on mortgage loans.

C. Every mortgage loan shall be evidenced by a note or bond, and shall be secured by a mortgage on the fee of real property located within this State, or, if outside this State, upon the fee of real property located within 50 miles of the border of this State. Every mortgage shall be certified to be a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be a first lien by a corporation authorized to guarantee titles to land in such State. For the purposes of this section, a mortgage shall be deemed to be a first lien, notwithstanding the existence of a prior mortgage or mortgages held by the savings bank, or a lien for current taxes or assessments not due or payable at the time the loan is made, and notwithstanding the existence of leases, building restrictions, easements, encroachments, or covenants which, in the opinion of an officer of the savings bank designated for that purpose by the board of managers, do not materially lessen the value of the real property to be mortgaged.

D. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is one or more one-family dwellings including appropriate garages or other outbuildings, if any, or upon which such a dwelling, or dwellings, garages or outbuildings are in the course of construction or are to be constructed, the amount of the mortgage loan shall not exceed (a) 75% of the appraised value of the real property, or $35,000.00 whichever is lesser; or (b) 80% of the appraised value of the real property, or $25,000.00, whichever is lesser; or (c) 90% of the appraised value of the real property, or $25,000.00 whichever is lesser, provided that the dwelling or dwellings are not more than 10 years old.

E. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is one or more 2-, 3-, or 4-family dwellings including appropriate garages or other outbuildings, if any, or upon which such a dwelling or dwellings and appropriate garages or other outbuildings are in the course of construction or are to be constructed, the amount of the mortgage loan shall not exceed 80% of the first $30,000.00 of the appraised value of the real property, plus 50% of the excess, if any, of such appraised value over $30,000.00.

F. The instrument evidencing a mortgage loan made pursuant to either subsection D or subsection E of this section shall require that

(1) interest shall be paid on such loan monthly, and that equal monthly payments be made in reduction of such loan of an annual rate equal to at least 3⅓% of the original amount of such loan; or

(2) that a constant sum be paid monthly in an amount sufficient for current interest and for the payment of the loan in full in not more than 30 years and 1 month from the making of such loan.

G. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is a building or buildings other than dwellings of the nature described in subsections D and E of this section, or upon which such other buildings are in the course of construction or are to be constructed, or when such land is paved for parking lot purposes, the amount of the mortgage loan shall not exceed 75% of appraised value of such real property. The instrument evidencing a mortgage loan made pursuant to this subsection shall require that the loan be repaid in full in not more than 10 years and 1 month from the date it is made, except that in the case of dwellings consisting of 5 or more dwelling units, the instrument shall require that the loan be repaid in full in not more than 25 years and 1 month from the date it is made; and (a) if the amount of such loan, when made, exceeds 50% of the appraised value of the real property, that pay-

ments shall be made in reduction thereof at least semiannually, at an annual rate equal to at least 2% of the original amount of such loan; or (b) if the amount of such loan, when made, does not exceed 50% of the appraised value of the real property, that payments shall be made in reduction thereof at least semiannually, at an annual rate equal to at least 1% of the original amount of such loan. When, however, the amount of such loan does not, when made, exceed 50% of the appraised value of such real property, and the instrument evidencing such loan requires that it be paid in full in not more than 5 years and 1 month from the date it is made, the instrument need not require that any payment be made in reduction of such loan prior to its maturity date. Notwithstanding the limitations prescribed by subsections D and E and hereinabove in this section, a savings bank may make a mortgage loan secured by a lot of land or 2 or more lots of land, contiguous or not, upon each of which there is a building or buildings, or upon each of which a building or buildings are in the course of construction or are to be constructed. The limitations of this section governing the term of the loan, rate of amortization, and the percentage of the mortgage loan to the appraised value of each type of building, including land, shall apply. No loan shall be made under subsections D, E, F or G hereof to any one person or on any one property if the loan shall exceed 15% of the surplus and reserves of the savings bank, or $50,000.00, whichever is greater.

H. When the real property offered as security for a mortgage loan is of the nature described in subsection D or E of this section, and the amount of the loan does not exceed 66⅔% of the appraised value of such real property, the instrument evidencing such loan shall be sufficient if it conforms to the requirements of either subsection F or subsection G of this section.

I. A mortgage loan may be made for the purpose of enabling a borrower to construct a building or buildings upon real property owned by him, and,

in such a case, the appraised value of the real property shall include the value of the building or buildings to be constructed, but at no time shall a greater sum be advanced on account of such loan than, in the opinion of (1) the appraisers hereinafter provided for, or (2) one of such appraisers and an officer of the savings bank designated for that purpose by the board of managers, is warranted by the state of completion of the buildings in process of construction. For the purposes of compliance with the applicable requirements of subsection F or G of this section as to the term of and the rate of amortization of a loan made pursuant to this section, such loan shall be deemed to have been made when the final advance shall be made to the borrower on such loan, or 18 months from the date of the mortgage securing such loan, whichever is earlier.

J. When the real property offered as security for a mortgage loan consists of unimproved land, and the proceeds of such loan are not to be used to construct a building on such land, the amount of such loan shall not exceed 40% of the appraised value of such real property. The instrument evidencing a loan made pursuant to this subsection shall require that such loan be paid in full in not more than 10 years and 1 month from the date it is made. No loan made pursuant to this subsection shall exceed $10,000.00, or $\frac{1}{10}$ of 1% of the deposits of the savings bank, whichever is greater; nor shall any loan be made at any time when the total of all such loans exceeds, or if the making of such loan would cause such total to exceed 1% of the deposits of the savings bank.

K. No mortgage loan shall be made except upon a written certification signed by at least 2 persons, each of whom shall be either a manager of the bank or an appraiser appointed by its board of managers. In the case of a mortgage loan secured by a mortgage upon real property, such certification shall state the opinion of such persons as to the value of the land and the improvements thereon or to be

erected thereon and the character of such improvements. In the case of a mortgage loan secured by a mortgage upon a lease of the fee of real property, such certification shall state the opinion of such persons as to the value of the leasehold interest to be subject to the mortgage, including the leasehold interest in the improvements erected or to be erected upon the leased property and the character of such improvements. Such certification shall be filed with the records of the bank, and shall be preserved until the savings bank has no interest, as mortgagee or otherwise, in the real property.

L. Purchase money mortgage loans made by a savings bank on the sale of real property owned by it shall not be subject to the preceding subsections or to subsection P of this section, except that such loans shall be included in determining whether the total amount of mortgage loans held by a savings bank exceeds 80% of its deposits.

M. No savings bank shall make a mortgage loan secured by a mortgage upon a lease of the fee of real proerty unless

(1) the leased property is located within this State or, if outside this State, the leased property is located within 50 miles of the border of this State;

(2) the leased property shall consist of improved real property, including farm lands, or unimproved real property if the proceeds of such loan shall be used for the purpose of erecting improvements thereon;

(3) the mortgage securing such loan shall constitute a first lien on a lease of the fee of real property, which fee is not subject to any prior lien; the fee shall be deemed not subject to any prior lien notwithstanding the existence of liens of taxes which are not delinquent, building restrictions or other restrictive covenants or conditions, joint driveways, sewer rights, rights in walls, rights of way or other easements, or encroachments, which the persons signing the certificate provided for in subsection K of this section report in their opinion do not materially affect the security for the mort-

gage loan. Every mortgage shall be certified to be such a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be such a first lien by a corporation authorized to guarantee titles to land in such State;

(4) such loan shall not exceed 66⅔% of the appraised value of the leasehold interest subject to the mortgage, including the leasehold interest in the improvements erected upon the mortgaged property, or to be erected thereon wholly or partly with the proceeds of the mortgage loan; and

(5) the instrument evidencing the loan shall require that payment be made on account of the principal amount of such loan at an annual rate sufficient to repay such loan not later than 1 year prior to the expiration of the lease.

N. The instrument evidencing a mortgage loan may be in such form, and may contain such provisions, not inconsistent with law, as the savings bank may choose to insert for the protection of its lien and the preservation of its interest in the real property mortgaged to it.

O. Notwithstanding the limitations prescribed by the preceding subsections or by subsection P of this section, a savings bank may

(1) for the purposes of preventing or mitigating loss, or of preserving the lien of its mortgage, or of conserving the value of the real property affected by its mortgage, (a) extend the time for the payment of principal or interest, (b) modify or waive any of the terms or conditions of the instrument evidencing a mortgage loan, (c) settle or compromise all or part of the amount due or to grow due on a mortgage loan, (d) sell or assign the mortgage loan, or a share or part thereof or interest therein, for such consideration as it shall deem proper, and (e) advance funds for the payment of any tax, lien, charge or claim whatsoever; and

(2) make a loan in addition to an existing mortgage loan or loans held by it, upon the security of the same real property and secured by the existing mortgage or mortgages, in an amount not to exceed

the difference between the balance due on the existing mortgage or mortgages and the original amount thereof, or the sum of $10,000.00, whichever is less; provided, however, that no such additional loan shall be made which shall increase the total amount due upon such mortgages over the amount which could be loaned upon the security of such real property. Such additional loan shall be repaid in equal monthly installments, beginning within 1 year from the date of such loan, with the payments adjusted so that the additional loan shall be repaid in full either before or at the maturity of the existing mortgage. If the unexpired term of such mortgage or mortgages shall have been reduced to 10 years or less such term may be extended for an additional period of not more than 10 years. Adjustment of payments and extension of mortgage terms pursuant to this section shall comply with the provisions of subsection F, G or H of this section. If so provided in the original mortgage or a supplement or amendment thereto, persons who acquire any rights in or liens upon the mortgaged real property subsequent to the recording of the original mortgage or such supplement or amendment, as the case may be, shall hold such rights and liens subject to the prior lien of the original mortgage and such supplement or amendment, if any, as security for such additional loan; and in such case, no title certificate or insurance under subsection C of this section shall be required with respect to such additional loan.

P. Except as otherwise provided by this section, no savings bank shall make a mortgage loan if the making of such loan would cause the total of all unpaid balances of such loans held by the savings bank upon the security of the same real property or leasehold, to exceed the limitations imposed by this section upon the amount of a mortgage loan which may be made upon the security of such real property or such leasehold.

Q. A savings bank may invest in

(1) (a) veterans' loans, wherever located, made pursuant to Title III of the Act of Congress of June 22, 1944, known as the "Servicemen's Readjustment Act of 1944," as amended, supplemented, revised, or recodified from time to time, which the Administrator of Veterans' Affairs or other officer or agency which succeeds to his powers and functions under said act has insured or guaranteed or has made a commitment to insure or guarantee, to the extent and in the manner provided in said act or the regulations made thereunder; and

(b) veterans' loans, wherever located, made and insured or guaranteed in part as provided in paragraph (1) (a) of this subsection of this section, and, as to the balance thereof, insured or guaranteed by an insurer or guarantor named or described in paragraph (2) of this subsection of this section.

(c) the provisions and restrictions contained in this section, except those relating to the percentage of the mortgage loan to the appraised value of the real property, the location of the real property, the term of the loan and the rate of amortization, shall apply to investments made pursuant to paragraph (1) of this subsection of this section.

(2) (a) mortgages or deeds of trust or other securities of the character of mortgages which are first liens on the fee of real property or a lease of the fee of real property, wherever located, which (i) the United States, or (ii) the Federal Housing Commissioner under the Act of Congress of June 27, 1934, known as the "National Housing Act," as amended, supplemented, revised or recodified from time to time, or other officer or agency which succeeds to his powers and functions, or (iii) the State of New Jersey or an officer or agency thereof, or (iv) any other officer or agency of the United States or of this State which the commissioner shall have approved for the purposes of this section as an insurer or guarantor, has fully insured or guaranteed or made a commitment to fully insure or guarantee.

(b) mortgages or deeds of trust or other securities made pursuant to paragraph 2(a) of this subsection of this section shall not be subject to the provisions and restrictions of this section, except that they shall be included in determining whether total mortgage investments are within the limitation prescribed by subsection B of this section.

R. The commissioner may, from time to time, with the concurrence of the banking advisory board, make, alter and rescind regulations:

(1) authorizing savings banks to make mortgage loans or specified types or classes of mortgage loans (a) which exceed the specified percentages of the appraised value of the mortgaged property; (b) which mature later than the specified periods from their date; (c) which require smaller annual payments on account of the principal amounts thereof than those specified in this section; and (d) which provide for equal monthly payments each applicable to principal and interest in amounts sufficient to pay current interest on and to repay the amount of the loan in such number of years more than 25, but not more than 30, as the regulation may specify;

(2) increasing the percentage of deposits of savings banks which savings banks may invest in mortgage loans;

(3) increasing the percentage of principal balances owing on mortgage loans referred to in subsection Q, which shall not be included in the total of all principal balances owing on mortgage loans for the purpose of subsection B, or eliminating entirely the principal balances owing on such mortgage loans from such total of all principal balances.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 275

AN ACT to amend "An act to supplement 'An act concerning banking and banking institutions (Revision of 1948),' approved April 29, 1948 (P. L. 1948, c. 67)," approved April 9, 1953 (P. L. 1953, c. 78).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-180.5. Corporate stock; investment in.

1. A savings bank may, in addition to other investments, presently or from time to time hereafter authorized by law, invest in

(1) stocks, preferred or common, issued or guaranteed by a corporation created or existing under the laws of the United States or any State, district or territory thereof, provided

(a) that for a period of 5 fiscal years for which the necessary statistical data are available next preceding the date of investment by such savings bank such corporation as disclosed by its published fiscal annual statements shall have had an average annual net income plus its average annual fixed charges (as herein used, fixed charges shall mean interest on funded or unfunded debt, contingent interest charges, amortization of debt discount and expense and rentals for leased property and, in the case of consolidated earnings statements of parent and subsidiary corporations (which must be used if available) shall include all such fixed charges and the preferred dividend requirement, if any, of such subsidiaries) at least equal to 1½ times the sum of its average annual dividend requirement for preferred stock and its average annual fixed charges for the same period; and

(b) during neither of the last 2 years of such period shall the sum of its annual net income and

its annual fixed charges have been less than 1½ times the sum of its dividend requirement for preferred stock and its fixed charges for the same period; and

(c) such corporation shall have no arrears of dividends on its preferred stock; and

(d) as to the common stock of any corporation that

i. such common stock is registered on a national securities exchange as provided in an Act of Congress of the United States entitled "Securities Exchange Act of 1934," approved June 6, 1934, as amended; and

ii. such corporation shall have paid a cash dividend on its common stock in each year of the 10-year period next preceding the date of investment by such savings bank and the aggregate net earnings available for dividends on the common stock of such corporation for the whole of such period shall have been at least equal to the amount of such dividends paid.

(e) in applying the earnings test under this act to any issuing, assuming or guaranteeing corporation, where such corporation shall have acquired its property or any substantial part thereof within such 5-year period immediately preceding the date of investment by consolidation or merger, or by the purchase of all or a substantial portion of the property of any other corporation or corporations, or shall have acquired the assets of any unincorporated business enterprise by purchase or otherwise, net income, fixed charges and preferred dividends of the several predecessor or constituent corporations or enterprises shall be consolidated and adjusted so as to ascertain whether or not the applicable requirements of this act have been complied with;

(2) stock or shares of a corporation which is an investment company as defined by, and which is registered under, an Act of Congress entitled "Investment Company Act of 1940," approved August 22, 1940, as amended; provided

(a) all the stock and shares of such investment company are or are to be owned by savings banks of this State; and

(b) such company may invest only in such investments as are eligible for savings banks of this State including investments made eligible for savings banks by this act; and

(c) the amount of stock of any corporation which may be held by such investment company shall not exceed at the time of investment by such company, 5% of the number of shares of stock of such corporation then outstanding or 3% of the assets of such investment company, whichever amount is the lesser.

(3) common stock of a national banking association or trust company doing business anywhere within the United States which is a member of the Federal Reserve System and which, at the date of its last published statement preceding the date of investment, had a combined total of capital stock, surplus, reserve for contingencies and undivided profits equal to at least $40,000,000.00 and also equal to at least 6% of its aggregate deposit liability and which, in each of the 5 fiscal years preceding the date of investment, paid dividends in cash of not less than 4% on its common stock without having reduced the aggregate par value thereof within such 5-year period;

(4) common stock of an insurance company, authorized to transact business in New Jersey, which has combined capital stock, surplus and special surplus funds (based on consolidated statements of parent and subsidiary companies, if any) at least equal to $20,000,000.00 and which has paid cash dividends on its common stock in each of its 5 fiscal years next preceding the date of investment.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 276

AN ACT to amend the "Savings and Loan Act (1963)," approved August 30, 1963 (P. L. 1963, c. 144).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 130 of the act of which this act is amendatory is amended to read as follows:

Section amended.

C. 17:12B-130. Dividend participation; exceptions.

130. Dividend participation exceptions.

(a) At least annually and after determination of the net income for the accounting period and the establishment of reserves required or permitted by this act, the board of each State association shall determine by resolution, the rate or rates of dividend, if any, which shall be declared for each class of account. Such dividends shall be taken only from the net income or from the undivided profits account. Dividends shall be apportioned to members' accounts upon a compound interest plan. Dividends shall be made available to members by adding the same to their accounts, except where otherwise provided by this act, but in no event shall dividends be made available to the members earlier than the eighth calendar day prior to the closing of the period for which said dividends are paid.

Notwithstanding any other provision of this act, the board of any State association, may by resolution, authorize the payment of dividends on amounts withdrawn from savings accounts between the dates as of which such association regularly distributes earnings on savings accounts; provided that, the savings account from which an amount is withdrawn upon which such earnings are to be distributed, shall have been outstanding for a period of not less than 6 months; and provided further, that dividends paid on any amount so withdrawn, shall not be paid for any greater portion of the dividend period than that during which such amount remains in such association, nor at a rate in excess of the rate at which

earnings, exclusive of any reward profit, are distributed on savings accounts for the dividend period in which such amount is so withdrawn.

(b) State associations issuing installment share accounts may declare dividends to accounts of other classes at a rate less than, but no more than, the rate declared to installment share accounts for the same period, unless the board has adopted a reward profit plan in which event all dividends, except those provided for under the reward profit plan, shall be declared at the same rate. Notwithstanding any other provisions of this act, a State association may apportion dividends to installment share accounts at other than a regular dividend period for the purpose of maturing such accounts; provided, however, that the amount of dividends so apportioned shall be no greater than the pro rata share of income for the current period applicable for dividend purposes to such accounts.

(c) Notwithstanding any other provisions of this act, a State association may, if its by-laws so provide, exclude from dividends, either or both of the following classes of accounts:

(1) Those having a participation value of less than $50.00. Such accounts may be placed in, or transferred to, an account designated as a "non dividend account;" provided, however, that the State association shall maintain a list of the names of the savings members and the amounts credited to such savings members in such "non dividend account."

(2) Those which are issued under a plan whereby they will be withdrawn within 24 months from the date upon which they are issued, or it may credit dividends to such accounts according to a schedule which it may establish, provided that such schedule shall not result in the crediting of dividends to any of such accounts at a rate greater than that applicable to any class of accounts, other than those described in subsection (c) of this section.

2. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 277

AN ACT to amend the "Savings and Loan Act (1963)," approved August 30, 1963 (P. L. 1963, c. 144).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 152 of the act of which this act is amendatory is amended to read as follows:

Section amended.

152. The commissioner may adopt, amend, alter or rescind regulations permitting insured associations, in addition to the powers to make mortgage loans hereinabove set forth, to make first mortgage loans to a greater percentage of appraised value or for a longer term of years, or both, than is otherwise limited by this act and to make any other loan or investment for a purpose not specifically authorized by this act, but nothing herein shall authorize the commissioner to adopt a regulation which would permit such associations to make any kind of loan or investment which Federal associations are not specifically authorized to make. Any loans or investments legally made under the provisions of regulations adopted under the authority granted by this section shall be legal loans or investments if they conform with the regulations in effect at the date of closing or purchase of said loan or investment, notwithstanding the subsequent amendments, alterations, rescissions or repeals of the regulations in effect at the date of such closing or purchase.

C. 17:12B-152. First mortgage loans for greater percentage of appraised value or for longer term of years than limited by act; regulations.

2. Section 153 of the act of which this act is amendatory is amended to read as follows:

Section amended.

153. The commissioner shall have power, in relation to loans or investments described in section 152, to set forth in such regulations the requirements which in his judgment are necessary to establish appropriate safeguards. The commissioner may also establish a requirement that an insured associa-

C. 17:12B-153. Scope of regulations; minimum reserve requirements; limitation upon making of loans.

tion shall meet minimum reserve requirements which may be set forth in such regulations, in order to be eligible to make loans or investments under the provisions of section 152 of this act. The commissioner, when issuing such regulations, shall to the extent feasible and after giving consideration to the financial and economic circumstances and the public welfare, endeavor to promulgate such rules and regulations in substantial conformity with similar rules and regulations of the Federal Home Loan Bank Board as applied to Federal associations. In no event shall an insured association make any loan or investment under the provisions of section 152 of this act when the total of all loans or investments held, under the provisions of such section, exceeds an amount equal to 20% of its total assets.

3. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 278

AN ACT to amend the "Banking Act of 1948," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 184 of the Banking Act of 1948 is amended to read as follows:

C. 17:9A-184. Deposits; maximum and minimum amounts.

184. A. Subject to paragraph C of this section, a savings bank may receive on deposit any sum of money which may be offered for that purpose.

B. A savings bank may (1) subject to paragraph C of this section, limit to any sum it deems expedient, the aggregate amount which any one depositor may deposit, and (2) fix the minimum amount of any deposit which it will receive at not

over $10.00, and (3) refuse to receive a deposit, and (4) return all or any part of any deposit at any time.

C. A savings bank may not receive a deposit to the credit of a depositor, if the aggregate of the balances in all accounts of such depositor exceeds, or as a result of receiving such deposit would exceed, the greater of (1) $10,000.00, or (2) 1% of the deposits of the savings bank as shown by its latest annual report; provided, that in no case shall a savings bank receive a deposit if such aggregate exceeds, or as a result of receiving such deposit would exceed $50,000.00, unless the deposit is made:

(a) pursuant to the order or direction of any court of record or officer of any such court,

(b) to the credit of any governmental, State, county, municipal or other public authority, body, board, officer or agent,

(c) to the credit of any religious, charitable, cemetery, educational, benevolent or other corporation, association, organization or society established or existing for any lawful purpose other than for pecuniary profit, or

(d) to the credit of any unincorporated or incorporated labor union, welfare, strike, benefit or insurance fund, any foundation created by will or otherwise, or any profit sharing, welfare or pension fund or employee thrift fund created jointly or individually by any person, firm or corporation.

2. Section 185 of the Banking Act of 1948 is amended to read as follows: Section amended.

185. Subject to the provisions of article 35, the deposits made in a savings bank, together with any dividend or interest credited thereto, shall be repaid to the depositors, or to their legal representatives or other persons entitled thereto, after demand, in such amounts, in such manner, at such times, upon such notice and under such regulations, as the board of managers may from time to time prescribe. The regulations (1) shall be posted in a conspicuous place in the principal room or rooms where deposits are customarily received, and (2) copies shall be provided for each depositor, and (3) shall be C. 17:9A-185. Payments to depositors; regulations.

evidence between the savings bank and the depositors of the terms upon which deposits are made and held.

3. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 279

AN ACT concerning loans and investments made by banks, conferring regulatory powers upon the Commissioner of Banking and Insurance, and supplementing "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 17:9A-25.2. Powers of commissioner.

1. The Commissioner of Banking and Insurance shall have power to make, amend and repeal regulations authorizing banks to make specified kinds of loans or investments not authorized by the act to which this act is a supplement, or not otherwise authorized; except that the commissioner shall not make or continue in force any regulation authorizing banks to make any kind of loan or investment which national banks are not authorized to make.

C. 17:9A-25.3. Preservation of dual banking system.

2. In exercising the power conferred upon him by this act, the commissioner shall consider the statutes, regulations and rulings governing the lending and investing powers of national banks, and the regulations made by him shall have as their objective the placing of banks on a substantial competitive parity with national banks, in order that the dual banking system may be preserved.

C. 17:9A-25.4. Definition of banks.

3. As used in this act, "banks" means banks, other than savings banks, organized and operating under the laws of this State.

4. This act shall take effect immediately.

Approved September 6, 1966.

CHAPTER 280

AN ACT concerning County Courts and amending section 2A:3–13 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2A:3–13 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:3–13. There shall be a judge of each County Court; and in addition, the Governor may, whenever in his judgment the public interest requires, appoint additional judges, as follows: Additional judges in certain counties.

a. In counties now or hereafter having 900,000 or more inhabitants, 11 additional judges, making 12 in all in each of such counties.

b. In counties now or hereafter having not less than 700,000 nor more than 900,000 inhabitants, 7 additional judges, making 8 in all in each of such counties.

c. In counties now or hereafter having not less than 400,000 nor more than 700,000 inhabitants, 5 additional judges, making 6 in all in each of such counties.

d. In counties now or hereafter having 150,000 or more and less than 400,000 inhabitants, 3 additional judges, making 4 in all in each of such counties.

e. In counties bordering on the Atlantic ocean and now or hereafter having not less than 50,000 nor more than 100,000 inhabitants, an additional judge, making 2 in all in each of such counties.

f. In counties of the fifth class, 3 additional judges, making 4 in all.

2. This act shall take effect immediately.

Approved September 12, 1966.

CHAPTER 281

AN ACT concerning the juvenile and domestic relations courts and amending section 2A:4–4 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:4–4 of the New Jersey Statutes is amended to read as follows:

Appointment of judges in certain counties; salary; practice of law.

2A:4 4. The Governor, with the advice and consent of the Senate,

(1) shall appoint 4 attorneys-at-law in each county of the first class except such counties having a population betwen 700,000 and 900,000 in which counties he shall appoint 2 attorneys-at-law,

(2) shall appoint 2 attorneys-at-law in each county having a population of more than 500,000 and less than 600,000,

(3) shall appoint one attorney-at-law in each county having a population between 430,000 and 500,000, and

(4) may appoint, in addition to such other judge or judges, if any, authorized by law in said county, one attorney-at-law in each county having a population of not less than 305,000 nor more than 410,000 to be the judges or judge of the juvenile and domestic relations court of the county.

Each judge of the juvenile and domestic relations court who is required by law to devote his entire time to his judicial duties and is prohibited from practice of law shall be paid an annual salary by the board of chosen freeholders in the amount of $25,000.00. The salary of a judge not required to devote his entire time to his judicial duties shall be paid by the board in such amount as the board shall determine.

The judges in counties of more than 430,000 inhabitants shall devote their entire time to their judicial duties and shall not engage in the practice

of law; except that each judge in office in such a county on the effective date of this act who was not required to devote his entire time to his judicial duties immediately prior to the effectiveness of the 1960 census, shall elect either to continue until the expiration of his term at the same salary as he was then receiving without being required to devote his entire time to his judicial duties, or to devote his entire time to his judicial duties, in which latter case he shall thereafter during the balance of said term devote his entire time to his judicial duties and shall not engage in the practice of law. Any such election shall be evidenced by a notice in writing filed with the Administrative Director of the Courts and with the board of chosen freeholders of the county.

Each judge of the juvenile and domestic relations court of a county who is required to devote his entire time to his judicial duties may be assigned by the Chief Justice of the Supreme Court to hold temporarily the County Court or county district court of that county and, upon such assignment, shall have all the power, authority and jurisdiction of a judge of the County Court or county district court.

2. This act shall take effect immediately.

Approved September 12, 1966.

CHAPTER 282

AN ACT to require licensing of certain individuals who carry on the practice of psychology in New Jersey for a fee monetary or otherwise; to create in the Division of Professional Boards in the Department of Law and Public Safety, a board to be known as the State Board of Psychological Examiners; to prescribe the duties and powers of said board; to fix penalties for the violation of this act; and to make an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 45:14B-1. Title of act.

1. This act shall be known and may be cited as the "Practicing Psychology Licensing Act."

C. 45:14B-2. Definitions.

2. As used in this act, unless the context clearly requires otherwise and except as in this act expressly otherwise provided:

(a) "Licensed practicing psychologist" means an individual to whom a license has been issued pursuant to the provisions of this act, which license is in force and not suspended or revoked as of the particular time in question.

(b) The "practice of psychology" means the rendering of professional psychological services to individuals, singly or in groups, whether in the general public or in organizations, either public or private, for a fee, monetary or otherwise. "Professional psychological services" means the application of psychological principles and procedures in the assessment, counseling or psychotherapy of individuals for the purposes of promoting the optimal development of their potential or ameliorating their personality disturbances and maladjustments as manifested in personal and interpersonal situations. Within the meaning of this act, professional psychological services does not include the application for a fee, monetary or otherwise, of psychological principles and procedures for purposes other than those described in this section.

(c) "Board" means the State Board of Psychological Examiners acting as such under the provisions of this act.

(d) "Recognized educational institution" means any educational institution which is a 2-year junior college or one which grants the Bachelor's, Master's, and Doctor's degrees, or any one or more thereof, and which is recognized by the New Jersey State Board of Education or by any accrediting body acceptable to the State Board of Psychological Examiners.

C. 45:14B-3. Recognition of institution.

3. No educational institution shall be denied recognition as a recognized educational institution

solely because its program is not accredited by any professional organization of psychologists and nothing in this act or in the administration of this act shall require the registration with the board by educational institutions of Departments of Psychology or doctoral programs in psychology.

C. 45:14B-4. Authorization to practice medicine.

4. Nothing in this act shall authorize the practice of medicine and surgery by any person not licensed so to do pursuant to chapter 9 of Title 45 of the Revised Statutes.

C. 45:14B-5. Licensing practicing psychologist; effective date.

5. Commencing January 1, 1968, no person who is not licensed under this act shall represent himself to be a licensed practicing psychologist, use a title or description, including the term "psychology," any of its derivatives, such as "psychologist" or "psychological" or modifiers such as "practicing" or "certified," in a manner which would imply that he is licensed under this act, or offer to practice or practice psychology as defined in this act, except as otherwise permitted in sections 6 and 8. The use by a person who is not licensed under this act of such terms, whether in titles or descriptions or otherwise, is not prohibited by this act except when in connection with the offer to practice or the practice of psychology as defined in section 2 (b) of this act. Use of such terms in connection with professional activities other than the rendering of professional psychological services to individuals for a fee, monetary or otherwise, shall not be construed as implying that a person is licensed under this act or as an offer to practice or as the practice of psychology.

C. 45:14B-6. Limitation of activities.

6. Any individual who is not a licensed practicing psychologist shall not be limited in his activities:

(a) As part of his duties as an employee of:

(1) an accredited academic institution, a Federal, State, county or local governmental institution or agency, or a research facility while performing those duties for which he was employed by such an institution, agency or facility;

(2) a business organization, while performing those duties for which he was employed by such an organization, and providing the purposes of such an organization do not include the offer to practice, or the practice of, psychology as defined in section 2 (b) of this act;

(3) an organization which is nonprofit and which is, in the opinion of the board, a bona fide community agency, while performing those duties for which he was employed by such an agency under the direct supervision of a licensed practicing psychologist. For the purposes of this subsection a "community agency" means a nonprofit organization supported wholly or in a major part by public funds.

(b) As required by his employer to the pupils, students or other normal clientele within the scope of his employment but not to the general public, provided he is employed by a private elementary or secondary school that requires its psychologists to be certified as school psychologists by the New Jersey State Department of Education.

(c) As a student of psychology, psychological interne or person preparing for the practice of psychology under qualified supervision in a training institution or facility recognized by the board provided he is designated by such titles as "psychological interne," "psychological trainee" or others, clearly indicating such training status.

(d) As a practicing psychologist for a period not to exceed 10 consecutive business days or 15 business days in any 90-day period, if he resides outside, and his major practice is outside, of the State of New Jersey and gives the board a summary of his qualifications and a minimum of 10 days' written notice of his intention to practice in the State of New Jersey under this section 6 (d), provided he (1) is certified or licensed in another State under requirements the board considers to be the equivalent of requirements for licensing under this act or (2) resides in a State which does not certify or license psychologists and the board

considers his professional qualifications to be the equivalent of requirements for licensing under this act; and is not adjudged and notified by the board that he is ineligible for licensing under this act.

(e) As a practicing psychologist for a period not exceeding 1 year, if he has a temporary permit therefor which the board may issue upon his filing of an application for licensing under this act.

(f) As a practicing psychologist for a period not exceeding 3 years under the supervision of a licensed practicing psychologist or a person designated by the board as an eligible supervisor, if he has a temporary permit therefor which the board may issue upon his completion of all the requirements for licensing under this act except the supervised experience requirement.

C. 45:14B-7. Exceptions.

7. The exceptions specified in section 6 (d), (e) and (f) shall not be available to any person who has been found by a court of this or any State of the United States to have been guilty of and who fails to present satisfactory evidence of recovery from or correction of gross immorality, habitual intoxication, drug addiction, criminality involving felonious action or moral turpitude, or dishonorable or unprofessional conduct. An action to determine whether any person asserting an exemption under section 6 (d), (e) or (f) has committed one or more of the acts listed in this section may be brought by the Attorney General on behalf of the board.

C. 45:14B-8. Work of psychological nature; others qualified to perform.

8. Nothing in this act shall be construed to prevent qualified members of other professional groups such as physicians, osteopaths, optometrists, chiropractors, members of the clergy, authorized practitioners, attorneys at law, social workers or guidance counselors from doing work of a psychological nature consistent with the accepted standards of their respective professions, provided, however, that they do not hold themselves out to the public by any title or description stating or implying that they are psychologists or are licensed to practice psychology.

C. 45:14B-9. Board of Phycho-logical Examiners created.

9. There is hereby created, in the Division of Professional Boards of the Department of Law and Public Safety, the State Board of Psychological Examiners, which shall consist of 7 members to be appointed by the Governor. The board shall at all times, except for vacancies, be composed of members who represent equitably the diverse fields of psychology, a majority of whom shall be licensed practicing psychologists. All members shall have the qualifications hereinafter set forth in section 10 of this act.

C. 45:14B-10. Members qualifica-tions.

10. Each member of the board shall have the following qualifications:

(a) He shall be a resident of this State and a citizen of the United States.

(b) He shall either be a member of or have professional standing equivalent to that required for classification as a member of the New Jersey Psychological Association and the American Psycholocial Association.

(c) He shall be at the time of his appointment, and shall have been for at least 5 years prior thereto, actively engaged as a psychologist in one or more phases or branches of psychology or in the education and training of doctoral or postdoctoral students of psychology or in psychological research, and shall have spent the major portion of the time devoted by him to such activity, during the 2 years preceding his appointment, in this State.

(d) He shall hold the doctoral degree in psychology or in a closely allied field from a recognized educational institution.

C. 45:14B-11. Terms; vacancies.

11. The terms of the first 7 members of the board shall expire as follows: one member, June 30, 1968; 2 members, June 30, 1969; 2 members, June 30, 1970; 2 members, June 30, 1971. Thereafter, each member of the board shall be appointed for a term of 3 years. If before the expiration of his term any member shall die, resign, become disqualified or otherwise cease to be a board member, the vacancy shall be filled by the Governor by appointment for the unexpired term. Each appointee shall,

upon accepting appointment to the board, take and subscribe to the oath or affirmation prescribed by law and file same in the office of the Secretary of State.

The first 7 appointees shall be deemed to be and shall become licensed practicing psychologists immediately upon their appointment and qualification as members of the board.

C. 45:14B-12. Removal from office.

12. The Governor shall have power to remove from office any member of the board for incompetence, neglect of duty, unprofessional conduct or moral turpitude; but no board member may be thus removed until after a public hearing of the charges against him, and at least 30 days prior written notice to such accused member of the charges against him and of the date fixed for such hearing.

C. 45:14B-13. Organization; election of officers; rules and regulations; expenses.

13. The board shall, at its first meeting, to be called by the Governor as soon as may be following the appointment of its members, and at all annual meetings, to be held in June of each year thereafter, organize by electing from among its members a chairman, vice-chairman and secretary whose election shall be subject to the approval of the Attorney General. Such officers shall serve until the following June 30 and until their successors are appointed and qualified. The board shall adopt a seal which shall be affixed to all licenses issued by the board. The board shall administer and enforce the provisions of this act. The board shall hold at least one regular meeting each year; but additional meetings may be held upon call of the chairman or at the written request of any 2 members of the board. Four members of the board shall constitute a quorum and no action at any meeting shall be taken without at least 3 votes in accord. The board shall from time to time adopt such rules and regulations and such amendments thereof and supplements thereto as it may deem necessary to enable it to perform its duties under and to carry into effect the provisions of this act. The board shall examine and pass on the qualifications of all applicants for permits or licenses under the act, and

shall issue a permit or license to each qualified successful applicant therefor, attesting to his professional qualifications to engage in the practice of psychology.

Each member of the board shall be reimbursed for actual expenses reasonably incurred in the performance of his duties as a member of or on behalf of the board.

Subject to the approval of the Attorney General, the board shall be empowered to hire such assistants as it may deem necessary to carry on its activities. All expenditures deemed necessary to carry out the provisions of this act shall be paid by the State Treasurer from the license fees and other sources of income of the board, within the limits of available appropriations according to law, but in no event shall expenditures exceed the revenues of the board during any fiscal year. The board, through its chairman or secretary, may issue subpœnas to compel the attendance of witnesses to testify before the board and produce relevant books, records and papers before the board and may administer oaths in taking testimony, in any matter pertaining to its duties under the act (including, without limitation, any hearing authorized or required to be held by the board under any provisions of this act), which subpœnas shall issue under the seal of the board and shall be served in the same manner as subpœnas issued out of the Superior Court. Every person who refuses or neglects to obey the command of any such subpœna, or who, after hearing, refuses to be sworn and testify, shall, in either event, be liable to a penalty of $50.00 to be sued for in the name of the board in any court of competent jurisdiction, which penalty when collected shall be paid to the secretary of the board.

C. 45:14B-14. Application for license; requirements.

14. Each person desiring to obtain a license as a practicing psychologist shall make application therefor to the board upon such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to the board that he:

(a) Is at least 21 years of age;

(b) Is of good moral character;

(c) Is not engaged in any practice or conduct which would be a ground for refusing to issue, suspending or revoking a license issued pursuant to this act;

(d) Qualifies for licensing by an examination of credentials or for admission to an assembled examination to be conducted by the board.

C. 45:14B-15. Qualifications.

15. Any person who applies on or before January 1, 1968, may obtain a license to be issued by the board by an examination of credentials if he meets the qualifications set forth in section 14 (a), (b) and (c) and provides evidence satisfactory to the board that he:

(a) Has received the degree of Doctor of Philosophy in psychology from a recognized educational institution, or in lieu of such degree, a doctoral degree in a closely allied field if it is the opinion of the board that the training required therefor is substantially similar, or has otherwise had training in psychology deemed equivalent by the board, and has had at least the equivalent of 5 years of full-time professional experience in psychology, of which the equivalent of at least 2 years of full-time experience must have been accumulated in the practice of psychology, and of which the equivalent of 3 years of full-time experience may have been accumulated in the teaching of psychology at a recognized educational institution or in psychological research; or in the administration of a program of psychological services; or

(b) Has received from a recognized educational institution a Master's degree in psychology or in a closely allied field, if it is the opinion of the board that the training required therefor is substantially similar, and in addition, has had the equivalent of at least 8 years of full-time professional experience in psychology, of which the equivalent of 4 years of full-time experience has been accumulated in the practice of psychology and of which the equivalent of 4 years of full-time experience may have been accumulated in the teaching of psychology at a

recognized educational institution or in psychological research; or

(c) Has received a Bachelor's degree in psychology or in a closely allied field from a recognized education institution and also has had at least 12 years of full-time professional experience in psychology, of which the equivalent of 6 years of full-time experience must have been accumulated in the practice of psychology and of which the equivalent of 6 years of full-time experience may have been accumulated in the teaching of psychology at a recognized educational institution or in psychological research.

C. 45:14B-16. Examination before January 1, 1968.

16. Any person applying to the board on or before January 1, 1968, may be admitted to an assembled examination if he meets the qualifications set forth in section 14 (a), (b) and (c) and provides evidence satisfactory to the board that he has had at least 8 years of professional experience in the practice of psychology.

C. 45:14B-17. Examination after January 1, 1968.

17. Any person applying to the board, after January 1, 1968, may be admitted to an assembled examination if he meets the qualifications set forth in section 14 (a), (b) and (c) and provides evidence satisfactory to the board that he:

(a) Has received the degree of Doctor of Philosophy in psychology from a recognized educational institution, or in lieu of such degree, a doctoral degree in a closely allied field if it is the opinion of the board that the training required therefor is substantially similar, or has otherwise had training in psychology deemed equivalent by the board;

(b) Has engaged for the equivalent of at least 2 years full time, at least 1 year of which was subsequent to his receiving the doctoral degree, in professional employment in the practice of psychology under the supervision of a licensed psychologist or of one clearly eligible for licensure in the opinion of the board, which employment the board deems sufficient to warrant its opinion that the applicant is competent to engage in the practice of psychology

as a licensed psychologist, subject to his satisfying the other requirements for such license specified in this act.

C. 45:14B-18. Time and place of examinations.

18. The board shall conduct assembled examinations at least once a year at a time and place to be designated by it. Assembled examinations shall be written and, if the board deems advisable, oral. In any written examination each applicant shall be designated by a number so that his name shall not be disclosed to the board until examinations have been graded. Examinations shall include questions in such theoretical and applied fields as the board deems most suitable to test an applicant's knowledge and competence to engage in the practice of psychology. An applicant shall be held to have passed an examination upon the affirmative vote of at least 4 members of the board.

C. 45:14B-19. Failure of examination.

19. Any person who shall have failed an examination conducted by the board may not be admitted to a subsequent examination for a period of at least 6 months.

C. 45:14B-20. Issuance of license.

20. The board may issue a license by an examination of credentials to any applicant who presents evidence that he (a) is licensed or certified as a psychologist in another State with requirements for said license or certificate such that the board is of the opinion that said applicant is competent to engage in the practice of psychology in this State or (b) holds a diploma from a nationally recognized psychological board or agency.

C. 45:14B-21. Fees.

21. The following fees shall be assessed and collected by the board:

(a) Application fee, $20.00, which shall not be subject to refund;

(b) Examination and initial license fee, $30.00, which shall be subject to refund if the applicant is determined to be ineligible for examination, withdraws his application for examination, or fails to appear for examination;

(c) License fee, examination of credentials, $25.00.

(d) License renewal fee, $25.00;

(e) Registration fee, $10.00;

(f) Reinstatement fee, $50.00;

C. 45:14B-22. Validity of license.

22. Licenses will be valid for 1 year and must be renewed annually.

C. 45:14B-23. Application for renewal of license.

23. On or before April 15 in each year the secretary of the board shall forward to the holder a form of application for renewal thereof. Upon the receipt of the completed form and the renewal fee on or before June 30 the secretary shall issue a new license for the year commencing July 1. Any application for renewal of a license which has expired shall in addition require the payment of a reregistration fee, or in such cases as the board may by rule prescribe, by a new application fee.

C. 45:14B-24. Granting, renewing, revocation, or suspension of license; grounds for.

24. The board may refuse to grant or renew or may revoke or suspend a license on any of the following grounds:

(a) Use of fraud or deception in applying for a certificate or in passing the examination therefor required by this act.

(b) Practice of psychology under a false or assumed name or impersonation of a licensed practicing psychologist of like or different name, or permitting an unlicensed person to practice psychology in the name of a licensee and to use his license for that purpose.

(c) Conviction of a crime involving moral turpitude.

(d) Habitual intemperance in the use of intoxicants, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties as a licensed practicing psychologist or conviction of or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs.

(e) Violation of any provision of this act or rule, regulation or code of ethics promulgated by the board.

(f) Negligence or misconduct in the performance of his professional duties as a licensed practicing psychologist.

The board shall not refuse to grant and shall not revoke or suspend the license of any person for any of the foregoing reasons, until after a hearing of the charges against the accused (which shall be public, unless the accused requests a private hearing thereon), and at least 20 days prior written notice to the accused of the charges against him and of the date fixed for such hearing. Such written notice shall be mailed by the United States certified or registered mail to the accused's last known address, but the accused's failure to appear shall not prevent or invalidate such hearing or any action taken by the board thereat.

Every action of the board in refusing to issue a license or in suspending or revoking a license pursuant to this section shall be subject to review by appeal to the Superior Court by a proceeding in lieu of prerogative writ.

C. 45:14B-25. Application for reinstatement.

25. Application may be made to the board for reinstatement, at any time after the expiration of 1 year from the date of revocation of a license. Such application shall be in writing and shall be accompanied by the reinstatement fee. The board shall not reinstate any applicant, unless satisfied that he is competent to engage in the practice of psychology, and, if it deems same necessary for such determination, may require the applicant to pass an examination.

C. 45:14B-26. Practice as licensed psychologist; misrepresentation; penalty.

26. (a) Any person, not a licensed practicing psychologist under this act, who on or after January 1, 1968, represents himself to be a licensed practicing psychologist or offers to practice or practices psychology in violation of this act shall be liable to a penalty of $200.00 for the first offense and of $500.00 for each subsequent offense.

(b) The New Jersey Superior Court, and every County Court, county district court and municipal court shall have jurisdiction within its territory of proceedings for the collection and imposition of a penalty imposed because of the violation of any provision of this act. Penalties shall be sued for and recovered by and in the name of the board and

shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (chapter 58 of Title 2A of the New Jersey Statutes). Process shall issue at the suit of the board as plaintiff and shall be in the nature of a summons and warrant. In any action to recover such a penalty, the certification of any member of the board under the seal of the board that at the time of the offense charged the defendant was not a licensed practicing psychologist or that the defendant's license had been suspended or revoked, shall be received in evidence and shall be prima facie proof of the facts so stated.

C. 45:14B-27. Restraining action.

27. The Superior Court may prevent or restrain, through an action at the suit of the Attorney General or of the board, or of any citizen of the same county, any person from representing himself as a licensed practicing psychologist or from practicing psychology in New Jersey who is not licensed under this act or excluded from its application by sections 6 or 8. Through the same means the Superior Court may prevent or restrain any person from violation of any provision of this act.

C. 45:14B-28. Disclosure of communications.

28. The confidential relations and communications between a licensed practicing psychologist and the individuals with whom he engages in the practice of psychology are placed on the same basis as those provided between attorney and client, and nothing in this act shall be construed to require any such privileged communications to be disclosed.

C. 45:14B-29. Remittance of moneys.

29. All fees, fines, penalties and other moneys derived from the operation of this act shall be paid to the board and by it remitted to the State Treasurer.

C. 45:14B-30. Validity of act.

30. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications of the act which can be given effect without such invalid provision or application, and to this end the provisions of this act are declared to be severable.

31. There is hereby appropriated to the Department of Law and Public Safety for the purpose of administering this act all fees and revenue received by the board from the effective date of this act until June 30, 1967. The expenditure of such appropriation shall be authorized by the Attorney General with the approval of the Director of the Division of Budget and Accounting. Appropriation.

32. This act shall take effect July 1, 1966. Note: Effective date.

Approved September 12, 1966.

CHAPTER 283

AN ACT creating the New Jersey Sweet Potato Industry Commission and prescribing its powers and duties; imposing an assessment on sweet potatoes produced within the State of New Jersey and offered for sale, delivery and use; providing penalties for violation; and making an appropriation.

WHEREAS, Production of sweet potatoes is one of the most important agricultural industries of this State; and Preamble.

WHEREAS, It is important to conserve, promote the prosperity and welfare of this State and of the sweet potato industry of the State by fostering and promoting better methods of marketing, grading, advertising and promoting the sale and consumption of sweet potatoes grown in the State; now, therefore, Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. This act shall be known and may be cited as the "Sweet Potato Industry Promotion and Assessment Act." C. 54:47E-1. Title of act.

C. 54:47E-2. Definitions.

2. Following words and phrases, to be used in this act shall have the meanings respectively ascribed to them:

"Processor"—a person who receives or buys sweet potatoes from a grower for canning, freezing or dehydrating.

"Commission"—the New Jersey Sweet Potato Industry Commission created by this act.

"Distributor of sweet potatoes"—a person who buys sweet potatoes or receives consignments of sweet potatoes from a grower for resale.

"Department"—the Department of Agriculture of the State of New Jersey.

"Bushel"—means a unit of 50 pounds of sweet potatoes sold for fresh market use in boxes, cartons, baskets or other containers or a unit of 46 pounds of sweet potatoes sold for processing. For the purpose of this act, all containers shall be converted to units of 50 pounds or 46 pounds respectively.

"State board"—the State Board of Agriculture.

"Grower-distributor"—a person who produces sweet potatoes and makes sales direct to processors, distributors or other vendors outside of or within the State.

"Grower"—any person who produces sweet potatoes for sale, or who sells sweet potatoes at retail.

"Sweet potatoes"—all varieties of Ipomoea batatas known commonly as sweet potatoes or yams.

C. 54:47E-3. Assessment per bushel.

3. There is hereby levied and imposed upon any sale, delivery or use of sweet potatoes produced within the State an assessment at the rate of $0.02 for each bushel sold for marketing as fresh sweet potatoes and $0.02 per bushel for those sold for processing.

The $0.02 per bushel levied on those sweet potatoes marketed as fresh sweet potatoes shall be paid by the distributor of sweet potatoes who buys or receives on consignment from the grower.

A farmer's market or co-operative marketing association shall deduct and collect from the amount paid to the growers selling fresh market sweet

potatoes, the assessment of $0.02 per bushel provided by this act.

The $0.02 per bushel levied on sweet potatoes sold for processing shall be deducted from payments to growers by the processor or distributor who pays the grower for the sweet potatoes.

If a grower-distributor makes direct sales of sweet potatoes for either fresh market or processing to retail stores, roadstands or out-of-State receivers, so that the assessment is not deducted and submitted for him, it becomes his responsibility to submit directly the assessment on such sweet potatoes.

The liability for, and the incidence of the assessment on sweet potatoes is hereby declared to be a levy on the grower but this provision shall in no way affect the method of collection of such assessments as provided by this act.

Nothing in this act shall require the payment of such assessment more than once on any sweet potatoes sold, delivered or used.

C. 54:47E-4. Report to be filed.

4. Every distributor, processor, grower-distributor or farmers market handling sweet potatoes shall on or before each February 1 and August 1, file with the department a report of all sweet potatoes showing the quantity handled by him during each of the 6 months immediately preceding January and July, respectively and shall accompany such report with the payment of the assessment to be paid by him for the period covered by the report. No such report shall be subject to public inspection except pursuant to legal process.

C. 54:47E-5. Prescribed forms.

5. Such report shall be made on forms prescribed and furnished by the department and shall contain such information as the department shall require for the proper administration of this act.

C. 54:47E-6. Those required to keep records.

6. Every distributor, processor, grower-distributor or farmers market handling sweet potatoes shall keep a record of all sweet potatoes handled by him. Which record shall be open to inspection by the authorized representatives of the department at all times during normal business hours.

C. 54:47E-7. Fraudulent reports; penalty.

7. Any distributor, processor, grower-distributor or farmers market who shall falsely or fraudulently make any report required by this act or who shall evade or violate any of the provisions of this act, or who willfully interferes with any authorized person in the performance of such person's duties under this act, or fails to pay the assessment provided by this act or any person who knowingly violates or aids in the violation of this act shall be liable in addition to his liabilities for any tax imposed hereunder to a penalty of not more than $200.00 for the first offense, and a penalty of not more than $500.00 for any subsequent offense, to be enforced and collected by the department in a summary proceeding pursuant to the "Penalty Enforcement Law" (N. J. S. 2A:58).

C. 54:47E-8. Action taken.

8. Continued or threatened violation of this act may be restrained by the Superior Court in a civil action brought by the department, but no such action shall be deemed to relieve the defendant of his liability for the assessment or for any other penalty imposed herein.

C. 54:47E-9. Collection of assessment.

9. The commission shall collect the assessment imposed by this act through its authorized agents and enforce the provisions of the act.

C. 54:47E-10. Deposited in special account; purpose moneys used for.

10. All moneys received from the assessment imposed by this act, including any fines and forfeitures collected under the provisions of this act, shall be forthwith deposited as received with the State Treasurer and maintained by him as a special account entitled "Sweet Potato Assessment Account." Moneys credited to such special accounts shall be appropriated and used only for the following purposes:

(a) Cost of administration and collection of the tax.

(b) Programs of marketing, grading, promotion and research for the benefit of the sweet potato industry which may from time to time be conducted or approved by the commission. This money shall be spent on the above mentioned programs in approximate proportion to the needs of the industry.

C. 54:47E-11. Creation of commission; members; terms.

11. There is hereby created in the Department of Agriculture the New Jersey Sweet Potato Industry Commission to consist of 15 members, of whom 11 shall be growers of sweet potatoes, one shall be the Dean of the New Jersey College of Agriculture at Rutgers University or his designee, one shall be the Secretary of Agriculture or its designee, one shall be a distributor of sweet potatoes, and one a representative of the sweet potato processing industry. Grower members of the commission shall be appointed by the State Board of Agriculture for a term of 3 years, except that, from the first group of appointees, 4 shall be appointed for a term of 3 years, 4 shall be appointed for a term of 2 years and 3 shall be appointed for a term of 1 year, as designated by the State board. There shall be appointed 2 grower members resident of each of the 5 principal sweet potato growing counties as determined by the New Jersey Crop Reporting Service, and one member at large.

The representatives of the distributors and of the sweet potato processing industry shall be appointed for a term of 3 years. The Dean of the College of Agriculture or his designee and the Secretary of Agriculture or his designee shall serve for indefinite terms.

The State Board of Agriculture shall appoint the members of the commission from lists submitted by the organizations listed hereafter. Grower members of the commission shall be nominated by the New Jersey State Sweet Potato Industry Association, Inc. The processing member of the commission shall be nominated by the New Jersey Canners and Food Processors Association. The distributor member shall be nominated by the Garden State Branch of the United Fresh Fruit and Vegetable Association.

No person shall serve more than 2 full successive terms as a member of the Sweet Potato Industry Commission.

Each member shall hold office after the expiration of his term until his successor shall be duly

appointed and qualified. Vacancies in the membership of the commission, however created, shall be filled in the same manner as the original appointment for the unexpired term only. If for any reason the list required for this section is not submitted within 30 days of the effective date of this act or of the development of a vacancy however caused, the State board shall appoint qualified persons to those vacancies.

C. 54:47E-12. Compensation and expenses.

12. The members of the commission shall serve without compensation, but shall be entitled to be reimbursed for expenses incurred in the performance of their duties.

C. 54:47E-13. Organization; election officers.

13. The commission shall organize as soon as practicable after their appointment by electing a chairman, vice-chairman and secretary from its membership to serve for a term of 1 year and until their successors are elected and qualified. Any 8 members shall constitute a quorum for the transaction of business.

C. 54:47E-14. Rules and regulations.

14. The commission subject to the approval of the State Board of Agriculture shall promulgate rules and regulations for the implementation and administration of this act. It may employ, prescribe the duties, and fix the compensation of such persons as it may determine to be necessary for the proper performance and execution of the duties and powers of the commission within the limits of available appropriations subject to the approval of the State Board of Agriculture. Commission will keep a complete record of all its proceedings and of its receipts and expenditures and shall file a report annually in January with the Governor and the Legislature.

C. 54:47E-15. Annual estimate.

15. The commission shall annually prepare an itemized estimate of revenues from collection of the assessment and of proposed expenditures which shall be submitted to the State Board of Agriculture. Subject to board approval such proposal of expenditures shall be included in the regular budget request of the Department of Agriculture under the heading "New Jersey Sweet Potato Industry

Commission'' with the statement ''Payable From the Sweet Potato Assessment Account.''

C. 54:47E-16. Appropriation.

16. In addition to any other appropriation to the Department of Agriculture there is hereby appropriated to the department for the use of the commission during the fiscal year commencing July 1, 1966, the sum of $20,000.00 which sum shall be reimbursed to the State in 3 equal yearly installments, the first being due 1 year after the act becomes effective.

C. 54:47E-17. Continuation of act.

17. After this act has been in effect for 3 years, a referendum will be conducted among the sweet potato growers of the State to determine whether or not it shall continue in effect. The program shall continue if

(a) Written assents are filed by not less than 65% of the affected producers who are engaged in the production of at least 51% of the sweet potatoes grown in the State or

(b) Written assents are filed by not less than 51% of the total number of producers engaged in the production of sweet potatoes, who are engaged in the production of 65% of the sweet potatoes grown in the State.

If the referendum conducted 3 years after the program is begun favors continuation, similar referenda will be held at the end of each 3-year period thereafter.

Note: Effective date.

18. This act shall take effect immediately but shall be inoperative as to the imposition of any assessment until July 1, 1966.

Approved September 20, 1966.

CHAPTER 284

AN ACT concerning the powers and duties of the New Jersey Highway Authority with respect to public highways, tolls and other matters and amending and supplementing the act entitled "An act to facilitate vehicular traffic in the State of New Jersey by providing for the acquisition, construction, maintenance, repair and operation of highway projects; creating the New Jersey Highway Authority and defining its powers and duties; authorizing and establishing the location for a highway project; providing for the regulation of traffic on such projects and prescribing proceedings and penalties for violations thereof; providing for issuance of bonds or notes of the authority and the terms and security thereof; and providing for the collection of tolls and other charges to pay the cost of acquisition, construction, maintenance, repair and operation of such projects and to pay such bonds and notes and the interest thereon" approved April 14, 1952 (P. L. 1952, c. 16).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 20 of the act of which this act is amendatory is amended to read as follows:

C. 27:12B-20. "The Garden State Parkway" authorized.

20. The authority, pursuant to the provisions of this act, is hereby authorized to construct, maintain, improve, repair and operate a project to be known as "The Garden State Parkway," consisting of a highway at the following location or such part or parts thereof as the authority may from time to time determine to be suitable for a project as contemplated by this act: Beginning at such points

as the authority may select as most feasible and practicable at Paterson and also at State Highway Route No. 17 in Paramus or Ridgewood and thence in a general southerly direction to a junction in Passaic county and thence generally along the State highway route referred to in section 21 hereof through Clifton, Passaic county, Essex county and Union county to Woodbridge and thence in a general southerly direction to the vicinity of the Edison bridge and thence over the Raritan river through Middlesex county and Monmouth county to Toms River and thence to a point at or near the city of Cape May; but, notwithstanding any of the prior provisions of this act, the authority: (1) shall exclude from any part of such highway situate more than 5 miles north of its intersection with northern line of Ocean county all traffic except passenger motor vehicles, hearses, funeral flower and service vehicles of types for which issuance of passenger car plates is authorized, campers, omnibusses and taxicabs, and may further regulate the use thereof pursuant to the provisions of section 17 (b) hereof; and (2) shall not fix, prescribe, charge or collect tolls or other charges for transit over or use of any part of said project which is or was a portion of a State highway route if such part was designated as toll-free by written certificate of the State Highway Department filed with the Secretary of State prior to October 1, 1952, unless and until such part has been acquired from the State pursuant to section 21 hereof; and (3) shall, with respect to any part of said project located in Essex county, provide connections therewith by means of parallel, marginal, connecting or other service roads or otherwise, to and from existing county highways intersecting such part of said project between and including Springfield avenue, Irvington, and Belleville avenue, Bloomfield, or such of said county highways as, prior to September 15, 1952 or such later date as may be fixed by the authority, shall be designated by certificate of the county engineer of Essex county, approved by resolution of the au-

thority; and (4) unless and until the authority, pursuant to an agreement with the commissioner, shall have set aside in a special reserve fund to be held by it the sum of $13,000,000.00 to be expended and used as hereinafter provided, shall not collect tolls on such project at Springfield avenue, Irvington, or Belleville avenue, Bloomfield, or at any point between said avenues, except with respect to vehicles entering or leaving the project south of said Springfield avenue or north of said Belleville avenue. The moneys in said special reserve fund may be expended and used by the authority to make payments to the commissioner, pursuant to and as required by the aforementioned agreement, of the excess of the net cost to the State of the construction (generally as a depressed highway and underpassing intersecting roads, streets, highways and the Garden State Parkway, unless subsurface soil conditions are found to be unstable or drainage conditions of such a nature that underpassing the Parkway becomes unfeasible, as determined from engineering studies and reports, then the Freeway shall go over the Parkway) of the part of the public highway approved and designated by the commissioner as Highway Route I-280 and known as the East-West Freeway situate in Essex county between a point easterly of Prospect avenue, West Orange, and a point in Newark between First street and Sixth street, over the net cost to the State, as estimated by the commissioner, of the construction of said part of said public highway as an elevated highway, and no moneys in said fund shall be applied to any purpose except (1) payments to the commissioner as aforesaid, (2) temporary investment pending other authorized use in accordance herewith, or (3) use by the authority for any of its corporate purposes of any balance thereof remaining after payments therefrom to the commissioner aggregating the lesser of (a) $13,000,000.00 or (b) such sum as the commissioner may certify to the authority as the total amount of the aforesaid excess cost of construction, provided, however, that

at any time when the amount in said fund, valuing any temporary investments therein at cost or market value whichever is lower, together with the amount of all payments theretofore made therefrom to the commissioner shall exceed $13,000,000.00, the amount of such excess may be withdrawn from said fund by the authority and deposited in the series one construction fund created under section 502 of the resolution of the authority entitled: "First Supplemental Junior Bond Resolution Authorizing $40,000,000.00 Junior Bonds," adopted by the authority on July 7, 1962, and held or applied as other moneys in said construction fund. In the design, construction and operation of such parkway project, it shall be the duty of the authority, so far as may be deemed practicable by it and may be permitted by the terms of any agreement by it with the holders of its bonds or notes, to permit the largest possible toll-free use of the project by intracounty or short-haul traffic and provide the largest possible number of points of connection between public highways and the project consistent with safe and efficient use of such project and public highways and safe and economical construction and operation of the project on a self-supporting basis.

C. 27:12B-21.1. Construction of additional facilities with funds received.

2. With regard to any funds received from the authority by the State Highway Department for the following sections of the Garden State Parkway now under the jurisdiction of the State Highway Department:

a. That section of the Parkway from Interchange No. 8 to Interchange No. 12, Route U. S. 9, Cape May Court House—4.20 center line miles;

b. That section of the Parkway from north of Dover road along the Parkway ¾ miles south of the interchange at Route N. J. 166—2.50 center line miles;

c. That section of the Parkway from Route U. S. 9 to Union county line—6.37 center line miles;

d. That section of the Parkway from Union county line to Route U. S. 22—7.29 center line miles;

the State Highway Department shall devote at least 50% of the proceeds thereof to the construction of additional highway facilities to accommodate additional local highway traffic generated by the acquisition of the State Highway property by the authority. The proceeds so devoted to highway construction shall be devoted among the affected counties as follows:

a. Union County—45% of the total funds available;

b. Middlesex county—45% of the total funds available;

c. Ocean county—7% of the total funds available;

d. Cape May county—3% of the total funds available.

3. This act shall take effect immediately.

Approved September 21, 1966.

CHAPTER 285

AN ACT providing for an interstate compact in regard to unclaimed property, and matters incidental thereto, between the State of New Jersey and other States.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Unclaimed Property Compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

UNCLAIMED PROPERTY COMPACT

ARTICLE I. PURPOSES

C. 32:28-1. Purposes.

It is the purpose of this compact and of the States party hereto:

(a) To eliminate the risks and inconvenience to which holders of unclaimed property may be subject by reason of actual or possible claims thereto or to the custody thereof by more than one State.

(b) To provide a uniform and equitable set of standards for the determination of entitlement to receive, hold and dispose of unclaimed property.

(c) To provide methods whereby the party States may co-operate with each other in the discovery and taking possession of unclaimed property.

ARTICLE II. DEFINITIONS

C. 32:28-2. Definitions.

As used in this compact, the term:

(a) "Unclaimed property" means any property which under the laws of the appropriate State is subject to delivery to that State for its use or custody by reason of its having been unclaimed or abandoned for such period as the laws of that State may provide.

(b) "Holder" means any obligor or any individual, business association, government or subdivision thereof, public corporation, public authority, estate, trust, 2 or more persons having a joint or common interest, or any other legal or commercial entity having possession, custody or control of unclaimed property.

(c) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States.

ARTICLE III. DETERMINATION OF ENTITLEMENT TO UNCLAIMED PROPERTY

C. 32:28-3. Determination of entitlement to unclaimed property.

(a) Only the State in which unclaimed real property or unclaimed tangible personal property is

located shall be entitled to receive, hold and dispose of such property in accordance with its laws.

(b) In the case of unclaimed property the disposition of which is not determined by the application of paragraph (a) of this article, and the holder of which property is subject to the jurisdiction of only one State, that State and no other shall be entitled to receive, hold and dispose of such unclaimed property in accordance with its laws.

(c) In respect of all unclaimed property the disposition of which is not determined by the applications of paragraphs (a) or (b) of this article, entitlement shall be determined as follows:

(1) The State in which is located the last known address of the person entitled to the property shall be entitled to receive, hold and dispose of the same in accordance with its laws. The last known address shall be presumed to be that shown by the records of the holder.

(2) If the identity of the person entitled is unknown; if no address for the person sufficient to meet the requirements of subparagraph 1 of this paragraph is known; or if the laws of the State of last known address do not subject the property in question to taking, and if the holder is a corporation or other entity, the State under whose laws the holder is incorporated or organized shall be entitled to receive, hold and dispose of the same in accordance with its laws. If the holder is incorporated or organized under the laws of more than one party State, such party States shall be entitled to take equal shares of the property covered by this paragraph. In such event, each shall bear a proportionate share of the costs of the taking.

(3) If the disposition of any unclaimed property is not determined by application of any preceding provision of this article, the State in which is located the office of the holder making the largest total disbursements within

its immediately preceding fiscal year shall be entitled to receive, hold and dispose of the property in accordance with its laws.

(4) Whenever unclaimed property has been taken by a party State in accordance with this paragraph, within 1 year from the taking of such property, or within 1 year from the earliest time at which another party State would have been entitled to take the property in question pursuant to its unclaimed property laws, whichever date is later, any party State shall be entitled to establish the identity and last known address of an entitled person previously thought to be unknown, or to establish a later known address for an entitled person. Upon such establishment, and on the basis thereof a party State shall upon demand be entitled to receive the property from the State initially taking the same and to hold and dispose of it in accordance with its laws. This subparagraph shall not apply to a claim made by a State under a statute enacted subsequent to the time when the initial State took the property.

ARTICLE IV. CO-OPERATION

C. 32:28-4. Co-operation.

The party States pledge to each other faithful co-operation in the administration of their respective unclaimed property laws. To this end, a party State shall, upon the request of any other party State, make available to any such State any information which it may have in its possession by reason of its administration of its own unclaimed property laws, unless disclosure thereof is expressly prohibited by the laws of the party State of which the request is made. Unless the party States concerned otherwise agree, the party State making a request for information pursuant to this article shall be entitled to receive it only by bearing such costs as may be involved in furnishing the information requested.

C. 32:28-5. State laws unaffected in certain respects.

Article V. State Laws Unaffected in Certain Respects

Each party State may enact and continue in force any statute not in conflict with this compact and may employ the escheat, custodial, or any other principle in respect of unclaimed property.

C. 32:28-6. Finality.

Article VI. Finality

Except as provided in Article III (c) (4):

(1) No unclaimed property escheated or received into the custody of a party State, prior to February 1, 1965, pursuant to its laws shall be subject to the subsequent claim of any other party State, and the enactment of this compact shall constitute a waiver by the enacting State of any such claim.

(2) No unclaimed property escheated or received into the custody of a party State on or after February 1, 1965 shall be subject to the subsequent claim of any other party State, and the enactment of this compact shall constitute a waiver by the enacting State of any such claim: provided that such taking was consistent with the provisions of this compact.

C. 32:28-7. Extent of rights determined.

Article VII. Extent of Rights Determined

The only rights determined by this compact shall be those of the party States. With respect to any nonparty State, an assertion of jurisdiction to receive, hold or dispose of any unclaimed property made by a party State shall be determined in the same manner and on the same basis as in the absence of this compact. In any situation involving multiple claims by States, both party and nonparty, the standards contained in this compact shall be used to determine entitlement only as among the party States. With respect to the claims of any nonparty State any controversy shall be determined in accordance with the law as it may be in the absence of this compact. The enactment of this compact shall not constitute a waiver of any claim by a party State as against an nonparty State.

ARTICLE VIII. ENTRY INTO FORCE AND WITHDRAWAL

C. 32:28-8. Entry into force and withdrawal.

This compact shall enter into force and become binding as to any State when it has enacted the same into law. Any party State may withdraw from the compact by enacting a statute repealing the same, but no such withdrawal shall take effect until 2 years after the executive head of the withdrawing State has given notice in writing of the withdrawal to the executive head of each other party State. Any unclaimed property which a State shall have received, or which it shall have become entitled to receive by operation of this compact during the period when such State was party hereto shall not be affected by such withdrawal.

ARTICLE IX. CONSTRUCTION AND SEVERABILITY

C. 32:28-9. Construction and severability.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the Constitution of any party State or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any State party thereto, the compact shall remain in full force and effect as to the remaining States and in full force and effect as to the State affected as to all severable matters.

C. 32:28-10. Enactment by other States.

2. This act shall take effect upon the enactment into law of legislation of like substance and effect by the States of New York, Pennsylvania and Illinois but if the States of New York, Pennsylvania and Illinois have already enacted such legislation, this act shall take effect immediately.

Approved September 29, 1966.

CHAPTER 286

AN ACT concerning agricultural co-operative associations, amending, supplementing and repealing parts of the statutory law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 4:13–1 of the Revised Statutes is amended to read as follows:

Definitions.

4:13–1. "Agricultural products" includes horticultural, viticultural, floricultural, forestry, dairy, livestock, fur-bearing animals, poultry, bee and any farm products, including fresh and salt water food products.

"Association" means an association incorporated or a foreign corporation authorized to do business under this chapter.

"Member" means an actual member of an association without capital stock and a holder of common stock in an association with capital stock.

Section amended.

2. Section 4:13–2 of the Revised Statutes is amended to read as follows:

Incorporation.

4:13–2. Any 3 or more persons or any 2 or more agricultural co-operative associations or combination thereof eligible for membership under this chapter may form a nonprofit co-operative agricultural association, either with or without capital stock, by subscribing and filing a certificate of incorporation, as provided by this chapter.

C. 4:13-2.1. Payment of annual fee to Secretary of Agriculture.

3. Each agricultural co-operative association organized hereunder with or without capital stock or foreign corporations authorized to transact business under the provisions of 4:13–15 shall pay to the Secretary of Agriculture an annual fee of $10.00, in lieu of all franchise or corporation taxes which fee shall accompany a statement of eligibility to be incorporated under this act to be filed on or before March 31 annually.

Such association shall be exempt from the provisions of the Corporation Business Tax Act and Uniform Security Law provided that on or before the first day of the eighteenth month following the date of filing of certificate of incorporation with the Secretary of Agriculture, said association shall have applied for or received a letter of exemption from the Internal Revenue Service of the United States Department of the Treasury and a true copy of such application or letter of exemption is filed with the Secretary of Agriculture.

The Secretary of Agriculture shall certify to the Director of the Division of Taxation and the Secretary of State the names of all agricultural co-operative associations on or before September 1 of each year that have complied with the requirements of this section.

Section amended.

4. Section 4:13–3 of the Revised Statutes is amended to read as follows:

Purposes of incorporation.

4:13–3. An association may be organized to engage in any co-operative activities for its members, and within the limitations hereinafter in this chapter set forth, for nonmembers in connection with any of the following:

a. The marketing, selling of, bargaining and contracting for agricultural products and the by-products thereof; or

b. The production, manufacture, harvesting, preserving, drying, processing, canning, packing, storing, hauling, handling, shipping, ginning or utilization thereof;

c. The manufacturing, purchasing, contracting for, or hiring, selling or supplying machinery, equipment, services or supplies, including livestock;

d. The hiring or supplying of labor;

e. The financing of any one or more of the above enumerated activities; or

f. Any one or more of the activities specified in this section.

Section amended.

5. Section 4:13–4 of the Revised Statutes is amended to read as follows:

Certificate of incorporation; contents.

4:13–4. The certificate of incorporation shall be signed by all the incorporators and shall set forth:

a. The name of the association, which may include the words "co-operative" and "association";

b. The objects for which it is formed, which shall be one or more of the objects enumerated in section 4:13–3 of this Title;

c. The territory in which its operations are to be conducted, the location of its principal office in this State and the name of the agent in charge thereof and upon whom process against the corporation may be served;

d. The term for which it is to exist;

e. The names and post-office addresses of the subscribers;

f. If organized with capital stock, the total authorized capital stock, which shall not be less than $2,000.00, the number of shares into which the same is divided and the par value of each share; the amount of capital stock with which it will commence business; and, if there is more than one class of stock, a description of the different classes, with the terms on which the respective classes are to be created;

g. The amount, if any, in which members shall be liable for the debts of the association in addition to the membership fee or subscription to capital stock;

h. Any other provisions not inconsistent with law, which the association may see fit to adopt, governing the regulation and conduct of its affairs.

Section amended.

6. Section 4:13–5 of the Revised Statutes is amended to read as follows:

Use by similar organizations of term "co-operative."

4:13–5. No person, firm, corporation or association organized after February 28, 1924, for the purpose of engaging in any of the activities mentioned in section 4:13–3 of this Title, shall use the word "co-operative" as part of its corporate or other business name or title unless it has organized under this chapter, or has been authorized to transact business in New Jersey under section 15 of this chapter.

Section amended.

7. Section 4:13–6 of the Revised Statutes is amended to read as follows:

Recording and filing of certificate.

4:13–6. The certificate of incorporation shall be proved or acknowledged as required for deeds of real estate, and;

a. Shall be filed and recorded in the office of the Secretary of State;

b. A copy thereof, duly certified by the Secretary of State, shall be recorded with the county clerk of the county in which the principal office is located; and

c. A duly certified copy of said certificate of incorporation shall be filed in the office of the Secretary of Agriculture, who shall charge a filing fee of $5.00.

Section amended.

8. Section 4:13–7 of the Revised Statutes is amended to read as follows:

Association as body corporate.

4:13–7. The persons so associating, their successors and assigns, shall, from the date of the filing and recording with the Secretary of State, be a body corporate by the name set forth in the certificate and shall acquire all the rights and privileges granted under the terms of this chapter upon filing with the Secretary of Agriculture.

Section amended.

9. Section 4:13–8 of the Revised Statutes is amended to read as follows:

Amending certificate.

4:13–8. The certificate of incorporation may be amended by the affirmative vote of a majority of the members or delegates present at any regular meeting or at any special meeting called for that purpose, on 10 days' notice; if the amendment has first been approved by a ⅔ vote of the directors present and acting at a duly constituted meeting, and if the certificate as so amended is such as might have been originally made and filed under this chapter.

A certificate of the amendment under the association's seal, signed by the president and acknowledged by the secretary, shall be recorded and filed in the manner provided in section 4:13–6 of this Title.

Section amended.

10. Section 4:13–10 of the Revised Statutes is amended to read as follows:

Merger or consolidation of associations.

4:13–10. Whenever any 2 or more associations incorporated or authorized to transact business under the provisions of this act desire to merge or consolidate into a single new association, the directors thereof shall enter into a joint agreement therefor which shall contain all the terms of the merger or consolidation and set forth, with regard to the new association, the facts required to be set forth in original certificates of incorporation of associations.

The joint agreement shall be submitted to the members of each association concerned at separate meetings called upon 10 days' notice in writing for that purpose and if it is adopted by the vote of a majority of the members of each association present at each meeting, then a copy thereof, duly certified and acknowledged by the president and secretary of each association, shall be recorded and filed in the office of the Secretary of State and a certified copy filed with the Secretary of Agriculture together with a filing fee of $5.00 payable to the New Jersey Department of Agriculture.

In the case of an association which has adopted the delegate plan of voting, the vote to be taken as provided herein may be taken at a meeting of the delegates and the required vote shall be a majority of the delegates present and voting.

Upon such filing the associations merging or consolidating shall cease to exist and the new association shall succeed to all their rights, titles, properties and interests and shall be subject to all their liabilities and obligations.

C. 43:13-10.1. Members of federated co-operative association.

11. Two or more associations incorporated in New Jersey or foreign corporations authorized to transact business under section 15 of this chapter may form or become a member of a federated co-operative association incorporated under this chapter or any similar act in any other State and assign to the federated association any mutually agreed functions and duties not inconsistent with this chapter.

12. Section 4:13–11 of the Revised Statutes is amended to read as follows: Section amended.

4:13–11. The members of any association, at any regular or special meeting or meetings called for the purpose upon not less than 20 days' notice of the time, place and object of the meeting or meetings first having been given as prescribed in the by-laws may by a vote of a majority of the members present and voting at such meeting or meetings vote to discontinue its operations and be dissolved in the manner hereinafter set forth. The resolution adopted at such meeting or meetings shall designate a committee of 3 members who shall act as trustees in dissolution and liquidate the assets, pay the debts and expenses and divide any of the remaining funds of the association among the members and patrons in accordance with the certificate of incorporation and the by-laws. Any vacancy on the committee of trustees in dissolution shall be filled by the remaining trustees from among the membership. Upon final settlement by such committee, the association shall be deemed dissolved and shall cease to exist under this chapter, provided a report of the proceedings taken under this section shall be signed by the members of the committee duly acknowledged by them and filed in the office of the Secretary of State and a copy of the same with the Secretary of Agriculture. The resolution of the members may provide compensation for the services of the members of the committee. Dissolution of associations.

In the case of an association which has adopted the delegate plan of voting, the vote to be taken as provided herein may be taken at a meeting of the delegates and the required vote shall be a majority of the delegates present and voting.

The Chancery Division of the Superior Court shall have full jurisdiction to hear in a summary manner any questions or litigation arising out of the proceedings of such dissolution.

13. Section 4:13–13 of the Revised Statutes is amended to read as follows: Section amended.

Right of existing associations to come within chapter.

4:13–13. An agricultural association or corporation, incorporated or authorized to do business in this State under any law other than this chapter, may become subject to the provisions of this chapter, provided a resolution declaring such change advisable is adopted by the directors of such association and approved in accordance with the statute under which it is incorporated or currently operating.

A copy of the resolution, duly certified and acknowledged by the president and secretary of the association, shall be filed with the Secretary of State and Secretary of Agriculture and thereupon the association shall become subject in all respects to the provisions of this chapter.

Section amended.

14. Section 4:13–15 of the Revised Statutes is amended to read as follows:

Authorizing foreign corporations to transact business.

4:13–15. A foreign corporation organized for the purpose of engaging in any of the activities mentioned in section 4:13–3 of this Title, and desiring to operate under the privileges granted by this statute, before transacting any business in this State, shall file in the office of the Secretary of State;

a. A copy of its charter or certificate of incorporation;

b. A statement, attested, by its president and secretary under its corporate seal that it is organized as a nonprofit, co-operative agricultural association, and that it is operated for the mutual benefit of its members, and designating its principal office in this State and an agent upon whom process against the corporation may be served, which agency shall continue until the substitution, by writing, of another agent. Such agent shall be a domestic corporation duly qualified to act or a natural person of full age actually a resident in this State;

Upon the filing of such certificate and statement, the Secretary of State shall issue to such corporation, by whatever name known a certificate authorizing it to transact business in this State.

Upon issuance of such certificate, the foreign co-operative shall forthwith file with the Secretary of Agriculture, who shall charge a filing fee of $5.00, duplicates of the said certificate and statement together with the following:

c. A copy of its current by-laws, duly attested by its president and secretary, under its corporate seal.

d. A certified copy of the certificate of authority issued by the Secretary of State.

e. Upon filing of all required documents and payment of filing fee with the Secretary of Agriculture, the foreign co-operative shall acquire all of the rights and privileges granted under the terms of this chapter and be subject to its provisions including the filing of annual reports and statements.

C. 4:13-15.1. Repealed.

15. Section 14 of chapter 332 of the laws of 1953 is repealed.

Section amended.

16. Section 4:13–18 of the Revised Statutes is amended to read as follows:

Election of directors and adoption of by-laws.

4:13–18. At the first meeting of the association the directors shall be elected and, by majority vote of the members or their written assent, by-laws shall be adopted regulating the conduct and management of the association. A copy of the by-laws certified by the president and secretary, shall be filed forthwith in the office of the Secretary of Agriculture. The by-laws shall provide the method for amending the by-laws. The by-laws shall, within the limitations of this chapter, prescribe:

a. The time, place and manner of calling and conducting its meetings one of which shall be designated as the annual meeting and the number of members or delegates necessary to constitute a quorum for the transaction of business;

b. The number and qualifications of members and the conditions under which membership shall be granted and terminated; rules governing the issuance, transfer and cancellation of membership certificates and certificates of common and other classes of stock and the manner of ascertaining the interests of members in the assets, if any, of the

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association; rules governing the exercise of the privileges of members; rules governing the method, time and manner of the resignation or withdrawal of members; and rules for ascertaining and paying the value of a member's interest upon his death, withdrawal, resignation, expulsion or the forfeiture of his membership;

c. The number of the directors and the time, place and manner of their election and removal, their powers and duties, their number, not less than a majority, necessary to the exercise of their powers, and their compensation, if any, also their qualifications, manner of nominations, district and other eligibilty requirements;

d. The officers, their terms of office, the time and manner of their appointment and removal, their powers and duties and the manner in which their compensation, if any, shall be determined;

e. The amount of entrance, organization and membership fees, if any; the manner and method of collection of the same, and the purposes for which they may be used;

f. The amount which each member or stockholder shall be required to pay annually or from time to time, if at all, to carry on the business of the association, the charge, if any, to be paid by each patron for services rendered by the association to him and the time of payment and manner of collection;

g. The date of the commencement of its business or fiscal year;

h. Any other provisions proper and necessary to carry out the purposes for which the association was formed.

Section amended.

17. Section 4:13–19 of the Revised Statutes is amended to read as follows:

Board of directors.

4:13–19. The board of directors of an association shall consist of not less than 3 persons and the directors shall be members of the association or individual representatives of corporate members thereof.

The directors shall be chosen annually by the members or delegates and shall hold office for 1 year, except that an association, by so providing in its by-laws, may elect several classes of directors for different terms, classifying them according to their tenure. In such case no class shall be elected for a shorter period than 1 year or a longer period than 3 years and the term of office of at least one class shall expire in each year.

Directors shall hold office until their successors have been elected and qualified and have entered upon the discharge of their duties.

Vacancies shall be filled as provided in the by-laws.

No director, during his term of office, shall be a party to a contract for profit with the association differing from the business relations accorded other members, except as the director may be employed by the association.

The board shall manage the affairs of the association and perform other duties specifically imposed upon it by this chapter except that if provided in the by-laws the board may appoint an executive committee of not less than 3 members from among the board of which the president shall be one to act for the board of directors between meetings.

Section amended.

18. Section 4:13–22 of the Revised Statutes is amended to read as follows:

Expulsion of members; removal of director or officer.

4:13–22. A member, director or officer of the association may, for cause, be expelled from membership or removed from office, by vote of not less than ⅔ of the directors present and voting at any regular meeting or at any special meeting of the board of directors called for the purpose.

The person against whom charges are to be presented shall be given at least 20 days' written notice of the time, place and object of any such meeting, and of the charges against him and at the meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto.

Section amended.

19. Section 4:13–23 of the Revised Statutes is amended to read as follows:

Issuance of certificates.

4:13–23. Every association without capital stock shall issue a certificate of membership to each member. Every association with capital stock shall issue a certificate of common stock to each member, certifying the number of such shares of stock held by him. Such certificates shall not be transferable, and no person who may acquire the same by operation of law, or otherwise than as prescribed in this chapter and the certificate of incorporation and by-laws of the association, shall be entitled to become a member by virtue thereof. Notice of such limitations shall be printed on the face thereof.

No association shall issue a certificate of membership, or certificate of common stock until the membership fee, or stock subscription, has been paid in full. The promissory notes of the members may be accepted by the association as full or partial payment.

Section amended.

20. Section 4:13–24 of the Revised Statutes is amended to read as follows:

Voting.

4:13–24. No member shall be entitled to more than one vote. No vote by proxy shall be received. Absent members may, under rules prescribed in the by-laws, be permitted to vote on specific questions by ballots deposited with the secretary, or other proper officer of the association, by mail, which ballots shall be counted only at the meeting at which such specific questions are voted upon.

If so provided in the by-laws, the holders of preferred stock that is limited to producers or associations of producers may have voting power.

C. 4:13-24.1. Provision for voting rights.

21. An association incorporated under this chapter may provide in its certificate of incorporation or by-laws for proportionate or unequal voting rights of all its members based upon the patronage of said members, which shall be exercised when and as provided in said by-laws, except that no member shall be entitled to more than one vote in any case in which a statute requires the affirmative vote of a majority or more of the members. The method by which such proportionate voting rights shall be as determined and fixed in the certificate of incorporation or by-laws as the case may be.

C. 4:13-24.2. Method of voting.

22. An association may, by by-law, provide for a method of voting for the election of a delegate or delegates from each of its designated districts or locals, and for voting by such delegates. As provided in the by-laws, each delegate may have one vote in the affairs of the association; or one vote for each member in his designated district or local; or one vote for each member who was present and voted in person at meetings in the respective districts or locals; or the number of votes may be apportioned according to patronage.

Section amended.

23. Section 4:13–25 of the Revised Statutes is amended to read as follows:

Liability of member for debts of association.

4:13–25. No member shall be personally liable for the debts of the association.

Section amended.

24. Section 4:13–27 of the Revised Statutes is amended to read as follows:

Requiring members to deal through association; withdrawal.

4:13–27. The by-laws or contracts may require the members to sell all or any part of their specifically enumerated agricultural products, and buy all or any part of their specifically enumerated agricultural supplies, exclusively through the association, but in such case shall specify a reasonable period in each year during which a member, by giving the notice prescribed in the by-laws or contract, may withdraw and be released from his obligation to employ the services of the association in respect to such products and supplies.

Section amended.

25. Section 4:13–28 of the Revised Statutes is amended to read as follows:

Liquidated damages for failure of member to perform.

4:13–28. The by-laws or contract may fix specific sums, in amounts fairly related to the actual damages ordinarily suffered in like circumstances, to be paid to the association as liquidated damages by a member who shall fail to perform any obligation to the association imposed upon him by the certificate of incorporation, the by-laws or a contract between him and the association. Such provision shall be valid and enforceable in an action brought by the association against a member.

Section amended.

26. Section 4:13–29 of the Revised Statutes is amended to read as follows:

Validity of contracts with members.

4:13–29. Any contract between an association and any of its members, which is authorized by this chapter, shall be valid and enforceable in any action brought by the association against a member. In the event of any breach or threatened breach of such contract by a member, the association shall be entitled to an injunction to prevent further breach of the contract, and to a decree of specific performance thereof. Pending the adjudication of such an action, and upon filing a verified complaint showing the breach or threatened breach, and upon filing a sufficient bond, the association shall be entitled to a temporary restraining order and preliminary injunction against the member.

Section amended.

27. Section 4:13–30 of the Revised Statutes is amended to read as follows:

Dealings with nonmembers.

4:13–30. The association may market agricultural products and purchase equipment and supplies for nonmembers, but not to an amount greater in value than the amount purchased and sold for members. The value of purchases made for nonmembers who are not producers, shall not exceed 15% of the value of all purchases. As a condition of its contract with a nonmember, the association may impose upon him any liability for the contracts, debts and engagements of the association which does not exceed the liability of a member. In no case shall the association charge a nonmember for services more than a member is charged for similar services.

An association not exempt under the provisions of the Federal Internal Revenue Code shall not be restricted in its purchases for nonmembers or nonmember nonproducers and shall not be required to make refunds to nonmembers or nonmember nonproducers as required under sections 4:13–32 and 4:13–33 of the Revised Statutes, if so provided in the by-laws.

Section amended.

28. Section 4:13–31 of the Revised Statutes is ameneded to read as follows:

Reserve fund; fees or charges; patrons' revolving capital funds certificates.

4:13–31. The directors may establish reserve funds for working capital and for contingencies and patrons' revolving funds and transfer thereto, from time to time in their discretion, such sums as

they may deem expedient. The association may provide for the payment of expenses necessary in the performance of its services for members, and accumulation of the said funds, through fees, dues, assessments, charges, retains or deductions from patrons' refunds, and earnings or savings to be fixed and collected as prescribed by the board of directors.

Shares in such patrons' revolving funds may be evidenced by certificates or notices, which may be issued upon such terms and shall be redeemable and payable at such times, as shall, from time to time, be determined by the board of directors.

Section amended.

29. Section 4:13–32 of the Revised Statutes is amended to read as follows:

Dividing yearly balance of associations without capital stock.

4:13–32. In the case of associations without capital stock after payment of expenses and the establishment of the funds, as authorized in section 4:13–31 of this Title, and as soon after the end of the fiscal year as possible, the whole balance remaining shall be divided among those patrons, members, and nonmember producers and may include nonproducers on the basis of patronage in the proportion that the volume of business done for such patrons by the association during the fiscal years bears to the total volume of business transacted by the association during the fiscal year; provided, however, that the association instead of paying patronage dividends to member and nonmember producers in cash may keep a permanent record from which the proportionate shares of the patronage dividends due to member and nonmember producers can be determined, as part of a reserve or patrons' revolving fund, which may be evidenced by certificates or notices, and in the case of nonmember producers, such shares may be made applicable toward the cost of membership in the association.

In calculating the amount to be paid to a nonmember upon whom liability for the debts of the association has not been imposed as authorized by

section 4:13–30 of this Title, such sum shall be deducted as in the opinion of the directors is a reasonable charge, in lieu of such liability.

Section amended.

30. Section 4:13–33 of the Revised Statutes is amended to read as follows:

Dividends and division of balance of associations with capital stock.

4:13–33. In the case of associations with capital stock, after payment of expenses and the establishment of the funds, as authorized in section 4:13–31 of this Title, and as near or as soon after the end of the fiscal year as possible there shall be paid to the members out of the income of the association an interest dividend not exceeding 8% of the par value of the stock held by them at the end of the fiscal year. The whole balance then remaining after the payment of interest dividend shall be divided among those patrons, members and nonmember producers and may include nonproducers on the basis of patronage, in the proportion that the volume of business done for such patrons by the association during the fiscal year bears to the total volume of business transacted by the association during the fiscal year; provided, however, that the association, instead of making such division among the member and nonmember producers in cash, may keep a permanent record from which the proportionate shares due to members and nonmember producers can be determined, as part of a reserve for patrons' revolving fund, which may be evidenced by certificates or notices and, in the case of nonmember producer patrons, such shares may be made applicable toward the purchase price of a share or shares of stock of a membership in the association.

In calculating the amount to be paid to nonstockholders, upon whom liability for the debts of the association has not been imposed as authorized by section 4:13–30 of this Title, such sum shall be deducted as in the opinion of the directors is a reasonable charge in lieu of such liability.

Section amended.

31. Section 4:13–34 of the Revised Statutes is amended to read as follows:

4:13–34. An association shall appoint, annually, an auditing committee of 3 persons, who shall not be directors, officers, agents or employees of the association but who may or may not be members thereof; or have a certified public accountant conduct such audit. Annual audit and report; disclosure forbidden.

At the close of each fiscal year a complete audit of the operations of the association shall be made, a written report of which shall include a general statement of its business operations, the balance sheet, the operating statement, the total number of members thereof, and other proper information, and shall be submitted to the members or delegates at the next regular meeting or meetings.

No person shall, without consent of the association, except in obedience to judicial process, make or permit any disclosure whereby any information contained in the report may be identified as having been furnished by the association.

32. Any association coming under the provisions of this chapter shall, within 4 months after the expiration of its fiscal year, file an annual report with the Secretary of Agriculture, which shall include, but not be limited to a copy of the annual audit, any changes in the articles of incorporation or by-laws, a list of the current officers and directors, date of the preceding annual meeting of members or delegates, and such other information as shall be prescribed on a form provided by the secretary. C. 4:13-34.1. Annual report.

33. Section 7 of chapter 303 of the laws of 1951 is amended to read as follows: Section amended.

7. On or before August 31 each year, the Secretary of Agriculture shall have the authority, if in his opinion the same is justified, to certify to the Secretary of State a list containing the names of any co-operative associations incorporated or qualified under the provisions of this chapter and which have not filed the written report and audit as required by section 4:13–34 of the Revised Statutes for the fiscal year ending during the calendar year next preceding the date of certification. Such cer- C. 4:13-35. Certification of list of co-operative associations.

tification in the case of a domestic co-operative shall direct that such association be dissolved by proclamation and in the case of foreign associations shall certify to the Secretary of State that the authority of such association to transact business in this State be terminated.

The Secretary of Agriculture shall have the authority to have an accountant of the department examine the books and accounts of any co-operative association that fails to comply with the provisions of 4:13–34 and notify the membership as to the findings.

Section amended.

34. Section 9 of chapter 303 of the laws of 1951 is amended to read as follows:

C. 4:13-37. Duties of Secretary of State.

9. The Secretary of State shall, upon receipt of such a list, cause the names so certified to be compared with his records, and if error is discovered he shall cause necessary corrections therein to be made by the Department of Agriculture. He shall then make a proclamation under his hand and seal of office as to the co-operative associations whose names are included in such list as finally corrected, declaring such co-operative associations dissolved and their charters forfeited, or their authority to transact business in this State terminated pursuant to the provisions of this act. He shall file the original proclamation in his office, mail a copy to each co-operative association named in such proclamation, addressed to the principal office of the association as shown on the records in the office of the Secretary of State and shall publish a copy thereof in the issue of the pamphlet laws next following the making of said proclamation.

Section amended.

35. Section 10 of chapter 303 of the laws of 1951 is amended to read as follows:

C. 4:13-38. Dissolution of associations.

10. Upon issuance of such proclamation and the mailing of a copy thereof, in the manner aforesaid, each domestic association named therein shall be deemed dissolved without further legal proceedings; and the authority of foreign associations to transact business in this State terminated.

36. Section 12 of chapter 303 of the laws of 1951 is amended to read as follows:

Section amended.

12. The names of all co-operative associations so dissolved or whose authority to transact business has been terminated shall be reserved for a period of 4 months immediately following the date of mailing a copy of the proclamation by the Secretary of State to the association, as if the association were still in existence.

C. 4:13-40. Names of co-operative associations reserved.

37. Section 13 of chapter 303 of the laws of 1951 is amended to read as follows:

Section amended.

13. If any such association so dissolved or whose authority has been terminated shall file with the Secretary of State before the expiration of 3 months a certificate of compliance issued by the Department of Agriculture that all required reports of the co-operative association have been filed with that department, it shall have the effect of annulling all of the proceedings theretofore taken for the dissolution or termination of such co-operative association under the provisions of this act, and such association shall thereupon have such corporate powers, rights, duties and obligations as it had on the date of the mailing of a copy of the proclamation with the same force and effect as if such proclamation had not been made. The fee of the Secretary of State for filing such certificate shall be $5.00, and of the Department of Agriculture for issuance of the certificate of compliance, $5.00.

C. 4:13-41. Annulment of dissolution or termination proceedings.

38. This act shall take effect 90 days after enactment.

Note: Effective date.

Approved October 3, 1966.

CHAPTER 287

AN ACT concerning education, authorizing contracts between boards of education and their employees in relation to the purchase of annuities in certain cases, and supplementing Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:5-50.21. Salary deduction for purchase of annuity.

1. Any board of education may enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the board's agreement to use a corresponding amount to purchase an annuity for such employee from any company authorized to transact the business of making insurance as specified in paragraph c of section 17:17–1 of the Revised Statutes. Such annuity shall be purchased by means of an individual or group annuity contract which may provide for continuance of purchase payments during total disability, and under which the rights of such employee to such contract shall be nonforfeitable. Every such agreement shall specify the amount of such reduction, the effective date thereof, and shall be legally binding and irrevocable with respect to the amounts earned while the agreement is in effect. The total amount of the reductions in an employee's salary pursuant hereto, for any calendar year, shall not, when added to the contributions made in such year on behalf of such employee in accordance with section 7 of chapter 123 of the laws of 1963, exceed 10% of the employee's salary for such year before such reductions or contributions. Any such agreement may be terminated upon notice in writing by either party.

C. 18:5-50.22. Purpose of deduction.

2. Any reduction in salary agreed to by any employee pursuant to the provisions of this act shall

be deemed to be a reduction in salary for the purpose of obtaining the benefits afforded under section 403 (b) of the Federal Internal Revenue Code and shall not be deemed to be a reduction in salary in any other matter, the determination of which is based upon the total amount of the employee's salary.

Validating.

3. Any agreements having the same purpose as agreements authorized by this act, heretofore made between a board of education and any of its employees are hereby validated and confirmed and shall be as good and effectual as if they had been made under the provisions of this act provided that the terms of any such agreement applicable after July 1, 1967 are in conformity with the terms applicable to the agreements specifically authorized by this act.

4. This act shall take effect immediately.

Approved October 6, 1966.

CHAPTER 288

AN ACT relating to certain appointments to township police departments, to the civil service status of such appointees and their eligibility for membership in the police and firemen's retirement system.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:149-3.2. Appointment validated and confirmed.

1. In any township operating under the provisions of subtitle 3 of Title 11 of the Revised Statutes in which a police department has been established by ordinance pursuant to the provisions of Revised Statutes 40:149–1, the appointment of any

person as a member or officer of the police department, who, at the time of the adoption of said ordinance and for a period of not less than 5 years prior thereto, served as a police officer for the township by appointment pursuant to Revised Statutes 40:149–2, is hereby validated and confirmed and every such person shall continue in the office or position to which he was appointed and shall be included in the competitive class of the classified service subject to all of the provisions of Title 11 of the Revised Statutes and entitled to all the rights, benefits and privileges thereof.

C. 40:149-3.3. Member of retirement system.

2. Every person whose appointment is validated and confirmed by this act and who at the time of his appointment as a police officer pursuant to Revised Statutes 40:149–2 possessed the qualifications required by Revised Statutes 40:47–3 and 40:47–4 for appointment to a police department or force, shall be accepted by the board of trustees of the police and firemen's retirement system of New Jersey as a member of the retirement system provided there is paid into the retirement system, in such manner as the board shall prescribe, the contributions that would have been payable had his membership commenced at the time of his appointment pursuant to Revised Statutes 40:149–2.

3. This act shall take effect immediately.

Approved October 6, 1966.

CHAPTER 289

AN ACT concerning motor vehicles and supplementing chapter 4 of Title 39 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 39:4-92.1. Fire department vehicle; flashing red light.

1. It shall be lawful for any fire department vehicle when returning to its fire station from an emergency call to display a flashing red light visible under normal atmospheric conditions from a distance of at least 500 feet to the rear of the vehicle and no driver of any vehicle other than one on official business shall follow any such vehicle displaying said light closer than 300 feet.

2. This act shall take effect immediately.

Approved October 6, 1966.

CHAPTER 290

AN ACT concerning municipal support of first-aid and emergency or volunteer ambulance or rescue squad associations, and amending section 40:5–2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 40:5-2 of the Revised Statutes is amended to read as follows:

Contribution to first aid and emergency or volunteer ambulance or rescue squad associations.

40:5–2. Any county or municipality may make a voluntary contribution of not more than $10,000.00 annually to any duly incorporated first-aid and emergency or volunteer ambulance or rescue squad association of the county, or of any municipality therein, rendering service generally throughout the county, or any of the municipalities thereof.

2. This act shall take effect immediately.

Approved October 6, 1966.

CHAPTER 291

AN ACT establishing a board of recreation examiners, and prescribing its powers and duties.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 13:1C-1. Definitions.

1. As used in this act, unless the context shall otherwise indicate, the following words shall have the following meaning:

(a) "Board" means the board of recreation examiners established under this act.

(b) "Recreation administrator" means the executive head or assistant to the executive head administering a major recreation program for the State or a county or municipality, or any agency thereof, or for any public institution.

(c) "Recreation supervisor" means a person responsible for the planning, organizing and supervising of a part of a program administered by a recreation administrator.

C. 13:1C-2. Board of recreation examiners.

2. There is hereby established in the Department of Conservation and Economic Development the board of recreation examiners of the State of New Jersey, which shall consist of 5 members to be appointed by the Governor with the advice and consent of the Senate.

C. 13:1C-3. Terms; compensation.

3. Each member of the board shall be appointed for a term of 3 years, except that the first members of the board shall be appointed and shall serve —one for 1 year, one for 2 years, and one for 3 years. No member shall be appointed to serve for more than 2 consecutive terms. All members shall serve without compensation.

C. 13:1C-4. Vacancies.

4. All members of the board shall serve after the expiration of their repective terms until their respective successors shall be appointed and shall qualify, and vacancies occurring in the membership of the board shall be filled for the unexpired terms only.

C. 13:1C-5. Meetings.

5. The first meeting of the board shall be held at the call of the Governor, and thereafter the board shall meet annually and shall hold at least one additional meeting within each 12-month period.

C. 13:1C-6. Election of chairman and vice-chairman.

6. The board shall, at its first meeting and thereafter at each annual meeting, elect a chairman and vice-chairman from among its membership, but no member shall be elected chairman for more than 2 consecutive years. The board may also appoint a secretary who shall serve for a term of 1 year and until his successor is appointed and shall qualify. A quorum of the board shall consist of a majority of the membership thereof.

C. 13:1C-7. Duties.

7. It shall be the duty of the board to:

(a) Administer a plan of permissive certification and registration for recreation administrators and recreation supervisors.

(b) Make such rules and regulations as may be necessary for the enforcement of the plan.

(c) Establish and modify qualifications and hold examinations for certification and registration of recreation administrators and recreation supervisors.

(d) Keep, or cause to be kept, an accurate record of all its proceedings, including a register of all applicants for certificates and of all individuals to whom certificates are issued.

(e) Conduct, or assist in conducting, research and studies of problems relating to professional standards among those engaged in recreation work and recommend changes and improvements therein.

(f) Formulate proper application forms, certificates, and other materials pertinent to the plan.

(g) Make annually to the Governor a full and true report of all its activities with recommendations.

C. 13:1C-8. Application.

8. No person shall be denied the right to make application for certification and registration or for admission to examination therefor or to receive a certificate because of race or creed.

C. 13:1C-9. Requirements for administrator.

9. Every applicant for certification and registration as a recreation administrator shall, in order to be eligible to take an examination therefor:

(a) hold a baccalaureate degree in recreation from an accredited college and have a minimum total of 12 months' successful recreation experience, or

(b) hold a baccalaureate degree in a field related to recreation, such as group work, sociology, or physical education from an accredited college, and have a minimum total of 24 months' successful recreation experience, or

(c) hold a baccalaureate degree from an accredited college and have a total of 36 months' successful recreation experience, or

(d) have 6 or more years' successful administrative and supervisory recreation experience.

In meeting the above designated qualifications an applicant may substitute an additional year of specialized graduate training in recreation for 1 year of successful recreation experience.

C. 13:1C-10. Requirements for supervisor.

10. Every applicant, for certification and registration as a recreation supervisor shall, in order to be eligible to take an examination therefor,

(a) hold a baccalaureate degree in recreation from an accredited college in one or more specialized fields of recreation and have a minimun total of 9 months' successful recreation experience, or

(b) hold a baccalaureate degree from an accredited college in a field related to recreation, such as group work, sociology, or physical education, and have a minimum total of 21 months' successful recreation experience, or

(c) hold a baccalaureate degree from an accredited college and have a total of 30 months' successful recreation experience, or

(d) have 4 or more years' successful recreation experience.

In meeting the above designated qualifications, an applicant may substitute an additional year of specialized training in recreation for 1 year of successful recreation experience.

C. 13:1C-11. Filing of application.

11. Each applicant for examination shall file an application with the board on a form provided by the board for that purpose, which application must

contain such information that the board may determine therefrom whether or not the applicant has the qualifications, required by this act, in order to qualify to take such examination, and each application shall be accompanied by an application fee of $5.00 which shall not be returnable in event that the applicant is not admitted to examination or, if admitted, fails to pass the same.

C. 13:1C-12. Examinations; dates; places.

12. The board shall fix appropriate dates and places for action upon applications and the giving of examinations and shall notify all applicants promptly as to action taken upon such applications and such examination.

C. 13:1C-13. Types of examinations.

13. Examinations may be given by written, oral, and practical tests, accompanied by interviews and other evaluation aids as shall be determined by the board, and at least one examination shall be given in each calendar year if an application is made therefor, and every applicant successfully passing an examination shall receive a certificate and be registered accordingly.

C. 13:1C-14. Certificate without examination.

14. Any "recreation administrator" or "recreation supervisor" in office, position or employment on the effective date of this act, shall be entitled to apply for and receive a certificate, without examination, qualifying him as "recreation administrator" or "recreation supervisor" upon payment of the same fees required of others who become eligible for certification and registration.

C. 13:1C-15. Temporary certificates.

15. The board may issue temporary certificates in proper cases in which it finds that an emergency exists but such temporary certificates shall contain a statement of the contingencies which exist, how they may be removed and the time limit imposed for such removal and any temporary certificates so issued shall be void after the time so limited therein.

C. 13:1C-16. Refusing issuance or revoking certificate issued.

16. The board may refuse the application of any applicant for an examination or, after due notice and public hearing, refuse to issue a certificate, or revoke any certificate issued by it, if the applicant for, or holder of, such a certificate—

(a) has been convicted of an offense involving moral turpitude, is a drug addict or alcoholic or is mentally incompetent, or

(b) advocates the overthrow of the Government of the United States by force and violence or other unlawful means, or

(c) has made any willful statement or impersonated any other person or permitted or aided any other person to impersonate him in connection with any application or examination for certification and registration, or

(d) has been found to be inefficient in performing the duties of any position held by him, on the basis of the holding of which experience qualifications are offered on his behalf.

C. 13:1C-17. Expiration date.

17. Every certificate shall expire upon March 1 of the second calendar year following the issuance thereof, but may be renewed upon payment of a renewal fee of $2.00 prior to the expiration thereof. Any certificate holder may apply for renewal of his certificate at any time during 12 months following the date of the expiration thereof, and shall be entitled to renewal thereof except for cause, upon payment of a fee of $5.00.

If any person holding one type of certificate makes application for and is granted another type of certificate, he shall pay a certification fee of $5.00.

C. 13:1C-18. Certification and registration without examination.

18. Every person employed to perform the duties of the character in this act defined as those of a recreation administrator or a recreation supervisor, as the case may be, on the effective date of this act, who is not ineligible for certification and registration pursuant to the provisions of sections 8 or 15 of this act, shall be entitled to appropriate certification and registration without examination upon the filing of an application, accompanied by a fee of $2.00, not later than 1 year following July 1 immediately following the effective date of this act, and any person who is in the service of the Armed Forces of the United States and who was engaged in the full time performance of such duties at the

time of his induction into said armed forces, and for at least 2 years preceding such induction, may file such an application and shall be entitled to receive an appropriate certificate without examination if he files an application and pays a fee of $2.00 within 90 days following an honorable discharge from said armed forces.

C. 13:1C-19. State Treasury Fund.

19. All sums received by the board shall be paid into the general funds of the State treasury within 30 days after the receipt thereof.

20. This act shall take effect immediately.

Approved October 6, 1966.

CHAPTER 292

AN ACT to authorize municipalities to waive, in certain instances, the provisions of the general statutes which require that members of its police and paid fire departments reside within the municipality.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:47-3.3. Waiver of residence requirements.

1. Any municipality may, by ordinance, authorize the appointment and the retention in its employ of present and future officers or members of its police force or paid fire department, notwithstanding that the same do not meet the residence requirements specified by Revised Statutes 40:47–3, P. L. 1946, chapter 25 and P. L. 1953, chapter 107 (as amended or supplemented) or by any other applicable law, provided, however, that:

(a) Such ordinance shall not be adopted unless the governing body of said municipality finds as a fact that adherence to said residence requirements would seriously impede its ability to establish and maintain competent personnel for its police force or paid fire department.

C. 40:47-3.4. Existing vacancy; qualified resident.

2. No person shall be appointed pursuant to said ordinance waiving residence requirements unless at the time of his appointment there shall be a vacancy in the police or paid fire department, as the case may be, which cannot be filled by a qualified resident.

C. 40:47-3.5. State residence requirements.

3. No person shall be appointed pursuant to said ordinance waiving residence requirements unless he has been a resident of the State of New Jersey for at least 1 year and lives in such proximity to the municipality in question as will satisfy the appointing authority that he will be able to fully perform his duties as a member of its police or paid fire department.

4. This act shall take effect immediately.

Approved October 6, 1966.

CHAPTER 293

AN ACT establishing and concerning a Department of Community Affairs as a principal department in the Executive Branch of the State Government, and providing an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

ARTICLE I

C. 52:27D-1. Establishment of department.

1. There is hereby established in the Executive Branch of the State Government a principal department which shall be known as the Department of Community Affairs.

As used in this act, unless the context clearly indicates otherwise, the word "department" means the Department of Community Affairs established herein.

C. 52:27D-2. Appointment of commissioner.

2. The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of Community Affairs, and who shall be a person qualified by training and experience to perform the duties of his office. The commissioner shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. He shall receive such salary as shall be provided by law.

C. 52:27D-3. Duties.

3. The commissioner, as head of the department, shall:

(a) Administer the work of the department;

(b) Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11 of the Revised Statutes, Civil Service, and other applicable statutes, except as herein otherwise specifically provided;

(c) Perform, exercise and discharge the functions, powers and duties of the department through such divisions as may be established by this act or otherwise by law;

(d) Organize the work of the department in such divisions, not inconsistent with the provisions of this act, and in such bureaus and other organizational units as he may determine to be necessary for efficient and effective operation;

(e) Adopt, issue and promulgate, in the name of the department, such rules and regulations as may be authorized by law;

(f) Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers and employees;

(g) Institute or cause to be instituted such legal proceedings or processes as may be necessary properly to enforce and give effect to any of his powers or duties;

(h) Make an annual report to the Governor and to the Legislature of the department's operations, and render such other reports as the Governor shall

from time to time request or as may be required by law;

(i) Co-ordinate the activities of the department, and the several divisions and other agencies therein, in a manner designed to eliminate overlapping and duplicating functions;

(j) Integrate within the department, so far as practicable, all staff services of the department and of the several divisions and other agencies therein;

(k) Maintain suitable headquarters for the department and such other quarters as he shall deem necessary to the proper functioning of the department; and

(l) Perform such other functions as may be prescribed in this act or by any other law.

C. 52:27D-4. Assistant commissioners.

4. The commissioner shall be assisted in the performance of his duties by 2 Assistant Commissioners of Community Affairs, who shall be persons qualified by training and experience to perform the duties of their offices. Each assistant commissioner shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until said assistant commissioner's successor has been appointed and has qualified. Each assistant commissioner shall receive such salary as shall be provided by law, and shall perform such duties as the commissioner shall prescribe, to be exercised under the supervision and direction of the commissioner. The commissioner also may delegate to subordinate officers or employees in the department such of his powers as he may deem desirable, to be exercised under his supervision and direction.

C. 52:27D-5. Designation to act for commissioner.

5. The commissioner shall designate any officer or employee in the department to perform all of the powers, functions and duties of the commissioner during the absence or disability of the commissioner. Such designation shall be subject to the approval of the Governor, and shall be in writing and filed with the Secretary of State. In the event that the commissioner shall die, resign or be removed from his office or become disqualified to execute the duties of his office or a vacancy shall occur

in the office of commissioner for any cause whatever, the person designated as aforesaid shall have and exercise the powers and perform the functions, powers and duties of the commissioner until the successor of the commissioner is appointed and shall qualify.

C. 52:27D-6. Department composed of.

6. (a) There is hereby established in the Department of Community Affairs an Advisory Council on Community Affairs, an Office of Community Services, a Division of Local Finance, a Division of Housing and Urban Renewal, a Division of State and Regional Planning, a Division of Aging, a Division of Youth, and an Office of Economic Opportunity.

The commissioner also shall have authority to organize and maintain in his offices an Administrative Division and to assign to employment therein such secretarial, clerical and other assistants in the department as his office and the internal operations of the department shall require.

(b) In addition, the commissioner shall have the authority to reorganize the department and the several divisions, offices, bureaus and agencies established therein, in any manner which he deems to be necessary and desirable.

C. 52:27D-7. Transfer of office of economic opportunity.

7. The New Jersey Office of Economic Opportunity created by Executive Order No. 17 of 1964, together with all of its functions, powers and duties, is transferred to and constituted the Office of Economic Opportunity in the Department of Community Affairs. Such office, by and through its director, shall continue to have all of the powers and shall exercise all of the functions and duties vested in, or imposed upon, it by said executive order or by any law, subject to the supervision and control of the commissioner. The persons in office as director and deputy director of the New Jersey Office of Economic Opportunity on the effective date of this act shall hold the respective offices of director and deputy director of the Office of Economic Opportunity in the Department of Community Affairs established hereunder at the pleasure of the Gov-

ernor and until their successors are appointed and have qualified.

C. 52:27D-8. Transfer of functions, powers and duties.

8. All functions, powers and duties heretofore exercised by the Commissioner of Conservation and Economic Development or his designated representative pursuant to the Regional Advisory Council Act of 1962 (chapter 46, laws of 1962), the Tri-State Transportation Compact (chapter 12, laws of 1965) and the Redevelopment Agencies Law (chapter 306, laws of 1949), and all amendments and supplements to said acts, are hereby transferred to and vested in the Commissioner of Community Affairs.

C. 52:27D-9. Additional duties.

9. The department shall, in addition to other powers and duties invested in it by this act, or by any other law:

(a) Assist in the co-ordination of State and Federal activities relating to local government;

(b) Advise and inform the Governor on the affairs and problems of local government and make recommendations to the Governor for proposed legislation pertaining thereto;

(c) Encourage co-operative action by local governments, including joint service agreements, regional compacts and other forms of regional co-operation;

(d) Assist local government in the solution of its problems, to strengthen local self-government;

(e) Study the entire field of local government in New Jersey;

(f) Collect, collate, publish and disseminate information necessary for the effective operation of the department and useful to local government;

(g) Maintain an inventory of data and information and act as a clearing house and referral agency for information on State and Federal services and programs; and

(h) Stimulate local programs through publicity, education, guidance and technical assistance concerning Federal and State programs.

C. 52:27D-10. Grants from Federal Government.

10. The department, or any of the divisions established hereunder, may, subject to the approval

of the Governor and Commissioner of Community Affairs, apply for and accept grants from the Federal Government or any agency thereof, or from any foundation, corporation, association or individual, and may comply with the terms, conditions and limitations thereof, for any of the purposes of the department, or of such division. Any money so received may be expended by the department, or such division, subject to any limitations imposed in such grants to effect any of the purposes of the department, or of such division, as the case may be, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury on vouchers certified and approved by the Commissioner of Community Affairs.

ARTICLE II

C. 52:27D-11. Consist of Advisory Council; terms of office.

11. The Advisory Council on Community Affairs shall consist of the commissioner, as chairman ex officio, and 12 other members appointed by the Governor, with the advice and consent of the Senate, as follows:

(a) One member shall be the mayor of a municipality of this State having a population of less than 20,000 inhabitants at the time of his or her appointment;

(b) One member shall be the mayor of a municipality of this State having a population of between 20,000 and 50,000 inhabitants at the time of his or her appointment;

(c) One member shall be the mayor of a municipality of this State having a population of 50,000 or more inhabitants at the time of his or her appointment;

(d) Four members shall be appointed at large from among the citizens of this State;

(e) One member shall be appointed from among the membership of each of the following organizations:

(i) The New Jersey Association of Boards of Chosen Freeholders;

(ii) The New Jersey State League of Municipalities;

(iii) The New Jersey Federation of District Boards of Education;

(iv) The Municipal Managers Association; and

(v) The New Jersey Federation of Planning Officials.

Of the members first to be appointed 3 shall be appointed for a term of 1 year each, 3 for a term of 2 years each, 3 for a term of 3 years each and 3 for a term of 4 years each. The successors of the members first appointed shall be appointed for 4-year terms. Vacancies other than by expiration of terms shall be filled for the unexpired term.

The Director of the Office of Community Services shall serve as secretary to the council.

C. 52:27D-12. Compensation.

12. All members of the council shall serve without compensation but shall be reimbursed for their actual expenses in attending the meetings of the council and in the performance of their other duties.

C. 52:27D-13. Duty of council.

13. It shall be the duty of the council to consult with and advise the commissioner with respect to the affairs and problems of local government and the work of the department, and to conduct such studies of specific local governmental problems as the commissioner may from time to time direct.

C. 52:27D-14. Meetings.

14. The council shall meet at least once annually at the call of the commissioner and at such other times as the council shall determine, the time and place of such other meetings to be fixed by resolution of the council.

C. 52:27D-15. Responsibility of department.

15. It shall be the responsibility of the department to furnish such equipment and staff as is necessary to implement the work of the council within the limits of appropriations for the purpose.

Article III

C. 52:27D-16. Director.

16. The Office of Community Services shall be under the immediate supervision of a director, who shall be a person qualified by training and experi-

ence to direct the work of such office. The director shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of the office under the direction and supervision of the commissioner, and shall perform such other functions of the department as the commissioner may prescribe.

C. 52:27D-17. Additional powers and duties.

17. In addition to other functions, powers and duties vested in it by this act or by any other law, the department shall, through the Office of Community Services:

(a) Render advice, guidance and information to local officials with respect to the governmental problems of the particular communities which they represent;

(b) Assist local officials in bringing specific governmental problems to the attention of the appropriate State, Federal or private agencies;

(c) Collect, collate and disseminate information pertaining to the problems and affairs of local government, including information as to all available State, Federal and private programs and services designed to render advice and assistance in furtherance of community development projects and other activities of local government;

(d) Carry on and encourage research on the problems and affairs of local government, including, but not limited to, local taxation, fiscal affairs, governmental organization, community planning and development, purchasing, and intergovernmental co-operation;

(e) Render advice and assistance to local governments concerning joint service agreements, regional compacts, and other forms of intergovernmental co-operation;

(f) Advise the commissioner on local governmental problems and affairs, and proposed legislation pertaining thereto;

(g) Render advice and assistance in the preparation and review of model ordinances and charters; and

(h) Render advice and assistance with respect to the establishment and maintenance of programs for the training of local government officials and other personnel.

ARTICLE IV

C. 52:27D-18. Division of Local Government transferred.

18. The Division of Local Government in the Department of the Treasury, together with all of its functions, powers and duties, is continued, but such division is transferred to and constituted the Division of Local Finance in the Department of Community Affairs established hereunder. The Local Government Board of the Division of Local Government in the Department of the Treasury and all of its functions, powers and duties are hereby transferred to the Division of Local Finance established hereunder in the Department of Community Affairs. Such board shall henceforth be known as the Local Finance Board, and shall continue to have all of the powers and shall exercise all of the functions and duties heretofore vested in, or imposed upon, it by law. This act shall not affect the terms of office of the present members of such board. Such board shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law. Any member of such board may be removed from office by the Governor, for cause, upon notice and opportunity to be heard.

C. 52:27D-19. Director of Local Finance.

19. The Division of Local Finance shall be under the immediate supervision of a director, who shall be a person qualified by training and experience to direct the work of such division. The director shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of such division under the direction and supervision of the commissioner, and shall perform such other functions of the department as the commissioner may prescribe.

The person in office as director of the Division of Local Government in the Department of the Treasury on the effective date of this act shall hold the office of Director of the Division of Local Finance in the Department of Community Affairs established hereunder for the period of his term as director of the Division of Local Government in the Department of the Treasury which remains unexpired on the effective date of this act, and until his successor is appointed and has qualified.

C. 52:27D-20. Chairman of Local Finance Board.

20. The Director of the Division of Local Finance shall be the chairman of the Local Finance Board in the Division of Local Finance.

ARTICLE V

C. 52:27D-21. Division of Resource Development transferred.

21. All of the functions, powers and duties relating to housing and urban renewal of the Division of Resource Development and of the Commissioner of Conservation and Economic Development in the Department of Conservation and Economic Development, including but not limited to all functions, powers and duties of such divisions relating to the preparation of the standard building code of New Jersey, or to local housing authorities, the former State Housing Authority and the public housing and development authority, and all of the functions, powers and duties heretofore vested in the Division of Veterans' Services in the Department of Conservation and Economic Development by section 20, chapter 448, laws of 1948, are hereby transferred to the Department of Community Affairs established hereunder, and shall be exercised and performed through the Division of Housing and Urban Renewal in such department.

C. 52:27D-22. State Housing Authority and Council transferred.

22. The public housing and development authority in the Department of Conservation and Economic Development, together with all of its func-

tions, powers and duties, is continued as a body politic and corporate, with corporate succession, but such authority is transferred to the Department of Community Affairs established hereunder. The functions, powers and duties of such authority shall henceforth be exercised or performed by the Commissioner of Community Affairs through the Division of Housing and Urban Renewal in said department, subject to the same extent as heretofore to the rules and regulations of the State Housing Council herein transferred.

The State Housing Council in the Department of Conservation and Economic Development is transferred to the Department of Community Affairs established hereunder. Such council shall continue to have all of the powers and shall exercise all of the functions vested in it by law. This act shall not affect the terms of office of the present members of such council, and such council shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law.

C. 52:27D-23. Bureau of Tenement House Supervision transferred.

23. The Bureau of Tenement House Supervision of the Division of State Police in the Department of Law and Public Safety, together with all of its functions, powers and duties, is continued, but such bureau is transferred to and constituted the Bureau of Housing Inspection of the Division of Housing and Urban Renewal in the Department of Community Affairs established hereunder. The Board of Tenement House Supervision of the Division of State Police in the Department of Law and Public Safety and all of its functions, powers and duties are hereby transferred to the Division of Housing and Urban Renewal established hereunder in the Department of Community Affairs. Such board shall henceforth be known as the Board of Housing Inspection, and shall continue to have all of the powers and shall exercise all of the functions and duties heretofore vested in, or imposed upon, it by law. This act shall not affect the terms of office of the present members of such board. Such board

shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law. Any member of such board may be removed from office by the Governor for cause, upon notice and opportunity to be heard.

The authority vested pursuant to existing law in the Superintendent of State Police to appoint, employ or remove officers or employees of the Bureau of Tenement House Supervision transferred and reconstituted hereunder is hereby transferred to and vested in the Commissioner of Community Affairs as the head of the Department of Community Affairs established hereunder.

C. 52:27D-24. Office of hotel fire safety transferred.

24. The office of supervisor of hotel fire safety in the Department of Law and Public Safety, together with all of its functions, powers and duties, is continued, but such office is transferred to and constituted the office of supervisor of hotel fire safety in the Bureau of Housing Inspection of the Division of Housing and Urban Renewal in the Department of Community Affairs established hereunder. Such office shall continue to have all of the powers and shall exercise all of the functions and duties vested in, or imposed upon, it by law.

The authority vested pursuant to existing law to appoint the supervisor of hotel fire safety is hereby transferred to and vested in the Commissioner of Community Affairs. Said supervisor shall serve at the pleasure of the commissioner and shall receive such compensation as shall be approved by the commissioner and the President of the Civil Service Commission subject to availability of funds. The supervisor shall be subject to the provisions of Title 11, Civil Service. The commissioner shall assign to the office of hotel fire safety such employees in the department as may be necessary to the supervisor in the performance of his duties.

C. 52:27D-25. Director of Division of Housing and Urban Renewal.

25. The Division of Housing and Urban Renewal shall be under the immediate supervision of a director, who shall be a person qualified by training and experience to direct the work of such division. The director shall be appointed by the commissioner

and shall serve at the pleasure of the commissioner and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of such division under the direction and supervision of the commissioner, and shall perform such other functions of the department as the commissioner shall prescribe.

ARTICLE VI

C. 52:27D-26. Division of State and Regional Planning transferred.

26. The Division of State and Regional Planning in the Department of Conservation and Economic Development, together with all of its functions, powers and duties, is continued, but such division is transferred to and constituted the Division of State and Regional Planning in the Department of Community Affairs established hereunder.

C. 52:27D-27. Director; duties; salary.

27. The Division of State and Regional Planning shall be under the immediate supervision of a director, who shall be a person qualified by training and experience to direct the work of such division. The director shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of such division under the direction and supervision of the commissioner, and shall perform such other functions of the department as the commissioner may prescribe.

The person in office as director of the Division of State and Regional Planning in the Department of Conservation and Economic Development on the effective date of this act shall hold the office of director of the Division of State and Regional Planning in the Department of Community Affairs established hereunder for the period of his term as director of the Division of State and Regional Planning in the Department of Conservation and

Economic Development which remains unexpired on the effective date of this act, and until his successor is appointed and has qualified.

ARTICLE VII

C. 52:27D-28. Division of Aging transferred.

28. The Division of the Aging in the Department of State, together with all of its functions, powers and duties is continued, but such division is transferred to and constituted the Division of the Aging in the Department of Community Affairs established hereunder. The New Jersey State Commission on Aging and the New Jersey Citizens Council on Aging of the Division of Aging in the Department of State are hereby transferred to the Division of the Aging established hereunder in the Department of Community Affairs. Such commission and council shall continue to have all of the powers and shall exercise all of the functions and duties vested in, or imposed upon, them by law. This act shall not affect the terms of office of the present members of such commission and council, and such commission and council shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law.

C. 52:27D-29. Director; duties; salary.

29. The Division of the Aging shall be under the immediate supervision of a director, who shall be a person qualified by training and experience to direct the work of such division. The director shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of such division under the direction and supervision of the commissioner, and shall perform such other functions of the department as the commissioner may prescribe.

The person in office as director of the Division of the Aging in the Department of State on the effective date of this act shall hold the office of

director of the Division of the Aging in the Department of Community Affairs established hereunder for the period of his term as director of the Division of the Aging in the Department of State which remains unexpired on the effective date of this act, and until his successor is appointed and has qualified.

ARTICLE VIII

C. 52:27D-30. Youth Division transferred.

30. The Youth Division in the Department of State, together with all of its functions, powers and duties, is continued, but such division is transferred to and constituted the Division of Youth in the Department of Community Affairs established hereunder. The New Jersey State Youth Commission of the Youth Division in the Department of State is hereby transferred to the Division of Youth established hereunder in the Department of Community Affairs. Such commission shall continue to have all of the powers and shall exercise all of the functions and duties vested in, or imposed upon, it by law. This act shall not affect the terms of office of the present members of such commission, and such commission shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law.

C. 52:27D-31. Director; duties; salary.

31. The Division of Youth shall be under the immediate supervision of a director, who shall be a person qualified by training and experience to direct the work of such division. The director shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of such division under the direction and supervision of the commissioner, and shall perform such other functions of the department as the commissioner may prescribe.

The person in office as director of the Youth Division in the Department of State on the effective

date of this act shall hold the office of director of the Division of Youth in the Department of Community Affairs established hereunder for the period of his term as director of the Youth Division in the Department of State which remains unexpired on the effective date of this act, and until his successor is appointed and has qualified.

ARTICLE IX

C. 52:27D-32. Appropriations transferred.

32. All appropriations and other moneys available and to become available to any department, division, bureau or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs, are hereby transferred to the Department of Community Affairs established hereunder, and shall be available for the objects and purposes for which appropriated, subject to any terms, restrictions, limitations or other requirements imposed by State or Federal law.

C. 52:27D-33. Directors in unclassified service.

33. The director of each division in the Department of Community Affairs shall be in the unclassified service of the civil service of the State. Any such director may be removed from office by the Governor, for cause, upon notice and opportunity to be heard.

Any vacancy occurring in the office of director of any division in the department shall be filled in the same manner as the original appointment.

C. 52:27D-34. Employees transferred.

34. Such employees of any department, commission, council, board, authority, office or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs or to any office, authority or agency designated, continued or constituted therein, as the Commissioner of Community Affairs may determine are needed for the proper performance of the functions and duties imposed upon the Department of Community Affairs, or such office, authority or agency therein, are hereby transferred to the department, office, au-

thority or agency to which such functions, powers and duties have been herein assigned or transferred.

C. 52:27D-35. Tenure or protection rights.

35. Nothing in this act shall be construed to deprive any person of any tenure rights or of any right or protection provided him by Title 11 of the Revised Statutes, Civil Service, or under any pension law or retirement system.

C. 52:27D-36. Transfer of all files, books, papers, records, equipment.

36. All files, books, papers, records, equipment and other property of any department, commission, council, board, office, authority or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs or to any office, authority or agency designated, continued or constituted hereunder, shall upon the effective date of this act be transferred to the department, office, authority or agency to which such assignment or transfer has been made hereunder.

C. 52:27D-37. Orders, rules and regulations not affected.

37. This act shall not affect the orders, rules and regulations heretofore made or promulgated by any department, commission, council, board, authority, officer or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs or to any officer, authority or agency designated, continued or constituted hereunder; but such orders, rules and regulations shall continue with full force and effect until amended or repealed pursuant to law.

C. 52:27D-38. Civil or criminal actions or proceedings not affected.

38. This act shall not affect actions or proceedings, civil or criminal, brought by or against any department, commission, council, board, authority, officer or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs or to any officer, authority or agency designated, continued or constituted hereunder, and pending on the effective date of this act, but such actions or proceedings may be prosecuted or defended in the same manner and to the same effect by the department, officer, authority or agency to which such

assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect; nor shall any of the foregoing provisions affect any order or recommendation made by, or other matters or proceedings before, any department, commission, council, board, officer, authority or agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs or to any officer, authority or agency designated, continued or constituted hereunder, and all such matters or proceedings pending before such department, commission, council, board, officer, authority or other agency on the effective date of this act shall be continued by the department, officer, authority or agency to which such assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect.

C. 52:27D-39. Applications and requests properly directed.

39. Unless specifically otherwise provided in this act or by any operative law, whenever, pursuant to existing law, reports, certifications, applications or requests are required or permitted to be made to the department, board, division, commission, office or officer, whose powers and duties are herein assigned or transferred, such reports and certifications shall hereafter be required to be filed with, and such applications or requests shall hereafter be made to, the department, officer or agency to which such assignment or transfer has been made hereunder.

C. 52:27D-40. Definitions.

40. Whenever the term "Division of Local Government" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Division of Local Finance in the Department of Community Affairs established hereunder.

Whenever the term "Director of the Division of Local Government" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Director of the Division of Local Finance in the Department of Community Affairs established hereunder.

Whenever the term "Local Government Board" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Local Finance Board of the Division of Local Finance in the Department of Community Affairs established hereunder.

Whenever the term "public housing and development authority" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the public housing and development authority in the Department of Community Affairs established hereunder.

Whenever the term "State Housing Council" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the State Housing Council in the Department of Community Affairs established hereunder.

Whenever the term "Bureau of Tenement House Supervision" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Bureau of Housing Inspection of the Division of Housing and Urban Renewal in the Department of Community Affairs established hereunder.

Whenever the term "Board of Tenement House Supervision" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Board of Housing Inspection in the Division of Housing and Urban Renewal of the Department of Community Affairs established hereunder.

Whenever the term "office of supervisor of hotel fire safety" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the office of supervisor of hotel fire safety in the Bureau of Housing Inspection of the Division of Housing and Urban Renewal in the Department of Community Affairs established hereunder.

Whenever the term "Division of State and Regional Planning" occurs or any reference is made

thereto in any law, contract or document, the same shall be deemed to mean or refer to the Division of State and Regional Planning in the Department of Community Affairs established hereunder.

Whenever the term "Director of the Division of State and Regional Planning" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Director of the Division of State and Regional Planning in the Department of Community Affairs established hereunder.

Whenever the term "Division of the Aging" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Division of the Aging in the Department of Community Affairs established hereunder.

Whenever the term "Director of the Division of the Aging" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Director of the Division of the Aging in the Department of Community Affairs established hereunder.

Whenever the term "New Jersey State Commission on Aging" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the New Jersey State Commission on Aging in the Division of the Aging of the Department of Community Affairs established hereunder.

Whenever the term "New Jersey Citizens Council on Aging" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the New Jersey Citizens Council on Aging in the Division of the Aging of the Department of Community Affairs established hereunder.

Whenever the terms "Youth Division" or "Division of Youth" occur or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Division of Youth in the Department of Community Affairs established hereunder.

Whenever the terms "Director of the Youth Division" or "Director of the Division of Youth" occur or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the Director of the Division of Youth in the Department of Community Affairs established hereunder.

Whenever the term "New Jersey State Youth Commission" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the New Jersey State Youth Commission of the Division of Youth in the Department of Community Affairs established hereunder.

Whenever the term "New Jersey Office of Economic Opportunity" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the New Jersey Office of Economic Opportunity in the Department of Community Affairs established hereunder.

C. 52:27D-41. Repealed.

41. All acts and parts of acts inconsistent with any of the provisions of this act are, to the extent of such inconsistency, hereby repealed.

Appropriation $200,000.00.

42. There is hereby appropriated to the Department of Community Affairs the sum of $200,000.00 to carry out the purposes of this act for the fiscal period ending June 30, 1967.

C. 52:27D-43. Title of act.

43. This act shall be known as, and may be cited as, the "Department of Community Affairs Act of 1966."

Note: Effective date.

44. This act shall take effect on March 1, 1967 except that any appointment, and any confirmation or approval of any appointment, permitted by this act may be made prior to such date.

Approved November 23, 1966.

CHAPTER 294

AN ACT authorizing counties and municipalities to contract with and appropriate funds to the New Jersey Highway Authority in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:23-6.32. Construction entrances and exits.

1. The board of chosen freeholders of a county or the governing body of a municipality is authorized to contract with the New Jersey Highway Authority for the construction by the authority of additional entrances and exits, to a highway project operated by the authority, which entrances or exits the authority refuses to construct at its own expense on the basis of financial feasibility studies. Any entrance or exit constructed pursuant to this act shall become the property of, and a part of the highway project of the authority.

C. 40:23-6.33. Authorization to appropriate and pay under contract.

2. The board of chosen freeholders or the governing body of a municipality entering into a contract pursuant to section 1 of this act is authorized to appropriate and pay to the New Jersey Highway Authority such sums as shall be called for under such contract.

3. This act shall take effect immediately.

Approved November 29, 1966.

CHAPTER 295

AN ACT to amend "An act concerning disorderly persons and supplementing chapter 170 of Title 2A of the New Jersey Statutes," approved May 10, 1965 (P. L. 1965, c. 41).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 2A:170-25.9. Definitions.

1. As used in this act the phrase "glue containing a solvent having the property of releasing toxic vapors or fumes" shall mean and include any glue, cement, or other adhesive containing one or more chemical compounds which release vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, the following chemical compounds; acetone, an acetate, benzine, butyl alcohol, ethyl alcohol, ethylene dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, toluol, or toluene.

2. This act shall take effect immediately.

Approved December 5, 1966.

CHAPTER 296

AN ACT concerning municipalities governed by municipal council and municipal manager in relation to appointments to certain water commissions, terminating the terms of certain members of such commissions, and supplementing chapter 81 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:81-11.1. Appointment of water commission members.

1. In any municipality operating under the municipal manager form of government law which has established or shall establish jointly with one or more other municipalities a water commission pursuant to the provisions of section 40:62–129 of the Revised Statutes, the municipal counsel shall appoint the member or members of the water commission to which the municipality is entitled.

2. The term of office of any present member of any such water commission representing a municipality operating under the municipal manager form of government law who was appointed in a manner other than as provided by this act shall immediately cease and determine and a vacancy in the membership of the water commission shall thereupon exist. C. 40:81-11.2. Manner of appointment.

3. This act shall take effect immediately.

Approved December 5, 1966.

CHAPTER 297

AN ACT concerning city halls and other municipal buildings and the acquisition, lease and use thereof by municipalities, counties and other governmental agencies, and amending the title of "An act authorizing municipalities to acquire and improve real estate and to make the same available for joint use by the municipality and the county in certain cases and to provide for the issuance of bonds to finance the same and supplementing chapter 60 of Title 40 of the Revised Statutes," approved July 6, 1965 (P. L. 1965, c. 133), so that the same shall read "An act authorizing municipalities to acquire, lease, use, maintain and improve real estate for city hall and municipal building purposes including therein or thereon space and facilities for use by the county, the courts, and other governmental agencies, prescribing the powers and duties of counties and municipalities with respect thereto, providing for the issuance of bonds to finance the same and supplementing chapter 60 of Title 40 of the Revised Statutes," and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Title amended.

1. The title of chapter 133 of the laws of 1965 is amended to read as follows: An act authorizing municipalities to acquire, lease, use, maintain and improve real estate for city hall and municipal building purposes including therein or thereon space and facilities for use by the county, the courts, and other governmental agencies, prescribing the powers and duties of counties and municipalities with respect thereto, providing for the issuance of bonds to finance the same and supplementing chapter 60 of Title 40 of the Revised Statutes.

Section amended.

2. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 40:60-25.51. Authorization to acquire land or buildings.

1. The governing body of any municipality, in the name and on behalf of the municipality, may acquire by gift, devise, purchase or condemnation, or as lessee may lease, for municipal or public uses any land or buildings located within the municipality, and may improve the same and construct therein or thereon and maintain, or cause to be constructed and maintained therein or thereon, a city hall or other municipal building. Every such city hall or other building shall provide facilities for use by the municipality and shall include and provide such space and facilities for use by the county in which such municipality is located, or by or on behalf of the Courts, or by the State or the United States or any board, commission, department or other agency of either of them, as the governing body may determine to be desirable for the public convenience and welfare. The governing body of any municipality may lease or sublease any or all space and facilities in any city hall or other such building to the county, for a term not to exceed 40 years, for such rental and upon such terms and conditions as the governing body and the board of chosen freeholders, by respective resolutions, shall agree, or to the State or the United States or any board, commission, department or other agency thereof aforesaid for such time and rental and upon

such terms and conditions as the governing body by ordinance shall authorize.

3. Section 2 of the act of which this act is amendatory is amended to read as follows: Section amended.

2. The governing body of the municipality may finance the acquisition and improvement of real estate for the purposes of this act by the adoption of a bond ordinance or otherwise as in the case of municipal improvements, and the board of chosen freeholders, in the name and on behalf of the county, may lease as aforesaid or otherwise acquire possession of such space or facilities in any such city hall or other municipal building, whether or not located at the county seat, for use by the county or by the courts as said board may determine to be desirable for the public convenience and welfare. C. 40:60-25.52. Financing by adoption of bond ordinance.

4. This act shall take effect immediately.

Approved December 8, 1966.

CHAPTER 298

AN ACT authorizing municipalities to acquire lands for future school sites.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The governing body of any municipality may acquire by gift, purchase or condemnation lands for use as future sites for public schools provided that such lands shall have theretofore been designated with the approval of the board of education as future public school sites on a master plan adopted by the planning board or official map, of the municipality, adopted by the governing body. C. 40:60-25.54. Authorization to acquire lands.

2. Any lands acquired by a municipality pursuant to section 1 may, pending subsequent conveyance to a board of education, be used for any public purpose. C. 40:60-25.55. Use for public purpose.

C. 40:60-25.56. Conveyance to board of education.

3. The governing body may convey such lands to the board of education of the school district for such nominal or other consideration as shall be agreed upon between the governing body and the board of education.

4. This act shall take effect immediately.

Approved December 8, 1966.

CHAPTER 299

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating act.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds or other obligations of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the notices of such meeting or election published and posted as required by the provisions of section 18:7–15 of the Revised Statutes contained a proposal which did not disclose or correctly disclose the effect of the authorization of bonds contained therein on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5–86 of the Revised Statutes, and that the adoption of such proposal authorized the board of education to issue bonds the principal amount of which, added to the amount of all the bonds and notes of the school district then

issued and outstanding or authorized but unissued less the amount of any sinking funds held for payment of the same, exceeded any limitation or other restriction prescribed by section 18:5–84 of the Revised Statutes and that such proposal did not disclose or correctly disclose the effect thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of said section 18:5–86 of the Revised Statutes, provided, however, that the consents of the State Commissioner of Education and of the Local Government Board provided for in said section 18:5–86 shall have been endorsed upon a copy of such proposal prior to the date of such school district meeting or election; and provided further, that no action, suit or other proceedings of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved December 8, 1966.

CHAPTER 300

AN ACT validating certain deeds and conveyances.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validating act.

1. When any deed or conveyance of real estate in this State, heretofore made, shall for a period of 5 years or more have stood on record in any of the lawful appropriate books of record in this State, such deed or conveyance shall, if otherwise valid, be deemed to be properly recorded and good, valid

and effectual in law to convey, in accordance with its terms, the estate of the grantors therein in such real estate, notwithstanding the absence of, or any informality, imperfection, uncertainty or defect in, the acknowledgement or proof of such deed or conveyance or the certificate thereof; provided that this act shall be inapplicable to any proceeding in a court of competent jurisdiction heretofore instituted or which shall be instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved December 8, 1966.

CHAPTER 301

AN ACT establishing and concerning a Department of Transportation as a principal department in the Executive Branch of the State Government, establishing therein a Commuter Operating Agency, providing an appropriation therefor, repealing chapter 88 of the laws of 1964, and supplementing Title 27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

ARTICLE I

C. 27:1A-1. Title of act.

1. This act shall be known and may be cited as the "Transportation Act of 1966." It shall be the purpose and intent of this act to establish the means whereby the full resources of the State can be used and applied in a co-ordinated and integrated manner to solve or assist in the solution of the problems of transportation; to promote an efficient, integrated and balanced transportation system for the State; to prepare and implement comprehensive

plans and programs for transportation development in the State; and to co-ordinate the transportation activities of State agencies, State-created public authorities, and other public agencies with transportation responsibilities within the State.

C. 27:1A-2. Establishment of Department of Transportation.

2. There is hereby established in the Executive Branch of the State Government a principal department which shall be known as the Department of Transportation.

As used in this act, unless the context clearly indicates otherwise, the word "department" means the Department of Transportation established herein.

C. 27:1A-3. Transfer of functions, powers and duties.

3. All of the functions, powers and duties of the existing State Highway Department and the State Highway Commissioner, of the existing Division of Railroad Transportation, and of the existing Department of Conservation and Economic Development and its commissioner deriving from Title 6, Aviation, of the Revised Statutes as amended and supplemented, are hereby transferred to and vested in the Department of Transportation established hereunder.

C. 27:1A-4. Commissioner of Transportation.

4. The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of Transportation, and who shall be a person qualified by training and experience to perform the duties of his office. The commissioner shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The commissioner shall receive such salary as shall be provided by law.

The person in office as the State Highway Commissioner on the effective date of this act shall hold the office of Commissioner of Transportation until his successor is appointed and has qualified.

C. 27:1A-5. Powers and duties of commissioner.

5. The commissioner, as head of the department, shall have all of the functions, powers and duties heretofore vested in the State Highway Commis-

sioner and shall, in addition to the functions, powers and duties invested in him by this act or by any other law:

(a) Develop, from time to time revise and maintain a comprehensive master plan for transportation development;

(b) Develop programs designed to foster efficient and economical public transportation services in the State;

(c) Prepare plans for the preservation and improvement of the commuter railroad system;

(d) Develop plans for more efficient public transportation service by motor bus operators; develop statistics, analyses, and other data of use to bus operators in the provision of public transportation service; facilitate more effective co-ordination between bus service and other forms of public transportation, particularly the commuter railroads; review petitions for motor bus franchises in areas served by the commuter railroad system and make appropriate recommendations thereon to the Board of Public Utility Commissioners;

(e) Co-ordinate the transportation activities of the department with those of other public agencies and authorities;

(f) Co-operate with interstate commissions and authorities, State departments, councils, commissions and other State agencies, with appropriate Federal agencies, and with interested private individuals and organizations in the co-ordination of plans and policies for the development of air commerce and air facilities; and

(g) Make an annual report to the Governor and the Legislature of the department's operations, and render such other reports as the Governor shall from time to time request or as may be required by law.

C. 27:1A-6. Organization of department.

6. (a) The commissioner shall organize the department and establish therein such divisions as he may deem necessary and expedient. He may formulate and adopt rules and regulations and prescribe

duties for the efficient conduct of the business, work and general administration of the department, its officers and employees. In addition, the commissioner may delegate to subordinate officers or employees in the department such of his powers as he may deem desirable, to be exercised under his supervision and direction.

(b) The commissioner shall designate any officer or employee in the department to perform all of the powers, functions and duties of the commissioner during the absence or disability of the commissioner. Such designation shall be subject to the approval of the Governor, and shall be in writing and filed with the Secretary of State. In the event that the commissioner shall die, resign or be removed from his office or become disqualified to execute the duties of his office or a vacancy shall occur in the office of commissioner for any cause whatever, the person designated as aforesaid shall have and exercise the powers and perform the functions, powers and duties of the commissioner until the successor of the commissioner is appointed and shall qualify.

C. 27:1A-7. Grants from Federal Government.

7. The commissioner may apply for and accept on behalf of the State any grants from the Federal Government or any agency thereof, or from any foundation, corporation, association or individual, and may comply with the terms, conditions and limitations thereof, for any of the purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to and shall in no way limit the authority granted to the commissioner by chapter 8 of Title 27 or other existing law.

ARTICLE II

C. 27:1A-8. Assistant Commissioner for Highways.

8. The commissioner shall be assisted in the performance of his duties relating to the design and development of highways by an Assistant Commissioner for Highways who shall be a person qualified by training and experience to perform the duties of his office. The Assistant Commissioner for Highways shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the Assistant Commissioner for Highways' successor has been appointed and has qualified. He shall receive such salary as shall be provided by law.

C. 27:1A-9. Professional engineer.

9. The commissioner shall appoint as State Highway Engineer a qualified and competent professional engineer with actual experience in road and bridge construction and maintenance. The State Highway Engineer shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the State Highway Engineer's successor has been appointed and has qualified. He shall receive such salary as shall be provided by law.

C. 27:1A-10. Assistant State highway engineers.

10. The commissioner also may appoint 3 assistant State highway engineers, whose qualifications shall be the same as those prescribed for the State Highway Engineer. The assistant State highway engineers shall serve at the pleasure of the commissioner and shall receive such salaries as shall be approved by the commissioner and the President of the Civil Service Commission, subject to availability of funds.

C. 27:1A-11. Present highway engineer continues in office.

11. The persons in office as State Highway Engineer and assistant State highway engineers on the effective date of this act shall continue to hold their respective offices until their respective successors are appointed and have qualified.

C. 27:1A-12. Duties and term of Assistant Commissioner Public Transportation.

12. The commissioner shall be assisted in the performance of his duties relating to public transportation by an Assistant Commissioner of Public Transportation, who shall be a person qualified by

training and experience to perform the duties of his office. The Assistant Commissioner for Public Transportation shall be appointed by the commissioner and shall serve at the pleasure of the commissioner and until the Assistant Commissioner for Public Transportation's successor has been appointed and has qualified. He shall receive such salary as shall be provided by law.

C. 27:1A-13. Director of Planning and Director of Administration; duties; terms.

13. The commissioner also shall be assisted by a Director of Planning and a Director of Administration, who shall be appointed by the commissioner and shall serve at his pleasure.

The Director of Planning and the Director of Administration shall be persons qualified by training and experience to perform the duties of their respective offices, and shall receive such salaries as shall be approved by the commissioner and the President of the Civil Service Commission, subject to the availability of funds. The persons in office as Director of Planning and Director of Administration on the effective date of this act shall continue to hold their respective offices until their respective successors are appointed and have qualified.

C. 27:1A-14. Civil Service rights, protection, pension rights retained.

14. In the event that the Assistant Commissioner for Highways, the State Highway Engineer, the assistant State highway engineers, the Assistant Commissioner for Public Transportation, the Director of Planning or the Director of Administration are appointed from persons holding positions in the classified service of the State, they shall retain, during their tenure in such positions, any rights or protections provided them by Title 11, Civil Service, of the Revised Statutes or any pension law or retirement system.

Article III

C. 27:1A-15. Definitions.

15. Hereafter in this act, unless the context indicates another or different meaning or intent:

(a) "Carrier" shall mean any individual, copartnership, association, corporation, joint stock company, receiver or trustee operating any railroad or motor bus in this State between points in this

State and between such points and adjacent metropolitan areas in other States, for public use;

(b) "Agency" shall mean the Commuter Operating Agency;

(c) "Passenger service" shall mean the operation of railroad trains to carry commuter and suburban passengers between points in this State and between such points and adjacent metropolitan areas in other States, or the operation of motor buses to transport passengers to and from railroad stations or in lieu of railroad passenger service.

(d) "Improvements to capital facilities" shall mean in connection with passenger service the acquisition, construction, reconstruction, relocation, removal, establishment or rehabilitation of passenger stations and terminals, automobile parking facilities, track connections, signal systems, power systems, roadbeds, equipment storage and servicing facilities, bridges, grade crossings, railroad passenger cars, locomotives and motor buses.

C. 27:1A-16. Commuter Operating Agency.

16. (a) There is hereby established in the Department of Transportation the Commuter Operating Agency.

(b) The agency shall consist of 4 members who shall be the Commissioner of Transportation, the Assistant Commissioner for Public Transportation, the State Treasurer and the President of the Board of Public Utility Commissioners, or their respective designees.

(c) The Commissioner and the Assistant Commissioner for Public Transportation shall be the chairman and secretary, respectively, of the agency. The executive director of the agency shall be an officer of the department so designated by the commissioner in writing, which designation shall be filed with the Secretary of State. Such designation shall continue in effect until the commissioner shall, in the manner herein provided, designate another officer in the department as such executive director. The executive director shall have such powers and duties as are delegated to him by the agency from time to time.

(d) The commissioner shall assign to the agency such employees of the department as may be necessary for the efficient operation of the work of the agency. The agency may also appoint, retain and employ, to serve at its pleasure, a director of operations and a deputy director of operations, and it shall determine their qualifications, duties, services and compensation.

(e) The powers of the agency shall be vested in the members thereof and 3 members of the agency or their designees shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the agency at any meeting thereof by the affirmative vote of at least 3 members or their designees. No vacancy in the membership of the agency shall impair the right of a quorum to exercise all the rights and perform all the duties of the agency.

(f) A true copy of the minutes of every meeting of the agency shall be delivered forthwith by and under the certification of the secretary thereof, to the Governor. No action taken at such meeting by the agency shall have force or effect until 10 days after such copy of the minutes shall have been so delivered. If, in said 10-day period, the Governor returns such copy of the minutes with veto of any action taken by the agency or any member thereof at such meeting, such action shall be null and of no effect.

C. 27:1A-17. Financial results determined.

17. The agency annually shall investigate and determine the financial results to each rail carrier from providing passenger service during the previous calendar year and determine what action is required for each carrier to offset all or part of any loss shown. Such determination may include but shall not be limited to (a) changes in service, fares, operating procedures and routings (b) improvements to capital facilities and (c) compensation by the State for service to be rendered under a contract. The determination shall list the passenger service to be operated by a carrier under a contract and shall specify the fares to be collected for such

passenger service; it shall also contain a list of projects to carry out the objectives of this act for which the commissioner recommends the use of public funds. Prior to making any such determination the agency may hold public hearings where it shall make known its proposed action to interested parties and the general public and receive from them any facts, material or recommendations that would be of assistance under the circumstances. All determinations shall be made public and filed with the Secretary of State not later than June 15 in each year. Amendments to any determination may be made at any time and filed with the original determination.

C. 27:1A-18. Contracts between State and rail carriers.

18. In order to conserve and improve passenger service necessary for public use now and in future years in this State, but subject to the limitations of this act, the State of New Jersey, acting by and through the agency, may enter into contracts with any rail carrier, providing for acceptance by such carrier of all or any part of the agency's determination. Prior to entering into any such contract, the agency shall hold public hearings where it shall make known the terms and conditions of the proposed contract to interested parties and the general public. Every contract entered into pursuant to this section shall be subject to the following terms and conditions:

(a) Contracts involving expenditure of public funds for improvements to capital facilities shall require continuance of specified passenger service by the carrier for stated periods not limited to a fiscal year, and shall further require that title to such improvements shall be vested with the State, except that where public funds are expended to repair or rehabilitate existing facilities, such title to or other interest in such facilities as the carrier may have shall be the subject of negotiation between the agency and the carrier.

(b) No such contract with respect to any fiscal year shall provide for payments by the State for service rendered in excess of the loss from com-

muter and suburban passenger service during the previous calendar year as shown in the determination for that fiscal year. If during any contract period a carrier shall realize a profit from its passenger service, which profit exceeds a return on investment of 6%, ½ of the excess shall be paid to the agency. The accounting procedures to be employed to determine the extent of any profit or loss, as the case may be, shall be a subject of negotiation between the parties to the contract.

(c) Every such contract shall describe the passenger service which the carrier shall be required to operate. Such description shall set forth the operation of the contracted service which shall include timetables, train consists and fare tariffs applicable to the service and any other provisions that the agency may deem reasonable.

C. 27:1A-19. Contracts with motor bus carriers.

19. The agency may enter into contracts with any motor bus carrier to operate passenger service (a) in lieu of railroad passenger service whenever the latter is terminated subsequent to the effective date of this act, or (b) from and to railroad stations as part of an integrated service. Payment by the agency for such passenger service shall be based on the actual cost of such service to the motor bus carrier plus a 6% return on investment.

The agency may also enter into contracts with any motor bus carrier pursuant to which the agency may acquire, purchase or rehabilitate motor buses for lease to such carrier to be operated in specified passenger service, provided that any State funds expended for such programs are at least equally matched by Federal funds.

C. 27:1A-20. Provisions of contract.

20. Each contract entered into in accordance with this act shall obligate the carrier:

(a) To operate passenger service on its lines or over tracks of other railroads in accordance with said contract, and to collect fares from persons (other than those employees of railroads or other persons allowed free passage or reduced fares in such passenger service under statutes heretofore enacted or under agreements heretofore made and

now in effect) at the rates set forth in the fare tariffs included in such contract;

(b) To secure, keep in effect and abide by all approvals, orders or other proceedings of any State or Federal agency or court with respect to the contracted service;

(c) During the term of the contract and such further period as the contract may provide, unless otherwise approved in writing by the agency, not to initiate, take or prosecute and to actively resist, any proceedings before any State or Federal agency or court for any order, approval, judgment, decree or other action impairing or limiting the rights, powers and capacity of the carrier to operate the contracted service and carry out and perform its obligations under said contract with respect to the contracted service;

(d) To maintain and operate passenger service required by virtue of the contract, equipment and all facilities incidental thereto in a safe, sanitary and proper manner and condition with a minimum of delays or cancellations and with maintenance of arrival and departure times for all stations and station stops; and

(e) To take all necessary action to initiate, expedite and complete within the stated time the improvements to capital facilities required by virtue of the contract.

C. 27:1A-21. Obligation to pay compensation.

21. Each contract entered into in accordance with this act shall obligate the State to pay to the carrier the amount agreed upon in the contract as compensation for service satisfactorily rendered provided the carrier has complied with the contract in all other respects to the satisfaction of the agency.

C. 27:1A-22. Terms of contract.

22. Each contract shall contain conditions, terms and provisions as the agency may require including, but not limited to, provisions permitting or relating to (a) determination of contracted service satisfactorily operated, (b) deductions or penalties with respect to unsatisfactory service, (c) auditing and settlement of payments, (d) termination, waivers,

release, modification or other effect in event of nonperformances, or of strikes, riots, disasters, acts of God or condition not caused or permitted by the carrier or within its control, (e) additional obligations of the carrier, and (f) any such other matters as the agency deems to be in the public interest.

C. 27:1A-23. Amendments.

23. Any contract may, from time to time upon mutual agreement of the parties, be amended to make changes in service or fares as permitted in section 24, in the manner in which the service required by the contract is to be operated by the carrier, or in the methods and procedures used to effectuate improvements to capital facilities required by the contract.

C. 27:1A-24. Obligations of carrier.

24. Every carrier entering into a contract shall be obligated to continue during the term of the contract all existing passenger service and fares applicable thereto, except that the contract shall afford the carrier the right to petition the agency for changes in passenger service and applicable fares during the term of the contract. If such a petition includes an application to decrease the number of trains, a substantial change in schedules or an increase in fares, the agency, prior to making any determination with respect thereto, shall hold a public hearing on notice. In acting on any such petition the agency shall give due consideration to the following factors:

(a) The availability of alternative means of public transportation.

(b) The potential cost of continuing the service sought to be curtailed or discontinued.

(c) The cost to the State of providing alternative transportation facilities either by common carriers or highway improvement.

(d) The resulting effect on State and local population trends, economic values and tax revenues.

The authority hereby given the agency with respect to the discontinuance, curtailment, abandonment or change in passenger service shall be exercised during the contract period without regard

or reference to the jurisdiction vested in the Board of Public Utility Commissioners by section 48:2–24 of the Revised Statutes. At the conclusion of the contract period the Board of Public Utility Commissioners shall resume such jurisdiction but no carrier shall be required to restore any service discontinued as aforesaid.

C. 27:1A-25. Duties of agency.

25. In order to carry out the objectives of this act, the agency may:

(a) Make whatever reasonable rules and regulations it may deem necessary which shall have the force and effect of law;

(b) Investigate any matters concerning any carrier under contract to the agency and in aid of such investigation the agency shall have access to and the carrier shall make available its property, books, records, or documents;

(c) Call to its assistance and avail itself of the services of such employees of any Federal or State department or agency as it may require and as may be available to it for said purpose.

(d) Have the power to receive and expend money from any Federal or State agency or instrumentality and from any private sources, in addition to the money appropriated by the Legislature; and as may be necessary for that purpose to enter into agreements with any person whatever, including but not limited to railroads, motor bus companies, governmental agencies or political entities;

(e) Designate assistants to conduct hearings;

(f) Acquire in the name of the State by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain, any land or interest therein and other property which it may determine is reasonably necessary for any project, including any lands held by any county, municipality or other governmental subdivision of the State; and to hold and use the same and to sell, convey, lease or otherwise dispose of property so acquired, no longer necessary for the agency's purposes;

(g) Acquire, lease as lessee, hold and dispose of real and personal property or any interest therein, in the exercise of its powers and the performance of its duties under this act;

(h) Enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the agency or to carry out any power expressly given in this act.

C. 27:1A-26. Intent of article.

26. This article is intended to protect and promote the public health, safety and welfare and shall be liberally construed to obtain the objective and effect the purposes thereof.

C. 27:1A-27. Time requirement.

27. The time requirement of section 17 is hereby modified to permit the agency to issue its determination with respect to the fiscal year ending June 30, 1967 not more than 60 days following the effective date of this act.

C. 27:1A-28. Repealed.

28. Chapter 88 of the laws of 1964 is hereby repealed.

This repealer shall not in any way affect any contracts, agreements, determinations, order, rules or regulations heretofore made or promulgated, as the case may be, by the Highway Commissioner pursuant to any authority heretofore granted but such contracts, agreements, determinations, orders, rules and regulations shall continue with full force and effect until otherwise amended, repealed or terminated in accordance with the terms thereof or pursuant to the provisions of this act.

In addition, an agreement between the Highway Commissioner and the Delaware River Port Authority dated January 11, 1965, pursuant to which the New Jersey Highway Department is required to make an annual financial contribution for the maintenance and operation of ferry service between Chester, Pennsylvania and Bridgeport, New Jersey, shall remain in effect until such time as the proposed bridge between these points is completed and operating.

Article IV

C. 27:1A-29. Commuter Advisory Committee; members.

29. There is hereby established in the Department of Transportation a Commuter Advisory Committee. Such committee shall consist of the Assistant Commissioner for Public Transportation as chairman, and 10 other members appointed by the Governor as follows: 2 citizens of the State who are commuters; 2 mayors of municipalities served by railroads under contract to the State; 2 officials of unions representing employees of railroads under contract to the State; 2 officials of railroads under contract to the State; and 2 public members who shall be citizens of the State.

C. 27:1A-30. Terms of members.

30. Members shall be appointed for terms of 2 years and shall serve until their respective successors shall have been appointed and have qualified. Vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term. Members shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses.

C. 27:1A-31. Duties of committee.

31. The committee shall consult with and advise the commissioner with respect to the affairs and problems of commuter railroads, and shall conduct such studies of specific commuter problems as the commissioner may from time to time direct.

C. 27:1A-32. Meetings.

32. The committee shall meet at the call of the commissioner, the time and place of such meetings to be fixed by the commissioner.

Article V

C. 27:1A-33. Transfer of N. J. T. A., N. J. E. A., and N. J. H. A.

33. The New Jersey Turnpike Authority, the New Jersey Expressway Authority and the New Jersey Highway Authority in the State Highway Department, together with all of their functions, powers and duties, are continued as bodies politic and corporate, with corporate succession, but such authorities are transferred to the Department of Transportation established hereunder. The persons in office as members of said authorities on the

effective date of this act shall continue to hold their respective offices for the periods of their respective terms which remain unexpired on the effective date of this act and until their respective successors are appointed and have qualified.

ARTICLE VI

C. 27:1A-34. Appropriations transferred.

34. All appropriations and other moneys available and to become available to any department, division, bureau or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Transportation, are hereby transferred to the Department of Transportation established hereunder, and shall be available for the objects and purposes for which appropriated, subject to any terms, restrictions, limitations or other requirements imposed by State or Federal law.

C. 27:1A-35. Transfer of employees, agencies, duties.

35. Such employees of any department, commission, council, board, authority, office or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Transportation or to any office, authority or agency designated, continued or constituted therein, as the Commissioner of Transportation may determine are needed for the proper performance of the functions and duties imposed upon the Department of Transportation, or such office, authority or agency therein, are hereby transferred to the department, office, authority or agency to which such functions, powers and duties have been herein assigned or transferred.

C. 27:1A-36. Rights, protection under Civil Service Law and Pension system.

36. Nothing in this act shall be construed to deprive any person of any tenure rights or of any right or protection provided him by Title 11, Civil Service, of the Revised Statutes, or under any pension law or retirement system.

C. 27:1A-37. Transfer of files, records, functions, duties.

37. All files, books, papers, records, equipment and other property of any department, commission, council, board, office, authority or other agency, the functions, powers and duties of which have been

herein assigned or transferred to the Department of Transportation or to any office, authority or agency designated, continued or constituted hereunder, shall upon the effective date of this act be transferred to the department, office, authority or agency to which such assignment or transfer has been made hereunder.

C. 27:1A-38. Rules and regulations not affected.

38. This act shall not affect the orders, rules and regulations heretofore made or promulgated by any department, commission, council, board, authority, officer or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Transportation or to any officer, authority or agency designated, continued or constituted hereunder; but such orders, rules and regulations shall continue with full force and effect until amended or repealed pursuant to law.

C. 27:1A-39. Civil or criminal proceedings not affected

39. This act shall not affect actions or proceedings, civil or criminal, brought by or against any department, commission, council, board, authority, officer or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Transportation or to any officer, authority or agency designated, continued or constituted hereunder, and pending on the effective date of this act, but such actions or proceedings may be prosecuted or defended in the same manner and to the same effect by the department, officer, authority or agency to which such assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect; nor shall any of the foregoing provisions affect any order or recommendation made by, or other matters or proceedings before, any department, commission, council, board, officer, authority or agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Transportation or to any officer, authority or agency designated, continued or constituted hereunder, and all such matters or proceedings pending before such department, commission, council, board,

officer, authority or other agency on the effective date of this act shall be continued by the department, officer, authority or agency to which such assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect.

C. 27:1A-40. Filing of reports and certifications.

40. Unless specifically otherwise provided in this act or by any operative law, whenever, pursuant to existing law, reports, certifications, applications or requests are required or permitted to be made to the department, board, division, commission, office or officer, whose powers and duties are herein assigned or transferred, such reports and certifications shall hereafter be required to be filed with, and such applications or requests shall hereafter be made to, the department, officer or agency to which such assignment or transfer has been made hereunder.

C. 27:1A 41. Repealed.

41. All acts and parts of acts inconsistent with any of the provisions of this act are, to the extent of such inconsistency, hereby repealed.

C. 27:1A-42. Provisions of act not affected.

42. If any provision of this act or the application thereof to any person or circumstances or the exercise of any power or authority thereunder is held invalid or contrary to law, such holding shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications or affect other exercises of power or authority under said provisions not contrary to law, and to this end the provisions of this act are declared to be severable.

Appropriation.

43. There is hereby appropriated from the General Treasury to the Department of Transportation the sum of $200,000.00 to carry out the purposes of this act for the fiscal year ending June 30, 1967.

Note: Effective date.

44. This act shall take effect July 1, 1966, except that any appointment, and any confirmation or approval of any appointment, permitted by this act may be made prior to such date.

Approved December 12, 1966.

CHAPTER 302

AN ACT concerning higher education, establishing a Department of Higher Education as a principal department in the Executive Branch of State Government and providing an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

ARTICLE I

C. 18:21A-1. Department established.

1. There is hereby established in the Executive Branch of the State Government a principal department which shall be known as the Department of Higher Education. Such department shall consist of a Board of Higher Education, a chancellor, and such divisions, bureaus, branches, committees, officers and employees as are specifically referred to in this act and as may be constituted or employed by virtue of the authority conferred by this act or by any other law.

As used in this act, unless the context clearly indicates otherwise, the following words and phrases shall have the following meaning:

"Board" means the Board of Higher Education.

"Chancellor" means the chancellor of the Department of Higher Education.

"Department" means the Department of Higher Education.

"Higher education" means that education which is provided by any or all of the public institutions of higher education as herein defined and any or all equivalent private institutions.

"Public institution of higher education" means Rutgers, The State University; Newark College of Engineering; the New Jersey College of Medicine and Dentistry; the 6 State colleges; the College of

Aeronautical and Air-space Science established in Atlantic county pursuant to chapter 285 of the laws of 1964; the county colleges; the public junior colleges; the industrial schools; and any other public universities, colleges, county colleges and junior colleges now or hereafter established or authorized by law.

C. 18:21A-2. Composition of board.

2. The Board of Higher Education shall be composed of the Chairman of the Board of Governors at Rutgers; the Chairman of the Board of Trustees of Newark College of Engineering; the Chairman of the Council of State Colleges; the Chairman of the Council of County Colleges; the President of the State Board of Education; a representative of the private colleges and universities of New Jersey, to be designated by the Association of Independent Colleges and Universities in New Jersey, with the approval of the Governor; and 9 citizens, residents of the State, of whom at least 2 shall be women. The chancellor and the State Commissioner of Education shall ex officio be additional members but without vote. The Chairman of the Board of Governors at Rutgers; The Chairman of the Board of Trustees of Newark College of Engineering; the Chairman of the Council of State Colleges; the Chairman of the Council of County Colleges; the President of the State Board of Education and the representatives of the private colleges and universities in New Jersey may each designate in writing another member of their respective boards, councils and association as an alternate to attend in their absence and vote at the meetings of the board; provided, however, that such alternate shall be selected from among the membership of the group from which the member's status on the board arises and further that where the member is a lay member of such a group, his alternate must likewise be a lay member of said group.

The citizen members of the board shall be appointed by the Governor with the advice and consent of the Senate and shall be selected, as far as may

be practicable, on the basis of their knowledge of, or interest or experience in, problems of higher education and without regard to political belief or affiliation. They shall be subject to removal by the Governor, for cause, upon notice and opportunity to be heard. The term of office of appointed members, except for the first appointments, shall be for 6 years. Each member shall serve until his successor shall have been appointed and qualified and vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term. Members shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses.

In the case of the initial appointments of the citizen members, 2 members shall be appointed for terms expiring June 30, 1967; 2 for terms expiring June 30, 1968; 2 for terms expiring June 30, 1969; one for a term expiring June 30, 1970; one for a term expiring June 30, 1971; and one for a term expiring June 30, 1972.

They shall hold public meetings at least once each month at such times as its rules and regulations prescribe and at such other times and such places within the State as in its judgment may be necessary.

The board shall organize annually at its regular July meeting by the election of a chairman, vice-chairman and such other officers as the board shall determine. Such officers shall serve until the following July meeting and until their successors are elected and qualified. Vacancies in such offices shall be filled in the same manner for the unexpired term only.

C. 18:21A-3. Duties of board.

3. It shall be the duty of the Board of Higher Education to advance long-range planning for the system of higher education as a whole in the State; establish general policy for the governance of the separate institutions; co-ordinate the activities of the individual institutions which, taken together, make up the system of higher education in New Jersey; and maintain general financial oversight

of the State system of higher education. The board shall not administer the individual institutions of higher education, its own administration being specifically reserved unto each of such institutions.

Within the limitations imposed by general legislation applicable to all agencies of the State and the provisions of this act, the board is hereby granted exclusive jurisdiction over higher education in this State and its constituent parts and the requisite power to do all things necessary and proper to accomplish the aims and carry out the duties provided for in this act.

C. 18:21A-4. Additional duties.

4. The Board of Higher Education shall:

a. Conduct research on higher educational needs;

b. Develop and maintain a comprehensive master plan which shall be long range in nature and be regularly revised and updated;

c. Establish new colleges, schools, units, divisions, institutes, departments, branches, campuses, as required by the master plan, provided that provision is made therefor in the annual or a supplemental or special appropriation act of the Legislature or otherwise;

d. Establish minimum admission standards for all public institutions of higher education, except that nothing in this act shall be construed to prevent individual institutions from establishing higher minimum admission requirements;

e. Establish minimum standards for all public institutions of higher education for degree granting, approve new programs and degrees and approve discontinuance of degrees and educational programs as required. Nothing, however, in this act shall be construed to prevent individual institutions from establishing higher minimum standards for degree granting "programs" as used in this subparagraph means areas or fields in which degrees or nondegree certificates might be granted and shall not include individual courses nor course content nor shall it include the course composition of areas or fields already in existence;

f. Receive all budget requests from the institutions, co-ordinate and balance such requests, and submit a combined request for appropriations annually to the Governor;

g. Be an agency of communication with the Federal Government on public funds available to the State for higher education, and receive and recommend the disbursement of such funds by the State.

h. Set policy on salary and fringe benefits, and establish general personnel policies for the public institutions of higher education;

i. Co-ordinate with the State Board of Education and the commissioner to effectuate and advance public education at all levels;

j. Encourage harmonious and co-operative relationship between public and private institutions of higher education;

k. Review periodically existing programs of instruction, research, and public service in the public institutions of higher education, and advise them of desirable change;

l. Keep the Governor, the Legislature, and the public informed of the needs and accomplishments, both qualitative and quantitative, of public higher education in New Jersey through published reports, releases, conferences, and other means;

m. License institutions of higher education pursuant to the authority of sections 18:20–5 to 18:20–7 of the Revised Statutes;

n. Approve the basis or conditions for conferring degrees pursuant to the authority of sections 18:20–8 to 18:20–10 of the Revised Statutes;

o. Exercise enforcement powers as provided by sections 18:20–11, 18:20–13 and 18:20–16 of the Revised Statutes.

p. Have the power to issue subpœnas compelling the attendance of witnesses and the production of books, papers, and records in any part of the State before it or before any of its committees, the chancellor, or any of his assistants.

q. Require from institutions of higher education such reports as may be necessary to enable the board to perform the duties imposed upon it by statute;

r. Make to the Governor and the Legislature such recommendations as the board deems necessary with regard to appropriations that may be required for services, lands, buildings, and equipment to be furnished by institutions of higher education other than the State University of New Jersey and make contracts in behalf of the State with such institutions in accordance with legislative appropriations; provided, that no disbursement of moneys so appropriated shall be made to any such institution or institutions utilized by the State for the purpose of public higher education, except on recommendation of the board; and the board shall see to the application of the money for such purposes;

s. Exercise visitorial general powers of supervision and control over such institutions of higher education as may be utilized by the State. Its visitorial general powers of supervision and control are hereby defined as visiting such institutions of higher education to examine into their manner of conducting their affairs and to enforce an observance of the laws of the State.

t. To fix and determine tuition rates and other fees to be paid by students at the State colleges;

u. Adopt by-laws and make and enforce, alter and repeal rules for its own government and for implementing and carrying out this act.

C. 18:21A-5. Chancellor; term; salary.

5. The chief executive officer and administrator of the department shall be known as the chancellor and shall be a person qualified by training and experience to perform the duties of his office. The chancellor shall be appointed by the Board of Higher Education, subject to the approval of the Governor, and shall serve for a term of 5 years and until the chancellor's successor has been appointed and has qualified. He shall be selected without regard to residence within or without this

State and shall receive such salary as shall be provided by law. The chancellor may be removed from office by the Governor, for cause, upon notice and opportunity to be heard. In the case of the initial appointment of the first chancellor, the chancellor shall be appointed by the Governor with the advice and consent of the Senate, and shall serve for a term of 5 years and until the chancellor's successor has been appointed and has qualified.

C. 18:21A-6. Duties of chancellor.

6. The chancellor, as chief executive officer of the department, subject to the approval of the board, shall:

a. Enforce all rules and regulations prescribed by the board and administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11, Civil Service, of the Revised Statutes, and other applicable statutes, except as herein otherwise specifically provided;

c. Perform, exercise and discharge the functions, powers and duties of the department through such divisions as may be established by this act or otherwise by law;

d. Organize the work of the department in such divisions, not inconsistent with the provisions of this act, and in such bureaus and other organizational units as he may determine to be necessary for efficient and effective operation;

e. Adopt, issue and promulgate, in the name of the department, such rules and regulations as may be authorized by law;

f. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers and employees;

g. Make an annual report to the Governor and to the Legislature of the department's operations, and render such other reports as the Governor shall from time to time request or as may be required by law.

h. Co-ordinate the activities of the department, and the several divisions and other agencies therein,

in a manner designed to eliminate overlapping and duplicating functions;

i. Integrate within the department, so far as practicable, all staff services of the department and of the several divisions and other agencies therein;

j. Maintain suitable headquarters for the department and such other quarters within the State as he shall deem necessary to the proper functioning of the department; and

k. Perform such other functions as may be prescribed in this act or by any other law.

C. 18:21A-7. Secretary.

7. The chancellor shall be the secretary of the board and have custody of its official seal. With the approval of the board, he may designate an employee in the department to perform such duties of the secretary and such other services as the board shall designate.

C. 18:21A-8. Delegation of powers.

8. The chancellor may delegate to subordinate officers or employees in the department such of his powers as he may deem desirable, to be exercised under his supervision and direction.

C. 18:21A-9. Vice-chancellors.

9. The chancellor may, subject to the approval of the board, appoint vice-chancellors and fix their compensation. He shall from time to time designate one of the vice-chancellors to serve as acting chancellor in his place and stead during his absence or in the case of a vacancy in the office. Any such designation shall be in writing, signed by the chancellor and filed with the Secretary of State.

C. 18:21A-10. Additional duties.

10. The department shall, in addition to other powers and duties invested in it by the act, or by any other law:

a. Assist in the co-ordination of State and Federal activities relating to higher education;

b. Advise and inform the Governor on the affairs and problems of higher education and make recommendations to the Governor for proposed legislation pertaining thereto;

c. Stimulate programs relating to higher education through publicity, education, guidance and technical assistance concerning Federal and State programs;

d. Encourage co-operative programs by institutions of higher education; and

e. Maintain an inventory of data and information and act as a clearing house and referral agency for information on State and Federal services and programs.

C. 18:21A-11. Application for grants from Federal Government.

11. The department, or any of the divisions established hereunder, may, subject to the approval of the Governor and the board, apply for and accept grants from the Federal Government or any agency thereof, or from any foundations, corporation, association or individual, and may comply with the terms, conditions and limitations thereof, for any of the purposes of the department, or such division. Any money so received may be expended by the department, or such division, subject to any limitations imposed in such grants to effect any of the purposes of the department, or of such division, as the case may be, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury on vouchers certified and approved by the chancellor.

C. 18:21A-12. Transfer of functions, powers and duties pertaining to existing department of education.

12. All of the functions, powers and duties of the existing Department of Education pertaining to higher education including but not necessarily limited to those deriving from the following acts are hereby transferred to and vested in the Department of Higher Education established hereunder; provided however that the grant of such functions, powers and duties contained in such acts as are inconsistent with the specific provisions of this act are hereby repealed;

a. Article 3 of chapter 16 of Title 18 of the Revised Statutes and chapter 124 of the laws of 1946 (C. 18:16–37 to 18:16–41);

b. Articles 2 and 3 of chapter 20 of Title 18 of the Revised Statutes;

c. Chapter 18 of Title 18 of the Revised Statutes;

d. Chapter 22 of Title 18 of the Revised Statutes; and

e. Chapter 121 of the laws of 1959 (C. 18:22A–1, et seq.).

C. 18:21A-13. Exception.

13. All of the duties, functions and powers of the existing Department of Education pertaining to Rutgers, the State University, are hereby transferred to and vested in the Department of Higher Education established hereunder and, notwithstanding any provision of this act, the Department of Higher Education shall have no duties, functions or powers with respect to Rutgers, the State University, except for those transferred as aforesaid.

C. 18:21A-14. Exception.

14. All of the duties, functions and powers of the existing Department of Education pertaining to Newark College of Engineering are hereby transferred to and vested in the Department of Higher Education established hereunder and, notwithstanding any provision of this act, the Department of Higher Education shall have no duties, functions or powers with respect to Newark College of Engineering except for those transferred as aforesaid.

C. 18:21A-15. Transfer of State scholarship commission.

15. The State Scholarship Commission in the Department of Education, together with all of its functions, powers and duties, is continued, but such commission is transferred to and constituted the State Scholarship Commission in the Department of Higher Education established hereunder. This act shall not affect the terms of office of the present members of such commission. Such commission shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law except that the chancellor shall be a member and chairman of said commission in lieu of the Commissioner of Education.

C. 18:21A-16. Transfer of higher education assistance authority.

16. The Higher Education Assistance Authority in the Department of Education together with all of its functions, powers and duties, is continued, but such authority is transferred to and constituted the Higher Education Assistance Authority in the Department of Higher Education established hereunder. This act shall not affect the terms of office of the present members of such authority. Such authority shall continue to be constituted and the members thereof shall continue to be appointed as

provided by existing law except that the chancellor shall be an ex-officio member in lieu of the Commissioner of Education.

C. 18:21A-17. Transfer of New Jersey educational facilities authority.

17. The New Jersey Educational Facilities Authority in the Department of Education together with all of its functions, powers and duties, is continued, but such authority is transferred to and constituted the New Jersey Educational Facilities Authority in the Department of Higher Education established hereunder. This act shall not affect the terms of office of the present members of such authority. Such authority shall continue to be constituted and the members thereof shall continue to be appointed as provided by existing law except that the chancellor shall be an ex-officio member in lieu of the Commissioner of Education.

ARTICLE II

C. 18:21A-18. State colleges maintained.

18. State colleges shall be maintained for the purpose of providing higher education in the liberal arts and sciences and various professional areas including the science of education and the art of teaching at such places as may be provided by law. The names of the colleges shall be designated by the board.

C. 18:21A-19. Self-government of State colleges.

19. The Legislature hereby finds that it is in the best interest of the State that the State colleges shall be and continue to be given a high degree of self-government and that the government and conduct of the colleges shall be free of partisanship.

C. 18:21A-20. Powers of board of trustees.

20. The government, control, conduct, management and administration of each of the colleges shall be vested in the board of trustees of such college.

C. 18:21A-21. Members of board; terms; compensation; expenses.

21. For each State college there shall be a board of trustees, consisting of 9 citizens of the State, not more than 3 of whom shall reside in any one county and of whom at least 2 shall be women. The Board of Higher Education shall, subject to the approval of the Governor, appoint the members of each board of trustees. Any member of a board of trustees may be removed by the Governor for

cause upon notice and opportunity to be heard. The term of office of appointed members, except for the first appointments, shall be for 6 years. Each member shall serve until his successor shall have been appointed and qualified and vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term. Members shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses.

In the case of the initial appointments, 2 members shall be appointed for terms expiring June 30, 1967; 2 for terms expiring June 30, 1968; 2 for terms expiring June 30, 1969; one for a term expiring June 30, 1970; one for a term expiring June 30, 1971; and one for a term expiring June 30, 1972.

Each board of trustees shall meet during the second week of September and at such other times and places as it shall designate. Each board of trustees shall organize annually at its regular September meeting by the election of the chairman, vice-chairman and such other officers as the board shall determine. Such officers shall serve until the following September meeting and until their successors are elected and qualified. Vacancies in such offices shall be filled in the same manner for the unexpired term only.

C. 18:21A-22. Powers.

22. The board of trustees of a State college shall, within the general policies and guidelines set by the Board of Higher Education, have general supervision over and shall be vested with the conduct of the college. It shall, within the general policies and guidelines set by the Board of Higher Education, have the power and duty to:

a. Adopt and use a corporate seal;

b. Determine the educational curriculum and program of the college;

c. Determine policies for the organization, administration and development of the college;

d. Study the educational and financial needs of the college; annually acquaint the Governor and Legislature with the condition of the college; and prepare, and after concurrence by and jointly with

the Board of Higher Education, present the annual budget to the Governor and Legislature, in accordance with law;

e. Subject to the provisions of P. L. 1944, chapter 112, direct and control the expenditures of the college in accordance with the provisions of the budget and the appropriations acts of the Legislature, except that with respect to transfers of funds pursuant to P. L. 1944, chapter 112, the college shall be deemed a spending agency, and as to funds received from other sources, in accordance with the terms, of any applicable trusts, gifts, bequests, or other special provisions;

f. In accordance with the provisions of the budget and the appropriations acts of the Legislature and with the approval of the Board of Higher Education, appoint and fix the compensation of a president of the college who shall be the executive officer of the college and shall serve at the pleasure of the board of trustees;

g. In accordance with the provisions of the budget and the appropriations acts of the Legislature, appoint such deans and other members of the academic, administrative and teaching staffs as shall be required and fix their compensation and terms of employment in accordance with salary policies adopted by the Board of Higher Education. Such salary policies shall prescribe qualifications for the various classifications and shall limit the percentage of the educational staff that may be in any given classification.

h. In accordance with the provisions of the budget and the appropriations acts of the Legislature, appoint, remove, promote and transfer such other officers, agents, or employees as may be required for carrying out the purposes of the college and assign their duties, determine their salaries and prescribe qualifications for all positions, all in accordance with the provisions of Title 11, Civil Service of the Revised Statutes;

i. To grant diplomas, certificates or degrees;

j. Subject to the provisions of P. L. 1954, chapter 48 to enter into contracts and agreements with

the State or any of its political subdivisions or with the United States, or with any public body, department or other agency of the State or the United States or with any individual, firm, or corporation which are deemed necessary or advisable by the board for carrying out the purposes of the college;

k. Subject to the provisions of P. L. 1954, chapter 48, purchase lands, buildings, equipment, materials and supplies; employ architects, engineers and other persons desired in the planning of buildings, equipment and facilities; secure bids, enter into contracts for and supervise the construction of such buildings, equipment and facilities;

l. Adopt, after consultation with the president and faculty, by-laws and make and promulgate such rules, regulations and orders, not inconsistent with the provisions of this act that are necessary and proper for the administration and operation of the college and the carrying out of its purposes.

C. 18:21A-23. Additional powers.

23. The board of trustees of a State college, in addition to the other powers and duties provided herein and within the general policies and guidelines set by the Board of Higher Education, shall have and exercise the powers, rights and privileges that are incident to the proper government, conduct and management of the college, and the control of its properties and funds and such powers granted to the college or the board or reasonably implied, may be exercised without recourse or reference to any department or agency of the State, except as otherwise provided by this act or applicable law.

C. 18:21A-24. President's responsibility.

24. The president of a State college shall be responsible to its board of trustees and shall have such powers as shall be requisite, for the executive management and conduct of the college in all departments, branches and divisions, and for the execution and enforcement of the by-laws, rules, regulations and orders governing the management, conduct and administration of the college.

C. 18:21A-25. State colleges transferred.

25. The existing 6 State colleges presently maintained by the State of New Jersey and under the care, custody, control and administration of the Commissioner of Education and the State Board

of Education are hereby transferred to the Department of Higher Education and hereafter shall be operated by their respective boards of trustees pursuant to the provisions of this act, provided that such transfer shall not become effective until January 1, 1967, and until such time said colleges shall continue to operate as heretofore.

C. 18:21A-26. Personnel transferred.

26. All professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers and other persons employed by the State of New Jersey, the State Board of Education or the Commissioner of Education in the State colleges hereby transferred to the Department of Higher Education shall be transferred to and continue in their respective employments in the employ of the board of trustees of their respective colleges and any and all rights of tenure, civil service, retirement, pension, disability, leave of absence or similar benefits provided by or under the provisions of the laws of this State shall not be affected or interrupted by virtue of such transfer.

C. 18:21A-27. Pension, tenure, seniority rights protected.

27. The services of all professors, associate professors, assistant professors, instructors, supervisors, registrars, teachers and other persons employed by the board of trustees of the State colleges shall have the same rights of tenure, seniority, pension, protection from liability, rights to legal counsel and all other rights and privileges of similar employees of the State Board of Education or the Commissioner of Education in the existing State colleges.

ARTICLE III

C. 18:21A-28. Council State colleges established.

28. There is hereby established in the Department of Higher Education a Council of State Colleges.

C. 18:21A-29. Members; compensation; expenses; organization; terms; vacancies.

29. The Council of State Colleges shall consist of the presidents and chairmen of the board of trustees of the several State colleges. The chancellor shall ex-officio be an additional member but shall be without vote.

Members shall serve without compensation but shall be entitled to be reimbused for all reasonable and necessary expenses.

The council shall organize annually during the month of September by the election of a chairman, vice-chairman and such other officers as the council shall determine. Such officers shall serve until the following September meeting and until their successors are elected and qualified. Vacancies in such offices shall be filled in the same manner for the unexpired term only. The council shall also meet at such other times and places within the State as it shall deem necessary.

C. 18:21A-30. Duties.

30. Under the guidance of the Board of Higher Education and with assistance from its staff, the council will:

a. Foster communication and co-operation among the State colleges and through its chairman, provide them collective representation on the Board of Higher Education;

b. Guide and stimulate effective planning and program development, within the general policies and guidelines set by the Board of Higher Education, by the several State colleges;

c. Ensure diversity of development among the several State colleges in ways which will be responsive to particular needs in the several parts of the State;

d. Seek to ensure acceptable and effective lines of development in admissions policy, academic standards, programs, financing, and community relations in the several State colleges;

e. Act as an advisory body to the Board of Higher Education in carrying out its duties and responsibilities with regard to the State colleges; and

f. Study the need for, and recommend to the Board of Higher Education, when required, the establishment of new State colleges and their location.

Article IV

C. 18:21A-31. Council county colleges established.

31. There is hereby established in the Department of Higher Education a Council of County Colleges.

C. 18:21A-32. Members; compensation; expenses; organization; terms; vacancies.

32. The Council of County Colleges shall consist of the presidents and chairmen of the board of trustees of the several county colleges. The chan-

cellor shall ex officio be an additional member without vote.

Members shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses.

The council shall organize annually during the month of June by the election of a chairman, vice-chairman and such other officers as the council shall determine. Such officers shall serve until the following June meeting and until their successors are elected and qualified. Vacancies in such offices shall be filled in the same manner for the unexpired term only. The council shall also meet at such other times and places within the State as it shall deem necessary.

C. 18:21A-33. Duties.

33. Under the guidance of the Board of Higher Education and with assistance from its staff, the council will seek to ensure acceptable and effective lines of development in admissions policy, academic standards, programs, financing, and community relations in the several county colleges.

The council will serve as a means of communication between the county colleges, and staff from the Board of Higher Education will constitute for the council and for the individual county colleges a resource center to aid them in planning, act as a clearing house of information, and provide continuing field services.

The council will act as an advisory body to the Board of Higher Education in the carrying out of its duties and responsibilities deriving from chapter 41 of the laws of 1962.

ARTICLE V

C. 18:21A-34. Appropriations transferred.

34. All appropriations and other moneys available and to become available to any department, division, bureau or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Higher Education, are hereby transferred to the Department of Higher Education established hereunder, and shall be available for the objects and purposes

for which appropriated, subject to any terms, restrictions, limitations or other requirements imposed by State or Federal law.

C. 18:21A-35. Personnel, functions, duties transferred.

35. Such employees of any department, commission, council, board, authority, office or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Higher Education or to any office, authority or agency designated, continued or constituted therein, as the Board of Higher Education may determine are needed for the proper performance of the functions and duties imposed upon the Department of Higher Education, or such office, authority or agency therein, are hereby transferred to the department, office, authority or agency to which such functions, powers and duties have been herein assigned or transferred.

C. 18:21A-36. Rights protected.

36. Nothing in this act shall be construed to deprive any person of any tenure rights or of any right or protection provided him by Title 11, Civil Service, of the Revised Statutes, or under any pension law or retirement system.

C. 18:21A-37. Files, equipment transferred.

37. All files, books, papers, records, equipment and other property of any department, commission, council, board, office, authority or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Higher Education or to any office, authority or agency designated, continued or constituted hereunder, shall upon the effective date of this act be transferred to the department, office, authority or agency to which such assignment or transfer has been made hereunder.

C. 18:21A-38. Orders, rules and regulations not affected.

38. This act shall not affect the orders, rules and regulations heretofore made or promulgated by any department, commission, council, board, authority, officer or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Higher Education or to any officer, authority or agency designated, continued or constituted hereunder; but such orders, rules and regulations shall continue with

full force and effect until amended or repealed pursuant to law.

C. 18:21A-39. Actions or proceedings not affected.

39. This act shall not affect actions or proceedings, civil or criminal, brought by or against any department, commission, council, board, authority, officer or other agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Higher Education or to any officer, authority or agency designated, continued or constituted hereunder, and pending on the effective date of this act, but such actions or proceedings may be prosecuted or defended in the same manner and to the same effect by the department, officer, authority or agency to which such assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect; nor shall any of the foregoing provisions affect any order or recommendation made by, or other matters or proceedings before, any department, commission, council, board, officer, authority or agency, the functions, powers and duties of which have been herein assigned or transferred to the Department of Higher Education or to any officer, authority or agency designated, continued or instituted hereunder, and all such matters or proceedings pending before such department, commission, council, board, officer, authority or other agency on the effective date of this act shall be continued by the department, officer, authority or agency to which such assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect.

C. 18:21A-40. Reports and certifications required.

40. Unless specifically otherwise provided in this act or by any operative law, whenever, pursuant to existing law, reports, certifications, applications or requests are required or permitted to be made to the department, board, division, commission, office or officer, whose powers and duties are herein assigned or transferred, such reports and certifications shall hereafter be required to be filed with, and such applications or requests shall hereafter be made to, the department, officer or agency to which such assignment or transfer has been made hereunder.

C. 18:21A-41. Definition.

41. Whenever the term "State Board of Education" occurs or any reference is made thereto, the same shall be deemed to mean or refer to the Department of Higher Education and whenever the term "commissioner" occurs or any reference is made thereto, the same shall be deemed to mean or refer to the chancellor in any statute in Title 18 of the Revised Statutes which is applicable to any public institution of higher education.

C. 18:21A-42. Purpose of act.

42. This act being deemed and hereby declared necessary for the welfare of the State and the people of New Jersey to provide for the development of public higher education in the State and thereby to increase the efficiency of the public school system of the State, shall be liberally construed to effectuate the purposes and intent thereof.

C. 18:21A-43. Repealed.

43. All acts and parts of acts inconsistent with any of the provisions of this act are, to the extent of such inconsistency, hereby repealed; provided, however, that nothing in this act shall be construed as expressly or impliedly repealing any provision of the "Rutgers, The State University Act of 1956," P. L. 1956, c. 61.

Appropriation.

44. There is hereby appropriated to the Department of Higher Education the sum of $75,000.00 to carry out the purpose of this act for the fiscal period ending June 30, 1967.

C. 18:21A-44. Title of act.

45. This act shall be known as, and may be cited as, the "Higher Education Act of 1966."

Note:

46. Section 44 of this act shall take effect immediately and the remainder of this act shall take effect on July 1, 1967, except that any appointment, and any confirmation or approval of any appointment, permitted by this act may be made prior to such date and the Department of Higher Education may expend such funds prior to said date as may be necessary to provide for the orderly transfer to the department of the powers and duties herein prescribed.

Approved December 14, 1966.

CHAPTER 303

AN ACT to create a New Jersey Education Co-ordinating Council and prescribing its membership, powers and duties.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 18:1A-1. Council created.

1. A New Jersey Education Co-ordinating Council is hereby created as an interdepartmental council for the purposes of facilitating the co-ordination of the educational policies and programs of the State in all fields of public education.

C. 18:1A-2. Members; terms; expenses.

2. The council shall consist of 6 members as follows: the President of the State Board of Education, the Chairman of the State Board of Higher Education, the Commissioner of Education, the Chancellor of the Department of Higher Education and one citizen member of the State Board of Education and one citizen member of the State Board of Higher Education, to be selected by said boards, respectively, for terms of 1 year commencing July 1 and until the selection of their successors. Members of the council shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses.

C. 18:1A-3. Organization; meetings.

3. The council shall meet at the call of the Governor as soon as may be following selection of its members, and shall organize annually by the selection of a chairman from among its membership and a secretary who need not be a member. The council shall fix the date for its annual meeting and the dates for at least 3 other regular meetings during each year.

C. 18:1A-4. Duties.

4. It shall be the duty and responsibility of the council to:

a. Review and recommend programs and priorities to best meet the total educational needs of the State;

b. Review budgets of the Departments of Education and Higher Education, and make fiscal recommendations to the State Board of Education and the State Board of Higher Education.

5. This act shall take effect July 1, 1967 except that appointments to the council may be made prior thereto. Note: Effective date.

Approved December 14, 1966.

CHAPTER 304

AN ACT concerning education, and supplementing chapter 2 of Title 18 of the Revised Statutes. C. 18:2-1.2. Ex-officio members.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. In addition to the 12 members of the State Board of Education, to be appointed by the Governor pursuant to Revised Statutes 18:2–1, the Chairman of the State Board of Higher Education and the Chancellor of the Department of Higher Education shall be ex-officio members of the State Board of Education but without vote. Note: Effective date.

2. This act shall take effect July 1, 1967.

Approved December 14, 1966.

CHAPTER 305

AN ACT to amend "An act providing for the mandatory reporting by physicians and hospitals of certain physical abuses of children," approved May 4, 1964 (P. L. 1964, c. 30).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 9:6-8.5. Investigation by county prosecutor; procedure.

5. (a) Upon receipt of such a report the county prosecutor shall cause the matter to be fully investigated and shall, as the results of his investigation may warrant, proceed in the manner prescribed by the laws relevant to criminal prosecution, or file a complaint with the Bureau of Children's Services, or with any other agency, public or private, authorized to perform protective services for children, in accordance with the provisions of law relevant to protective services for children.

(b) The county prosecutor shall, immediately upon receipt of any written report submitted by a physician or by a hospital pursuant to section 3 of this act, forward a copy thereof to the Bureau of Children's Services for the sole purpose of compilation by that agency of State-wide statistical data concerning such reports, provided, however, that the submission of such report shall not be deemed to be a filing of the complaint with the Bureau of Children's Services as provided by subsection (a). Any prosecutor or agency authorized by subsection (a) to investigate a report shall, upon completion of its investigation, on forms approved by the Bureau of Children's Services, submit its findings to said bureau for the sole purpose of the completion of its statistical data concerning such reports.

2. This act shall take effect immediately.

Approved December 15, 1966.

CHAPTER 306

AN ACT concerning the State Highway Department and adding a route to the State highway system.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The State Highway Commissioner is authorized, as soon as practicable and in accordance with the procedure set forth in article 1 of chapter 7 of Title 27 of the Revised Statutes to add to the State highway system a new route beginning at a point in the vicinity of Route 278 and New Jersey Turnpike Interchange No. 13 in the city of Elizabeth, and northerly to an intersection with U. S. Route 1 at a point generally located between North avenue, Elizabeth, and McClellan street, Newark. C. 27:6-1. State highway routes set forth.

2. This route shall be designated a freeway in accordance with chapter 83, laws of 1945 and shall be known as Route 81 when constructed.

3. This act shall take effect immediately.

Approved December 21, 1966.

CHAPTER 307

AN ACT to amend sections 43:16–3, 43:16–4 and 43:16–17 of the Revised Statutes, and repealing section 2 of P. L. 1960, c. 108, and sections 2 and 3 of P. L. 1962, c. 40.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 43:16–3 of the Revised Statutes is amended to read as follows: Section amended.

Pension to dependents of retired member.

43:16–3. (a) Upon the receipt of proper proofs of the death of a member who shall not have lost his life while on duty, there shall be paid to his widow or dependent widower a pension of 25% of the member's average salary, for the use of herself or himself, to continue during her or his widowhood, plus 15% of such salary payable to one surviving child or plus 25% of such salary to 2 or more surviving children; if there is no surviving widow or dependent widower or in case the widow or dependent widower dies or remarries, 20% of the member's average salary will be payable to one surviving child, 35% of such salary to 2 surviving children in equal shares and if there be 3 or more children, 50% of such salary will be payable to such children in equal shares; if there is no surviving widow, dependent widower or child, 25% of the member's average salary will be payable to one surviving dependent parent or 40% of such salary will be payable to 2 surviving dependent parents in equal shares.

(b) Upon the receipt of proper proofs of the death after retirement of a former member of the pension fund, there shall be paid to his widow or dependent widower a pension of 25% of the member's average salary for the use of herself or himself, to continue during her or his widowhood, plus 15% of such salary payable to one surviving child or plus 25% of such salary to 2 or more surviving children; if there is no surviving widow or dependent widower or in case the widow or dependent widower dies or remarries, 20% of the member's average salary will be payable to one surviving child, 35% of such salary to 2 surviving children in equal shares and if there be 3 or more children, 50% of such salary will be payable to such children in equal shares.

(c) The changes in benefits provided by subsections (a) and (b) of this section shall apply only to pensions hereafter granted; provided, however, that any pension in an amount less than $1,600.00 per annum presently being paid or to be paid in the

future, pursuant to section 43:16–3 of the Revised Statutes, to a widow of a policeman or fireman who did not lose his life while on duty or who died following retirement, shall be increased to $1,600.00 per annum.

Section amended.

2. Section 43:16–4 of the Revised Statutes is amended to read as follows:

Pensions to dependents on loss of life; application of increased benefits.

43:16–4. (a) Upon the receipt of proper proofs of the death of a member who shall have lost his life while on duty, there shall be paid to his widow or dependent widower a pension of ½ of the member's average salary, for the use of herself or himself and the children of the deceased member, to continue during her or his widowhood; if there is no surviving widow or dependent widower or in case the widow or dependent widower dies or remarries, 20% of the member's average salary will be payable to one surviving child, 35% of such salary to 2 surviving children in equal shares and if there be 3 or more children, ½ of such salary will be payable to such children in equal shares; if there is no surviving widow, dependent widower, or child, 25% of the member's average salary will be payable to one surviving dependent parent or 40% of such salary will be payable to 2 surviving dependent parents in equal shares.

(b) The changes in benefits provided by subsection (a) of this section shall apply only to pensions hereafter granted; provided, however, that any pension in an amount less than $1,600.00 per annum presently being paid or to be paid in the future, pursuant to section 43:16–4 of the Revised Statutes, to a widow of a policeman or fireman who lost his life while on duty, shall be increased to $1,600.00 per annum.

Section amended.

3. Section 43:16–17 of the Revised Statutes is amended to read as follows:

Definitions.

43:16–17. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning:

(1) "Member" shall mean a person who on the effective date of the act of which this act is amendatory, that is on July 1, 1944, was a member of a municipal police department or paid or part-paid fire department or county police department or a paid or part-paid fire department of a fire district located in a township and who has contributed to the pension fund established under chapter 16 of Title 43 of the Revised Statutes and shall hereafter contribute to said fund.

(2) "Active member" shall mean any "member" who is a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles and who is subject to call for active service or duty as such.

(3) "Employee member" shall mean any "member" who is not subject to call for active service or duty as a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles.

(4) "Commission" shall mean the board having control of the fund and the administration of this act.

(5) "Physician or surgeon" shall mean the surgeon or surgeons, physician or physicians who shall be called upon to determine the disability of members as provided by this act.

(6) "Employer" shall mean the county, municipality or agency thereof, by which a member is employed.

(7) "Service" shall mean service rendered while a member is employed by a municipal police department, paid or part-paid fire department, county police department or paid or part-paid fire department of a fire district located in a township prior to the effective date of this act for such service to such departments thereafter.

(8) "Pension" shall mean the amount payable to a member or his beneficiary under the provisions of this act.

(9) "Average salary" shall mean the average annual salary paid during the last 3 years of a

member's service, or in the event he has been employed for less than 3 years, the average pay he received during the time he was employed.

(10) "Beneficiary" shall mean any person or persons, other than a member, receiving or entitled to receive a pension or benefit as provided by this act.

(11) "Dependent parent" shall mean the parent of a member who was receiving at least ½ of his support from the member in the 12-month period immediately preceding the member's death. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

(12) "County police" shall mean all police officers having supervision or regulation of traffic upon county roads.

(13) "Dependent widower" shall mean the man to whom a member was married before the date of her retirement or at least 5 years before the date of her death and to whom she continued to be married until the date of her death and who was receiving at least ½ of his support from the member in the 12-month period immediately preceding the member's death. The dependency of such a widower will be considered terminated by marriage of the widower subsequent to the death of the member.

(14) "Widow" shall mean the woman to whom a member was married before the date of his retirement or at least 5 years before the date of his death and to whom he continued to be married until the date of his death and who has not remarried subsequent to the member's death.

(15) "Child" shall mean a deceased member's unmarried child under the age of 18.

C. 43:16-4a.
C. 43:16-4.2.
C. 43:16-4.3.
Repealed.

4. Section 2 of chapter 108 of the laws of 1960 and sections 2 and 3 of chapter 40 of the laws of 1962 are hereby repealed.

Note: Effective date.

5. This act shall take effect on the first day of the month subsequent to the lapse of 90 days following its enactment.

Approved December 22, 1966.

CHAPTER 308

AN ACT concerning county investigators, and amending section 2A:157–12 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:157–12 of the New Jersey Statutes is amended to read as follows:

County investigators in second-class counties.

2A:157–12. In counties of the second class there may be appointed not in excess of 9 county investigators, who shall be paid annual salaries of not less than $6,500.00.

Not more than 6 county investigators in addition to those provided for in this section may be appointed by the county prosecutor where there appears to be a reasonable necessity therefor, if approved by resolution of the board of chosen freeholders of the county.

2. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 309

AN ACT to supplement "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1967, and regulating the disbursement thereof," approved April 27, 1966 (P. L. 1966, c. 33).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Appropriation.

1. The following sum is hereby appropriated out of the General Treasury, for the purpose specified:

DEPARTMENT OF EDUCATION
576-100. NEW JERSEY COLLEGE OF MEDICINE AND DENTISTRY
CAPITAL FUNDS

To acquire and or improve property as a site for the construction of, or improve existing structures for college facilities and to provide for architectural and engineering design and planning for said college facilities $1,500,000 00

2. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 310

AN ACT concerning certain deductions from the compensation of persons holding public office, position or employment.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:11-26. Deductions for payment to credit unions.

1. Whenever any person holding public office, position or employment, whose compensation is paid by any county or municipality or by any board, body, agency or commission thereof, or any board of education, shall indicate in writing to the proper disbursing officer his desire to have any deductions made from his compensation for payment to a credit union, organized under the laws of this State or of the United States, the membership of which is limited to public employees, such deductions shall be made by the proper disbursing officer, when directed so to do by resolution of the governing body of any county or municipality or by resolution of the board, body, agency or commission or board of

education of which he is the disbursing officer, and shall be transmitted to the treasurer of the credit union. Any such written authorization may be withdrawn upon filing notice of such withdrawal with the proper disbursing officer.

2. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 311

AN ACT vesting in Clifford Merchant and Vivian Merchant, his wife, the title to the real estate of which William Brinkley died seized and which is alleged to have escheated to the State of New Jersey.

Private act.

WHEREAS, William Brinkley was the owner of a certain piece of real estate under a deed from Herbert R. Clement, dated July 11, 1906, and recorded July 11, 1906, in Deed Book 206, page 545 in the clerk's office of Gloucester county described as follows:

All that certain lot or piece of land situate on the Southerly side of Sumner Street in Woodbury Park in the Township of Deptford and designated as Lot No. 31 on Plan of Woodbury Park in Book C of Boundaries and Divisions, folio 89 and described as follows:

Beginning at a stake at the Northwest corner of Lot No. 30 on the Southerly line of Sumner Street and proceeding from thence along the Westerly line of said lot No. 30, South 38 degrees West 136 feet to a stake in the Northerly line of Lot No. 27; thence (2) along the Northerly line of said Lot No. 27, North 59 degrees 18 minutes West, 40 feet and seven-tenths of a foot to a stake in the Easterly line of Lot No. 32; thence (3)

along the Easterly line of said Lot 32, North 38 degrees East 143.4 feet to a stake in the Southerly line of Sumner Street aforesaid; thence (4) along said line of said street South 52 degrees East 40 feet to the place of beginning being lot No. 31 on said plan.

Excepting thereout and therefrom all that certain lot or piece of land situated on the Southerly side of Sumner Street in Woodbury Park, in the Township of Deptford, County of Gloucester and State of New Jersey, and being a portion of the lot designated as lot No. 31 on a map of plan of lots and streets in Woodbury Park made in 1881 and recorded in Book "C" of Boundaries and Divisions, folio No. 89 and generally bounded and described as follows:

Beginning at a stake at the Northwest corner of lot No. 30, in the Southerly side of Sumner Street and proceeding from thence (1) along the Westerly line of lot No. 30 South 38 degrees West 88 feet, more or less, to a point in said line, and said point being now made the Northwesterly corner of a lot this day conveyed by the said Elmer S. Clement to the said Herbert R. Clement, thence (2) running on a course of North 59 degrees 18 minutes West about 40 feet and two-tenths of a foot, more or less, to a point in the Easterly line of lot No. 32, thence (3) running along the Easterly line of lot No. 32, North 38 degrees East 88 feet, more or less, to a point in the Southerly line of Sumner Street and thence (4) running along said line of said street South 52 degrees East 40 feet to the place of beginning.

WHEREAS, William Brinkley died intestate June 3, 1945, seized of the property aforesaid, and left no persons capable of inheriting the said property; and

WHEREAS, Frank E. Lee Merchant and Leah Merchant, his wife, occupied said property from 1938 to 1947 and paid the taxes thereon in the mistaken belief that they were the owners thereof; and

WHEREAS, Clifford Merchant and Vivian Merchant, his wife, a stepgranddaughter of one Wilbur Brinkley, brother of said William Brinkley, occupied the said property thereafter and paid the taxes thereon from 1949 to the present time in the mistaken belief that they were the owners thereof, based on the following conveyance:

Wherein Frank E. Lee Merchant and Leah Merchant, his wife, conveyed certain property to Clifford Merchant by deed dated September 6, 1949, and recorded in the clerk's office of Gloucester county on January 19, 1950, in Deed Book 641, page 194; and

WHEREAS, The township of Deptford started foreclosure proceedings against the said property in 1958 to recover taxes due on same for the years 1932 to 1937, making said Clifford Merchant defendant therein; and

WHEREAS, Prior to completion of said foreclosure proceedings said Clifford Merchant and Vivian Merchant paid the full amount of taxes due and received a quit-claim deed for said property from the township of Deptford; and

WHEREAS, The proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to one William Brinkley, more particularly described in the preamble of this act, is hereby vested in Clifford Merchant and Vivian Merchant, his wife, and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

2. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 312

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 609 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 54:40A-32. Records; possession and transportation of unstamped cigarettes; seizure and confiscation of vessel or vehicle.

609. Every person who shall transport cigarettes not stamped as required by this act upon the public highways, waterways, roads or streets of this State shall have in his actual possession invoices or delivery tickets for such cigarettes which shall show the true name and complete and exact address of the consignor or seller, the true name and complete and exact address of the consignee or purchaser, the quantity and brands of the cigarettes transported and the true name and complete and exact address of the person who has or shall assume the payment of the New Jersey State tax or the tax, if any, of the State or foreign country at the point of ultimate destination, provided that any common carrier which has issued a bill of lading for a shipment of cigarettes and is without notice to itself or to any of its agents or employees that said cigarettes are not stamped as required by this act shall be deemed to have complied with this act and the vehicle or vessel in which said cigarettes are being transported shall not be subject to confiscation hereunder. In the absence of such invoices, delivery tickets or bills of lading, as the case may be, the cigarettes so transported, the vehicle, or vessel in which the cigarettes are being transported and any paraphernalia or devices used in connection with the unstamped cigarettes, are declared to be contraband goods and may be seized by the director, his agents or employees or by any peace officer of the State when directed by the director,

his agents or employees so to do, without a warrant. The director shall immediately thereafter institute a proceeding for the confiscation thereof in the County Court, county district court or the municipal court within the jurisdiction of which the seizure is made. The owner or any person having a security interest in any such vehicle may secure release of the same by depositing with the clerk of the court, in which such proceeding is pending, a bond with good and sufficient sureties in an amount to be fixed by the court, conditioned upon the return of said vehicle to the director upon demand after completion of said proceeding. The court may proceed in a summary manner and may direct confiscation to the director; provided, however, anything to the contrary notwithstanding that the owner or any person claiming to be the holder of a mortgage, conditional sales contract or other security interest in any vehicle or vessel, the disposition of which is provided for above, may present his petition so alleging and be heard, and in the event it appears to the court that the property was unlawfully used by a person other than the owner or such claimant, and if such owner or claimant acquired ownership or his security interest in good faith and without knowledge that the vehicle or vessel was going to be so used, the court shall either waive forfeiture in favor of such owner or claimant and order the vehicle or vessel returned or delivered to such owner or claimant, or if it is found that the value thereof exceeds the amount of the claim, the court shall order payment of the amount of the claim out of the proceeds of the sale. A transporter who violates the provisions of this act is a disorderly person.

2. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 313

AN ACT to protect the public health by supplementing, and amending and repealing certain sections, of the Uniform Narcotic Drug Law, chapter 18 of Title 24 of the Revised Statutes, amending section 3 of chapter 105 of the laws of 1948 and supplementing chapter 14 of Title 45 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 24:18–2 of the Revised Statutes is amended to read as follows: Section amended.

24:18–2. The following words, and phrases as used in this chapter shall have the following meanings unless the context otherwise requires: Definitions.

a. "Narcotic drugs" means any of the following (except decocainized coca leaves or extracts of coca leaves, which extracts do not contain occaine or ecgonine), whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(i) Opium, pethidine (isonipecaine), or coca leaves;

(ii) Any compound, manufacture, salt, derivative, or preparation of opium, pethidine (sonipecaine) or coca leaves;

(iii) "Marihuana" which means all parts of the plant cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fibre produced from such stalks, oil or

cake made from the seeds of such plant, any other compounds, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fibre, oil, or cake or the sterilized seed of such plant which is incapable of germination.

(iv) Any substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in clauses (i), (ii), or (iii);

(v) Any "opiate" found to be a narcotic drug by order or by rule or regulation of the Commissioner of Health. "Opiate" means any drug or other substance (and any compound, manufacture, salt, derivative, or preparation thereof) which has been or may be found by the Secretary of Treasury of the United States or his delegate, or the Commissioner of Health, after due notice and opportunity for public hearing, to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine or to be capable of conversion into a drug having such addiction-forming or addiction-sustaining liability, where the relative technical simplicity and degree of yield of such conversion create a risk of improper use and proclaimed by the Secretary of the Treasury of the United States or his delegate to have been so found in the Federal Register or as promulgated by regulation by the Commissioner of Health; but a drug or other substance shall cease to be an "opiate" for the purposes of this section if such finding or regulation is duly withdrawn by the Secretary of the Treasury of the United States or his delegate or the Commissioner of Health respectively.

b. "Practitioner" means any physician authorized by law to practice medicine in this or any other State and any other person authorized by law to treat sick and injured human beings in this or any other State and to use narcotic drugs in connection

with such treatment, any dentist authorized by law to practice dentistry in this State and any veterinarian authorized by law to practice veterinary medicine in this State.

c. "Dispense" means to distribute, leave with, give away, dispose of, or deliver a drug in a container with labeling for subsequent administration to or use by a patient.

d. "Federal Narcotic Law" means the laws of the United States relating to narcotic drugs.

e. "Hospital" means an institution for the care and treatment of the sick and injured, approved by the State Department of Institutions and Agencies as proper to be intrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a practitioner.

f. "Laboratory" means a laboratory to be intrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific, experimental and medical purposes and for purposes of instruction approved by the State Department of Health.

g. "Manufacturer" means a person who produces or prepares a narcotic drug, or any other preparation containing a narcotic drug, either directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, or by compounding, mixing, cultivating, growing, or any other process but does not include a pharmacist who compounds narcotic drugs to be sold or dispensed on prescription.

h. "Official written order" means an order written on a form provided for that purpose by the Secretary of the Treasury of the United States or his delegate, under any laws of the United States making provision therefor, if such order forms are authorized and required by the Federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Department of Health.

i. "Person" includes any corporation, association, copartnership, trust, other institution or entity or one or more individuals.

j. "Pharmacist" means a registered pharmacist of this State.

k. "Pharmacy owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a registered pharmacist; but nothing in this chapter contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.

l. Deleted by amendment.

m. "Registry number" means the number assigned to each person registered under the Federal Narcotic Laws.

n. "Sale" includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee.

o. Deleted by amendment.

p. "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written order, but not on prescription.

C. 24:18-3.1. C. 24:18-3.2. Repealed.

2. Sections 2 and 3 of P. L. 1962, chapter 112 (C. 24:18–3.1 and 3.2) are repealed.

Section amended.

3. Section 24:18–4 of the Revised Statutes is amended to read as follows:

Unlawful manufacture, possession, sale, etc.

24:18–4. It shall be unlawful for any person to manufacture, possess, have under his control, sell, purchase, prescribe, administer, dispense, or compound any narcotic drug, or any preparation containing a narcotic drug, except as authorized by this chapter.

Section amended.

4. Section 24:18–7 of the Revised Statutes is amended to read as follows:

Exemption from provisions of chapter.

24:18–7. Narcotic preparations which may be excepted from prescriptions or certain other requirements.

a. Notwithstanding any other provision of this chapter the administering, dispensing or selling at retail of any medicinal preparation specified below without a prescription shall not be unlawful when administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this chapter:

(1) Class "X" narcotic drugs:

(i) Opium preparations: containing not more than 2 grains of opium per fluid or avoirdupois ounce, along with one or more therapeutically active nonnarcotic ingredients.

(ii) Morphine preparations: containing not more than ¼ grain morphine or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active nonnarcotic ingredients.

(iii) Codeine preparations: containing not more than 1 grain codeine, or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active nonnarcotic ingredients.

(iv) Dihydrocodeine preparations: containing not more than ½ grain dihydrocodeine, or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active nonnarcotic ingredients.

(v) Ethylmorphine preparations: containing not more than ¼ grain ethylmorphine, or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active nonnarcotic ingredients.

(vi) Diphenoxylate preparations: pharmaceutical preparations in solid or liquid form containing not more than 2.5 mgs. diphenoxylate and not less than 25 micrograms of atrophine sulfate per dosage unit.

(2) Class "M" narcotic drugs:

(i) Noscapine preparations: any pharmaceutical preparation containing noscapine, or any of its salts, without limit in quantity along with either active or inactive nonnarcotic in-

gredients of the type used in medicinal preparations.

(ii) Papaverine preparations: any pharmaceutical preparation containing papaverine, or any of its salts, without limit in quantity, along with either active or inactive nonnarcotic ingredients of the type used in medicinal preparations.

(iii) Narceine preparations: any pharmaceutical preparation containing narceine, or any of its salts, without limit in quantity, along with either active or inactive nonnarcotic ingredients of the type used in medicinal preparations.

(iv) Cotarnine preparations: any pharmaceutical preparation containing cotarnine, or any of its salts, without limit in quantity, along with either active or inactive nonnarcotic ingredients of the type used in medicinal preparations.

(v) Nalorphine preparations: any pharmaceutical preparation containing nalorphine, or any of its salts, without limit in quantity, along with either active or inactive nonnarcotic ingredients of the type used in medicinal preparations.

b. The Commissioner of Health shall by regulation except from the provisions of this chapter to such extent as he determines to be consistent with the public welfare other narcotic preparations which are or may be determined to be excepted from Federal prescription requirements and permit the administering, dispensing, or selling of such preparations under the same conditions and by the same persons as are permitted by the Federal Narcotic Law and the laws of this State and which are determined:

(1) Either to possess no addiction-forming or addiction-sustaining liability or does not possess any addiction-forming or addiction-sustaining liability, sufficient to warrant imposition of all of the requirements of this chapter, and

(2) Does not permit recovery of a narcotic drug having such an addiction-forming or addiction-sustaining liability, which such relative technical simplicity and degree of yield as to create a risk of improper use.

c. If the Commissioner of Health shall find that any narcotic preparation which has been excepted from prescription requirements does possess a degree of addiction liability that results in material abusive use, he shall by regulation publish findings and terminate the excepted status of such preparation. In so doing he shall be guided by the status of such preparation under then current Federal law and regulation and depart therefrom only when eminent danger to the public health is involved. Such regulation shall be effective and the excepted status shall cease to apply to such narcotic preparation 90 days after the date of promulgation. Any person who denies the validity of the commissioner's findings and is aggrieved by such regulation shall have the right to apply for a review of the finding and regulation to the Superior Court which shall have jurisdiction. Effectiveness of such regulation shall be stayed pending decision of the Superior Court.

d. The exception from prescription provisions of this section shall not apply to those pharmaceutical preparations for which a prescription is required under applicable provisions of the Federal Food, Drug and Cosmetic Act, or subtitle 1 of this Title.

e. The exception from prescription requirements in subsection a. (1) above with respect to Class "X" narcotic drugs shall not apply to the sale, dispensing, administering or giving away of any Class "X" narcotic drug or preparation thereof to any person under the age of 21 years.

f. The purchase by any individual of more than 4 ounces of any Class "X" narcotic drug in any one 24-hour period shall constitute a rebuttable presumption that it was not purchased in good faith as a medicine.

Repealed.

5. Section 24:18–8 of the Revised Statutes is repealed.

Section amended.

6. Section 24:18–10 of the Revised Statutes is amended to read as follows:

Enforcement of narcotic laws.

24:18–10. It is hereby made the duty of the State Department of Health, its officers, agents, inspectors and representatives, and of all peace officers within the State, and of all county prosecutors, to enforce all provisions of this chapter, except those specifically delegated, and to co-operate with all agencies charged with the enforcement of the laws of the United States, of this State, and of all other States, relating to narcotic drugs; and it shall be the duty of the Board of Pharmacy in the Division of Professional Boards in the Department of Law and Public Safety, its officers, agents, inspectors and representatives also to assist the State Department of Health, peace officers and county prosecutors in the enforcement of all provisions of this chapter relating to the handling of narcotic drugs by pharmacy owners and pharmacists.

Authority is hereby granted to the Commissioner of Health to promulgate all necessary rules and regulations for the efficient enforcement of this chapter. The said commissioner is also hereby authorized to promulgate, insofar as applicable regulations from time to time promulgated by the Secretary of the Treasury of the United States or his delegate under the Federal Narcotic Law. Authority is also hereby granted to the Commissioner of Health to issue and promulgate an order relative to any "opiate" under section 2 a (v) of this chapter when the delay occasioned by acting through promulgation of a regulation would constitute a danger to the public health.

An order of the commissioner shall take effect immediately, but it shall expire 45 days after promulgation thereof. Rules and regulations may be adopted and promulgated by the commissioner but they shall not take effect until he has given due notice of his intention to take such action and has held a public hearing. Such rules and regulations

may include the contents of an order previously issued by the commissioner.

Any person who denies that a drug or pharmaceutical preparation is properly subject to an order by the commissioner which applies the provision of this chapter to such drug or pharmaceutical preparation, may apply to the commissioner for a hearing which must be afforded. In such case a decision must be rendered by the commissioner or his designee within 48 hours of the request for a hearing. If the petitioning party is aggrieved by the decision, he shall have the right to apply for injunctive relief against the order. Jurisdiction for such injunctive relief shall be in the Superior Court of New Jersey.

Section amended.

7. Section 24:18–12 of the Revised Statutes is amended to read as follows:

Licenses for manufacturers and wholesalers; fees; exceptions.

24:18–12. No person shall manufacture, compound, mix, cultivate, grow or by any other process produce or prepare narcotic drugs, and no person as a wholesaler shall supply the same without having first obtained a license so to do from the State Department of Health. A fee of $50.00 shall be charged for any license so issued. The State Department of Health may make rules and regulations governing the issuance of any such license.

This section shall not apply to pharmacists and practitioners in the regular course of their legitimate professional activities.

Section amended.

8. Section 24:18–14 of the Revised Statutes is amended to read as follows:

License denied to violators and drug addicts.

24:18–14. No such license shall be granted to any person who has within 5 years been convicted of the willful violation of any law of the United States or of any State, relating to narcotic drugs, or to any person who is a narcotic drug addict.

Section amended.

9. Section 24:18–15 of the Revised Statutes is amended to read as follows:

Revocation of license; terms and renewals.

24:18–15. The State Department of Health may for cause suspend or revoke any such license after due notice and opportunity for hearing if the licensee:

a. Has been convicted of violating or conspiring to violate any law of the United States or of any State where the offense involves any activity or transaction with respect to narcotic drugs; or

b. Has violated or failed to comply with any duly promulgated regulation of the Commissioner of Health and such violation or failure to comply reflects adversely on the licensee's reliability and integrity with respect to narcotic drugs.

All licenses shall be issued for a period of 1 year and renewals may be granted for a like period upon the payment of a renewal fee of $5.00.

Section amended.

10. Section 24:18–16 of the Revised Statutes is amended to read as follows:

To whom manufacturer or wholesaler may sell and dispense on official written order.

24:18–16. a. A duly licensed manufacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons, but only on official written orders:

(1) To a manufacturer, wholesaler, pharmacist or pharmacy owner.

(2) To a practitioner.

(3) To a person in charge of a hospital, but only for use by or in that hospital, provided the official written order is signed by a practitioner or pharmacist connected with such hospital.

(4) To a person in charge of a laboratory, but only for use in that laboratory for scientific and medicinal purposes.

(5) To a person in the employ of the United States Government or of any State, territory, district, county, municipality, or insular government, purchasing, receiving, possessing or dispensing narcotic drugs by reason of his official duties.

(6) To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed or to a physician or surgeon, duly licensed in some State, Territory or District of Columbia to practice his profession, or to a retired commissioned medical officer of the United States Army, Navy or Public Health Service employed upon such ship or aircraft, for the actual medical needs of persons on board such ship or aircraft

when not in port, provided such narcotic drug shall be sold to the master of such ship or person in charge of such aircraft or to a physician, surgeon, or retired commissioned medical officer of the United States Army, Navy or Public Health Service employed upon such ship or aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service.

(7) To a person in a foreign country if the provisions of the Federal Narcotic Law are complied with.

b. Possession of or control of narcotic drugs obtained as authorized by this section shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor; but nothing in this chapter shall be construed as conferring on a person who is not registered nor licensed as a practitioner or as a pharmacist any authority, right or privilege that is not granted to him by the laws of this State.

Repealed.

11. Section 24:18–17 of the Revised Statutes is repealed.

Section amended.

12. Section 24:18–18 of the Revised Statutes is amended to read as follows:

Official written orders in duplicate; retention for 2 years.

24:18–18. An official written order for any narcotic drug shall be signed in triplicate by the person giving said order or by his duly authorized agent. The original and triplicate shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein.

In the event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of 2 years, in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this chapter.

It shall be deemed a compliance with this section if the parties to the transaction have complied with the Federal Narcotic Law respecting the requirements governing the use of order forms.

Section amended.

13. Section 24:18–19 of the Revised Statutes is amended to read as follows:

Sale by pharmacists upon prescription; date and signature; retention for 2 years; refilling.

24:18–19. A pharmacist in good faith, may sell and dispense narcotic drugs to any person

a. Upon the written prescription of a practitioner.

Such written prescription shall be dated and signed by the person prescribing on the day when issued and shall bear the full name and address of the patient for whom or of the owner of the animal and species of the animal for which the narcotic drug is prescribed and the full name, address and registry number under the Federal Narcotic Law of the person prescribing, provided he is required by those laws to be so registered.

A person filling the prescription shall write the date of filling and his own signature on the face of the prescription.

The prescription shall be retained on file by the pharmacy owner of the pharmacy in which it is filled for a period of 2 years so as to be readily accessible for the inspection of any officers engaged in the enforcement of this chapter.

The prescription shall not be refilled.

b. Upon the oral prescription of a practitioner in pursuance of regulations promulgated by the Secretary of the Treasury of the United States, or his delegate, or regulations issued by the Commissioner of Health not in conflict with those promulgated under the provisions of Federal Narcotic Law, provided said oral prescription is promptly reduced to writing by the pharmacist, stating the name of the practitioner so prescribing, the date, the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and in all instances, the full name, address and registry number under the Federal Narcotic Law of the person so prescribing if he is required by that law to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is prescribed. A person filling the prescription shall write the

date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of 2 years so as to be readily accessible for the inspection of any officers engaged in the enforcement of this act. The prescription shall not be refilled.

Section amended.

14. Section 24:18–21 of the Revised Statutes is amended to read as follows:

Sale by pharmacist to physicians, dentists and veterinarians.

24:18–21. A pharmacist, only upon an official written order, may sell to a practitioner in quantities not exceeding 1 ounce at any one time, aqueous or oleaginous solutions compounded by him of which the content of narcotic drugs does not exceed a proportion greater than 20% of the complete solution, to be used for medical purposes.

Section amended.

15. Section 24:18–22 of the Revised Statutes is amended to read as follows:

Professional use by physicians and dentists; form of prescription.

24:18–22. A practitioner other than a veterinarian, in good faith and in the course of his professional practice only, may prescribe, administer or dispense narcotic drugs or may cause the same to be administered by a nurse or intern under his direction and supervision.

Section amended.

16. Section 24:18–23 of the Revised Statutes is amended to read as follows:

Professional use by veterinarians; form of prescription.

24:18–23. A veterinarian in good faith and in the course of his professional practice only and not for use by a human being, may prescribe, administer and dispense narcotic drugs and he may cause them to be administered by an assistant or orderly under his direction and supervision.

Section amended.

17. Section 24:18–24 of the Revised Statutes is amended to read as follows:

Return of unused portion of drugs.

24:18–24. A person, who has obtained from a practitioner any narcotic drug for administration to a patient during the absence of such practitioner, shall return to such practitioner any unused portion of the drug when it is no longer required by the patient.

Section amended.

18. Section 24:18–25 of the Revised Statutes is amended to read as follows:

Physicians, dentists and veterinarians to keep records; using small quantities.

24:18–25. Every practitioner or other person who is authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed, or professionally used by him otherwise than by prescription.

It shall, however, be deemed a sufficient compliance with this article if any such person using small quantities of solutions or other preparations of such drugs for local application, shall keep a record of the quantity, character, and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.

Section amended.

19. Section 24:18–26 of the Revised Statutes is amended to read as follows:

Manufacturers and wholesalers to keep records.

24:18–26. Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of this article. Provided, however, that such records shall not be required of wholesalers for those narcotic drugs designated as Class "M" narcotic drugs in section 24:18–7 a. (2) as such class of narcotic drugs shall hereafter from time to time be revised by law or regulation as provided in section 24:18–7.

Section amended.

20. Section 24:18–27 of the Revised Statutes is amended to read as follows:

Pharmacists to keep records.

24:18–27. Pharmacists and pharmacy owners shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of this article. Provided, however, that such records shall not be required for those narcotic drugs designated as Class "M" narcotic drugs in section 24:18–7 a. (2) as such class of narcotic drugs shall hereafter from time to time be revised by law or regulation as provided in section 24:18–7.

Section amended.

21. Section 24:18–28 of the Revised Statutes is amended to read as follows:

Records by purchasers for resale and sellers of exempt preparations.

24:18–28. Every person who purchases for resale shall keep a record showing the quantities and kinds thereof received or sold or disposed of otherwise, in accordance with the provisions of this article. Provided, however, that such records shall not be required for those narcotic drugs designated as Class "M" narcotic drugs in section 24:18–7 a. (2) as such class of narcotic drugs shall hereafter from time to time be revised by law or regulation as provided in section 24:18–7.

Repealed.

22. Section 24:18–29 of the Revised Statutes is repealed.

Section amended.

23. Section 24:18–33 of the Revised Statutes is amended to read as follows:

Keeping records required by federal laws; drugs lost, destroyed or stolen.

24:18–33. Practitioners, manufacturers, wholesalers, pharmacists, hospitals and laboratories keeping such records as may be required by Federal Narcotic Law relating to the receipt, manufacture, inventory, distribution (including dispensing, sale or other disposition) and information as to narcotics stolen, lost or destroyed shall be deemed to be in compliance with the record-keeping requirements of this article.

Section amended.

24. Section 24:18–34 of the Revised Statutes is amended to read as follows:

Form of label on containers of manufacturers and wholesalers; altering or removing label.

24:18–34. Whenever a manufacturer sells or dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in which that drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind and form of narcotic drug contained therein. Whenever a wholesaler sells or dispenses a narcotic drug in any package or shipping container other than the package in which received from the manufacturer, he shall securely affix to such package a label showing in legible English his name and address.

No person except a pharmacist for the purpose of filling a prescription under this chapter, shall alter, deface or remove any label so affixed by the manufacturer.

Section amended.

25. Section 24:18–35 of the Revised Statutes is amended to read as follows:

Form of label to be used by pharmacists; altering or removing label.

24:18–35. Whenever a pharmacist sells or dispenses any narcotic drug on a prescription issued by a practitioner he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, and registry number, or the name, address, and registry number of the pharmacist or pharmacy owner for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address and registry number of the practitioner by whom the prescription was written; and such directions as may be stated on the prescription.

No person shall alter, deface, or remove any label so affixed as long as any of the original contents remain.

Section amended.

26. Section 24:18–36 of the Revised Statutes is amended to read as follows:

Drug to be kept in original container.

24:18–36. An individual to whom or for whose use any narcotic drug has been prescribed, sold or dispensed, by a physician, dentist, pharmacist or other person authorized under the provisions of this chapter and the owner of any animal for which any such drug has been prescribed, sold, or dispensed by a veterinarian, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

Section amended.

27. Section 24:18–42 of the Revised Statutes is amended to read as follows:

False representation.

24:18–42. No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, pharmacist, pharmacy owner, practitioner, or other authorized person.

Section amended.

28. Section 24:18–45 of the Revised Statutes is amended to read as follows:

Application of preceding sections to exempt preparations.

24:18–45. The provisions of sections 24:18–39 to 24:18–44 of this Title shall apply to all transactions relating to narcotic drugs, or to preparations con-

taining a narcotic drug, under the provisions of section 24:18–7 of this Title in the same way as they apply to transactions under all other sections.

Section amended.

29. Section 24:18–47 of the Revised Statutes is amended to read as follows:

Violation; penalty.

24:18–47. Any person as in this chapter defined

(a) Who, being of or over the age of 21 years, sells, gives, administers or dispenses any narcotic drug other than a medicinal preparation specified under the provisions of section 24:18–7, and except as authorized by this chapter, to any person under the age of 18 years shall be guilty of a high misdemeanor and shall be punished by a fine of not less than $2,000.00 or more than $10,000.00 and by imprisonment at hard labor for not less than 2 years with a maximum of imprisonment for life or

(b) Who sells, dispenses, administers or gives away any medicinal preparation in violation of the provisions of section 24:18–7 e. is a disorderly person or

(c) Who violates any other provision hereof shall be guilty of a high misdemeanor and shall be punished as follows:

(1) for a first offense, by a fine not exceeding $2,000.00 and by imprisonment, with hard labor, for a term of not less than 2 years nor more than 15 years;

(2) for a second offense, by a fine not exceeding $5,000.00 and by imprisonment, with hard labor, for a term of not less than 5 years nor more than 25 years;

(3) for a third or subsequent offense, by a fine not exceeding $5,000.00 and by imprisonment, with hard labor, for a term of not less than 10 years with a maximum of imprisonment for life.

In case a person charged with a violation of any of the provisions of this chapter shall have been previously convicted of a violation of the laws of the United States or of any other State, territory or district relating to narcotic drugs, such previous conviction shall for the purpose of this section, be deemed a first or second offense as the case may be.

C. 45:14-12.2. Suspension of pharmacist certificate.

30. The board of pharmacy, on receiving from any official charged with the duty of enforcing the narcotic laws under section 24:18–10 of Title 24 of the Revised Statutes proof satisfactory to the board that a registered pharmacist or registered assistant pharmacist administered, dispensed or sold at retail a narcotic preparation in violation of section 24:18–7, shall suspend the certificate of such registered pharmacist or registered assistant pharmacist for such designated period of time as the board in its discretion deems appropriate or may in its discretion revoke such certificate. A minimum suspension of 30 days shall be imposed for any second or subsequent offense under this section within 12 months following the previous offense.

The establishment of all of the following facts by the registered pharmacist or registered assistant pharmacist shall constitute a defense to a violation of section 24:18–7 e.: (a) that the minor falsely represented in writing at or prior to the time of the offense that he or she was 21 years of age or over, (b) that the appearance of the minor was such that an ordinary, prudent person would believe him or her to be 21 years of age or over, and (c) that the administering, dispensing or selling was made in good faith in reliance upon such written representation and appearance and in the reasonable belief that the minor was actually 21 years of age or over.

Any person whose certificate shall be suspended or revoked by the board shall have the right to review such action by the Appellate Division of the Superior Court in lieu of prerogative writ.

Section amended.

31. Section 3 of P. L. 1948, chapter 105 (C. 45:14–36.3) is amended to read as follows:

C. 45:14-36.3. Temporary permit.

3. A temporary permit of any nature issued by the board shall not be extended or renewed beyond the period for which it was issued unless an application for its extension or renewal is filed by the applicant. Such application may be acted upon by the board without payment of a fee unless the temporary permit is in effect on June 30 of any year when it shall expire and must be renewed on

or before July 1 in the manner prescribed for renewal of registration of pharmacies and drug stores operating under other permits issued by the board. Any other permit issued by the board may be suspended or revoked by the board (a) for failure to meet any of the provisions of this chapter or (b) for failure to meet any of the rules and regulations with reference to equipment for the prescription department; stock of drugs, pharmaceuticals and chemicals in the prescription department; size and other space requirements of the prescription department; facilities necessary in the compounding of prescriptions; and sanitation, orderliness and cleanliness in the pharmacy or drug store, or (c) with respect to any pharmacy or drug store in which an offense subject to the provisions of section 30 of this amendatory and supplementary act has occurred, by serving a copy of the complaint upon the owner of the pharmacy or drug store and granting at least 10 days' advance notice of a hearing before the board. The suspension or revocation by the board of any permit issued by it shall be reviewable by a proceeding in lieu of the prerogative writs in the Superior Court.

Note: Validity of act.

32. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Note: Repealed.

33. All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.

34. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 314

AN ACT to protect the public health by regulating and controlling the handling, sale and distribution of depressant and stimulant drugs, amending sections 24:5–18 and 24:17–1 of the Revised Statutes, chapter 52 of the laws of 1961 and chapter 113 of the laws of 1962, supplementing Title 24 of the Revised Statutes and making an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 24:6C-1. Definitions.

1. For the purpose of this act:

(a) The term "depressant or stimulant drug" means:

(1) any drug which contains any quantity of

(A) barbituric acid or any of the salts of barbituric acid; or

(B) any derivative of barbituric acid which has been designated by the secretary as habit-forming; or

(2) any drug which contains any quantity of

(A) amphetamine or any of its optical isomers; or

(B) any salt of amphetamine or any salt of an optical isomer of amphetamine; or

(C) any substance which the secretary, after investigation, has found to be, and by regulation designated as, habit-forming because of its stimulant effect on the central nervous system; or

(3) any drug which contains any quantity of a substance which the secretary, after investigation, has found to have, and by regulation designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect; or

(4) any drug which contains any quantity of a substance which the commissioner, after investigation, has found, and by regulation designated as posing a threat to the public health by virtue of its record of actual abuse within this State because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

(b) The term "secretary" means the Secretary of Health, Education and Welfare, acting under the authority of 21 U. S. C. 321 (v).

(c) The term "commissioner" means the Commissioner of the State Department of Health or his designated representative.

(d) The term "wholesaling, jobbing or distribution of depressant or stimulant drugs" means the selling or distribution of any depressant or stimulant drug to any person who is not the ultimate user or consumer of such drug.

C. 24:6C-2. Restrictions on manufacture of drugs; exceptions.

2. (a) No person shall manufacture, compound, or process (which shall include repackaging or otherwise changing the container, wrapper, or labeling of any drug package in the furtherance of the distribution of the drug from the original place of manufacture to the person who makes final delivery or sale to the ultimate consumer) in this State any depressant or stimulant drug, except that this prohibition shall not apply to the following persons whose activities in connection with any such drug are solely as specified in this section:

(1) Manufacturers, compounders and processors registered under P. L. 1961, chapter 52 (C. 24:6B–1 etc.) who are regularly engaged in preparing pharmaceutical chemicals or prescription drugs for distribution through branch outlets, through wholesale druggists, or by direct shipment:

(A) to pharmacies or to hospitals, clinics, public health agencies or physicians for dispensing by registered pharmacists upon prescriptions, or for use by or under the supervision of practitioners licensed by law to administer such drugs in the course of their professional practice; or

(B) to laboratories or research or educational institutions for their use in research, teaching or chemical analysis.

(2) Wholesale druggists registered under P. L. 1961, chapter 52 (C. 24:6B–1 etc.) who are regularly engaged in supplying prescription drugs:

(A) to pharmacies, or to hospitals, clinics, public health agencies, or physicians, for dispensing by registered pharmacists upon prescriptions or for use by or under the supervision of practitioners licensed by law to administer such drugs in the course of their professional practice; or

(B) to laboratories or research or educational institutions for their use in research, teaching or clinical analysis.

(3) Pharmacies registered under chapter 14 of Title 45, hospitals, clinics and public health agencies, all of which are registered as hereinafter provided, which are regularly engaged in dispensing prescriptions upon instructions of practitioners licensed to administer such drugs for patients under the care of such practitioners in the course of their professional practice.

(4) Practitioners licensed by law to prescribe or administer depressant or stimulant drugs, while acting in the course of their professional practice.

(5) Persons who use depressant or stimulant drugs in research, teaching or chemical analysis and not for sale.

(6) Officers and employees of this State, or of a political subdivision of this State, or of the United States while acting in the course of their official duties.

(7) An employee of any person described in paragraph (1) through paragraph (5) of this section, and a nurse or other medical technician under the supervision of a practitioner licensed by law to administer depressant or stimulant drugs, while such employee, nurse or medical technician is acting in the course of his employment or occupation and not on his own account.

(b) The Attorney General or his designated representative in the Department of Law and Public Safety shall, within 30 days after the effective date of this act furnish the commissioner with a list of the names and locations of pharmacies registered under chapter 14 of Title 45 and shall thereafter periodically, but no less frequently than annually, furnish the commissioner with revisions of such list.

(c) Any hospital, clinic or public health agency (the phrase "hospital, clinic, or public health agency" is deemed to include nursing homes, homes for the aged, convalescent homes and other facilities whose function requires possession of depressant or stimulant drugs) claiming exemption under this section with respect to activities pertaining to depressant or stimulant drugs shall first file a completed registration statement with the department.

(1) such registration statement shall be signed and verified by the individual having actual administrative responsibility for such hospital, clinic or public health agency and shall be on forms prescribed and furnished by the commissioner and shall state such information, in addition to the name and each location of such hospital, clinic or public health agency, as the commissioner may require as being necessary and proper for the enforcement of this act.

(2) a registration statement shall be filed prior to February 1 in each calendar year following the calendar year of original registration.

(3) if any location of a registered hospital, clinic, or public health agency is to be changed, the registrant shall prior to the change give the department written notice of the address of such new location and the name and address of the individual to be in charge thereof.

(4) No fee shall be paid for such registration.

Provided, however, no registration shall be required for any hospital, clinic, or public health agency subject to the supervision of the Department of Institutions and Agencies or other official de-

partment of this State for which the Commissioner of Institutions and Agencies or head of such other department has first filed with the commissioner a list setting forth the names and locations of such hospital, clinic, or public health agency, which list shall be periodically, but no less frequently than annually, revised as necessary.

(d) No person other than:

(1) a person described in subsection (a), while such person is acting in the ordinary course of his business, profession, occupation or employment, or

(2) an employee, acting in the ordinary course of his employment, of an out of State manufacturer or wholesaler duly registered under Section 510 of the Federal Food, Drug and Cosmetic Act.

(3) a common or contract carrier or warehouseman, or an employee thereof, whose possession of any depressant or stimulant drug is in the usual course of his business or employment as such, shall sell, deliver or otherwise dispose of any depressant or stimulant drug to any other person.

(e) No person described in subsection (a) shall sell, deliver or otherwise dispose of any depressant or stimulant drug as salvage or distress merchandise resulting from fire, flood, exposure to extreme heat or cold or other causes or from an establishment closed by bankruptcy or otherwise going out of business without prior notification to the Department of Health. Such information coming to the attention of the State agencies in subsections (b) and (c) of this section shall be promptly forwarded by such agency to the Department of Health.

(f) No person, other than a person described in subsection (a) or subsection (d)(2) or (d)(3) shall possess any depressant or stimulant drug otherwise than: (1) for the personal use of himself or of a member of his family or household, or (2) for administration to an animal owned by him or a member of his household. In any criminal prosecution for possession of a depressant or stimulant drug in violation of this section, the State shall have the

burden of proof that possession involved does not come within the exceptions contained in clauses (1) and (2) of the preceding sentence.

(g)(1)(A) Every person engaged in manufacturing, compounding, processing, selling, delivering, or otherwise disposing of any depressant or stimulant drug shall, upon the effective date of this act, prepare a complete and accurate record of all stocks of each such drug on hand and shall keep such record for 3 years. On and after the effective date of this section, every person manufacturing, compounding, or processing any depressant or stimulant drug shall prepare and keep, for not less than 3 years, a complete and accurate record of the kind and quantity of each such drug manufactured, compounded, or processed and the date of such manufacture, compounding, or processing; and every person selling, delivering, or otherwise disposing of any depressant or stimulant drug shall prepare or obtain, and keep for not less than 3 years, a complete and accurate record of the kind and quantity of each such drug received, sold, delivered, or otherwise disposed of, the name and address of the person from whom it was received and to whom it was sold, delivered, or otherwise disposed of, and the date of such transaction. No separate records, nor set form or forms for any of the foregoing records, shall be required as long as records containing the required information are available. Records maintained in compliance with the record-keeping requirements of Section 511 of the Federal Food, Drug and Cosmetic Act and regulations issued thereunder by the secretary shall be deemed to be adequate records for compliance with this section.

(B) Records which must be kept pursuant to this subsection shall, upon the request of any officer or employee of the department or any State police officer engaged in the enforcement of this act, be made immediately available to such officer or employee for inspection or copying. For the purposes of verification of such records and of enforcement

of this section, such officers or employees, upon presenting appropriate credentials and a written notice to the owner, operator or agent in charge, may enter, at reasonable times, any factory, warehouse, establishment, or vehicle in which any depressant or stimulant drug is (or in which such officer or employee has reasonable grounds to believe that it is) manufactured, compounded, processed, held, sold, delivered or otherwise disposed of, and to inspect, within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle, and all pertinent equipment, finished and unfinished material, containers and labeling therein, and all things therein (including records, files, papers, processes, controls and facilities) bearing on violation of this chapter; and to inventory any stock of any such drug therein and obtain samples of any such drug. If a sample is thus obtained, the officer or employee making the inspection shall do so in conformity with the provisions of chapter 3 of Title 24 of the Revised Statutes.

(2) No inspection authorized by subparagraph (1) of this subsection shall extend to (A) financial data, (B) sales data other than shipment data, (C) pricing data, (D) personnel data, or (E) research data.

(3) The provisions of subparagraph (1) of this subsection shall not apply to a licensed practitioner described in subsection (a)(4) with respect to any depressant or stimulant drug received, prepared, processed, administered, or dispensed by him in the course of his professional practice, unless such practitioner regularly engages in dispensing any such drug or drugs to his patients for which they are charged, either separately or together with charges for other professional services.

(4) No prescription (issued before or after the effective date of this section) for any depressant or stimulant drug may be filled or refilled more than 6 months after the date on which such prescription was issued and no such prescription which

is authorized to be refilled may be refilled more than 5 times, except that any prescription for such a drug after 6 months after the date of issue or after being refilled 5 times may be renewed by the practitioner issuing it either in writing, or orally (if promptly reduced to writing and filed by the pharmacist filling it); provided, however, that nothing herein shall authorize the refilling of such prescription if otherwise restricted.

(h) (1) The commissioner may, by regulation, exempt any depressant or stimulant drug from the application of all or part of this section when he finds that regulation of its manufacture, compounding, processing, possession, and disposition as provided in this section, or in such part thereof, is not necessary for the protection of the public health.

(2) The commissioner shall, by regulation, exempt any depressant or stimulant drug from the application of this section, if—

(A) such drug may, under the laws of this State, be sold over the counter without a prescription; or

(B) he finds that such drug includes one or more substances not having a depressant or stimulant effect on the central nervous system or a hallucinogenic effect and such substance or substances are presented therein in such combination, quantity, proportion, or concentration as to prevent the substance or substances therein which do have such an effect from being ingested or absorbed in sufficient amounts or concentrations as, within the meaning of section (1) (a) of this act to—

(i) be habit forming because of their stimulant effect on the central nervous system, or

(ii) have a potential for abuse because of their depressant or stimulant effect on the central nervous system or their hallucinogenic effect.

(C) any such drug is found by the secretary to be exempt under Section 511(f) of the Federal Act.

C. 24:6C-3. Penalty.

3. Any person who violates any of the provisions of this chapter is a disorderly person.

Section amended.

4. Section 2 of P. L. 1961, chapter 52 (C. 24:6B–2) is amended to read as follows:

C. 24:6B-2. Registration statement.

2. The registration statement shall be signed and verified by the individuals specified in subsection (c) hereof, shall be made on forms prescribed and furnished by the commissioner and shall state such information necessary and proper to the enforcement of this act as the commissioner may require, including:

(a) The name under which the business is conducted.

(b) The address of each location in New Jersey at which the business is to be conducted. If a wholesale drug business is not to be conducted from a location within the State, the statement shall give the name and address of an agent resident in this State on whom process against the registrant may be served.

(c) If the registrant is a proprietorship, the name and address of the proprietor; if a partnership, the names and addresses of all partners; if a corporation, the date and place of incorporation, the names and addresses of the president and secretary thereof and the name and address of the designated registered agent in this State; or if any other type of business association, the names and addresses of the principals of such association.

(d) The names and addresses of those individuals having actual administrative responsibility, which in the case of a proprietorship shall be the managing proprietor; partnership, the managing partners; corporation, the officers and directors; or if any other type of association, those having similar administrative responsibilities.

(e) If the business is to be conducted at more than one location in this State, the name and address of the individual in charge of each such location.

(f) A description of the business engaged in and the drug products manufactured for sale or wholesaled.

(g) The name and address of the individual or individuals on whom orders of the commissioner may be served.

(h) A statement as to whether the registrant engages in manufacturing, compounding, processing, wholesaling, jobbing or distribution of depressant or stimulant drugs as defined pursuant to law.

5. Section 1 of P. L. 1962, chapter 113 (C. 2A:170–77.8) is amended to read as follows: Section amended.

1. Except as hereinafter provided, any person who uses or is under the influence of, or who possesses or has under his control, in any form, any depressant or stimulant drug as defined pursuant to law or any other prescription legend drug which is not a narcotic drug within the meaning of chapter 18 of Title 24 of the Revised Statutes, unless obtained from, or on a valid prescription of, a duly licensed physician, veterinarian or dentist, is a disorderly person. C. 2A:170-77.8. Use of certain drugs; penalty.

In a prosecution under this act, it shall not be necessary for the State to prove that the accused did use or was under the influence of any specific drug or drugs, but it shall be sufficient for a conviction under this act for the State to prove that the accused did use or was under the influence of some drug or drugs as aforesaid by proving that the accused did manifest physical and physiological symptoms or reactions caused by the use of any such drug.

6. Section 2 of P. L. 1962, chapter 113 (C. 2A:170–77.9) is amended to read as follows: Section amended.

2. Except as hereinafter provided, any person who sells, dispenses or gives away, in any form, any depressant or stimulant drug as defined pursuant to law or any other prescription legend drug which is not a narcotic within the meaning of chapter 18 of Title 24 of the Revised Statutes, is a disorderly person. C. A:170-77.9. Distribution of certain drugs; penalty.

7. Any person, who shall obtain, or attempt to obtain, possession of, or procure, or attempt to procure, the administration of, in any form, any C. 2A:170-77.15. Possession of certain drugs; penalty.

depressant or stimulant drug, as defined pursuant to law, or any other prescription legend drug, which is not a narcotic drug within the meaning of chapter 18 of Title 24 of the Revised Statutes, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address, is a disorderly person.

Section amended.

8. Section 24:5–18 of the Revised Statutes is amended to read as follows:

Drugs or device misbrandings.

24:5–18. For the purposes of this subtitle a drug or device shall also be deemed to be misbranded:

a. If its labeling is false or misleading in any particular.

b. If in package form unless it bears a label containing the name and place of business of the manufacturer, packer, or distributor.

c. If any word, statement or other information required by or under authority of this subtitle to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements or designs in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

d. If it is for use by man and contains any quantity of the narcotic or hypnotic substance alpha-eucaine, barbituric acid, beta-eucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, codeine, heroin, marihuana, morphine, opium, paraldehyde, peyote, or sulphonmethane; or any chemical derivative of such substance, which derivative has been by the Department of Health of the State of New Jersey after investigation found to be, and by regulations under this subtitle designated as, habit forming; unless its label bears the name and quantity or proportion of such substance, or derivative and in juxtaposition therewith, the statement "Warning—May be habit forming."

e. If it is a drug and is not designated solely by a name recognized in an official compendium, unless its label bears (1) the common or usual name of the drug, if such there be; and (2) in case it is fabricated from 2 or more ingredients, the common or usual name of each active ingredient, including the kind and quantity or proportion of any alcohol, and also including, whether active or not, the name and quantity or proportion of any bromides, ether, chloroform, acetanilid, acetphanetidin, amidopyrine, antipyrine, atropine, hyoscine, hyoscyamine, arsenic, digitalis, digitalis glucosides, mercury, ouabain, strophanthin, strychnine, thyroid, or any derivative or preparation of any such substances, contained therein; provided, that to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable, exemptions may be established by regulations promulgated by the State department.

f. Unless its labeling bears (1) adequate directions for use; and (2) such adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; provided, that where any requirement of clause (1) of this paragraph, as applied to any drug or device, is not necessary for the protection of the public health, the Department of Health of the State of New Jersey may promulgate regulations exempting such drug or device from such requirement.

g. If it purports to be a drug the name of which is recognized in an official compendium, unless it is packaged and labeled as prescribed therein; provided, that the method of packing may be modified with the consent of the State department. Whenever a drug is recognized in both the United States Pharmacopoeia and the Homeopathic Pharmacopoeia of the United States it shall be subject to the requirements of the United States Pharmacopoeia unless it is labeled and offered for sale as a homeo-

pathic drug, in which case it shall be subject to the provisions of the Homeopathic Pharmacopoeia of the United States and not to those of the United States Pharmacopoeia.

h. If it has been found by the Department of Health of the State of New Jersey to be a drug liable to deterioration, unless it is packaged in such form and manner, and its label bears a statement of such precautions, as the Department of Health of the State of New Jersey may by regulations require as necessary for the protection of the public health. No such regulation shall be established for any drug recognized in an official compendium until the State department shall have informed the appropriate body charged with the revision of such compendium of the need for such packaging or labeling requirements and such body shall have failed within a reasonable time to prescribe such requirements.

i. (1) If it is a drug and its container is so made, formed or filled as to be misleading; or (2) if it is an imitation of another drug; or (3) if it is offered for sale under the name of another drug.

j. If it is dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended, or suggested in the labeling thereof.

k. If it is a depressant or stimulant drug as defined pursuant to law and not in the possession or control of a person specified by law as entitled to possession or control of such depressant or stimulant drug. Any depressant or stimulant drug misbranded under the preceding sentence shall be deemed dangerous or fraudulent for purposes of marking and detaining under the provisions of section 24:4–12 of this Title.

Section amended.

9. Section 24:17–1 of the Revised Statutes is amended to read as follows:

Penalties.

24:17–1. (a) Any person who shall violate any provision of this subtitle, or any rule or regulation of the State department made pursuant thereto, or who shall refuse to comply with any lawful order

or direction of the department, shall be liable to the following penalties, unless otherwise specifically provided:

(1) For each first offense a penalty of $50.00;

(2) For each second offense a penalty of $100.00;

(3) For each third and every subsequent offense a penalty of $200.00.

(b) Any person who shall remove or dispose of any depressant or stimulant drug as defined pursuant to law in violation of section 24:4–12 of this Title is guilty of a misdemeanor.

Appropriation.

10. There is hereby appropriated the sum of $50,000.00 to the Department of Health for the purpose of enforcing the provisions of this act.

Note: Effective date; exception.

11. This act shall take effect on approval except for section 2 which shall take effect 180 days after approval.

Approved December 29, 1966.

CHAPTER 315

AN ACT concerning juvenile and domestic relations courts in certain counties, and supplementing chapter 4 of Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 2A:4-4.8. Appointment of judges of juvenile and domestic relations court; salary.

1. The Governor, with the advice and consent of the Senate, shall appoint in each county of the third class, having a population of not less than 100,000 nor more than 140,000, an attorney-at-law to be judge of the juvenile and domestic relations court of the county. Each judge, so appointed, shall devote his entire time to his judicial duties, shall not engage in the practice of law, and shall be paid a salary by the board of chosen freeholders in the amount of $25,000.00.

Any such judge may be assigned by the Chief Justice of the Supreme Court to hold temporarily the County Court or county district court of his county and, upon such assignment, shall have all the power, authority and jurisdiction of a judge of the County Court or county district court.

The provisions of the chapter to which this act is a supplement in respect to a referendum on appointing a special juvenile court judge shall be inapplicable to any such county. Except as otherwise provided herein, the provisions of the chapter to which this act is a supplement shall be applicable to any judge appointed pursuant to this supplementary act.

2. This act shall take effect immediately.

Approved December 29, 1966.

CHAPTER 316

AN ACT creating a commission to study obscenity in certain publications, prescribing its powers and duties, and making an appropriation therefor.

Preamble. WHEREAS, Widespread public concern has been evidenced relative to the dissemination within this State of certain publications of an obscene nature; and

Preamble. WHEREAS, The Legislature created a commission in 1960 which investigated this subject and reported its findings and recommendations to the Legislature in 1962; and

Preamble. WHEREAS, Many of the commission's recommendations were enacted into law; and

Preamble. WHEREAS, It appears to be appropriate that a new study be made to evaluate the effectiveness of the

present law in eliminating the dissemination of publications of an obscene nature and to determine whether additional such legislation is necessary in order to protect the interest of the public and especially of the children and youth of this State; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Temporary commission created; members; powers; appropriation.

1. There is hereby created a bipartisan commission to study obscenity in certain publications which shall consist of 2 members of the Senate to be appointed by the President thereof; 2 members of the General Assembly to be appointed by the Speaker thereof, and 8 citizens of this State to be appointed by the Governor. No more than one member of each group of 2 and 4 members of each group of 8 shall be of the same political party. Each of the members of the commission appointed from either House of the Legislature shall serve so long as he shall be a member of the Senate or of the General Assembly, as the case may be. In case of vacancy, the same shall be filled in the same manner as the original appointment was made.

2. Each of the members shall serve without compensation but shall be entitled to receive his necessary expenses incurred in the performance of his duties.

3. The commission shall organize as soon as may be after appointment of its members and shall elect a chairman from among its members. The commission may appoint a secretary who need not be a member of the commission.

4. It shall be the duty of said commission to undertake a comprehensive survey and study of obscene materials and publications in this State with a view to determining the reasons for such obscenity and whether additional legislation is required to control the traffic in obscene publications especially with regard to the distribution of obscene material to juveniles.

5. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ such legal, stenographic, technical and clerical assistants and to incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

6. The commission shall have all the powers provided by the provisions of chapter 13 of Title 52 of the Revised Statutes.

7 The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings to the Governor and the Legisture accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature on or before July 1, 1967.

8. There is hereby appropriated to the commission the sum of $10,000.00 or so much thereof as may be necessary for said purpose to carry out the purpose of this act.

9. This act shall take effect immediately.

Approved January 5, 1967.

CHAPTER 317

AN ACT concerning municipalities in relation to the acquisition and retirement of alcoholic beverage retail licenses in certain cases and supplementing chapter 48 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 40:48-2.39. Acquisition and retirement alcoholic beverage licenses by municipalities.

1. In any case in which a municipality acquires by purchase or condemnation any real estate within the municipality which includes any licensed premises for the retail sale of alcoholic beverages, the governing body of the municipality, whenever it finds that a transfer of the license to, and the retirement of the license by, the municipality is in the public interest, may contract with the licensee for such transfer upon such terms and for such consideration as shall be mutually agreeable and as the governing body shall deem to be reasonable. Upon the transfer of any retail alcoholic beverage license as herein provided, such license shall thereupon be retired by the municipality and shall not thereafter be reissued to any applicant.

2. This act shall take effect immediately.

Approved January 5, 1967.

CHAPTER 318

AN ACT concerning exemptions from taxation, and amending section 54:4–3.6 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1 Section 54:4–3.6 of the Revised Statutes is amended to read as follows:

Exemptions of property of nonprofit organizations.

54:4–3.6. The following property shall be exempt from taxation under this chapter: All buildings actually used for colleges, schools, academies or seminaries; all buildings actually used for historical societies, associations or exhibitions, when owned by the State, county or any political subdivision thereof or when located on land owned by an educational institution which derives its primary support from State revenue; all buildings actually and exclusively used for public libraries, religious wor-

ship or asylum or schools for feeble-minded or idiotic persons and children; all buildings used exclusively by any association or corporation formed for the purpose and actually engaged in the work of preventing cruelty to animals; all buildings actually and exclusively used and owned by volunteer first-aid squads, which squads are or shall be incorporated as associations not for pecuniary profit; all buildings actually and exclusively used in the work of associations and corporations organized exclusively for the moral and mental improvement of men, women and children, or for religious, charitable or hospital purposes, or for one or more such purposes; all buildings owned or held by an association or corporation created for the purpose of holding the title to such buildings as are actually and exclusively used in the work of 2 or more associations or corporations organized exclusively for the moral and mental improvement of men, women and children; all buildings owned by a corporation created under or otherwise subject to the provisions of Title 15 of the Revised Statutes and actually and exclusively used in the work of one or more associations or corporations organized exclusively for charitable or religious purposes, which associations or corporations may or may not pay rent for the use of the premises or the portions of the premises used by them; the buildings, not exceeding 2, actually occupied as a parsonage by the officiating clergymen of any religious corporation of this State, together with the accessory buildings located on the same premises; the land whereon any of the buildings hereinbefore mentioned are erected, and which may be necessary for the fair enjoyment thereof, and which is devoted to the purposes above mentioned and to no other purpose and does not exceed 5 acres in extent; the furniture and personal property in said buildings if used in and devoted to the purposes above mentioned; all property owned and used by any nonprofit corporation in connection with its curriculum, work, care, treatment and study of feeble-minded,

mentally retarded, or idiotic men, women, or children shall also be exempt from taxation, provided that such corporation conducts and maintains research or professional training facilities for the care and training of feeble-minded, mentally retarded, or idiotic men, women, or children; provided, in case of all the foregoing, the buildings, or the lands on which they stand, or the associations, corporations or institutions using and occupying them as aforesaid, are not conducted for profit, except that the exemption of the buildings and lands used for charitable, benevolent or religious purposes shall extend to cases where the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the buildings; provided, the building is wholly controlled by and the entire income therefrom is used for said charitable, benevolent or religious purposes. The foregoing exemption shall apply only where the association, corporation or institution claiming the exemption owns the property in question and is incorporated or organized under the laws of this State and authorized to carry out the purposes on account of which the exemption is claimed or where an educational institution, as provided herein, has leased said property to a historical society, or association or to a corporation organized for such purposes and created under or otherwise subject to the provisions of Title 15 of the Revised Statutes.

Effective date.

2. This act shall take effect immediately and shall be applicable to real property taxes levied or payable for the calendar year 1967 and thereafter.

Approved January 5, 1967.

CHAPTER 319

AN ACT concerning the county district courts in relation to summary actions for recovery of premises in proceedings between landlord and tenant and amending section 2A:18–53 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 2A:18–53 of the New Jersey Statutes is amended to read as follows:

Removal of tenant in certain cases; jurisdiction.

2A:18–53. Any lessee or tenant at will or at sufferance, or for a part of a year, or for 1 or more years, of any houses, buildings, lands or tenements, and the assigns, undertenants or legal representatives of such tenant or lessee, may be removed from such premises by the county district court of the county within which such premises are situated, in an action in the following cases:

a. Where such person holds over and continues in possession of all or any part of the demised premises after the expiration of his term, and after demand made and written notice given by the landlord or his agent, for delivery of possession thereof. The notice shall be served either personally upon the tenant or such person in possession by giving him a copy thereof or by leaving a copy of the same at his usual place of abode with a member of his family above the age of 14 years.

b. Where such person shall hold over after a default in the payment of rent, pursuant to the agreement under which the premises are held.

c. Where such person (1) shall be so disorderly as to destroy the peace and quiet of the landlord or the other tenants or occupants living in said house or the neighborhood, or (2) shall willfully destroy, damage or injure the premises, or (3) shall constantly violate the landlord's rules and regula-

tions governing said premises, provided, such rules have been accepted in writing by the tenant or are made a part of the lease; or (4) shall commit any breach or violation of any of the covenants or agreements in the nature thereof contained in the lease for the premises where a right of re-entry is reserved in the lease for a violation of such covenants or agreements, and shall hold over and continue in possession of the demised premises or any part thereof, after the landlord or his agent for that purpose has caused a written notice of the termination of said tenancy to be served upon said tenant, and a demand that said tenant remove from said premises within 3 days from the service of such notice. The notice shall specify the cause of the termination of the tenancy, and shall be served either personally upon the tenant or such person in possession by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode with some member of his family above the age of 14 years.

2. This act shall take effect immediately.

Approved January 5, 1967.

CHAPTER 320

AN ACT making an appropriation to the State Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Italian American War Veterans of the United States, Incorporated, in New Jersey in 1967.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby appropriated from the general funds of the State in the State Treasury the sum Appropriation.

of $10,000.00 to the Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Italian American War Veterans of the United States, Incorporated, in New Jersey in 1967.

2. There is hereby additionally appropriated to the Department of Conservation and Economic Development for the purposes set forth in section 1 of this act, all moneys which have been or hereafter may be contributed or donated to the State of New Jersey for such purposes by any person, corporation, partnership or other entity.

3. This act shall take effect immediately.

Approved January 11, 1967.

CHAPTER 321

AN ACT to establish and correct the boundaries of the village of Loch Arbour in the county of Monmouth.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The boundaries of the village of Loch Arbour, in the county of Monmouth and State of New Jersey, shall be as follows:

Private Act.

Being that area situate in Ocean Township, Monmouth County, New Jersey, bounded on the North by the Borough of Allenhurst, on the West by the Borough of Interlaken, on the South by the City of Asbury Park and on the East by the Atlantic Ocean and more particularly described as follows:

Beginning at the Intersection of the Center Line of Elberon Avenue and the Average Line of High Water of the Atlantic Ocean, thence (1) Westerly along the Center Line of Elberon Avenue, and

along the Southerly Boundary Line of the Borough of Allenhurst, 1400 feet more or less, to an Angle Point In said Boundary Line; thence (2) Southwesterly along the Rear of the Lots as shown on the Map of Loch Arbour, made by Herman Lehlbach, Surveyor, May 1883, and still along the Southerly Boundary Line of the Borough of Allenhurst, 2,280 feet more or less, to the Boundary Line of the Borough of Interlaken in Deal Lake; thence (3) Southerly and Southeasterly along Curved Lines and along the Boundary Line of the Borough of Interlaken, in Deal Lake, 1,150 feet more or less, to the Junction of the Boundary Line in Deal Lake with the Borough of Interlaken and the City of Asbury Park; thence (4) Easterly along the Boundary Line of Asbury Park in Deal Lake, 1,515 feet more or less, to an Angle Point in said Boundary Line in Deal Lake; thence (5) Easterly along the Boundary Line of Asbury Park, partly in Deal Lake, and Partly along the Center Line of the Deal Lake Flume and along the Northerly Boundary Line of Asbury Park, 1,390 feet more or less, to the Average Line of High Water of the Atlantic Ocean; thence (6) Northerly and along the Average Line of High Water of the Atlantic Ocean, 1,030 feet more or less, to the point or place of BEGINNING.

The above description is in accordance with a certain map entitled "Tax Map—village of Loch Arbour, Monmouth County," made April 8, 1965, by William D. Ayres, C.E., copies of which are on file in the clerk's office of the township of Ocean and the village of Loch Arbour.

2. Said area and all lands lying within the aforedescribed boundaries heretofore being a part of the township of Ocean in said county of Monmouth are hereby separated and divorced from said township of Ocean and are hereby established as the corrected boundaries and area of the village of Loch Arbour in said county of Monmouth.

3. This act shall take effect immediately.

Approved January 18, 1967.

CHAPTER 322

AN ACT to amend the "Savings and Loan Act (1963)," approved August 30, 1963, (P. L. 1963, c. 144).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 165 of the act of which this act is amendatory is amended to read as follows:

C. 17:12B-165. Other investments; securities.

165. Other investments, securities. A State association may invest as follows:

(1) Obligations of the United States. In obligations of or guaranteed as to principal and interest by the United States of America.

(2) Federal Home Loan Bank Stock. In stock of the Federal Home Loan Bank, of which it is eligible to be a member; and in other obligations of any Federal Home Loan Bank or banks or of the Federal Home Loan Bank System.

(3) Participation in mortgage loans.

(a) In the investment in participating interests in mortgage loans. The mortgage which secures payment of any such participating interest shall be a lien upon real estate in this State used or to be used wholly or partially for dwelling purposes and shall conform with the limitations, conditions and requirements set forth in this article regulating direct reduction mortgage and straight mortgage loans, with respect to priority of lien, the percentage of such loan to be the appraised value of the mortgaged property, and the terms of repayment of such loan. Such participating interest shall entitle the State association to share all money and other benefits derived from such mortgage loan, or incidental thereto, pro rata with, or with preference and priority over, the holder of any other participating interest therein.

(b) In addition to the participating interests in mortgage loans permitted under paragraph (a) of this subsection, any insured State association may participate in mortgage loans to the extent and under the conditions permitted by the rules and regulations adopted by the commissioner from time to time. To the extent feasible and to the extent compatible with local conditions relevant to financial and economic circumstances and the public welfare, the commissioner shall endeavor to promulgate such rules and regulations in substantial conformity with similar rules and regulations of the Federal Savings and Loan Insurance Corporation.

(4) Accounts of other associations. In accounts of any insured State association of this State and of any Federal association whose principal office is located in this State; provided, that no such investment shall be made in excess of the amount for which such account is insured by the Federal Savings and Loan Insurance Corporation.

(5) Savings banks' investments. In any investment in which savings banks of New Jersey are or shall be authorized to invest by any law of this State, other than investments which are, or which hereafter shall be, specifically designated and regulated by this act; provided, however, no funds may be invested pursuant to this subsection which are required for authorized loans to members.

(6) Loans on securities. In loans upon obligations secured by the pledge of any security designated in subsections (1) and (5) of this section; provided, that such loans shall not exceed 80% of the market value of the security pledged as collateral; and provided further, that no funds may be invested pursuant to this subsection which are required for other authorized loans to members.

(7) Central corporation. In the capital stock, securities, debentures or other obligations of a single corporation organized under the laws of the State of New Jersey, the entire capital stock of

which corporation shall be open to, subscribed for, and issued to State associations of this State and such Federal associations that have their principal offices in this State; provided, however, that the original capital stock of such corporation shall aggregate at least $200,000.00 from subscriptions and payments by at least 10 of the aforementioned associations; and provided further, that no association, aforementioned, may invest its funds under this subsection in an amount exceeding 5% of its assets at the time of such subscription, payment or investment, except with the approval of the commissioner.

(8) Federal corporations. In the capital stock, securities, debentures or other obligations of any corporation created by Act of Congress in which such investment may be open to associations and which shall afford advantages or safeguards to associations.

(9) In any other investment in which an association is, or shall be, authorized to invest by any law of this State.

2. This act shall take effect immediately.

Approved January 18, 1967.

CHAPTER 323

AN ACT to amend "An act to fix the work-week for the State service and to provide for compensatory time off or compensation for overtime services," approved April 27, 1951 (P. L. 1951, c. 51).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 52:14-17.13. Work week for State service; compensation for overtime services.

1. The work-week for basic annual salary for employees in the State service, insofar as practicable and except as provided in section 2 of this act, shall not be more than 40 hours; and, notwithstanding

any inconsistent provisions of law, any employee in the State service who is authorized or required to work in any week more than the hours of work established as the regular and normal work-week for that class or agency shall be eligible to receive compensation for the hours worked in excess of the established work-week for that class or agency at a rate representing 1½ times the individual's hourly rate calculated by a proration of the annual salary rate of the individual employee.

Section amended.

2. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 52:14-17.14. Designation of positions to which act applies; rules and regulations.

2. The State Treasurer, the President of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury shall have authority to designate the classes of positions or individual positions to which the provisions of this act shall apply and may exclude from such designations any class of positions or individual positions where the conditions of employment and the nature of the duties performed or the difficulty of maintaining adequate time controls make it impracticable to establish a specific work-week and to apply to such classes of positions or individual positions the provisions of this act; shall determine the eligibility of any employee or any class of employees in the State service to receive overtime compensation, in accordance with the provisions of this act; and shall promulgate such rules and regulations as, in their discretion, appear to be necessary in order to achieve an equitable application of the provisions of this act.

Note: Effective date.

3. This act shall take effect July 1, 1967.

Approved February 8, 1967.

CHAPTER 324

AN ACT to amend "An act to define and regulate certain retail installment sales and to license and regulate motor vehicle installment sellers and sales finance companies and to repeal 'An act to define and regulate retail installment sales in the amount of or of the value of $3,000.00 or less and to license and regulate sales finance companies,' approved September 29, 1948 (P. L. 1948, c. 419)," approved June 9, 1960 (P. L. 1960, c. 40).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 17:16C-1. Definitions.

1. In this act, unless the context otherwise requires, the following words and terms shall have the following meanings:

(a) "Goods" means all chattels personal having a cash price of $7,500.00 or less, but not including money or choses in action or goods sold for commercial or business use.

(b) "Retail installment contract" means any contract entered into in this State between a retail seller and a retail buyer evidencing an agreement to pay the retail purchase price of goods, or any part thereof, in 2 or more installments over a period of time, and pursuant to which title to or a lien upon the goods is retained or taken by the retail seller for the payment of the retail buyer's obligation. This term includes a chattel mortgage, conditional sales contract, or other similar instrument and any contract for the bailment or leasing of goods by which the bailee or lessee agrees to pay as compensation a sum substantially equivalent to or in excess of the value of the goods, and by which

it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of such goods upon full compliance with the terms of such retail installment contract.

(c) "Retail seller" means a person who sells or agrees to sell goods under a retail installment contract to a retail buyer, and shall include a motor vehicle installment seller.

(d) "Retail buyer" means a person who buys or agrees to buy goods from a retail seller not for the purpose of resale, and who executes a retail installment contract in connection therewith.

(e) "Person" means an individual, partnership, firm, corporation, banking institution, association or any other group of individuals however organized.

(f) "Sales finance company" means and includes any person engaging in this State in the business of acquiring or arranging for the acquisition of retail installment contracts by purchase, discount, pledge or otherwise, and any person engaging, directly or indirectly, in the business of soliciting the purchase of retail installment contracts, or in the business of aiding the retail seller in selling, assigning or arranging for the sale or assignment of retail installment contracts.

(g) "Motor vehicle" includes all vehicles used for transportation upon a highway propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

(h) "Motor vehicle installment seller" means a dealer in motor vehicles, who is required to be licensed under chapter 10 of Title 39 of the Revised Statutes and who sells or offers to sell a motor vehicle to a retail buyer under a retail installment contract.

(i) "Cash price" means the minimum price for which the goods subject to the retail installment contract or other goods of like kind and quality may be purchased for cash from the seller by the buyer, as stated in the retail installment contract.

(j) "Down payment" means all payments made in cash or in goods or partly in cash and partly in goods, received by the retail seller prior to or substantially contemporaneous with either the execution of the retail installment contract or the delivery of the goods, whichever occurs later.

(k) "Official fees" means the filing or other fees required by law to be paid to a public officer to perfect the interest or lien, on the goods, retained or taken by a retail seller under a retail installment contract.

(l) "Time price differential" means that part of the time sales price as determined under section 27(i) by which the time sales price exceeds the aggregate of the cash price and the amount included in a retail installment contract, if a separate charge is made therefor, for insurance and other benefits and official fees.

(m) "Holder" means any person, including a retail seller, who is entitled to the rights of a retail seller under a retail installment contract.

(n) "Banking institution" means any bank or national banking association authorized to do business in this State.

(o) "Commissioner" means the Commissioner of Banking and Insurance of New Jersey and includes his deputies or any salaried employee of the Department of Banking and Insurance named or appointed by the said commissioner to perform any function in the administration or enforcement of this act.

(p) "Payment-period" means the period of time scheduled by a retail installment contract to elapse between the days upon which installment payments are scheduled to be made on such contract; except that, when installment payments are scheduled to be omitted, pursuant to section 26, "payment-period" means the period of time scheduled by the contract to elapse between the days upon which installment payments are scheduled to be made during that portion of the contract period in which no installment payment is scheduled to be omitted.

(q) "Contract period" means the period beginning on the date of a retail installment contract and ending on the date scheduled by the contract for the payment of the final installment.

2. Section 26 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 17:16C-26. Payment of time balance in substantially equal periods of times and amounts; exceptions.

26. Every retail installment contract shall provide for the payment of the time balance as determined in section 27(h) in substantially equal amounts on dates separated by substantially equal payment-periods; provided that the retail seller may defer the initial installment for a period of 60 days; and provided, further, that when appropriate for the purpose of facilitating payment, in accordance with a retail buyer's intermittent income, a contract may provide for payment on a schedule which reduces or omits payments over a period or periods not in excess of 93 days in any 12-month period. When a retail installment contract provides for unequal or irregular installments, the time price differential shall not exceed the effective rate provided in section 41, having due regard for the schedule of installments. When in any retail installment contract the purchase of goods is combined with the purchase of food, the time balance on which is stated as one amount, that part of the time balance on the sale of goods shall be subject to the provisions of this section, but that part of the time balance on the purchase of food may be payable in a shorter time and added to the equal payment installment on the goods.

3. Section 43 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 17:16C-43. Prepayment; refund.

43. When the balance owing on a retail installment contract is repaid in full at any time before the end of the contract period, the holder of the contract shall allow a credit on account of the time price differential, the amount of which shall be determined by the application of the formula $C = AN \div D$, in which "C" represents the amount of the credit to be given; "A" represents the amount of the time price differential, less an ac-

quisition cost of $15.00; "D" represents an amount determined as follows: there shall be ascribed to each payment-period included in the contract period, beginning with the first payment-period scheduled by the contract, the cardinal number descriptive of the number of payment-periods scheduled by the contract to elapse from the beginning of each such payment-period to the end of the contract period, and the sum of all such cardinal numbers shall constitute the quantity "D"; and "N" represents the difference between the quantity "D" and the sum of all the cardinal numbers ascribed to the payment-periods which have elapsed, in whole or in part, from the date of the contract to the date upon which such repayment is made. This section shall not apply when the amount of the credit is less than $1.00.

4. This act shall take effect immediately.

Approved February 16, 1967.

CHAPTER 325

AN ACT to amend "An act to define and regulate installment sales of goods and services used or furnished in the modernization, rehabilitation, repair, alteration or improvement of real property, and to provide for licensing of home improvement contractors and home financing agencies and providing penalties for violations," approved June 9, 1960 (P. L. 1960, c. 41).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 17:16C-62. Definitions.

1. Unless the context otherwise indicates,

(a) "Goods" means all chattels personal which are furnished or used in the modernization, rehabilitation, repair, alteration or improvement of real property except those furnished or used for a commercial or business purpose or for resale, and except stoves, freezers, refrigerators, air conditioners other than those connected with a central heating system, hot water heaters and other appliances furnished for use in a home and designed to be removable therefrom without material injury to the structure, and except chattels personal under a contract in which the cash price is $300.00 or less and which is subject to the Retail Installment Sales Act of 1960;

(b) "Services" means labor, equipment and facilities furnished or used in connection with the installation or application of goods in the modernization, rehabilitation, repair, alteration or improvement of real property;

(c) "Home repair contract" means an agreement, whether contained in one or more documents, between a home repair contractor and an owner to pay the time sales price of goods and related services in installments over a period of time greater than 3 months;

(d) "Home repair contractor" means any person engaged in the business of selling goods and related services pursuant to a home repair contract;

(e) "Commissioner" means the Commissioner of Banking and Insurance of New Jersey and includes any deputies or employees of the department designated by him to administer and enforce this act;

(f) "Official fees" means the fees to be paid to a public officer for obtaining any permit or filing any lien or mortgage taken or reserved as security pursuant to a home repair contract;

(g) "Cash price" means the cash sales price for which the home repair contractor would sell the goods and services which are the subject matter of

a home repair contract if the sale were a sale for cash rather than an installment sale;

(h) "Down payment" means all payments made in cash to the home repair contractor and all allowances given by the home repair contractor to the owner prior to or substantially contemporaneous with the execution of the home repair contract;

(i) "Credit service charge" means that amount by which the time sales price exceeds the aggregate of the cash price and the amounts specifically included for official fees and, if a separate charge is made therefor, the amount included for insurance and other benefits as provided in section 6 (d);

(j) "Time sales price" means the total amount to be paid pursuant to the contract excluding default charges authorized under this act;

(k) "Owner" means a person who buys goods or services pursuant to a home repair contract;

(l) "Home financing agency" means and includes any person, other than a home repair contractor, engaged, directly or indirectly, in the business of purchasing, acquiring, soliciting or arranging for the acquisition of home repair contracts or any obligation in connection therewith by purchase, discount, pledge or otherwise;

(m) "Holder" means any person who is entitled to the rights of a home repair contractor under a home repair contract;

(n) "Payment-period" means the period of time scheduled by a home repair contract to elapse between the days upon which installment payments are scheduled to be made on such contract; except that, where installment payments are scheduled by the home repair contract to be omitted, "payment-period" means the period of time scheduled by the contract to elapse between the days upon which installment payments are scheduled to be made during that portion of the contract period in which no installment payment is scheduled to be omitted; and

(o) "Contract period" means the period beginning on the date of a home repair contract and ending on the date scheduled by the contract for the payment of the final installment.

2. Section 6 of the act of which this act is amendatory is amended to read as follows:

Section amended.

6. Every home repair contract shall state separately:

C. 17:16C-67. Separate statements in contract.

(a) the cash price of the goods and services to be furnished;

(b) the down payment;

(c) the unpaid cash balance which is the difference between subsections (a) and (b);

(d) the amount, if any, if a separate charge is made therefor, included for credit life insurance and other benefits pursuant to chapter 169 of the laws of 1958, specifying the coverages and benefits;

(e) the official fees;

(f) the principal balance, which is the sum of subsections (c), (d) and (e);

(g) the credit service charge;

(h) the time balance, which is the sum of subsections (f) and (g), the number of installments required, the amount of each installment and the due dates thereof.

3. Section 7 of the act of which this act is amendatory is amended to read as follows:

Section amended.

7. Every home repair contract shall provide for the payment of the time balance in substantially equal installments on dates separated by substantially equal payment-periods. When appropriate for the purpose of facilitating payment, the contract may provide for payments on a schedule which reduces or omits payments over a period or periods not in excess of 93 days in any 12-month period.

C. 17:16C-68. Payment of time balance in substantially equal intervals of time and amounts.

4. Section 12 of the act of which this act is amendatory is amended to read as follows:

Section amended.

12. When the unpaid balance owing on a home repair contract is repaid in full at any time before the end of the contract period, the holder of the contract shall allow a credit on account of the credit service charge, the amount of which shall be determined by the application of the formula $C = AN \div D$, in which "C" represents the amount of the credit to be given; "A" represents the

C. 17:16C-73. Prepayment; refund credit.

amount of the credit service charge, less an acquisition cost of $15.00; "D" represents an amount determined as follows: there shall be ascribed to each payment-period included in the contract period, beginning with the first payment-period scheduled by the contract, the cardinal number descriptive of the number of payment-periods scheduled by the contract to elapse from the beginning of each such payment-period to the end of the contract period, and the sum of all such cardinal numbers shall constitute the quantity "D"; and "N" represents the difference between the quantity "D" and the sum of all the cardinal numbers ascribed to the payment-periods which have elapsed, in whole or in part, from the date of the contract to the date upon which such repayment is made. This section shall not apply when the amount of the credit is less than $1.00.

5. This act shall take effect immediately.

Approved February 16, 1967.

CHAPTER 326

AN ACT to permit the city of Egg Harbor in the county of Atlantic to appoint William H. Waldmann as chief of police of said city.

Preamble. WHEREAS, The city of Egg Harbor has presented and filed with the Legislature a certified copy of an ordinance of said city, dated March 10, 1966, entitled "An ordinance authorizing the city of Egg Harbor in the county of Atlantic to petition the Legislature for the passage of a private, special or local law regulating the internal affairs of the city"; and

Preamble. WHEREAS, Pursuant to P. L. 1948, chapter 199, said city has filed with the Legislature an original petition dated May 3, 1966, petitioning the Legis-

lature for passage of a law authorizing the appointment of William H. Waldmann as chief of police of the city of Egg Harbor; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The city of Egg Harbor in the county of Atlantic is authorized to appoint William H. Waldmann as chief of police of said city. Private act.

2. The appointment hereby authorized shall become effective upon the adoption by the governing body of an ordinance making the appointment authorized by this act.

3. This act shall take effect immediately but shall remain inoperative until adoption of an ordinance as authorized in section 2 of this act.

Approved February 16, 1967.

CHAPTER 327

AN ACT to amend "A supplement to the 'State School Aid Act of 1954,' approved June 30, 1954 (P. L. 1954, c. 85)," approved June 4, 1963 (P. L. 1963, c. 80).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows: Section amended.

1. Every school district shall be entitled to special additional State aid pursuant to this act if its average daily enrollment consists of 10 or more pupils certified to the commissioner by the district with the approval of the county superintendent, to be living in the district as residents on property C. 18:10-29.35a. Atypical pupils.

owned by the State which is not taxable. This act shall not apply to school districts which received from the State or any of its political subdivisions or agencies, a fixed amount in lieu of taxes.

Section amended.

2. Section 2 of P. L. 1963, chapter 80, is amended to read as follows:

C. 18:10-29.35b. Amount of special additional aid.

2. For each such pupil residing on property owned by the State the amount of special additional State aid payable to the district under this act shall be the difference between the cost per pupil for current expenses, excluding transportation, and the equalization or minimum aid per pupil, whichever is greater, to which the district is entitled pursuant to the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved February 23, 1967.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION to reconstitute and continue the Narcotic Drug Study Commission created by 1962 Joint Resolution No. 15 and reconstituted by 1964 Joint Resolution No. 9.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The Narcotic Drug Study Commission created by Joint Resolution No. 15 of the 1962 Session of the Legislature and reconstituted by Joint Resolution No. 9 of the 1964 Session of the Legislature is hereby reconstituted and continued with the same powers and duties as heretofore and with such of its same legislative members as continue to be members of the House from which appointed and 2 citizen members heretofore appointed, plus an additional citizen member to be appointed by the Governor. The Commissioner of Institutions and Agencies shall be an ex-officio member of the commission.

2. Vacancies in the legislative membership and other vacancies in the membership occasioned by any cause shall be filled in the same manner as the original appointments were made.

3. The commission, as reconstituted and continued, shall report to the Governor and the Legislature, from time to time, on the progress of its work in its several aspects with such findings and recommendations as it shall care to make.

4. This joint resolution shall take effect immediately.

Approved January 24, 1966.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION reconstituting and continuing the commission to make a study of the meadowlands of North Jersey, to report thereon to the Governor and the Legislature and to recommend legislation, constituted under Joint Resolution No. 8 of the laws of 1963.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The commission heretofore constituted under Joint Resolution No. 8 of the laws of 1963 is hereby reconstituted and continued with the same membership and the same officers as it last had and with the same powers and duties vested in and imposed upon it by said joint resolution.

2. Vacancies in the membership of the commission occasioned by any cause shall be filled in the same manner as the original appointments were made.

3. In addition to its other powers and duties, it shall be the duty of the commission to work and cooperate with the Meadowlands Regional Development Agency and the Department of Conservation and Economic Development on the preparation of legislation designed to resolve meadowland title questions.

4. This joint resolution shall take effect immediately.

Approved February 16, 1966.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION to declare the week of March 6 through 12, 1966, as "Save Your Vision Week" and for a proclamation thereof by the Governor.

WHEREAS, The conservation and protection of vision is of vital significance to the health and welfare of each individual in this Nation, this State and every community therein, and

WHEREAS, Effective vision, as one of the most essential of all physical needs, is a fundamental requirement for the maintenance and development of self-sufficiency for all our citizens in their pursuit of daily activities, and

WHEREAS, Preservation of good vision is necessary to the growth, development and learning potential of children and youth, and to the achievements of all adults, and

WHEREAS, Detection and correction of visual deficiencies and visual impairments as causes of visual inefficiency and blindness, should be of urgent concern to all individuals in this State, and

WHEREAS, Effective vision preservation will be achieved only if each person is aware of the significance and need for proper vision care, and takes advantage of all means available to conserve and protect sight, and

WHEREAS, The Congress of the United States, by a joint resolution, has designated the first full week in March as national "Save Your Vision Week," therefore

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The week of March 6 through 12, 1966, is declared to be "Save Your Vision Week" in the State of New Jersey.

2. That the Governor, by appropriate proclamation, so proclaim the said week of March 6 through 12 as "Save Your Vision Week."

3. This joint resolution shall take effect immediately.

Approved March 2, 1966.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION commemorating the golden anniversary of the establishment of the State Department of Agriculture.

WHEREAS, The act reorganizing the New Jersey State Board of Agriculture and the State Agricultural Convention and establishing the State Department of Agriculture was enacted March 29, 1916; and

WHEREAS, For 50 years the New Jersey system of agricultural government has served our farming population through programs promoting health of livestock and poultry, control of harmful insects, increased yields of farm products, modern marketing, and better quality foods, the benefits of which have been shared by consumers; and

WHEREAS, The golden anniversary of the State Department of Agriculture merits recognition by our State in which farmer and city man are close neighbors, enjoying the products of each other's industry; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The golden anniversary of the State Department of Agriculture is to be commemorated and the citizens of this State are urged to participate in appropriate programs and ceremonies recognizing the achievements of the State Department of Agriculture.

2. The Governor is hereby requested to issue an appropriate proclamation commemorating the golden anniversary of the State Department of Agriculture.

3. This joint resolution shall take effect immediately.

Approved March 22, 1966.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION to declare the month of April, 1966, as "Cancer Control Month" in the State of New Jersey and providing for a proclamation thereof by the Governor.

WHEREAS, The American Cancer Society, under its symbol, the Sword of Hope, is a voluntary health organization fighting cancer through a most effective program of research, education and service; and

WHEREAS, The New Jersey Division of the said American Cancer Society, through volunteers in its 21 county chapters in the State, is carrying on a year-round effort to alert the public to the necessity of regular health check-ups and at the same time helping those already stricken; and

WHEREAS, It is estimated that about 95,000 will die needlessly of cancer in 1966 unles these patients are brought to physicians in time for early diagnosis and treatment; and

WHEREAS, More and more funds are needed if the cause of cancer is to be found through research; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The month of April, 1966, shall be known in New Jersey as "Cancer Control Month" and the residents of the State are urged to support the New Jersey Division of the American Cancer Society and its cancer control programs in the 21 counties of the State.

2. The Governor, by appropriate proclamation, is requested to designate the said month of April as "Cancer Control Month" in New Jersey.

3. This joint resolution shall take effect immediately.

Approved April 1, 1966.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION creating a commission to confer with representatives of the Legislature of the State of New York to urge speedy enactment of legislation to increase to 21 years the minimum age for the purchase of alcoholic beverages in New York State.

WHEREAS, The law of the State of New York fixes the legal age limit for purchase of alcoholic beverages at 18 years of age; and

WHEREAS, New Jersey citizens have for many years sought a change in the minimum drinking age in New York to have it conform with the minimum legal drinking age common to Connecticut, Massachusetts, New Jersey, Pennsylvania and Vermont; and

WHEREAS, The existence of this disparity in permissible drinking ages has prompted increasing members of our young people to drive to New York for the purpose of consuming alcoholic beverages and to return with their ability to operate a motor vehicle seriously impaired by such promiscuous consumption; and

WHEREAS, In the area of traffic safety, the tragic impact of the continuance of this age differential, involving unnecessary death and injury for our young people and those they encounter on the highways after a drinking trip to New York, has been amply demonstrated; and

WHEREAS, The joint committee of the Legislature of the State of New York again is making a study of the Alcoholic Beverage Control Law and is planning a hearing in the near future on whether New York should raise its drinking age from 18 to 21; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to consist of 2 members of the Senate to be appointed by the President thereof, 2 members of the General Assembly to be appointed by the Speaker thereof and 2 members representing any branch of State Government to be appointed by the Governor, making 6 in all. These members shall serve without compensation.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman from among its members and a

secretary who need not be a member of the commission.

3. It shall be the duty of the commission to bring before the New York Joint Legislative Committee under the chairmanship of Senator Seymour R. Thaler evidence of the seriousness with which the people of New Jersey view the 18 year legal age limit in New York and to furnish such information as may be available illustrating the tragic consequences to New Jersey minors and to enlist the support of said committee in bringing the legal age limit for the purchase of alcoholic beverages in New York to the common level of its neighboring States.

4. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Legislature.

6. This joint resolution shall take effect immediately.

Approved April 18, 1966.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION concerning the policy of the State with regard to the expenditure hereafter of certain appropriated funds.

WHEREAS, Assembly Bill No. 550, as amended, allocates the total of $34 million for State aid to county and municipal roads; and

WHEREAS, It has been agreed and understood that said $34 million shall be available for this specific purpose only during the fiscal year ending June 30, 1967; and

WHEREAS, It is desirable to indicate the intention of the Legislature and the Governor with respect to the expenditure of said funds hereafter; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. It is the policy of the State to allocate hereafter, on a regular basis, from the $34 million to be appropriated for State aid to county and municipal roads, the sum of $15 million for county and municipal road aid. It is the intention of the Legislature and the Governor that the remaining $19 million from the said $34 million shall be reallocated for the capital construction of institutions of higher education and other necessary institutions of the State of New Jersey, beginning with the fiscal year commencing on July 1, 1967.

2. This joint resolution shall take effect immediately.

Approved April 27, 1966.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION to declare the week of April 17 through April 23, 1966, as "Life Insurance Week" in the State of New Jersey and providing for a proclamation thereof by the Governor.

WHEREAS, More families own life insurance than any other form of savings; and

WHEREAS, Life insurance has become a base of family financial security planning; and

WHEREAS, Life insurance renders another important service by carrying the policyholders' dollars back to the local community, where they go to work as investments, aiding all segments of the economy and the community as a whole; and

WHEREAS, The New Jersey State Association of Life Underwriters is co-operating in a program to inform the public of the many aspects of life insurance; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The week of April 17 through April 23, 1966, is declared to be "Life Insurance Week" in the State of New Jersey.

2. That the Governor, by appropriate proclamation, so proclaim the said week as "Life Insurance Week."

3. This joint resolution shall take effect immediately.

Approved April 27, 1966.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION requesting the Governor to issue a proclamation designating May 29 John Fitzgerald Kennedy Day and memorializing the President of the United States and the Governors of the several States to issue similar proclamations in commemoration of the birth of President John Fitzgerald Kennedy.

WHEREAS, May 29 marks the birth date of President John Fitzgerald Kennedy; and

WHEREAS, The life of President Kennedy has been, and will be forever, an inspiration to all Americans; and

WHEREAS, His life and example have set the highest standards of courage, devotion to duty and country and service to his fellowman, in the greatest traditions of this land; and

WHEREAS, His example of vigor and dedication to public service have been a major contributing factor in the renewal of the nation and in passing the torch to the new generation thereby attracting the enthusiasm, intelligence and dedication of that generation, so sorely needed to insure the future of this land; and

WHEREAS, He was equally dedicated to the struggle for the betterment of mankind and to the fullness of participation by every citizen in all of the rights and privileges prized by Americans and to which this nation has been dedicated since its foundation; and

WHEREAS, It is fitting and proper that this inspiration and these ideals be commemorated by all citizens by a day of special observance in his honor and memory; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The Governor of the State of New Jersey is hereby requested to issue a proclamation designating May 29 as "John Fitzgerald Kennedy Day" in commemoration of the birth of President Kennedy, and the citizens of the State are requested to formulate and sponsor appropriate programs in honor of our late President.

2. The President of the United States and the Governors of the several States are memorialized to issue proclamations designating May 29 as "John Fitzgerald Kennedy Day" in commemoration of the birth of President Kennedy.

3. The Secretary of State is directed to transmit a duly attested copy of this resolution to the President of the United States and to the Governors of the several States.

Approved May 3, 1966.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION relating to the twenty-fifth anniversary of the enrichment of bakery products by the addition of vitamins and minerals thereto.

WHEREAS, 1966 marks the twenty-fifth anniversary of the start of significant efforts to improve the health of the people of the United States through enrichment of certain staple foods, notably bread, rolls and other baked products, with vitamins and minerals vital to the public health; and

WHEREAS, The value of the enrichment program has been dramatically demonstrated over the past quarter of a century by sharp reductions in the incidence of vitamin deficiency diseases in the United States and other areas of the world where the enrichment benefits have been applied; and

WHEREAS, Enrichment was made possible and effective because of the untiring and unselfish efforts of a New Jersey resident, the late Dr. Robert R. Williams, of Union county, through his isolation and successful synthesis of Thiamine (Vitamin B_1) after 26 years of devoted research; and

WHEREAS, Foresighted New Jersey legislators during the middle forties caused the enactment of enrichment legislation to support the already effective and at the outset voluntary efforts of the bakers and millers of this State to bring these nutritional benefits to their fellow New Jerseyans; and

WHEREAS, The New Jersey Bakers' Board of Trade, embracing some 400 reatil bakery owners throughout the Garden State, will observe the twenty-fifth anniversary of enrichment and note the contribution made by Dr. Williams and others with a suitable program of anniversary events culminating in a luncheon May 23, 1966, on the campus of Rutgers University; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The members of the Senate and General Assembly of the State of New Jersey join the members of the New Jersey Bakers' Board of Trade in noting the twenty-fifth anniversary of enrichment and acknowledging the contributions made by Dr. Williams and others to improve the public health through enrichment.

2. That the members of the New Jersey Bakers' Board of Trade be commended for a quarter of a century of service in bringing the nutritionl advantages of enrichment through their bakery products to the people of New Jersey, and for their efforts during this anniversary year to make more generally known the benefits derived from enrichment.

3. That the Governor of the State of New Jersey is requested to declare, through a suitable proclamation, that the week of May 23, 1966, be observed in New Jersey as "Enrichment Anniversary Week."

4. That an attested copy of this resolution be forwarded to the New Jersey Bakers' Board of Trade.

Approved May 24, 1966.

JOINT RESOLUTION No. 11

A JOINT RESOLUTION creating a commission to study and review the authority of certain financial institutions to engage in second mortgage loan transactions, and to report thereon to the Governor and to the Legislature.

WHEREAS, A recent investigation by the New Jer- Real Estate Commission has revealed the presence of certain abuses in the area of secondary financing commonly referred to as the "second mortgage" field; and

WHEREAS, Pursuant to the recommendation of the Governor, legislation has been introduced to establish a comprehensive system of licensing, supervision and regulation of second mortgage loans; and

WHEREAS, Banks, savings banks, associations subject to chapter 144 of the laws of 1963, and other financial institutions currently are subject to laws which closely regulate and limit the power of such institutions to engage in the transaction of second mortgage loans;

WHEREAS, It is necessary and desirable that the Governor and the Legislature have the benefit of a comprehensive study to determine whether, and the extent to which, the aforesaid financial institutions should be permitted to engage in second mortgage transactions; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to be known as the Second Mortgage Loan Study Commission consisting of 9 members to be appointed as

follows: 3 by the Governor, 3 by the President of the Senate and 3 by the Speaker of the General Assembly. All or any of such appointees may be appointed from the public at large and no more than 2 of each group of 3 appointees shall be of the same political party.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman and vice-chairman from among its members and a secretary who need not be a member of the commission.

3. It shall be the duty of said commission to conduct a comprehensive study and review of whether, and the extent to which, banks, savings banks, associations subject to chapter 144 of the laws of 1963, and other financial institutions should be permitted to engage in the transaction of second mortgage loans. The commission is authorized to study and inquire into any subject or matter deemed by the commission to be relevant to the purposes of its study or helpful to it in the consummation of its work.

4. The commission shall be entitled to call to its assistance and to avail itself of the services of such employees of any State department, board, bureau, commission or agency as it may require and as may be available to it for such purpose.

5. The commission shall have all the powers of a joint committee of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes and may meet and hold hearings at such place or places as it may designate during the sessions or recesses of the Legislature. The commission shall make its report to the Governor and the Legislature on the ninetieth day next following the adoption of this resolution and its report may include recommendations for specific changes or additions to the statutory law in the field of second mortgage loan transactions.

6. This joint resolution shall take effect immediately.

Approved June 14, 1966.

JOINT RESOLUTION No. 12

A JOINT RESOLUTION creating a commission to develop and prepare a comprehensive program for the defense at governmental expense of indigent persons accused of crime.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to be known as the Commission on the Defense of Indigent Persons Accused of Crime, consisting of the President of the New Jersey Bar Association or his designated representative; the President of the New Jersey Association of Boards of Chosen Freeholders or his designated representative; the State Treasurer or his designated representative; the Chairman of the Governor's Committee on Poverty and the Law or his designated representative; 2 members of the Senate appointed by the President of the Senate; 2 members of the General Assembly appointed by the Speaker of the General Assembly; and 4 members of the general public appointed by the Governor. Of the members appointed by the Governor, the President of the Senate and the Speaker of the General Assembly, no more than one-half of each group of such appointees shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman and a vice-chairman from among its members.

3. It shall be the duty of the commission to develop and prepare a comprehensive program for the defense at governmental expense of indigent persons who are accused of crime. In formulating such a program, the commission shall consider, but is not limited to, the following factors:

(a) Whether (i) a system of court assignment of compensated counsel in individual cases or (ii) the creation of an office of public defender or (iii) a system of representation by counsel furnished pursuant to contracts between private organizations and the State or counties, or some combination of these systems, will best meet the obligation of the State to provide compensated counsel for indigent persons accused of crime;

(b) Whether, if a public defender system is established, such system should function on a uniform and centralized basis under the supervision of a State office of public defender, or whether each county should be authorized to establish a county office of public defender;

(c) Whether the cost of a program to provide for defense of the indigent should be borne entirely by the State, entirely by the counties, or by both under a designated formula for apportionment of such cost; and

(d) The estimated cost of the program, and available sources of revenue to meet such cost.

It shall be the duty of the commission to receive, consider and evaluate all proposals for the establishment of a program for the defense of the indigent which may be submitted to it by any individual or organization.

4. All State, county and municipal departments and agencies shall co-operate with the commission and shall furnish it such information, assistance and services, not inconsistent with law, as it may require in the performance of its duties. The commission shall consult, as it deems appropriate, with Federal, State and local law enforcement officials and members of the judiciary concerning matters of common interest.

5. The commission shall have all the powers of a joint committee of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes and may meet and hold hearings at such place or places as it shall designate during the

New Jersey State Library

sessions or recesses of the Legislature. The commission shall make its report to the Governor and the Legislature no later than September 1, 1966, and its report shall include a specific proposal for the establishment of a program for the defense of the indigent at governmental expense.

6. This joint resolution shall take effect immediately.

Approved June 18, 1966.

JOINT RESOLUTION No. 13

A JOINT RESOLUTION providing for the reconstitution and continuation of the Commission on Emergency Civil Government constituted to formulate proposals for the effective continuation of civil government in the event of nuclear attack or similar disaster.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The Commission on Emergency Civil Government, created pursuant to Joint Resolution No. 7, approved April 14, 1959, and reconstituted under Joint Resolution No. 12, approved June 11, 1962, and Joint Resolution No. 10, approved May 21, 1964, is hereby reconstituted and continued with the same membership and with the same powers and duties as heretofore provided. Vacancies in the membership of the commission occasioned by any cause shall be filled in the same manner as the original appointments were made.

2. The commission, as reconstituted, shall make its report to the Governor and the Legislature on or before June 30, 1967.

3. This joint resolution shall take effect immediately.

Approved July 11, 1966.

JOINT RESOLUTION No. 14

A JOINT RESOLUTION creating a commission to investigate the feasibility of acquiring a suitable tract of land in the pine barrens of southern New Jersey to be maintained as a nature preserve by the State or turned over to the Federal Government for the establishment of a New Jersey Pine Barrens National Monument.

WHEREAS, The New Jersey Audubon Society has proposed the establishment of a nature preserve or national monument in the pine barrens of southern New Jersey based on the following enumerated facts and considerations:

(a) Curly Grass Fern, Schizaea pusilla, was discovered at Quaker Bridge, New Jersey, in 1850 and is indigenous to the New Jersey pine barrens. Curly grass fern is found only in the New Jersey pine barrens and nowhere else in the United States. There are only 2 other small disjunct stations of this tiny fern in Nova Scotia and Newfoundland, Canada. The habitat of this plant is chiefly at the base of white cedar, Chamaecyparis thyoides, trees in damp hummocks, bogs and moist sandy flats on the edge of white cedar swamps.

(b) The Pine Barrens Treefrog, Hyla andersoni, is an abundant resident of the swamps, bogs and brown, acid waters of the New Jersey pine barrens. The New Jersey pine barrens is the only large breeding habitat of the pine barrens treefrog in the United States. Other than in the New Jersey pine barrens there are only a few small isolated colonies of this species of treefrog in North Carolina and Georgia. This tiny, (⅛ to 1¾ of an inch in length), brilliant green treefrog with lavender stripes, bordered with white, is North America's most beautiful member of the Family Hylidae.

(c) Inasmuch as the curly grass fern and pine barrens treefrog habitats are in and along the immediate edge of the New Jersey pine barrens wetlands, a nature preserve or a New Jersey Pine Barrens National Monument would serve a dual purpose, by providing species of wildlife unique to New Jersey with protection of habitat and by preventing pollution of the precious fresh water resources within the area of the preserve or national monument.

(d) In addition, there are many other species of plants and animals that are restricted or virtually restricted to the pine barrens of our coastal plain and found nowhere else in the State of New Jersey. These also would be protected in the proposed preserve or national monument. Time is of the essence in the New Jersey pine barrens and, unless action is taken quickly, this irreplaceable ancient fresh water resource and unique wildlife habitat may be destroyed forever; and

WHEREAS, There appears to be merit to such proposal and it is deemed advisable to have a commission investigate the matter and report back to the Governor and the Legislature as to the feasibility of the suggested project; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to consist of 6 members, 2 to be appointed from the members of the Senate or at large by the President of the Senate, 2 to be appointed from the members of the General Assembly or at large by the Speaker thereof, and 2 to be appointed by the Governor. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

2. The commission shall organize as soon as may be after the appointment of its members and

shall select a chairman from among its members and a secretary who need not be a member of the commission.

3. It shall be the duty of said commsision to investigate the feasibility of proceeding with the establishment of a nature preserve in the pine barrens of southern New Jersey and the possibilities of its eventual acceptance by the Federal Government for the creation and establishment of a national monument to be known as the New Jersey Pine Barrens National Monument. The commission shall give consideration to the cost involved and to the existence of available and properly located tracts of land for the purpose. The commission shall confer with the Federal Department of Parks or such other Federal body having jurisdiction of the general subject matter of national parks and monuments and their location and maintenance.

4. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of the State as it may require and as may be available to it for said purpose and, in particular, the personnel of the Department of Conservation and Economic Development assigned to the Bureau of Parks and Recreation. The commission may employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary in order to perform its duties and as may be within the limits of the funds appropriated or otherwise made available to it for said purposes.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Governor and the Legislature during the present or next session of the Legislature.

6. This joint resolution shall take effect immediately.

Approved October 6, 1966.

PROCLAMATIONS

Proclamations by the Governor

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION

TO HIS EXCELLENCY
RICHARD J. HUGHES
GOVERNOR OF THE STATE OF NEW JERSEY

I, WILLIAM KINGSLEY, Deputy Director of the Division of Taxation, in the Department of the Treasury, being the officer chargeable by statute with the administration of the Corporation Business Tax Act (1945) (Chapter 162, Laws of 1945, as amended and supplemented; N. J. S. A. 54:10A–1 et seq.), and the custody of the records pertaining thereto, and the assessment and collection of taxes chargeable thereunder, hereby report, in accordance with the provisions of Revised Statutes, Title 54, Chapter Eleven (R. S. 54:11–2), that the corporations named on the attached list have, for two years next preceding this report, failed to pay the taxes assessed against them under the said Corporation Business Tax Act (1945).

WITNESS my hand and official seal at Trenton, this 3rd day of January, A. D. 1966.

WILLIAM KINGSLEY,
Deputy Director of the Division of Taxation.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Deputy Director, Division of Taxation, Department of the Treasury, on the 3rd day of January, one thousand nine hundred and sixty-six, under the provisions of R. S. 54:11–2, reported to the Governor a list of all corporations created under the laws of this State, which for two years next preceding the report have failed to pay to the State the taxes assessed against them under the Corporation Business Tax Act (1945) (Chapter 162, Laws of 1945, as amended and supplemented; N. J. S. A. 54:10A–1, et seq.) and which taxes are by law made payable into the State treasury; and

WHEREAS, Under the provisions of R. S. 54:11–1, the charters of said corporations shall be declared void unless the Governor shall give further time for the payment of such taxes assessed against said corporations; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, pursuant to the provisions of R. S. 54:11–2, DO HEREBY ISSUE THIS PROCLAMATION declaring that the charters of the following-named corporations, so reported and in default, TO WIT:

Acme Acceptance Assn., Inc.,
Equity Resources Corp.,

Industrial Credit Corp.,
Food Credits, Inc.,
American Budget Corp.,
Retail Budgets Inc. of New Jersey
Aabar Corporation,
AA Brake and Clutch Service,
A. A. Conrad & Co., Inc.,
A & A Floor Covering,
A. A. Nichols, Inc.,
A and A Ready To Wear and Custom Tailor Incorporated,
Aarin Dennison Walker & Co., Inc.,
Aaron Auto Wrecking, Inc.,
AA Van Lines,
AA Wrecking and Auto Parts, Inc.,
Abbco, Inc.,
Abbington, Inc.,
Abbott Engineering Company,
Abco Zero Soft Water Conditioners, Inc.,
The Abel Co of N. J.,
Able Refrigerated Transport,
Able Refuse Disposal Service, Inc.,
Able Window Cleaning Company, Inc.,
About Face, Inc.,
Abrams Associates, Inc.,
Abrasive Company of America, Inc.,
Abrasive Finishing, Inc.,
Abrasives Incorporated,
Abrime Corp.,
Absecon Highland Construction Corp.,
Academy Realty Co., Inc.,
AC Builders, Inc.,
AC Corporation,
Ace Baling Wire Corp. of New Jersey,
Ace Cleaners, Inc.,
Kleinbard Bell & Brecker,
Acme Building Company,
Acme Building Specialties of N. J. Corp.,
Acme Printers Supply Corp.,
Acme Staple Company,
N. J. Corp. Guar. & Trust Co.,
Acme Truss and Component Co., Inc.,
Acme Window Display Service, Inc.,

A Community Auto Driving School,
Acorn Roof Truss Corp.,
A Corporation,
Acoustic Developments, Inc.,
Active, Inc.,
Ada Golcher, Inc.,
Adar Corporation,
Addison Shop, Inc.,
Add On Construction Co., Inc.,
Addon Home Improvement Co., Inc.,
Adele Homes, Inc.,
David Litvack,
Adelines Bakery, Inc.,
Adgo Sales Co., Inc.,
Adjusters Alliance, Inc.,
Adriennes Junior Bazaar,
A. D. Sgro Homebuilders, Inc.,
ADS Industries, Inc.,
Advance Builders, Inc.,
Advanced Coating Applicators, Inc.,
Advanced Steeltubes, Inc.,
Advance Mason & Building Contractors, Inc.,
The Adventurer,
Advisory Consultants,
Aeron Corporation,
Aeronics Manufacturing Corp.,
AES Realty Corp.,
AFM, Inc.,
AF Transmission Corp.,
A & G Amusement Corp.,
Agricultural Coopers, Inc.,
A and H Diner, Inc.,
A & I Construction Company,
Aimco Tool & Die Company, Inc.,
Air Control Maunfacturing Co., Inc.,
Airelum Products, Inc.,
Airport Bar Corp.,
Airport Industries, Inc.,
Airtools, Inc.,
Air Way Distributors of New Jersey, Inc.,
A. Jay Lithographers, Inc.,
A. J. Connolly, Inc.,
A. J. Desimone Corporation,

AJF Manufacturing Corporation,
A & J Mason Contractors, Inc.,
AJM Corporation,
A J. Seccia Agency, Inc.,
A & K Carpet Services, Inc.,
A & K Construction Company,
A. K. Harrington Corp.,
A K Realty Corp.,
Akro Equipment Corp.,
The Alaf Corporation,
Alamac Printers & Cutters, Inc.,
Alan Dean Company,
A Large Co., Inc.,
Alba Cork Company,
Albany Bargain Center, Inc.,
Albard Chemical Industries, Inc.,
Albert Bass Associates, Inc.,
Alberti Construction Co., Inc.,
Albert J. Bender & Associates,
International Engineering Corp., Inc.,
Albe Sales Corporation,
The Alchemega Co., Inc.,
Alcoa Villa, Inc.,
Alden Builders, Inc.,
Alden Motor Lines, Inc.,
A & L Discount Food Co.,
Alexander C. H. Wilson, Inc.,
Alexander Harris Enterprises, Inc.,
Alexander Park Homes, Inc.,
Algonquin Building Corporation,
Alice C. Collins, Inc.,
The Align O Pipe Guide Co.,
Aljack Realty Company,
Aljer Construction Co., Inc.,
Alj, Inc.,
Aljon Builders, Inc.,
Alkro, Inc.,
All Appliance Parts Distributors,
All Dock Equipment Division of MP,
Associates, Inc.,
All Economy Construction Co., Inc.,
Allem, Inc.,
Allen Communications, Inc.,

Allencrest, Inc.,
Allendale Laundry and Dry Cleaning
Corporation,
Allenhurst Bakery, Inc.,
Allen Maurer, Inc.,
All Erecting Co., Inc.,
c/o Spellman & Spellman,
Allied Agency,
Allied Air Freight, Inc.,
Allied Lease System, Inc.,
Allied Outwear Corporation,
Allied Overseas Corp.,
Allied Picture Tubes, Inc.,
Allied Television Service,
Allied Termite Survey Co., Inc.,
Allied Thread Drawing Corp.,
All Services Building & Maintenance Corporation,
Allsi Displays & Novelties Mfg. Corp.,
Allsi Import & Export Corp.,
All State Demolition Corp.,
Allstate Electronics Corporation,
Allstate Parking Corporation,
All Year Heating & Cooling Supply Corp.,
Almo Coat Co., Inc.,
Alpac, Inc.,
Alpe Amusement, Inc.,
Alper Auto Repairs, Inc.,
Alpola, Inc.,
Alpo Realty Co., Inc.,
Alron Decorators, Inc.,
Al Smithson Jr. Trucking Co.,
Alsons, Inc.,
Al Steinberg & Company,
Alta Steel Supply Corp.,
Altex Aluminum Supply Co.,
Aluma Rail, Inc.,
Aluminum Construction Co. of New Jersey,
Aluminum Maintenance Corporation,
Aluminum World, Inc.,
Alvine Bros., Inc.,
Alvin Plastic Company, Inc.,
Amareel Corporation,
Ambassador Caterers Corporation,

Amboy Trucking, Inc.,
AM Cam Construction Corp.,
AMCO Scrap Iron and Steel Corporation, Inc.,
American Aggregates, Inc.,
American Aluminum Arts, Inc.,
American Astrodyne Corporation,
American Beauty Sales Co.,
American Coincessions, Inc.,
American Equipment Company, Inc.,
American Exactron, Inc.,
American Floor Covering Co., Inc.,
American Foundry Services, Inc.,
American Funcades, Inc.,
American General Corporation,
American Goins Machinery & Tool Corp.,
American Heating Co.,
American House of Hope, Inc.,
American International Trading & Manufacturing Corp.,
American Listing Company of New Jersey,
American Living Products Corp.,
American Merchandise Mart, Inc.,
American Mercantile Co.,
American Motor Hotel Management, Inc.,
American Packaging Engineers, Inc.,
American Paint Service of Fair Lawn, Inc.
American Paint Service, Inc.,
American Radio Cab, Inc.,
American Radio & Television Service, Inc.,
American Resort & Recreation, Inc.,
American Serv U Stores,
American Taxi, Inc.,
American Trousers Company,
American Wholesalers Service,
Ameurasia Construction Company,
Amherst Builders, Inc.,
Amigo Realty Corp.,
A. M. Jacobs Coal Co.,
Amonicas General Contractors, Inc.,
Amos Briner Company, Inc.,
Amson Manufacturing Co.,
A & N Adase, Inc.,
Anchorage Efficiency Apartments,

Ancient Mariner Inn,
And Arm, Inc.,
Anders Construction Co., Inc.,
Andover Water Corp.,
Angela Enterprises, Inc.,
Angeletti & Giegerich, Inc.,
Angelina Corporation,
Angelos, Inc.,
Angelo Toriello Construction Co., Inc.,
Angeloudis Realty, Inc.,
A. N. Hanna Company, Inc.,
Anigraphic Decorators, Inc.,
Anjon Embroideries, Inc.,
Anle Corporation,
Anna M. Skripko,
Ann E. Goldstein Agency, Inc.,
Ann's Moderne Beauty Shoppe,
Anroc Realty Co.,
Anthos Coiffures Magnifique, Inc.,
Antoinette, Inc.,
Antonio Beauty Shop, Inc.,
Antronics, Inc.,
AOK Space Enterprises Incorporated,
A-1 Drop Stop Laundry, Inc.,
A-1 Washing Machine Service, Inc.,
Apache Builders, Inc.,
Apache Wells,
Apartment Realty Company,
A. P. Busch, Inc.,
APC Realty Company,
Apex Machine & Valve Corp.,
April Corporation,
Aqualonics,
Aquarest Corporation,
Ara Sheklian & Associates, Inc.,
Arbee Coat Co., Inc.,
Arbor Home Improvement Company,
The Arcade Shop, Inc.,
Arcal, Inc.,
Architectural Model Associates, Inc.,
Archrite Construction Corp.,
Ardel Corp.,
Arfa Manufacturing Co., Inc.,

Argo Finance Corp., Inc.,
Argosy Realty, Inc.,
Argyriou Importing Corporation,
Ariston Canning Company,
Arlindy Realty Corp.,
Arling Corporation,
Arlington Investment Corporation,
Arlington Pants Company,
Arlyn Rug Service, Inc.,
Armac Metal Specialties and Tool Co.,
Armory Riding School,
Armstrong Products Corporation,
Arnold Altex Aluminum Company of New Jersey,
Arnold Aluminum Corp.,
Arrow Metal Plating Co., Inc.,
Artcraft Construction Co., Inc.,
Arthurs, Inc.,
Arthur S. Wood, Inc.,
Artisan Homes, Inc.,
Artistic Flock Novelty Company,
Artone Vari Typing Service, Inc.,
Art Skein Dyeing Co.,
Art Stahlbaum, Inc.,
A & S Builders, Inc.,
Asbury Bridge and Iron Works, Inc.,
Asbury Lanes, Inc.,
Ascione Realty Corporation,
Ashley, Inc.,
Asphalt Carriers, Inc.,
Associated Advertising & Design, Inc.,
Associated Equities,
Associated Laboratories, Inc.,
Associated Television Service, Inc.,
Associated Warehouse Shippers,
Astrab Mike's Bar, Inc.,
Astro Paint Co.,
Astsum Realty Co.,
ATK Land Co.,
Atlantic Automatic Wire Forming Corporation,
Atlantic City Collection and Credit Corporation,
Atlantic City Colosseum, Inc.,
Atlantic City Convention and Publicity Bureau,
Atlantic City School of Beauty Culture, Inc.,

Atlantic Coast Attic and Basement Company, Inc.,
Atlantic Construction Company, Inc.,
Atlantic Dredging, Inc.,
Atlantic Fiber Glass Corp.,
Atlantic Industries and Terminals, Inc.,
Atlantic Meat Corp.,
Atlantic Mercantile Agency, Inc.,
Atlantic Motel, Inc.,
Atlantic Motor Club,
Atlantic Ritz, Inc.,
Atlantic Service Cleaners & Dyers, Inc.,
Atlantic Shrewsbury Corp.,
Atlantic Transistor Corporation of New Jersey,
The Atlas Agency, Inc.,
Atlas Bindery Corp.,
Atlas Estates,
Atlas Knitting Mills, Inc.,
Atlas Motor Parts Corp.,
Atlas Specialty Co., Inc.,
Atlas Trucking Co.,
The Atom Club, Inc.,
Atomic Foam Cleaner, Inc.,
Att Mar Realty Corporation,
Audrey Egg Farms, Inc.,
Augustus Perkins Trucking Company, Inc.,
Austin Sudfield Corporation,
Authentic Interiors, Inc.,
Auto Imports Service, Inc.,
Auto Instructional Devices, Inc.,
Automatic Amusement and Vending Machine Company, Incorporated,
Automatic Letter Typing Company, Inc.,
Automatic Mailing Service, Inc.,
Automotive Refinishing Co., Inc.,
Auto Temp, Inc.,
Avery Realty Co.,
Aviation Welding Corp.,
Avon Color & Chemical Co.,
A. W. Hartwigsen, Inc.,
AWK Corporation,
A. Y. Hissim, Inc.,
Aylward & Knox, Inc.,
AYS Television Service, Inc.,
Azzolina Properties, Inc.,

Babee Portraits, Inc.,
Bachner Meats, Inc.,
Bac Trol, Inc.,
Badagliacca, Inc.,
Bagal Realty Company, Inc.,
Balcrest Building Company,
Baldwin & Owens, Inc.,
Bali Ha'i Thoroughbreds, Inc.,
Ballard Printing Co., Inc.,
Baltusrol Hills, Inc.,
Bamberry Builders,
Bamberry Estates at Route 9,
Bantam Markets, Inc.,
Barbara Di Van, Inc.,
Barbara Games, Inc.,
Bar Bor, Inc.,
Barcello and Amico, Inc.,
Bari Construction Corp.,
Barnegat Liquors, Inc.,
Barnet Investment Corporation,
Barney's Automotive, Inc.,
Baronet Associates,
Barricade Coatings and Chemicals Corp.,
Barry Robert Realty Corp.,
Barry Roberts Plastics, Inc.,
Barry's Tavern,
Bar Ste, Inc.,
Baschs 19th Hole Restaurant and Bar,
Bass River Yacht Club,
Bass Woodworking Co., Inc.,
Bat Em Out Corporation,
Bater Amusement Company
Bater Realty Company, Inc.,
Batjac Construction Co.,
Battiste, Inc.,
Bay Automotive & Industrial Supply Co., Inc.,
Baylor Petroleum & Gas Corp.,
Bayshore Heating and Home Improvement Company, Inc.,
Bayside Development Company,
Bayview Estates, Inc.,
Bayville Industries,
Bayville Land & Development Corp.,

Bayville Motors Incorporated,
Bayway Drug Co., Inc.,
B Bar Ranch,
BBB Corp.,
B & B Construction Co., Inc.,
B & B Excavating and Surfacing Co.,
B & B Jewelry Mfg. Co.,
B & B Tree Experts, Inc.,
BCD Tavern, Inc.,
BCH Agency, Inc.,
B & D Aluminum Siding, Inc.,
Beach Haven Plumbing Corp.,
Beachwood Electronic Parts World Distributors, Inc.,
Beacon Hill Development Co.,
Beacon Mortgage Co.,
Beacon Tool Manufacturing Co., Inc.,
Bearfort Hairdressers, Inc.,
Beauty Brassiere Co.,
Beautyrama,
Beauty Vent Aluminum Awning Company,
Beaver Street Realty Corporation,
Becker Bullock Realty, Inc.,
Beco Construction Corp.,
Bedford Investment Co., Inc.,
Bedminister Land Co.,
Beechwood Gardens, Inc.,
Beel Engineering Company
Beel Plastic Mold Co.,
Bee Son Hotel Corporation,
Bell Art Glass, Inc.,
Bell Crest Pines,
Bellcroft Laundramat,
Bellofatto Construction Co.,
Bell Pack Co.,
Bell's Custom Tire Service,
Belmont Mills Co.,
Belmont Project Cleaners, Inc.,
Belmont Publications, Inc.,
Bel More Cleaners, Inc.,
Benavides Incorporated,
Benbert Holding Co.,
Benedict Industries, Inc.,

Benj. E. Jarvis, Inc.,
Ben Pozner Embroideries, Inc.,
Ben's Playland, Inc.,
Bentwood Realty Corporation,
Ber Co Builders, Inc.,
Berco Latex Company, Inc.,
Bergen County Pro Shop,
Bergen Door Frame Co., Inc.,
Bergenfield Youth Centre, Inc.,
Bergen Plumbing & Heating, Inc.,
Bergen Point Fur Dressing Corp.,
Bergen School of Music, Inc.,
Berkeley Building and Improvement Corp.,
Berkes, Inc.,
Berkes Realty Co., Inc.,
Berkowitz Hatchery, Inc.,
Berkshire Finance and Discount Corp.,
Berlin Constructors Co., Inc.,
Bernard Bell Optical Distributors, Inc.,
Bernard Rauch & Co.,
Bernard Realty Co.,
Bernardsville Flying Club, Inc.,
Bernat Floral Company, Inc.,
Bernsan Corp.,
Bertsley, Inc., c/o Mr. George Butts,
Bert Discount Incorporated,
Bessbob Realty Co., Inc.,
Best Liquor & Deli, Inc.,
Beth Realty Corporation,
Betystown Lanes, Inc.,
Betts Realty Company, Inc.,
Betty Lyn Coat Co., Inc.,
Beverly Atlantic Realty Company, Inc.,
Beverly Bowling Alleys, Inc.,
Bevin Industrial Corp.,
B & F Vinyl Corp.,
BHB Development Corp.,
BHS Developers, Inc.,
Big Joe's,
Big Smile,
Big Top Stores of New Jersey, Inc.,
Bil Lar Improvement Co., Inc.,
Bill & Jake Tavern, Inc.,

Bill Moose Skowron Signs, Inc.,
Billy's Diner, Inc.,
Bilro Construction Co., Inc.,
Bilt Rite Custom Homes, Inc.,
Bimini Yacht Club of Brielle N. J., Ltd.,
Binder's Pharmacy, Inc.,
Bio Research Enterprises Incorporated,
Birchwell Investment Co.,
B & I Tavern Corporation,
Bivalve Cooperative Co.,
BJ Effectiv Products Co., Inc.,
BJH Associates, Inc.,
B & J Products, Inc.,
Black's Drug Stores, Inc.,
Blackwood Homes Company,
The Blake Horse Training Center, Inc.,
Blau & Eastern, Inc.,
Bloomfield Tobacco Corp.,
BLR Realty Co., Inc.,
Blue Diamond Coal and Fuel Company, Inc.,
Blue Hills Estates, Inc.,
Blue Ribbon Bar,
B & M General Trucking Corp.,
BMH Corporation,
B & M Taxi Corp.,
Bobsy, Inc.,
Bocalikr Enterprises, Inc.,
Bohens, Inc.,
Bon Anno Construction Company, Inc.,
Bonanza Construction Company, Inc.,
Bonded Custom Builders,
Bonded Insulation & Aluminum Products, Inc.,
Bond Motors, Inc.,
Bonnie Gail Notions & Fabrics, Inc.,
Bon Voyage Luggage Shop, Inc.,
Bon Vue Terrace, Inc.,
Bor Benn, Inc.,
Bordentown Reconditioning Co., Inc.,
Borno Culvert Co., Inc.,
Bornstein Investment Company,
Boro Homes, Inc.,
Boston Beacon,
Boulevard Manor, Inc.,

Boulevard Trading Corp.,
Bowar Builders,
Bowling Photo Corporation
Boyce Realty Co., Inc.,
Boyles Fireside Tavern,
B & P Holding Company, Inc.,
Bradford Construction & Contracting Co.,
Bradford Pools, Inc.,
Bradley Construction Corporation,
Bradley Plastics Co.,
Brainerd, Inc.,
Branch Electronics Company, Inc.,
Branchwood Company,
Bran Dav Record Distributing, Inc.,
Branford Jones System, Inc.,
B. R. Barlane, Inc.,
Breezeway, Inc.,
Brenda Realty Corp.,
Brentwood Neckwear Corporation,
Briarcliff Homes at Middletown, Inc.,
Briarwood Fashions, Inc.,
Brick Electric, Inc.,
Bridge Electronics Company, Inc.,
Bridgewater Diner, Inc.,
Brighton Builders, Inc.,
Brikcrete Homes, Inc.,
Bristol Ellson Corp.,
British Bicycle Corporation,
Britton Lodge, Inc.,
Broad Acres, Inc.,
Broadfair, Inc.,
Broadlee Corporation
Broad Parking Corp.,
Broadview Estates, Inc.,
Broadway Bay Co.,
Broadway Credit, Inc.,
Broadway Interiors,
Broadway Stevens Corporation,
Brodix Equipment Incorporated,
Brodix Rentals Incorporated,
Bromei Realty Corporation, Inc.,
Bronzalloy Corp.,
Brookdale, Inc.,

Brook Laboratories, Ltd.,
Brooks Built Rite Furniture Co.,
Brookside Corporation,
Brooks Kip Tire Service, Inc.,
Brothers Chemical Co.,
Brothers Embroidery Co.,
Brotman's Market Co.,
Brown, Barton & Engel,
Browning Bros. Contractors, Inc.,
Brownkoed Realty Company,
Browns Mills Village,
Brown & Son, Inc.,
Bruce Cleaners, Inc.,
Bruce Drugs, Inc.,
Bruce Metal Products, Inc.,
Bruce Village, Inc.,
Brunswick Acres Realty Co., Inc.,
Brunswick Marina,
Brunswick Properties, Inc.,
Brunswick Services, Inc.,
Brust Express, Inc.,
B & T Construction, Inc.,
B. Tenneson Company,
BTJ Corporation,
The Buck Corporation,
Buckeye Manufacturing Company, Inc.,
Buckeye Tool and Dye Co.,
Buckingham Publishing Company, Inc.,
Budd Lake Realty, Inc.,
Bud Rich Club 75, Inc.,
Builders Improvement Company,
Builders, Inc.,
Builders Transportation Company, Incorporated,
Bunker Hill Builders, Inc.,
Bunnyland, Inc.,
Bunting Accessory Products, Inc.,
Buona Marine Sales, Inc.,
Burger House, Inc.,
Burkhart Motor Company,
Burleigh Lumber Company,
Burlington County Construction Company, Inc.,
Burlington Sparkle Auto Wash, Inc.,
Burl Laboratories, Inc.,

Bursam Realty Co., Inc.,
Bur Val Estates,
Butler Associates Co., Inc.,
Butler Cleaners, Inc.,
Butler Coal Company, Inc.,
Butler Products Corporation,
Buttons & Bows Children's Shop,
BW Mat Co.,

CAA Electronics, Inc., Carl H. Auerbach,
Cadewa Associates, Inc.,
Caesar Manufacturing Corp.,
Calabro Plumbing & Heating Corporation,
Calco Cotton Mills, Inc.,
Calex, Inc.,
California Contemporaries, Inc.,
CAL Realty Co., Inc.,
Calsan Development Corp.,
Caltex Dyeing and Finishing, Inc.,
Cam Aluminum Specialties, Inc.,
Cambridge Products Corp., Sheldon M. Lipack,
Cambridge Towers, Inc.,
Camden Yarns, Inc.,
Cameo Bar & Lounge, Inc.,
Cameo Club, Inc.,
Camins Jewelers, Inc.,
Campbell's Cafe, Inc.,
Camp Motors, Inc.,
Camp Price Construction Co., Inc.,
Camp Stonybrook, Inc.,
Campus Park Homes, Inc.,
Cancellations Ltd., Inc.,
Canfield Construction Co.,
Cannizzaro Brothers, Inc.,
Canopy Bar & Grill, Inc.,
Cape May Diamonds, Inc.,
Cape May Disposal Corp.,
Cape May Marina,
Capital Counsellors Incorporated,
Capital Distributors Co.,
Capitol Flooring Co., Inc.,
Capitol Hill Agency, Inc.,
Capitol Hill Developers, Inc.,

Capitol Pool Corp.,
Capital Television Company,
Capri Acres, Inc.,
Capri Bakery Co.,
Capricorn, Inc.,
Capri Water Ice Company,
Cara Mara, Inc.,
Carburetor and Ignition Company,
Cardinal Cards and Novelties Company,
Carditioning Maintenance Corp. of America,
Carlese S. Black Corporation,
Carl Hontz Nursery, Inc.,
Carlston & Schier Construction Corp.,
Carl's Tavern,
Carlsten Men's Shop, Inc.,
Carlton Appliances,
Carlton Passaic Corporation,
Carmel Lake Builders, Inc.,
Carol Ann Holding Co., Inc.,
Carol Distributing Co., Inc.,
Carol Fashions, Inc.,
Carol Homes, Inc.,
Carpas, Inc.,
The Carpet Centre,
Carport Swimming Club, Inc.,
Carpri Associates, Inc.,
Carrel Realty Co., Inc.,
Carrita, Inc.,
Cars Incorporated,
Carsley Kitchens, Inc.,
Carsol Realty Corporation,
Carter Construction Corp.,
Carteret Arms Coffee and Gift Shop, Inc.,
Carver Interprises Incorporated,
Casa De Telas, Inc.,
Casa Paolino, Inc.,
Cascino Engineering Enterprises Corp.,
Casey Vaness Holding Co., Inc.,
Caskel, Inc.,
Cassidy Enterprises, Inc.,
Cassville Monument Corporation,
Castaways, Inc.,
Castle Hill Builders, Inc.,

Castool Corporation,
Cathan Cleaning Corp.,
Cavanaugh Beauty Parlor, Inc.,
CBC Development Corporation,
CB Diner, Inc.,
C & B Operating Co.,
C & C Apparel Mfg. Co.,
C & C Embroidery Co.,
CDM Building Contractors, Inc.,
C. D. Tice Lumber Corporation,
C and E Automatic Products,
Cecchini & Son, Inc.,
Cecelia Estates,
Cecil Gardens, Inc.,
Cedar Brook Concrete Corp.,
Cedar Grove Investment Corp.,
Cedarking,
Cedco, Inc.,
Celias Incorporated,
The Cellar Tavern, Inc.,
Center Pharmacy, Inc.,
Central Alliance Corporation,
Central Freight Service, Inc.,
Central Freight Trucking, Inc.,
Central Jersey Landscape Company, Inc.,
Central Jersey Roofing, Inc.,
Central Machine Products Corporation,
Central Park Ceramics, Inc.,
Central Securities, Inc.,
Centre Valley Motor Car Company, Ltd.,
Century Container, Inc.,
Century Hardware Co.,
Century Steel Service, Inc.,
Cer Distributing Corp.,
Certificates and Securities Company,
C Est Si Bon Restaurant, Inc.,
C. F. Hunter Co., Inc.,
CFT Realty Co.,
Chaker's Taxi Cab Company,
Challenger Racing Trophies, Inc.,
Chalmers Metal Products Co., Inc.,
Chamberlain Delicatessen, Inc.,
Chambers Mfg. Corp.,

Chaneaux Fabrics, Inc.,
Chanfield Builders, Inc.,
Chaos Leo Realty Co.,
Chared, Inc.,
Charla Originals, Ltd.,
Charlemma Realty Corporation,
Charlene Homes, Inc.,
Charles Berman Carpet Mart, Inc.,
Charles Berman Carpet Mart No. 2, Inc.,
Charles Ehret Service Station,
Charles F. Reilly Co., Inc.,
Charles G. Lauster, Inc.,
Chas. Hocman & Company, Inc.,
Charles J. Graff Incorporated,
Charlies Drive In,
Charlroy Realty Corp.,
Charme Embroidery Co., Inc.,
Charming Miss Coat Co., Inc.,
The Char Pit, Inc.,
Charter Coach Company, Inc.,
Charter Coach Corp.,
Charvel Cranes, Inc.,
Chatham Aviation Electronics, Inc.,
Chedto Enterprises,
The Cheer Corporation,
Chemical Dynamics Corp.,
Chemical Research & Development, Inc.,
Chester C. Conn Company, Inc.,
Chestlo Corporation,
Chestnut Grill,
Chet Corporation,
Chez Ginos Enterprises, Inc.,
Chez Rene Coiffeurs,
Child Educators Society,
China Inn, Inc.,
Chip & Anthony, Inc.,
Chit Chat, Inc.,
CHJR Co., Inc.,
C. H. Leach Company,
Choice Embroidery & Laces, Inc.,
Chrislar, Inc.,
Christies Restaurant & Cocktail Lounge, Inc.,
Cigarette Society Anonymous, Inc.,

Ciro Novelty Co., Inc.,
Citadel Land Corp.,
Citro Manufacturing Co., Inc.,
City Wide Paint Stores of New Jersey, Inc.,
Clad, Inc.,
Claircal, Inc.,
The Clakat Company, Inc.,
Clara Realty Co., Inc.,
Clark Chevron, Inc.,
Clark Finance Company,
Clark Garage, Inc.,
Clark Manor Nursing Home, Inc.,
Clark Raritan Corporation,
Clar Michal, Inc.,
Claybar Corporation,
Claysol Plastics, Inc.,
CLB, Inc.,
Clement Estates, Inc.,
Clemgreen Realty Co.,
Clen Dan Plastics, Inc.,
Cliff Green Plumbing and Heating Co., Inc.,
Cliff Holding Co. of Newark, New Jersey,
Cliff View Associates, Inc.,
Clifton Development Corporation,
Clifton Passaic Industries,
Clifton & Randolph Realty Co.,
Clinton Estates, Inc.,
CLJ Realty Co.,
The Clock Bar and Grill, Inc.,
Closetorium, Inc.,
The Clothes Closet,
Clothes Tree, Inc.,
Cloudview, Inc.,
Club Alibi, Inc.,
Club Bar,
Club Caterers, Inc.,
Club 401, Inc.,
Club House,
Club Lenni, Inc.,
Club Lounge,
Club Mayflower Holding Company,
Club 149, Inc.,
Club Rockyo, Inc.,

Club Sherri, Inc.,
Club 38,
C & M Trucking Co., Inc.,
Coastal Cement Company, Inc.,
Coastal Distributors, Inc.,
Coast Catering Service,
Coast Credit Corp.,
Coast and Inland Search Company,
Coast Propane Gas Co.,
Coast To Coast Realty Co.,
Coatarama, Inc.,
Coat Master, Inc.,
Cobh Machine & Boiler Works Co., Inc.,
Coblake Textiles, Inc.,
Cobwin Realty Co.,
Coby's Bar & Restaurant,
Coby's, Inc.,
Coe Construction Corporation,
Coffee Mat of Northern New Jersey,
Coin Dry Cleaning & Laundry, Inc.,
Colacurio and Associates, Inc.,
Coland, Inc.,
Coles Typing Company, Inc.,
College Admissions Conferences, Inc.,
College Gardens, Inc.,
College Inns of America,
Collings Gardens Corporation,
Collingswood Industrial Products, Inc.,
Colonial Bowling Lanes, Inc.,
Colonial Taxi Service, Inc.,
Colony Hall, Inc.,
Colony Hotel, Inc.,
Columbia Equipment Corp.,
Columbia Park Cabana Club,
Columbia Stitching, Inc.,
Columbus Park Realty Co.,
Colwest Corporation,
Colwood Machine Co.,
Colyer Roux Printing Co.,
Comburere Energies, Inc.,
Comforter Belt Corporation,
Commercial Distributors, Inc.,
Commercial Embroidery Corp.,

Commercial Finance Corp.,
Commercial & Industrial Realty Co.,
Commercial Research and Development Corporation,
Commonwealth Investment Corporation,
Community Auto Body, Inc.,
Community Printing Corp.,
Como Jewelry Associates, Inc.,
Compact Princeton Corporation,
Complete Underwriters, Inc., of New Jersey,
Computor Floors, Inc.,
Concetta Del Tufo Corp.,
Concord Construction Co.,
Concrete Storage, Inc.,
C One, Inc.,
Conley Corp.,
Connell Packing Company, Inc.,
Conrad Corporation,
Conrich Realty Co., Inc.,
Consolidated Airline Services, Inc.,
Consolidated Aluminum Siding Co.,
Consolidated Distributing Corporation,
Consolidated Services, Inc.,
Consolidated Trading Corporation,
The Constructor Corporation,
Contacts, Inc.,
Contact Trucking Co., Inc.,
The Continental,
Continental Bulk Service, Inc.,
Continental Creamery,
Continental Designers, Inc.,
Continentale Pizzeria, Inc.,
Continental Formal Wear, Inc.,
Continental Management Corporation,
Continental Refining & Packaging Company,
Continental Service and Management, Inc.,
Continental Tanning Corporation,
Contract Paper Haulers, Inc.,
Control Panels, Inc.,
Convention Telecasters Associates, Inc.,
Co Op Auto Repairs, Inc.,
Co Op Builders, Inc.,
Cooper Village, Inc.,

Co Ordinators, Inc.,
Copeland Marine Transportation Corp.,
Copper Beach Builders, Inc.,
Coral Lon Distributors, Inc.,
Corbudon Products, Inc.,
Corks Auto Rentals, Inc., Mr. David W. Margulres,
Coronet Coin Operated Dry Cleaners of Atlantic City,
Coronet Luncheonette,
Coronet Varieties, Inc.,
Corso, Inc.,
Coscam Industries, Inc.,
The Cottage,
Cotter Building Corp.,
Cotton Top Cafe, Inc.,
Country Club Co., Inc.,
Country Garden Town House,
Country Lane Florist,
Country Squire Homes, Inc.,
Country Style Development Company of No. Arlington,
Country Style Donuts Development Co., Inc.,
County Home Improvements,
Courtland Electronics, Inc.,
Covi Car Imports, Inc.,
Cowies Game Farm,
Cozwill Realty Co.,
Cozy Brook Inn, Inc.,
Cozy Circle, Inc.,
Cozy Coats, Inc.,
Craftsmen, Inc.,
Cranfield Builders, Inc.,
Cranwood Auto Sales, Inc.,
Crater Lodge, Inc.,
C. Raymond Brooks Company,
Creations Unlimited, Inc.,
Creative Costumes by Eva, Inc.,
Creative of East Orange, Inc.,
Creative Marketing Corporation,
Crescent Hdwe, Inc.,
The Crest,
Crest Homes Co.,
Crestwood Builders, Inc.,

Crestwood Terrace Corporation,
Cris Crespo Construction Co., Inc.,
C. R. Mc Allister, Inc.,
Croneckers, Incorporated,
Cross Bridge Towers, Inc.,
Cross Keys Fence & Wood Products, Inc.,
Crosstown Super Markets, Inc.,
Crown Drive In, Inc.,
Crown Jewels, Inc.,
Crown Manufacturing Corp.,
Crown Rambler, Inc.,
Cruger Associates,
Cruise Quarters,
Crusaders Sport Centre, Inc.,
Crystal Essence Corporation,
Crystal Laundry Co., Inc.,
Crystal Wholesale Stationers, Inc.,
C & S Corporation,
Cubana, Inc.,
Cube Vending Corp.,
Culleny & Caccese, Inc.,
Cuneo Zaris, Inc.,
Cunningham Lumber Sales, Inc.,
Curcio Homes, Inc.,
Curtis Aluminum Products, Inc.,
Custom Building Sales,
Custom Craft Cabinets, Inc.,
Custom Knitted Cuff Co., Inc.,
Custom Printing, Inc.,
C V and G Associates,
Cynthia Coat Co., Inc.,

Daadwick Company, Inc.,
Dailey's Furniture Refinishing, Inc.,
Dair Realty Corp.,
Dairy Deliveries, Inc.,
Dairy Truck Rental, Inc.,
Dajo Realty Co.,
D & A Knitting Mill, Inc.,
Dallcran Realty Company,
Danbar Properties, Inc.,
Danbill Corporation,
Dan Healy's Silver Saddle,

Daniel Home Builders, Inc.,
Daniel O. Bavelaar, Inc.,
Daniel Speare Corporation,
D Anna Construction, Inc.,
Dan's American Service Center, Inc.,
Danzis Wine & Liquor Company,
Dare Construction Co.,
Darling Plainfield Corp.,
Darling Shops, Inc.,
Darlington, Inc.,
Da Sal Construction Co., Inc.,
Datamation, Inc.,
Dauntless, Inc.,
Dava Corp.,
Davaug Corporation,
Dave Bern Realty Co.,
Davis Delli, Inc.,
Davlu, Inc.,
D & B Co., Inc.,
DBN Transportation Company,
Deal Hotel Corp.,
Dean Adjustment Bureau,
Dean Gary, Inc.,
Dean Van Lines of Greater New York,
Deco Ray Interiors, Inc.,
DeeJay Corporation,
Dee Kay Specialties Company,
Deer Hill Realty, Inc.,
De Falco Oil Service, Inc.,
De Franco Real Estate,
Dehydrated Products Corp.,
Delaware Institute for Speech, Hearing and Child Development, Inc.,
Delaware Interstate Express Company,
Delaware Valley Marine Salvage Co.,
Delbros Building Corporation,
DEL Corp.,
Delford Builders, Inc.,
Delilah Tavern, Inc.,
Dell Agency,
Delmar Builders, Inc.,
Del Mar Dress Company,
Delmarve Construction Co., Inc.,

Del Monte Holding Co.,
Delray Truck Rental, Inc.,
Delsea Drive Realty Co.,
Delta Advertising, Inc.,
Delta Transport,
Del Tone's Holiday Inn,
Delton Page Company,
Del Val Launderama Co.,
Del View Construction Co., Inc.,
Del Vue Homes in Bordentown, Inc.,
Delwood Recreation, Inc.,
Dencoa, Inc.,
Denise Homes, Inc.,
Denise Sportswear, Inc.,
Dennis Equipment Service Corp.,
The Depot,
Derby Devices, Inc.,
Desi Holding Co.,
Desto Recording Co., Inc.,
Deubro's Corporation,
De Vito Realty Co.,
Devon Homes,
Devonshire Enterprises, Inc.,
Deyo Associates, Inc.,
D G Bus Company, Inc.,
DHS Corp.,
Dial A Car Rental Systems, Inc.,
Dial A Sale, Inc.,
Diamond Beach at Wildwood Crest,
Diane Corporation,
Diane Embroidery Co., Inc.,
Diana Realty Company,
Diatronics, Inc.,
Dickel Roofing Company,
Dickens Realty Corporation,
Dimar Builders, Inc.,
Dimensional Laminates, Inc.,
Dino Home Builders, Inc.,
Di Pippo, Inc.,
Diplomat, Inc., No. 11,
Directory Publishing Corp.,
Direct Sales Co.,
Discount Derby,

Displaymasters of New Jersey, Inc.,
The Distinguished Home Sales Company, Incorporated,
Diversified Automotive Enterprises, Incorporated,
Diversified Planning, Inc.,
Diversified Supply Co.,
D. J. Del Pizzo, Jr., Inc.,
D. J. Van Blake Painter and Decorator, Inc.,
D & L Electrical Contractors, Inc.,
D & M Builders, Inc.,
D & M Investment, Inc.,
DMJ Truck Leasing, Inc.,
DML Corporation,
DMT Corporation,
Do All Paint Spray and Baking Corp.,
Doctors Associates, Inc.,
Doctors Memorial Hospital, Inc.,
Does Corporation,
Dolb Tank and Pump Corporation,
Dolfi and Boscia Corporation,
Dollings Meat Town, Inc.,
Dolly's, Inc.,
Domestic Heating and Air Conditioning, Inc.,
Domestic Securities Co., Inc.,
Dominick Amicucci, Inc.,
Dominic O'Brien, Inc.,
Donahue Keller Agency,
Donald A. Chick, Inc.,
Don Gardner Enterprises, Inc.,
Donlon Corp.,
Donlyn, Inc.,
Donna Lee Building Corporation,
Donnelly Enterprises, Inc.,
Donnys, Inc.,
Don and Ron, Inc.,
Don's Supreme Amoco Service,
Donven Realty, Inc.,
Dorad's, Inc.,
Dorel Electronics Corp.,
Do Re Me Garage, Inc.,
Dorine Sales Co., Inc.,
Doris Madias, Inc.,
Dorn Appliance Co.,

Dorothy Hale, Inc.,
Dorset Construction Company,
Douglas Hotel Corp.,
Douglas Operating Corp.,
Dovel Corp.,
Dover Boiler & Plate Fabricators, Inc.,
Dover Inn,
Dowco Builders, Inc.,
Dowd, Incorporated,
DPJ Company, Inc.,
Drapar Co.,
Draperies, Incorporated,
Driftwood Inn, Inc.,
D S & W Engineering Co.,
Dubarry Associates,
Dubil Manfacturing, Inc.,
Dublin and Bohn, Inc.,
Dublin House, Inc.,
Du Bris, Inc.,
Duby's Department Store, Inc.,
Dudnick Wildwood, Inc.,
Dugan Electrical Co., Inc.,
Duke, Inc.,
Dukes Realty Corporation,
Du Mar Const. Corp.,
Dumont Physicians & Surgeons Exchange, Inc.,
Dunbarton Oaks, Inc.,
Dunfield Princeton Auto Parts,
Dunker Construction Company, Inc.,
Dunlap Builders, Inc.,
Dunlee Corp,
Dunwell Products Sales Company,
Dur A Ble Services, Inc.,
Duro Tech Manufacturing Co., Inc.,
Dutch Mill Tavern, Inc.,
Dutton & Co., Inc.,
DVM Investment Co.,
Dwellcraft Builders, Inc.,
DW Provisions, Inc.,
Dynagencies Club, Inc.,
Dynamic Promotions, Inc.,
Dynamic Sales, Inc.,

East Coast Ground Fisheries, Inc.,
East Coast Home Building Corporation,
East Coast Tire Company, Inc.,
East Coast Truck Rentals, Inc.,
Eastern Advertising Associates, Inc.,
Eastern Beef Co., Inc.,
Eastern Bus Lines, Inc.,
Eastern Clothiers 22, Inc.,
Eastern Dustronic Corporation,
Eastern Enterprises Unlimited, Inc.,
Eastern Handicaps, Inc.,
Eastern Nu Matic Nailer, Inc.,
Eastern Piping Contractors, Inc.,
Eastern Plastics, Inc.,
Eastern Produce & Tomato Co.,
Eastern Research Corporation,
Eastern Risk Inspection Bureau,
Eastern Stud Corp.,
Eastern Transportation Co., Inc.,
Eaton Construction Company,
Eaton Residence Improvement Company,
E. Babeth Co., Inc.,
E & B Builders, Inc.,
Eberhart Advertising Co.,
ECO, Incorporated,
Econobus Airport Service,
Economy Auto Painting of Newark, Inc.,
Economy Chevrolet, Inc.,
Economy Furniture & Appliance Co.,
Eddie Gillen Aquatics, Inc.,
Eddy Green, Inc.,
Edelman Bros. Baking Co., Inc.,
Edgemont Picnic Grove,
Edgewater Quilting Co.,
Edgewater Roofing Co., Inc.,
Edgewood Company,
Edie Realty Co., Inc.,
Edison Village, Inc.,
Edison Woodworking Co., Inc.,
Edmoe Builders, Inc.,
Ed & Pat Last Stop Tavern, Inc.,
Edsal Corp.,
Ed Sweeney Co.,

Edward Martin Associates, Inc.,
Edward Moeller, Inc.,
E. Franklin Electric Co., Inc.,
E & H Holding Company,
18 Franklin Place Corp.,
18 Osborne Terrace Holding Co.,
8-16 West Market St. Corp.,
83 Frelinghuysen, Inc.,
Eileen Dress Company,
Eil Mar Corp.,
Eitel Corp.,
Elbar Realty,
Elco Distributors, Inc.,
Elco Machine and Manufacturing Company of Camden, N. J.,
Elcon Electric Supply Company, Inc.,
Eldo Electrical Co., Inc.,
The Eldorado Swim Club, Inc.,
Electro Bonding Corp.,
Electronic Billine Corporation of Edison,
Electronic Filament Weld Corp.,
Electronic Industries, Inc.,
Electronic Manufacturers Representatives, Inc.,
Electronic Solvents, Inc.,
Elena Construction Corporation,
1178 Holding Corporation,
1122-1124—72nd St., Inc.,
E. L. Hofman Agency, Inc.,
Elias Drazin, Inc.,
Elias Embroidery Co., Inc.,
Eli Corp.,
Elidomore, Inc.,
Eliminex, Inc.,
Eliot Roberts & Co., Inc.,
Elite Kitchens,
Elizabeth Homes, Inc.,
Elizabeth Tool and Die, Inc.,
Eljay Coat, Inc.,
Elldee Construction Co., Inc.,
Elmtree Farms, Inc.,
Elmwood Delicatessen, Inc.,
Elmwood Development Corporation,
Elmwood Homes, Inc.,

Elmwood Knolls, Inc.,
Elna Corp.,
Elvin Hallander & Associates, Inc.,
Elvin's Construction Co., Inc.,
Embassy Transportation Co.,
Embroidery Unlimited, Inc.,
E & M Diners, Inc.,
Emell Company, Inc.,
Emerson Garden Electric Co., Inc.,
Emerson Industries Corp.,
Emerson X-Ray Solutions,
Emert Truck Leasing Corp.,
Emesdee Development Corp.,
Empire Bar, Inc.,
Empire Battery and Tire Company,
Empire Brokers, Inc.,
Empire Investment Corp.,
Empol's Restaurant, Inc.,
The Emporium, Inc., of Elizabeth, New Jersey,
Engelhorn Beef Co.,
Engelhorn Casing Co., Inc.,
Engelhorn Products Distributors, Inc.,
Engineered Electronic Products Co.,
Engineered Systems, Inc.,
Engine Terminal Restaurant, Inc.,
Englewood Cleaning Contractors, Inc.,
Englewood Electric & Refrigeration Co., Inc.,
Enrico Construction Company,
Ensign Distributing Corporation,
Eornom Corporation,
E. Park Street of Newark, Inc.,
Equitable Manufacturing Co., Inc.,
Equity Investment Corp.,
Erb Vans & Sons, Inc.,
Erdon, Inc.,
E. R. Julian, Inc.,
Ernest Howard, Inc.,
Ernie Kaye Sportswear, Inc.,
Ernil Co., Inc.,
Esal Realty Corporation,
Esco Manufacturing Co., Inc.,
E & S Construction Co., Inc.,
Esener Finishers, Inc.,

Esoldi Construction Co., Inc.,
Ess & Cee Decorating and Paperhanging Corp.,
Essential Services, Inc.,
Essex Heights Plaza,
Essex Products, Inc.,
Esti, Inc.,
Estil's, Inc.,
Eternal Art Memorials,
Eugene Holding Company,
Eugene Murray Construction Corp.,
Euleen Corp.,
Evelyn's Luncheonette,
Evergreen Gardens, Inc.,
Everhild Corp.,
E. Vetter Construction, Inc.,
EW Associates, Inc.,
Excel Hardwood Flooring Corp.,
Excel Label Co. of N. J., Inc.,
Excell Cleaners, Inc.,
Excelsior Sheeplined Coat Co.,
Exceram Incorporated,
The Executives, Inc.,
Expanding Enterprises, Inc.,
E Z Bowling Lanes,
E Z Fleeton Cabs, Inc.,

Fabian's Television Service, Inc.,
Fabric Buyers Association,
Fab's, Inc.,
Fackler Road Corporation,
Factory Supply Company,
Fair Lady, Inc.,
Fairmount Building & Construction Co., Inc.,
Fairmount Laundry, Inc.,
Fairview Dairy,
Fairview Knolls Homes, Inc.,
Fairway Motors, Inc.,
Fairways Recreation, Inc.,
Falab, Inc.,
Falcap Corporation,
Falcon Air Freight, Inc.,
Falcon T V & Radio Appliance,
Realty Co., Inc.,

Fallon Enterprises, Inc.,
Falls View Grill,
Fame Products Co.,
The Family Heritage Club
Family Improvements, Inc.,
The Family Institute, Inc.,
Family Sporting Goods Corporation,
Fano Realty, Inc.,
Faragut Realty Co.,
Farhy Realty Associates, Inc.,
Farmers' Feed Supply Co.,
Farmer's Thriftway Market, Inc.,
Farmingdale Supermarket,
Farnsworth Realty Company, Inc.,
Farrar & Cappa, Inc.,
Farrington Park,
Farven Corp.,
Faulkola Realty Co., Inc.,
Favorite Landscapers, Inc.,
F C I,
F C S, Inc.,
F. D. Curcio, Inc.,
Feather & Shell, Inc.,
Federal Cleaners & Dyers, Inc.,
Federated Clearance Bureau,
Fel Electronics, Inc.,
Fenners' Tire Shop, Inc.,
Fernsler Hearing Center, Inc.,
Ferranolo Bldrs., Inc.,
Ffogirp Corporation,
FFW Developers, Inc.,
Fiberglass Pool and Chemicals, Inc.,
Fiedler Enterprises, Inc.,
Fieldboro Realty Corporation,
Fielding Associates, Inc.,
Fifth Ave. Delicatessen, Inc.,
Fifth Street Corp.,
58-60 Carmer Avenue Corporation
55 Lentz Ave. Corp.,
Filmways, Inc.,
Filters, Inc.,
Fina Construction Corp.,
Finest Food Distributors, Inc.,

Fine Toy Corp.,
Finnegan's 420, Inc.,
Finne, Inc.,
Finn's Trailer Sales, Inc.,
Finver's Bungalow Colony,
Fiory Corporation,
Firenzi Footwear, Inc.,
First Financial Corporation,
First Garden State Realty Co.,
First of Newark Corporation,
Fisher Smelting & Refining Corp.,
Fisk Tire Service, Inc.,
Fit Rite, Inc., Paterson,
515 Mt. Prospect Corp.,
555 Mt. Prospect Corp.,
599 Cab Corp.,
579 Bergenline Avenue Corporation
570 Taxi Co.,
563-5 Clinton Avenue Corp.,
528 Morris Ave. Corp.,
502 Cab Corporation, Inc.,
Five Points Realty,
Five Star Marine Corporation,
Fixed Cost Company, Inc.,
F. J. Levitzki & Sons, Inc.,
F & J Men's Shop, Inc.,
F & K Restaurant, Inc.,
Flagler Shoe Center, Inc.,
Fletcher Realty Co.,
Flint Cleaners,
Flite Deck Restaurants, Inc.,
Flo-Ette Corp.,
Flonat Realty Corp.,
Floor Coverings, Inc.,
Florists' Gardens, Inc.,
Flowerlane, Inc.,
Floyd Clayton Ship Yard, Inc.,
The Flying Dutchmen Trampoline Sales and Jump Center, Inc.,
F & N Television Service, Inc.,
Folber Plastic Co.,
Ford Acceptance Corporation,
Ford Carton Co., Inc.,

Ford Central Listing Co., Inc.,
Forden Tire Service, Inc.,
Fords Copy Service,
Fords Hobby Center, Inc.,
Foreign Cars of Somerset, Inc.,
Foreign Investments for South America, Inc.,
Foreign Operations, Ltd.,
Forest Brook Builders, Inc.,
Forest Hill Investment Co., Inc.,
Formulyte, Inc.,
Fortaro Associates, Inc.,
Fort Dix Speedway, Inc.,
Fort Lee Knitting Mills, Inc.,
48 States Trucking Co., Inc.,
Foto Roid, Inc.,
Foto Video Electronics, Inc.,
Fountain Fabrics, Inc.,
Fountain Lawn Development Co., Inc.,
Four Fellows, Inc.,
449 Corporation,
413 Cab Corporation, Inc.,
Four Seasons, Inc.,
FPR Company, Inc.,
FP Village Card Shop,
Fragile Trucking, Inc.,
Francamp, Inc.,
Francel Sportswear, Inc.,
Francesca Realty Co.,
Francis L. Brown Associates, Inc.,
Fran Dean Import & Export Corp.,
Frangene General Supply, Inc.,
Fran Jo Corporation,
Frank A. Giogianni & Associates, Inc.,
Frank Barbera Seafood Co.,
Frank Barrett Services, Inc.,
Frank Domenick & Co.,
Frank G. Donnelly, Inc.,
Frank J. Vavrinec & Sons, Inc.,
Frankleen Construction Corp.,
Franklin Avenue Realty Corporation,
Franklin Bindery, Inc.,
Franklin Bros. Construction Corp.,
Franklin Park TV & Appliance Center, Inc.,

Frank Naples & Sons, Inc.,
Frank & Rick's, Inc.,
Frank's Shoes, Inc.,
Franrose Company,
F & R Company, Inc.,
Frederick O. Mitchell, Inc.,
Fred Guidera Plastering Contractor, Inc.,
Freedom Restaurant, Inc.,
Free Heat Company,
Freer & Smith, Inc.,
Freeway Equipment Co.,
Free Way Estates, Inc.,
Freezer Foods, Inc.,
Freezer Fresh Mobile Units,
Fresh Foods Company,
Fridmont Construction, Inc.,
Friedman Button Co., Inc.,
Friel and Gushin, Inc.,
Frisina Contractors, Inc.,
FS Johns & Co., Inc.,
Fuller Heating & Maintenance Corp.,
Fulmar Foods,
Fulton Amusement Corporation,
Furniture Credit Associates, Inc.,
Furniture & Equipment Representatives, Inc.,
Furtak's Hardware & Electrical Store, Inc.,
F & W Farms, Inc.,
FX of New Jersey, Inc.,

Gabor's, Inc.,
Gaeta Bros. Furniture, Inc.,
Galaxy Plastics, Inc.,
Gallagher Moving & Storage, Inc.,
Gallanter Bros. Distributing Co., Inc.,
Galrick Hall, Inc.,
Garden Garage of Bayonne, Inc.,
Garden State Abstract Co.,
Garden State Auto Body Service, Inc.,
Garden State Bench Advertising Corporation,
Garden State Clinical Laboratories, Inc.,
Garden State Electronic Supply Co., Inc.,
Garden State Fireworks Display, Inc.,
Garden State Fruit and Juice Company,

Garden State Import Co.,
Garden State Land Reclamation, Inc.,
Garden State Lanes, Inc.,
Garden State Remodeling & Construction Co., Inc.,
Garfield & Passaic Transit Co.,
Garland Wall Paper Co., Inc.,
Garretson Company,
Gasarc Welding Sales Co.,
Gaslight Restaurants Ltd.,
Gateway Truck Stop, Inc.,
Gay More Cleaners, Inc.,
The Gayty, Inc.,
G & B Construction Co., Inc.,
G & B Laudromat, Inc.,
GCE Restaurant, Inc.,
G & D Crafts, Inc.,
G & D Trucking Company,
Gevee Realty Co.,
Gejo, Inc.,
Geleen Development Corp., Inc.,
Gellens Construction & Supply Corp.,
Geller Clothes Corp.,
Gema Corp.,
Gem Associates, Inc.,
Gem Bounce Center, Inc.,
Gem Tavern, Inc.,
Gened Contractors,
General Agencies, Inc.,
General Apparel Corp.,
General Automatic Foods, Inc.,
General Computer Electronics Corp.,
General Concentrates Corporation,
General Disposal Corp.,
General Distributors, Inc.,
General Electronics Designers, Inc.,
General Manufacturing Corp.,
General Salvage Corp.,
General Sprayers, Inc.,
General Wood & Display Products Co., Inc.,
General Zig Zag Co., Inc.,
Gene's Motel,
Gene Spencer Shops, Inc.,
Genetic Electronics, Inc.,

Gennaro Ferrante, Inc.,
Gensal Corp.,
George Conover, Inc.,
George D. Murdock & Company, Inc.,
George Duachek, Inc.,
George E. Aubin & Son,
The George E. Fredericks Company, Inc.,
George F. Walsh Publishing Company, Inc.,
George & Nickitas Corporation, Inc.,
George Plumbing & Heating Corp.,
George R. Stoddard, Inc.,
George's Automotive Service, Inc.,
Geo. Schruffer & Co., Realtors,
George's and Fred's Flying A Service, Inc.,
George Slade, Inc.,
George Young Company,
Gepeto Export Corp.,
Gerald A. Carr, Inc.,
Gerar Realty Co.,
Gerber's Gift Shop,
Gerflo Company,
The Geri Company, Inc.,
Gerity's Tryon Esso Servicenter, Inc.,
Ger Mar Co., Inc.,
Gertner Agency, Inc.,
Gertrude Holding Co., Inc.,
Gettler Contracting Company, Inc.,
G & F Service Corp.,
G & F Sheet Metal, Inc.,
GFT Contractors, Inc.,
G & G Sales Corp.,
G and G Stores, Inc.,
G & H Donut Corp.,
G & H Gift Shop, Inc.,
G & H Liquors, Inc.,
GHM Holding Co.,
Giancaspro Realty Co.,
Gigi Cosmetics, Inc.,
Gilbert Pharmaceutical & Chemical Laboratories, Inc.,
Gilco, Inc.,
Gil Pas, Inc.,
The Gingham, Inc.,

Gino Di Grandi Associates, U. S. A.,
Giroux Motor Co.,
G. K. Grand Stores, Inc.,
Glama Rama Corporation,
Glamour Fashions, Inc.,
Glassboro Estates, Inc.,
Glasscrete South Jersey Vault Works,
Gleam Corp.,
Glenbrook Corporation,
Glen Collection Bureau,
Glen Echo Realty Company,
Glen Mawr Homes, Inc.,
Glen Ridge, Inc.,
Glen Sewing Center, Inc.,
Glenwood Manor, Inc.,
GLK, Inc.,
Gloria Florist Shop, Inc.,
GNL Contractors & Builders, Inc.,
Godin & Luttman Construction Co., Inc.,
Goglia Realty Co.,
Golden Age Associates, Inc.,
The Golden Comb,
Gold Key,
Goldman & Hymowitz, Inc.,
Goldmill Builders, Inc.,
Gold Tempco Corporation,
Golf Bowl Arena, Inc.,
Gomez & Co.,
Goodluck Harbor Corp.,
Gordon Floral Co., Inc.,
Gordon's Bar-B-Que,
Gottlieb & Halpern Builders, Inc.,
Gould Farms, Inc.,
Gourmet Coffee Shop,
GP Equipment, Inc.,
GQ Agency, Inc.,
The Grab Bag, Inc.,
Grace Jane Co.,
Grail Inn, Inc.,
Gramercy Construction Corp.,
Granco Sales Corp.,
Grandco, Inc.,
Grande Food Products, Inc.,

Grand Hotel of Hoboken,
Grand Irving Corporation,
Granita Investment Corp.,
Granta American Corporation,
Grant Bake Shop, Inc.,
Grant Construction Corp.,
Grant Drug Co., Inc.,
Grant Park Builders,
Grant Printing Corporation,
Grant's Nut Shop,
Graycee Cosmetique Newark,
Graycee Cosmestique Plaza,
Gray Rock, Inc.,
Grayway Precision, Inc.,
G Realty Co., Inc.,
Great Eastern Mills, Inc.,
Great Palisade Realty, Inc.,
Greelex Corp.,
Greenbrook Fence Company, Inc.,
Greenbrook Land Corp.,
Greenleigh Manor, Inc.,
Greenville Coal and Oil Company No. 2,
Greenville Woodcraft, Inc.,
Greenwood Lake Shores, Inc.,
Gregorius Vitamins, Inc.,
Gregory Estates, Inc.,
Gregory Holding Corporation,
Greyson Builders, Inc.,
GRG Corp.,
Grimes Realty Corporation,
Groblue Mfrs. Retail Outlet,
Groeng Corporation,
Gro Fast Chemicals, Inc.,
Groff Corporation,
Grofo Realty Co.,
Grom Realty Corp.,
Gropp Health Studios of Camden, N. J.,
Group Investors,
Grove Towers, Inc.,
Gruber Florist, Inc.,
GRW, Inc.,
Guaranteed Trucking, Inc.,
Guardian Commercial Appliance Service Center, Inc.,

Guerra Embroidery Corp.,
Guild of New Jersey Liquor Merchants,
Guild Park, Inc.,
Gusro Realty Corp.,
Guta Embroidery Corp.,
Gutman Building Supplies, Inc.,
GVL, Inc.,
G & W Contracting Co., Inc.,
G. Wm. Shannon, Inc.,

Haarde & Whelan, Inc.,
Habco, Inc.,
Hackensack Auto Body Co.,
Hackensack Hotel, Inc.,
Hackensack Lathing Co.,
Hackettstown Cleaners,
Hackwood Protective Agency, Inc.,
Haco Building Corp.,
Haco Construction Corp.,
Haco, Inc.,
Hadley Sheet Metal Co., Inc.,
Hael Corp.,
Hage Realty Enterprises Corporation,
Hal Cunningham, Inc.,
Half Way Inn, Inc.,
Halifax Construction Company,
Hal Kia, Inc.,
Halladay Realty Co., Inc.,
Hall Linoleum Co.,
Hallmark Creations, Inc.,
Hallmark Electronic Corp.,
Halmarv Corp.,
Halsey Hill Parking, Inc.,
Halsey Parking, Inc.,
Halsted Automotive, Inc.,
Hamburger Train of Elizabeth, Inc.,
Hame Associates, Inc.,
Hamilton Arms Realty Corp.,
Hamilton Industrial Corp.,
Hamilton 1-Hr. Dry Cleaners,
Hamilton Publishing Corp.,
Hamilton Sewerage Company,
Hamilton Square Music Center and Studios, Inc.,

Hamma Holding Company,
Hammonton Grain Co.,
Hamorco,
Hampton Marine Company, Inc.,
Hampton Underwriters, Inc.,
Handy Enterprises, Inc.,
Handy Man Building Supply Co.,
Handy Man Home Services, Inc.,
The Handy Man Shoppe, Inc.,
Haney's Gulf Service Station, Inc.,
Hanover Greens Water Company,
Hanover Homes, Inc.,
Hanover Nursery, Inc.,
Hanover Pony Farm, Inc.,
Hansen Associates, Inc.,
Hanson Brothers, Inc.,
Happy Tot Shoe Corporation
Harbas, Inc.,
Harbor View Realty Co.,
Hargrave Laboratories, Inc.,
Har Lieb Company, Inc.,
Harlive Co., Inc.,
Harmon Lumber Products, Inc.,
Harmony Holding Corporation,
Harmony Pullet Farms, Inc.,
Harrison Clock and Suit Co., Inc.,
Harrison Contracting Company,
Harrop Chemical Company,
Harry A. Kearney & Co.,
Harry & Al's Liquor & Bar, Inc.,
Harry Himmel, Inc.,
Harry L. Dubois, Inc.,
The Harry Pearl Corporation
Harry Tollin Furniture Decorators,
Har Sar Co., Inc.,
Harter Laboratories, Inc.,
Hartman Holding Company,
Harvey Cedars Tavern, Inc.,
Hasbro Enterprises, Inc.,
Haskell Frocks, Inc.,
Haskell Shares, Inc.,
Hastings Construction, Inc.,
Hausner Trading Corp.,

Have Money We'll Travel, Inc.,
The Haven Beach Motel,
Hayes Circle Motors, Inc.,
Hazen Everett Company, Inc.,
Hazlet Associates, Incorporated,
The Hazlet Beacon, Inc.,
H & B Shop, Inc.,
H. C. Sherman, Inc.,
The Headmaster Company,
Heather Excavating, Inc.,
Heck Realty, Inc.,
Hegari, Inc.,
Heggland Flooring Company, Inc.,
Heiker Construction Corp.,
The Heinzer Company, Inc.,
Heirloom Reproductions Corporation,
Helcar Corporation,
Helena Donuts, Inc.,
Helen Construction Corp.,
Helene Adair, Inc.,
Helen Milosy, Inc.,
Heliopolis, Inc.,
Hellenic Food Products,
Hel-Lens Dress Shop, Inc.,
Hena Realty Corp.,
Hendrickson's Corner, Inc.,
Henk Associates, Inc.,
Henlee Realty Corp.,
Henry Carl, Inc.,
Henry Weissmann, Your Florist, Inc.,
Hensco, Inc.,
Hensgen Bros., Inc.,
Herbertsville Nursing Home, Inc.,
Heritage Realty and Construction Company,
Herrman Builders, Inc.,
Hertz Washmobile System,
Hesh Steinberg, Inc.,
Het Leasing Co., Inc.,
Hexagon Realty Corp.,
The Hex Pix People, Inc.,
H. F. Vanderbeck, Inc.,
H. H. Friele Construction Co., Inc.,
Hibbo's Tavern, Inc.,

Hickok, McDougall & O'Neill,
Hi Del, Inc.,
Hi Dipper, Inc.,
Higgins Candies, Inc.,
Highland Avenue Corporation,
Highland Hills, Inc.,
The Highlands of Morris County No. 3, Inc.,
High Polymers, Inc.,
High Q, Inc.,
High Ridge Corporation,
Highway Forty Six Corporation,
Hi Grade Waste, Inc.,
Hi Hat Restaurant, Inc.,
Hi Ho Liquors, Inc.,
Hildan Corporation,
Hillcrest Excavating Contractors, Inc.,
Hillcrest Restaurant, Inc.,
Hill Realty Co., Inc.,
Hillside, Estates, Inc.,
Hillside Homes of Clifton,
Hillside Launderette, Inc.,
Hilltop Machine Co., Inc.,
Hilltop Sinclair Service, Inc.,
Hilton Revere Corporation,
Hinman & Doland, Inc.,
Hi Park Distributors, Inc.,
Hi Quality Tube Co., Inc.,
Hirl Corp.,
Hirshman & Krawitz,
Hiview Homes, Inc.,
Hi Way Recreation, Inc.,
H & K Fur Co., Inc.,
HMB, Inc.,
H. M. Fehlhaber & Son,
HMK, Inc.,
HML Shoppers, Inc.,
H and N Painting Corp.,
Hoboken Banana Corporation,
Hoboken Camera Center, Inc.,
Hob Realty, Inc.,
Hodges Chevrolet, Inc.,
Ho Fa, Inc.,
Hogar, Inc.,

Holbrook's Machine Shop, Inc.,
Hollander Abeles Realty Corporation,
Hollander Associates,
Holland Grill, Inc.,
Holland Welsh International Gift Corp.,
Holliday's,
Holly Bowl, Inc.,
Hollybrook Construction Corp.,
Hollybrook Home Builders, Inc.,
Holly Hills Drive In Restaurant,
Homack Corporation,
Homadent, Inc.,
Home Center, Inc.,
The Homecraft Co., Inc.,
Home Owners Equipment Company,
Home Plate, Inc.,
Home Research Associates, Inc.,
Homerite Construction Co.,
Homer Tile Co., Inc.,
Homes By Hamilton, Inc.,
Homestead Produce Co.,
Homestyle Industries, Inc.,
Homework, Inc.,
Hong Kong Electronics,
Hopatcong Custom Builders, Inc.,
Hop Soon Farms, Inc.,
Horan Auto Supply Co., Inc.,
Horizon Developers, Inc.,
Horswell Corp.,
Horules Realty Corp.,
Hostess Kitchens, Inc.,
Host Publications, Inc.,
Hotel Aval, Inc.,
Hotel Charles,
Hotel Congress, Inc.,
Hotel Scott of Newark, N. J.,
Household Products, Inc.,
House of Paint, Inc.,
The House of Paulas,
Housewares World of Lodi, Inc.,
House of Wood Mfg. Co.,
Howard, Inc.,
Howell Distributing Co., Inc.,

Howie Corporation,
Howlite Construction Co., Inc.,
Howlyn Construction Co., Inc.,
Hoyle's Delivery Service, Inc.,
Hoyt Electronics, Inc.,
HP, Inc.,
H & R Automotive Service, Inc.,
HRS Truck Repairs, Inc.,
Hrubec Motors, Inc.,
HSB Holding Corp.,
H & S Enterprises, Inc.,
H. S. Schimmel, Inc.,
H. Tuttle Construction Co., Inc.,
Hub Bar,
Hub Hardware, Inc.,
The Hub Terminal,
Hudson Blon D Bottlers, Inc.,
Hudson Building Company,
Hudson Chemical Corp.,
Hudson Electronics Co. of New Jersey, Inc.,
Hudson Factoring Corporation,
Hudson Gardens, Inc.,
Hudson Stores,
Hudson Valley Investment Co.,
Huff's Auto Body, Inc.,
Hughes Electrical Contractors, Inc.,
Hulow, Inc.,
Hummel Love, Inc.,
Hunterdon Realty, Inc.,
Hunter Garages & Homes, Inc.,
Hurley Weave Shop, Inc.,
Hutt's Motors, Inc.,
H. W. Blum, Inc.,
H. W. Hintze Tire Co., Inc.,
H. W. Schuler Associates,
Hydrocarbon Development & Construction Co.,
Hydro Chem & Research, Inc.,
Hydro Industrial Construction Co.,
Hygeia Products Co., Inc.,

The Ice Cream Box,
I. David Advertising Display, Inc.,
Ideal Car Defroster, Inc.,

Ideal Community Homes, Inc.,
Ideal Floor Covering Co., Inc.,
Ideal H 3 W of N. J.,
Ideal Transport, Inc.,
I. E. Hertz Associates, Inc.,
IGS Holding Company, Inc.,
IK Realty Co., Inc.,
Imhof Packing Co., Inc.,
Imperial Curb & Sidewalk Co., Inc.,
Imperial Elevator Company,
Imperial Enterprises, Inc.,
Imperial Homes Building Company of Morris County,
Imperial Mfg. Corporation,
Incao's Aluminum Products, Inc.,
Indian Valley Estates,
Industrial Laminating & Coating Corporation,
Industrial Plating Corporation,
Industrial Publications, Inc.,
Industrial Urban Renewal Corporation of Shrewsbury Township,
Industrial Utilities Corporation,
Industrial Ventures Incorporated,
Industrix, Inc.,
Ingle Fuel, Inc.,
Inland Freight, Inc.,
Instant Crete of North Jersey, Inc.,
Institute of Public Relations, Inc.,
Instrumatic, Inc.,
Instrument Gear Corp.,
Inter Airport Express, Inc.,
Interboro Realty Corporation,
Inter County Mason Contracting, Inc.,
Interiors By Penhill,
International Amusements Corporation,
International Exhibits of Asbury Park, N. J., Inc.,
International Missile & Aircraft Supplies, Inc.,
International Press Corporation,
International R & C Corp.,
International R & C Sales, Inc.,
International Sales Corporation,
International Systems Corp.,
International Trade Services, Ltd.,

International Truck & Trailer Leasing Corp.,
Interstate Plumbing and Heating Co., Inc.,
Interstate Realty Management Corp.,
Interstate Recovery Board,
Interstate Signs and Service, Inc.,
Interstate Tires, Inc.,
Investment Capital Incorporated,
Iona's Restaurant, Inc.,
Ionic Eastern Corp.,
IPI Corporation,
IRA Cleaners, Inc.,
Ira Feinberg Associates,
Ireann Company, Inc.,
Irene Sportwear, Inc.,
Irish Queen, Inc.,
Irving C. Steinberg & Son,
Irv's Round Bar, Inc.,
Island Industries, Inc.,
Island Piling & Bulkhead Co.,
I. Sutton, Inc.,
Ittonic Corp.,
Ivaldi Development Co., Inc.,
Ivins Construction Co., Inc.,
Ivy Cleaners, Inc.,

The Jackfin Co.,
Jack Fineman, Inc.,
Jackson Associates, Inc.,
Jackson Development Corp.,
Jackson Embroidery Co.,
Jackson Outfitters,
Jack Toll, Inc.,
Jacob Bros. Combination Lock Opener, Inc.,
Jacob Rubinoff Employees Association,
Jacobs Manufacturing Company, Inc.,
Jacobson's Ladies Dress, Inc.,
Jacoma Corporation,
Jade of Bergen County, Inc.,
Jade Engraving & Specialties Co., Inc.,
J. Ades & Co., Inc.,
Jaeckel Holding Corporation,
Jalb Foods, Inc.,
Jali, Inc.,

Jalv, Inc.,
Jamard Agency, Inc.,
James A. Brown Agency, Inc.,
James Enterprises,
James F. Mitchell, Inc.,
James J. Currie, Inc.,
James Kane and Company, Inc.,
James Lanza Advertising, Inc.,
James Watson & Co., Inc.,
Jamol Corporation,
Jana Corp.,
Jan Del Realty Corp.,
Janette,
Janette Builders, Inc.,
Janphyl Realty Company,
Janus Development Corporation,
The Janwick Corporation, Inc.,
Jara Builders, Inc.,
Jar Dan Beauty College,
J & A Realty Co., Inc.,
Jarob Distributors, Inc.,
Jaru Corp.,
Jasper Homes, Inc.,
J & A Transport,
Javin, Inc.,
Jay Bee Plumbing & Heating,
Jayco Enterprsies, Inc.,
Jaydon Realty Co., Inc.,
Jaydor Realty Corp.,
Jay Electronic Development Corp.,
Jay Fabricating Corp.,
Jayhawk Builders, Inc.,
Jaylee Construction Co., Inc.,
Jayru Holding, Inc.,
Jaysons Realty Corp.,
Jay Tee Press,
Jayvette Realty Co.,
JBB, Inc.,
JBJ Manufacturing, Inc.,
JBS Interiors, Inc.,
J & B Trucking Company, Inc.,
J. Clair Fabrics, Inc.,
JC Plumbing Supply Co., Inc.,

J. C. White Co., Inc.,
JDP Steel Corporation,
J. D. Ward Clothes, Inc.,
Jea Associates, Inc.,
JED Construction Corporation,
J & E Development, Inc.,
Jeds Coin Operated Cleaners,
Jeel Products, Inc.,
Jeff Day Construction Co.,
Jefferson Acceptance Corporation,
Jefferson Eastern Corp.,
Jefferson Western Corp.,
Jeff of Irvington, Inc.,
Jeffrey's Factory Outlets,
Jemk Company,
Jenilou, Inc.,
Jenny Shops of New Jersey, Inc.,
Jensen & Jensen Builders, Inc.,
Jerger Builders,
Jerland, Inc.,
Jermet Sales Corporation,
Jerome Wolfe, Inc.,
Jerry R. Weiner Associates, Inc.,
Jersey County Corp.,
Jersey General Associates, Inc.,
Jersey Homes, Inc.,
Jersey King Poultry Farms, Inc.,
Jersey Lanes Holding Company, Inc.,
Jersey State Dental Laboratories, Inc.,
Jessay Foods, Inc.,
Jet Acetogen Corp. of N. J.,
Jetco Plas Tec Sales Corp.,
Jet Cutting Corp.,
JFH Enterprises,
J. Finklestein & Co.,
J. Finkelstein & Sons,
J. Gauthier & Son, Inc.,
J & G Oil Company, Inc.,
J. Goldenberg, Inc., 2,
J and H Company,
Jiffy Cleaners and Launderers, Inc.,
Jimmie Fields Trucking,
Jimmie's Frozen Products, Inc.,

Jim Realty Co.,
Jim's Divco Service, Inc.,
Jim's Restaurant, Inc.,
JJA Realty Co.,
J & J Luncheonette, Inc.,
J. J. McCue's Dairy, Inc.,
J & J Printing Service, Inc.,
JK Construction Co.,
J & L Thread & Scallop Cutting Corp.,
J & L Transportation, Inc.,
JMG Automation, Inc.,
J & M Paint and Wallpaper Company, Inc.,
JNC Realty Company,
Joanna Homes, Inc.,
Jo Ann Secretarial Service,
Joan Tann Shops, Inc.,
Jobe Corporation,
Joco Construction Corp.,
Jo Dor Corp.,
Jodor Manufacturing Co., Inc.,
Jo Dunn Corp.,
Joegor Corporation,
Joel Heights, Inc.,
Joe Michaels Dance Studio, Inc.,
Joe's Auto Sales, Inc.,
Joe's Cider Mill, Inc.,
Joey R. Eulo Incorporated,
Jofur Holding Company, Inc.,
Johana Corporation,
Johar Juvenile Corp.,
John F. Bulmer & Sons, Inc.,
John H. Carlo Paper Co., Inc.,
John J. Turteltaub & Son, Inc.,
John Musumeci, Inc.,
Johnny Lyons, Inc.,
Johny's Amoco Service, Inc.,
Johnsen's School of Music, Inc.,
Johnson Auto Body Corporation,
John W. McClean, Inc.,
Jo Jo's Luggage Shop,
Jola Corp.,
Jo Lo Enterprises, Inc.,
Jo Mac Construction Co.,

Jomal Construction Co., Inc.,
Jonathan Place, Inc.,
Jon Lewis, Inc.,
Jopat Contracting Corporation,
The Jo Pol Corporation,
Jordan Homes Inc.,
Jo Sanda, Inc.,
Josann Holding Company,
Joseph F. Murphy, Inc.,
Joseph Ganon Agency,
Joseph H. Mayers, Inc.,
Joseph Oliva,
Joseph P. Walsh, Inc.,
Joseph R. Vicarisi, Inc.,
Joseph's Gift Shops, Inc.,
Joseph S. Kalb Realty Co.,
JPH Co., Inc.,
JRC Construction Company,
JS & A Feinstein, Inc.,
J & S Construction Company,
J Snyder Motor Transportation, Inc.,
J & S Sunbeam Supermarkets,
JT Homes, Inc.,
Jubilee Sales Corporation,
Judmin Realty Co.,
Julie's Inn, Inc.,
Julius Di Renzo, Inc.,
Julius Maier Co., Inc.,
Jumaka Company,
Junior Shop,
Juno, Inc.,
Jupiter Embroidery Works, Inc.,
J & V Drywall Company, Inc.,
JWC Corporation,
J & W Construction Co., Inc.,
JWM Co., Inc.,
JW Sears Co.,

KA Gardner, Inc.,
Kagreen, Inc.,
Kais Bros., Inc.,
Kalman Konstruction Korp.,
Kalor Holding Co.,

Kam Per Trucking Company, Inc.,
Kargo, Inc.,
Karl Heiker, Inc.,
Karli Apartments, Inc.,
Kases, Inc.,
Kasper Bros. & Fleming, Inc.,
Kathy Ess Co., Inc.,
Kaye Camera Exchange, Inc.,
Kay Properties Corp.,
Kayranda Realty Co.,
KC Cola Corporation,
K & D Cranes Rental & Equipment Corp.,
Kearny Alden Corp., Inc.,
Kearny Conservatory of Music, Inc.,
Kearny Construction Co.,
Keel Construction Co., Inc.,
Keepsake Shops,
Keman Warehouse Company,
Kenbridge Company, Inc.,
Kenmart Builders, Inc.,
Kennedy Distributing Co.,
Kenn Optical Mfg. Corp.,
Kenny Painters & Decorators, Inc.,
Kenny Realty Corporation,
Kenol Steel Treating Co.,
Kenrich Realty Co.,
Kent Homes, Inc.,
Kent's Corner,
Kenvil Golden Diner, Inc.,
Kerr's Spot,
The Keyboard Lounge, Inc.,
Key Builders, Inc.,
Keyport Gas Co., Inc.,
Keyport Window Cleaning Co., Inc.,
Key Shoes Corp.,
Keystone Realty Co., Inc.,
KGK Corporation,
K. Hambletonian Spa Corp.,
K and H Contracting Co., Inc.,
Kiehl Corp.,
Kiehn Builders, Inc.,
Kilmer Machinery, Inc.,
King Brand Packing Co., Inc.,

King of Pizza, Inc.,
King & Prince, Inc.,
Kingsland Disposal Co., Inc.,
Kingsley Manor, Inc.,
K & K Model Co.,
K & K Realty Company,
Kleene Sweep Corp.,
Kleiner's Coffee Shoppe, Inc.,
Klein's Delicatessen, Inc.,
Kleinstein Mattress Co.,
Kless Union Diner, Inc.,
Klevens Lock and Glass Co.,
KLM Builders,
K & M Enterprises, Inc.,
KMS Distributing Co.,
Knarr & Richards Certified Shorthand Reporters, Inc.,
Knickerbocker Trucking, Inc.,
Knit Fashions, Inc.,
Knoll Hill Nursing Home,
Knox Laboratories, Inc.,
Koldys, Incorporated,
Kopper Kettle, Inc.,
Kot Corporation,
Kot, Inc.,
Kraft Realty Co., Inc.,
Kramer Aluminum Co.,
Kramer Kasuals, Inc.,
Krason's Bakery, Inc.,
Krautter Electric Machine Co., Inc.,
Kraveen Corp.,
Kreisler Aerospace Corp.,
Krell Studio of Music, Inc.,
Kresson Manufacturing Co., Inc.,
Kuhl Bros., Inc.,
Kulber Sportswear Ltd.,
Kulkaski and Rausch, Inc.,
Kumbaya, Inc.,
Kurinsky Kosher Dressed Poultry,
Kurkian Carpet Cleaners, Inc.,

Labelle Linen and Childrens Wear, Inc.,
Labels, Inc.,

Lad Realty Corp.,
La Farge Operating Company,
Lafer & Grand, Inc.,
Lake & Gardens, Inc.,
Lakeland Oil Heating Service, Inc.,
Lake Shore Golf & Country Club, Inc.,
Lakeshore Inn, Inc.,
Lakeside Building Company,
Lakeside Developing Co.,
Laloun Construction Corporation,
Lamar Trenton Foods, Inc.,
Lamb Development Company,
Lamrad Corporation,
Lanco Construction Company,
Landco, Inc.,
Land and Homes, Inc.,
Landing Motor Express, Inc.,
Landis Auto Service, Inc.,
Lane & Friedman, Inc.,
Lanes of Somerset, Inc.,
Langdell Realty Corporation,
The Langton Keller Co.,
Lankin Construction Corp.,
Laran Corp.,
Larch Construction Co.,
La Re Construction Co., Inc.,
Lari Corp.,
The Larken Corporation,
Larkin Enterprises, Inc.,
Larkin Hardware and Supply Co., Inc.,
Lark Restaurant, Inc.,
Laron Service Company,
Larrabbee Land Corp.,
La Russo Construction Co., Inc.,
Launderama of N. J., Inc.,
Launder Clean, Inc.,
Laundit Corporation,
Laundry Baskets, Inc.,
Laundry & Dry Cleaning Village, Inc.,
Laurel Lodge Club, Inc.,
Laurann, Inc.,
Laurel Holding Company, Inc.,
Laurel's, Inc.,

Laurelton Electric, Inc.,
Lauren Art Products, Inc.,
Laurie Sales Corp.,
Lauter Co.,
Laux & Vealey Construction Co., Inc.,
Lavenir Corporation,
Lavet Enterprises, Inc.,
Lawdon Corp.,
Lawnton Realty Company,
Lawnwood, Inc.,
Lawrence Products Co., Inc.,
Lawrenceville Development Corp.,
Lawrenco, Inc.,
Law Shaw Corporation,
Lawson Shops, Inc.,
Lawton Holding Co.,
Lazy L Marina,
L & B Poultry Farms, Inc.,
L. Coleman Construction Co.,
L & C Tires, Inc.,
L D and B Corporation,
Leach Realty Co.,
Leading Builders, Inc.,
Leading Wholesale Cleaners & Dyers, Inc.,
Lead Pencil Development Corp.,
Lea Jay Builders, Inc.,
Leap N Bounce Corp.,
Lebanon Nursing Home, Inc.,
Le Barry's and Burry's Corp.,
Lechnology, Inc.,
Le Duc Construction Company,
Leed Construction Co., Inc.,
Leeds, Ltd.,
Leesee Tire Corporation,
Legion Motors, Inc.,
Lehigh Research & Chemical Co., Inc.,
Lehman Corporation,
Lehman Realty, Inc.,
Leib Skloot & Co., Inc.,
Leilani, Inc.,
Leisure Products of America, Inc.,
Le Mans, Inc.,
Lemas Contractors, Inc.,

Lenhart & Tomolo Plumbing & Heating Contractors,
Leonard Land Corp.,
Leonard Silk Mills, Inc.,
Leonard's Precision Manufacturing Company,
Leon Freeman, Inc.,
Leonia Delicatessen, Inc.,
Leon Selikoff Company,
Lerac, Inc.,
Leslie Halasz, Inc.,
Leslor, Inc.,
Lester S. Davison, Inc.,
LET Realty Corp.,
Lett's Tavern,
Leuckel Lumber Construction Company, Inc.,
Level Builders, Inc.,
Leviathan Office Machines Distributors, Inc.,
The Levon Corporation,
Lexington Avenue, Inc.,
LF Realty Company, Inc.,
LHL Machine Tool & Die Corp.,
Libby Robbins, Inc.,
Liberty Discount Corporation,
Liberty Oil Company, Inc.,
Liberty Plastics Company, Inc.,
Liberty Restaurant, Inc.,
L & I Coin Cleaning Corporation,
Liebman's Department Store,
Life Time Construction Co.,
Lighthouse Trailer Park, Inc.,
Lighting By De Fina, Inc.,
Linbar Builders, Inc.,
Lin Bar Corp.,
Lin Carol,
Lincoln Laundry Co.,
Lincoln Parking, Inc.,
Linda Motors, Inc.,
Linden House,
Lindenwold Colony Inn,
Lindsay Truck Leasing Corp.,
Lin Mar Builders, Inc.,
Linwood Spa,
Lions 10 Sportsman's Club, Inc.,

Lipton Cleaners, Inc.,
Lipton Manufacturing Company,
Lisa Land Corp.,
Lite Metals Service Company, Inc.,
The Lithium Company,
Little Ambassador, Inc.,
Little Debs, Inc.,
Little Falls Agency, Inc.,
The Little Prince Diner, Inc.,
The Little Shop, Inc.,
Livingston Custom Builders,
Livingston Lanes Corp.,
LJK Industries, Inc.,
LKA Company,
L & L Construction Company,
Lloyd Holding Co.,
Lloyd P. Johnson Co.,
L & M International Co., Inc.,
L & M Motors, Inc.,
LN Homes, Inc.,
Lobel's of Journal Square, Inc.,
Locker Bros. Furniture Co., Inc.,
Locust Poultry Farm, Inc.,
Lodi Dairy, Inc.,
Lodi Value Housewares Co.,
Loelem Enterprises, Inc.,
Lofraja,
Logitron Corporation,
Lombard Mfg. Co., Inc.,
Long Branch Pier, Inc.,
Longchamps Motor Hotel,
Long Electrical Supply Co., Inc.,
Long View Dwellings, Inc.,
Looman Realty Corp.,
Lopin Enterprises, Inc.,
Lorance Construction Company,
Lorbar Realty Corp.,
Lord Adam Lady Eve Products, Inc.,
Lorie Ceremics, Inc.,
Lorraine Bergenline Shop, Inc.,
Lorraine Central Ave. Shop, Inc.,
Lorraine Jersey City Shop, Inc.,
Lorraine Newark Ave. Shop, Inc.,

Lorraine Perth Amboy Shop, Inc.,
Lorraine West New York Shop, Inc.,
Loryan Holding Corp.,
Lou Ann Corporation,
Louisa Estates, Inc.,
Louis Cardo Contracting Company, Inc.,
Louis De Augusta & Son, Inc.,
Louis H. Jon, Inc.,
Louis Walter & Sons, Inc.,
Lou Levin, Inc.,
Lou & Phil Coats, Inc.,
Lou's Service Station, Inc.,
Love, Inc.,
Loveladies Agency, Inc.,
Loveladies Harbor Unit A,
Loveladies Harbor Unit B,
Loveladies Harbor Unit C,
Loveladies Harbor Unit D,
LR Enterprises, Inc.,
Lu Ann Construction Co., Inc.,
Lubco, Inc.,
Lucygrant Corp.,
Lucy Smith Realty Co., Inc.,
Lumar Home Improvement Co., Inc.,
Lurawe, Inc.,
Lutex Corporation,
Lutz Enterprises, Inc.,
Lynch & Wriedt Builders, Inc.,
Lyndell Construction Co., Inc.,
Lynmar Mfg. Co.,
Lynn Landscape Designers,
Lynwood Homes, Inc.,
Lynridge, Inc.,
Lynsam Enterprises,
Lynwood Developers, Inc.,
Lyons Excavators, Inc.,
Lyric Tavern, Inc.,

Mabpoks, Inc.,
Mac Craft Corporation,
Mac Murray Meat Market, Inc.,
Macol Grinding and Repair Co., Inc.,
Madeline Gardens, Inc.,

Made Rite Embroidery Corp.,
The Madison American Publishing Co., Inc.,
Madison Bus Lines, Inc.,
Madison Construction and Supply Co., Inc.,
Madison Pools, Inc.,
Maestro Bros.,
Magazine Service Company, Inc.,
Magna Bond Products, Inc.,
Magnovia Company, Inc.,
Mahwah Polymer Corp.,
Maiden Lane Realty Company,
Maillard Apartments Company,
Mail O Matic, Inc.,
Main Developers, Inc.,
Main Line Transportation Company, Inc.,
Main Sport Center, Inc.,
Main Street Market, Inc.,
Maintenance Services Company,
Majestic Leather Products, Inc.,
Malaga Realty Corp.,
Malcolm Foundry Co., Inc.,
Mal Cop Farms, Inc.,
Malnik, Inc.,
Ma Lo Enterprises, Inc.,
Management Services Associates, Inc.,
Manary Concrete Construction Co., Inc.,
Manger,
Manhattan Building Corporation,
Mankind Home Builders, Inc.,
Manlake Development Corp.,
Manor Sales Co., Inc.,
Manor Steak House, Inc.,
Manser Corporation,
Mansgrove Development Corp.,
Mansgrove Gardens, Inc.,
Mansville, Inc.,
Mantin Corporation,
Manville Dragway, Inc.,
Manzi Diner, Inc.,
Maple Hill Farms, Inc.,
Maple Inn, Inc.,
Maple Leaf Distributing Co.,
Maplewood Motors, Inc.,

Maplewood Plaza,
Mapoz, Inc.,
Marbar Construction Co., Inc.,
Mar Bu Co., Inc.,
Marcar Holding Company, Inc.,
Marcella Shopping Center, Inc.,
Marcell's Motor Express,
Marco Brush Co., Inc.,
Marcon Seat Covers, Inc.,
The Mardi Gras,
The Margarethe Corp.,
Margate Casino, Inc.,
Marglas, Inc.,
Maria Homes, Inc.,
Mari El Enterprises, Inc.,
Marine Architects, Inc.,
Marion Fisher, Inc.,
Maris Modes,
Mari Sue, Inc.,
Marjie Jay Knitwear Corp.,
Markalan Wash and Dry, Inc.,
Marke, Inc.,
Market Investments, Inc.,
Market Leasing Company, Inc.,
Mark Five Associates, Inc.,
Marklane, Inc.,
Markon Corp.,
Markos & Christie, Inc.,
Marlboro Construction Co., Inc.,
Marlesp Co., Inc.,
Marlton One Stop Builders Centre, Inc.,
Marmat, Inc.,
Marmur Trucking Corp.,
Marni Realty Corporation,
Mar Pat Holding Co.,
Marquis Clothing, Inc.,
Marshall Construction Co., Inc.,
Mar Shill Corp.,
Mars Industrial Chemicals, Inc.,
Mars Sporting Goods, Inc.,
Mars Store of Radburn, Inc.,
Marst Realty Corp.,
Mart Development,

Martell'sTerminal Warehouse, Inc.,
Martens Realty Co.,
Martina Corp.,
Martin Burns Menlo Park, Inc.,
Martin Construction,
Marvin Enterprises, Inc.,
Marvin Holding Co., Inc.,
Marwa Construction Corp.,
Maryanski Electronics, Inc.,
Maryland Realty Co., Inc.,
Masco Chemical Company, Inc.,
Master Coats, Inc.,
Master Music Co.,
Matarese Hunting Acres, Inc.,
Matawan Builders Supply, Inc.,
Matawan Motors, Inc.,
Material Damage, Inc.,
Matthews Food Shop,
Max Cohen Plumbing & Heating Co.,
Max Gussow, Inc.,
Max Sherman Trucking Co., Inc.,
Mayfair Pie Machine Co., Inc.,
Mayfair Servicenter, Inc.,
Mayfair Wallpaper Company,
Mayflower Annex, Inc.,
Mayflower Homes, Inc.,
Maylaw Realty Corp., Inc.,
Mayo's Gift Shop and Golf Course, Inc.,
Mays Building Construction Co., Inc.,
Mazzola and Photo Real Estate Co.,
Mazzola Restaurant and Lounge,
M. Bloom and Company Frosted Foods, Inc.,
M & B Operating Corporation, Inc.,
M. Brownstein, Inc.,
McCaffrey Contracting & Transport Co.,
McCall Construction Co.,
M & C Candy Co., Inc.,
McCloskey & Sons, Inc.,
McCresant Builders, Inc.,
McDermott's Supper Club,
McKinnon & Callendar, Inc.,
McLoughlin and Stock, Inc.,
McManus Hardware and Supply, Inc.,

Meacham Avenue Realty Co., Inc.,
Meadox Weaving Company,
Meaney's,
Meatmasters, Inc.,
Meat Queen Markets, Inc.,
Med Co., Inc.,
Medford Cement Finishers, Inc.,
Medford Manufacturing Co.,
Medico Building Corp.,
Megdall's Bake Shop, Inc., 2,
Melani Realty Corp.,
Melby, Inc.,
Mel Ed Dee Corp.,
Melini's Breeding Farms, Inc.,
Melody Cotton Realty Corp.,
Melody Systems, Inc.,
Memorial State Bronze Co.,
Menlo Agency, Inc.,
Mercer Cafe, Inc.,
Mercer Industrial Development Corporation,
Merchandise World of Route 46, Inc.,
Merchantville Auction Meat Market,
Mercury Clothing, Inc.,
Mercury Corporation,
Mercury Labels, Inc.,
Mercury Products, Inc.,
Mercury Vending Corp.,
Meridian Estates 1 Corp.,
Meridian Estates No. 2 Corp.,
Merit Provision Co., Inc.,
Merotex Manufacturing Co., Inc.,
M. Eskin & Son, Inc.,
Metal Craft Co.,
Metal Layout Company, Inc.,
Metallizing Research and Development Laboratories, Inc.,
Metallurgical Processes Company,
Metric Processing Corp.,
Metro Factors, Inc.,
Metro Music Corp.,
Metropolitan Parcel Service, Inc.,
Metro Wire Co., Inc.,
Meysi's, Inc.,

MFT Realty Co., Inc.,
M & G Construction Corporation,
M and H Corporation,
M. H. Harris, Inc.,
MHM Corp.,
Mic Con, Inc.,
Michael A. Stavitsky & Co.,
Michael Azzaro, Inc.,
Michael Kavanaugh Enterprises,
Micro Ceiver, Inc.,
Midas Custom Kitchens, Inc.,
Mid Atlantic Supermarkets, Inc.,
Mid County Rambler, Inc.,
Middlebrook Diner, Inc.,
Middlesex Plate Glass Co., Inc.,
Middlesex Village, Inc.,
Middletown Construction Co., Inc.,
Mid Jersey Construction Co.,
Midland Apartments,
Midland Associates, Inc.,
Mid State Construction Corporation,
Mid State Equipment Co., Inc.,
Mid State Plumbing & Heating Contracting Corp.,
Midtown Hosiery Co. of N. J., Inc.,
Midtown Jewelers,
Migal Realty Corporation,
Mike's Place Bar & Grill Corp.,
Mildenberger Realty Corp.,
The Miles Agency,
Millburn Men's Shop, Inc.,
Millburn Supply Company, Inc.,
Miller Drugs,
Mill Land Steel Fabricators, Inc.,
Millstream, Inc.,
Milltown Lumber Co., Inc.,
Millville Clay and Sand Products, Inc.,
Millville Kay Co.,
Millville Shopping Center, Inc.,
Millville Weapons Corporation,
Milo's, Inc.,
Milray Holding Co., Inc.,
Milspir Realty,
Milton Rosenthal, Inc.,

Milu Realty Co., Inc.,
Mil Wis Holding Co.,
Minberg Corporation,
Mine Hill Auto Sales, Inc.,
Miranti, Inc.,
Mirawal Sales Co., Inc.,
Miro Embroidery, Inc.,
Mirror Restaurant, Incorporated,
Mr. Albert's Coiffures, Inc.,
Mr. Electronics,
Mr. Klean Cleaners, Inc.,
Mr. Ralph, Inc.,
Mr. Tie, Inc.,
Mitac, Inc.,
Mitch Construction Corp.,
Mitchell Builders Supply Co., Inc.,
Mitchell's Sweet Shoppe, Inc.,
Mitchell Stores, Inc.,
Mitent, Inc.,
M. L. Brous Millinery Company,
M & L Novelty Corp.,
M. Lynn Builders, Inc.,
M & M Baking Co., Inc.,
M & M Electronics & Television Co., Inc.,
M & M Sporting Goods Co.,
MM & Wine & Liquor Corp.,
MNK Realty Corp.,
Mobil Snack, Inc.,
Moblar, Incorporated,
Model Quality Homes,
Modern Castle, Inc.,
Moderncraft, Inc.,
Moderncraft Towel Dispenser Co., Inc.,
Modern Jewelry Corp.,
Modern Motor Sales, Inc.,
Modern Printing Industries,
Modi Corporation,
The Modular Garage Corp.,
Mogen David Kosher Foods,
Molly Pitcher Construction Co., Inc.,
Monarch Aluminum Products, Inc.,
Monarch Sales, Inc.,
Monel Corporation,

Monmouth Archery Corporation,
Monmouth Cabinet Works, Inc.,
Monmouth County Feed & Coal Co., Inc.,
Monmouth Memorial Management, Inc.,
Monmouth Mobile Homes, Inc.,
Monmouth School of Beauty Culture, Inc.,
Monmouth Textile Corporation,
Monroe Hollander, Inc.,
Monroe Painting & Decorating, Inc.,
Monsoon Realty Co., Inc.,
Montclair Bowling Alleys, Inc.,
Montclair Golden Crust Bread Co., Inc.,
Montelk, Inc.,
Montgomery Homes, Inc.,
The Montrob Co. of N. J.,
Montrose Homes, Inc.,
Montvale Homes, Inc.,
Moran Chemicals, Inc.,
Morgan Cemetery, Inc.,
Morgan Whitney Matarese Corporation,
Morlen Construction Co.,
Morlyn House, Inc.,
Morning Star Bakery, Inc.,
Morris Bus Corporation,
Morris Development Corp.,
Morris Miller & Sons, Inc.,
Morris & Sussex County Credit Bureau, Inc.,
Morristown Airport Corporation,
Morristown Air Taxi, Inc.,
Morristown Rambler, Inc.,
Morse Vending Machine Maintenance, Inc.,
Mortop, Inc.,
MOS Corporation,
Moskote Realty Co., Inc.,
Motel Associates, Inc.,
Motel Design, Inc.,
Mother Hubbard Products, Inc.,
Mother's Laundry Co., Inc.,
Motor Carrier Safety Patrol, Inc.,
Motor Center, Inc.,
Mountain Lake Inn, Inc.,
Mountain Park Investment Co., Inc.,
Mt. Ararat Corporation,

Mt. Freedom Inn, Inc.,
Mt. Kemble Inn, Inc.,
Mount Laurel Inn,
Mt. Olive Operating Co., Inc.,
Mt. Olive Supply Corp.,
Mt. Pleasant Manor,
Mt. Vernon Construction Corp.,
Movie Hobbie Studio, Inc.,
M & P Builders, Inc.,
M & P Homes, Inc.,
M & R Realty Co.,
M. Shaw Truck Renting Co., Inc.,
M & S Railing Co., Inc.,
M and S Tower Services, Inc.,
M & S Warehouse, Inc.,
Mullay's Tavern,
Muller Contracting Company, Inc.,
Multipool, Inc.,
Murphy Plumbing Company,
Murray Holding Co.,
Murray's Fast Express, Inc.,
Murray's Plumbing & Heating Co., Inc.,
Musical Records Supply Corp.,
Music One Stop,
Mustong Company, Inc.,
Mutual Business Corporation,
Mutual Carriers, Inc.,
Mutual Concrete Co.,
Mutual Contracting Company, Inc.,
Mutual Optical Products, Inc.,
Mutual Realty & Mortgage Co., Inc.,
Mutual Tool & Manufacturing Company,
MVP Corp.,
M & W Realty, Inc.,
My KO Television & Radio Service,
Myron Weiner Associates, Inc.,

Naisarema Trading Co.,
Nalpak Corporation,
Nama, Inc.,
Nansu Corporation,
Nashua Knitwear Corporation,
Nassau Pools, Inc.,

Nassau Research & Development Co., Inc.,
Natale Material Handling Company, Inc.,
Natco Leather Finishing Corp.,
National Aluminum Discount Center, Inc.,
National Better Living Club Plan,
National Ferro Corp.,
National Leather Products,
National Management Corp.,
National Marketing Research Corp.,
National Newspaper Sales Corporation,
National Pleating Corp.,
National Research Design and Development, Inc.,
National School Services,
National Smoke House Equipment, Inc.,
Nation Wide Mortgages Services, Inc.,
Nationwide Sales Corp.,
Nato Corp.,
Nature's Creations, Inc.,
Naugle Realty Co., Inc.,
Naylor & Drost Swimming Pool Company, Inc.,
NC Motel Corporation,
Nebjud Corporation,
Neeco, Inc.,
Needle Point Estates, Inc.,
The Neighbors, Inc.,
Nela Corp.,
Nelinson Brothers, Inc.,
Nemo Labs, Inc.,
Neptune Wrecking Corp.,
Nesbitt Bottling Co. of Hammonton, Inc.,
Neshanic Mills, Inc.,
Nest Club, Inc.,
Nestler Holding Company,
Neves & Esteves Construction Co., Inc.,
New Aluminum City Enterprises, Inc.,
Newark Blow Molding, Inc.,
Newark Center Corporation,
Newark City Ice Company,
Newark Sales, Inc.,
Newark Sea Food Company, Inc.,
Newark Star Dress Co., Inc.,
Newark Textile Dyeing & Finishing Co., Inc.,
Newbridge Land Co., Inc.,

New Brunswick Bronze & Aluminum Co.,
New Brunswick Cosmetics, Inc.,
New Brunswick Realty Management and Development Co., Inc.,
New Brunswick Sign Company,
New Century Development Corp.,
New Club Royale, Inc.,
New Colonial Constructors Company,
New Frontier Theatre,
New Highlands, Inc.,
New Hotel Baldwin, Inc.,
New Jersey Audio Library, Inc.,
New Jersey Demolishing Co., Inc.,
New Jersey Drive in & Mobiles, Inc.,
New Jersey Electric Supply Co.,
New Jersey Electric Supply Corp. of Livingston,
New Jersey Iron and Steel construction Company,
New Jersey Loan Company,
New Jersey Partition and Box Co., Inc.,
New Jersey Pork Center, Inc.,
New Jersey Porta Camper Co.,
N J Realty Associates, Inc.,
New Jersey Realty Development Corp.,
New Jersey Sheet Steel Corporation,
New Jersey & Southern Holding, Inc.,
N J State Motors, Inc.,
New Jersey State Tire Exchange, Inc.,
New Jersey Toy & Stationery Co.,
New Jersey Waterproofing Co., Inc.,
New London Hat Works, Inc.,
Newman Machine Co., Inc.,
New Milford Bake Shop, Inc.,
New Parkway R eal Estate and Construction Company, Inc.,
New Plymouth Sales Corporation,
New Polonia Products Co., Inc.,
Newport Construction, Inc.,
Newsim Building Corp.,
News Shop of Cherry Hill, Inc.,
New Standard Society, Inc.,
Newton Construction Corp.,
Newton Holding Company,
New York Baled Shavings Co., Inc.,

New York Silicate Book Slate Co., Inc.,
N. H. Haupt, Inc.,
Niagara of America, Inc.,
Niagara Industrial Corporation,
Nichols Mailing Service,
Nickel Associates, Ltd.,
Nick Liwonchuk and Sons, Inc.,
Nick Lu Realty Corp.,
Nick's Parking, Inc.,
Nick's 352 Bar, Incorporated,
Nick & Tony's Tavern,
Nicola A. Capano, Inc.,
Niewenhous Langan, Inc.,
999 Tire Company, Inc.,
95 Company, Inc.,
97 Newkirk Street Corporation,
96 Company, Inc.,
93 Pomona Avenue, Inc.,
Ninth and Wood Avenue Corporation,
NJ Tailoring Co., Inc.,
NNS, Inc.,
Noel Realty Corporation,
Nolan Commercial Properties, Inc.,
Norco Manufacturing Corp.,
Norgate at Lawrence, Inc.,
Norma Berger, Inc.,
Nor Syl Corporation,
North American Instrument Corp.,
North Atlantic Enterprises, Inc.,
North Bergen Custom Home Builders, Inc.,
North Bergen Machine Co.,
North Bergen Transport, Inc.,
Northeast Electrical Engineers, Inc.,
Northeast Mortgage Company,
Northeast Underwriters Agency, Inc.,
Northern Auto Radio,
Northern Rentals, Inc.,
Northern Valley Transfer, Inc.,
North Hudson Builders, Inc.,
North Jersey Bowlers Corp.,
North Jersey Dodge Truck Center, Inc.,
North Jersey Home Food Service, Inc.,
North Shore Construction Co., Inc.,

North Shore Paint Corporation,
North Stream Corporation,
Norton's Fashions, Inc.,
Norwood Restaurant & Lounge, Inc.,
Notable Entertainment, Inc.,
Novelty Skein Dyeing Co.,
NTA Incorporated,
NTA Television Broadcasting Corp.,
Nubel Co.,
Nuckel, Inc.,
NU Jet Aire Electronics, Inc.,
NU Lentilles Corp.,
Nungesser's Taxi Service,
Nursing World,
Nutley Farms, Inc.,
Nuttman Chemical Company,
Nye Holding Co., Inc.,
Nyman Construction Corp.,

Oak Court, Inc.,
Oak Drug Company, Inc.,
Oakland Furniture Co., Inc.,
The Oakwood Company,
The Oasis Bar, Inc.,
Oasis Senior Citizens Club,
Observer Publications, Inc.,
Ocean Agency, Inc.,
Ocean City Independent Observer,
Ocean City Motors, Inc.,
Ocean County Vending Co., Inc.,
Ocean Manor Beach Club, Inc.,
OC Holding Co.,
Odd Albert and Associates, Inc.,
Oesting Millwork Company,
O'Hara Bros. Transportation Corp.,
O. John Reed, Inc.,
O'Keefe Motors, Inc.,
Oktrebe Corp.,
Old Empire, Inc.,
Oldfield Homes, Inc.,
Old Nassau Construction Co.,
Old Timbers, Inc.,
Old West RR Co., Inc.,

Olga Realty Corporation,
Olva Corporation,
Olympia Records, Inc.,
Olympic Auto Parts Co., Inc.,
Omega Mold Co., Inc.,
Omega Stationers, Inc.,
ONA Corp.,
100 Cab Corporation, Inc.,
180th Corporation,
181 Corporation,
183 Meeker Avenue Corporation,
156 West State Street, Inc.,
The 145 Watson Avenue Corp.,
147 Main St Corp.,
117-49th Street Co.,
131 West Street Corp.,
120 No 17th Street Corp.,
One Stop Record Distributing Co., Inc.,
On Guard Corp. of New Jersey,
Opal Realty Co.,
The Orange Bird Company,
Orange Brake & Clutch Exchange, Inc.,
Orange Concrete & Supply Corp.,
Orbit Stores, Inc.,
Oriental Place, Inc.,
The Original Bargain Shoe Store, Inc.,
Ortron Electronics,
Oskar Schaffer Co,. Inc.,
O & S Trucking Co., Inc.,
Ottens Harbor Ice Company,
Outdoorsmen HAS,
Overlook Associates,
Overseas International Trading Corp.,
Oxford Associates, Inc.,

Pab Realty Co.,
Pace, Inc.,
Pace Setters,
Paddock Lounge, Inc.,
Paine Cloony Corporation,
Palace Amusement Company of Passaic, N. J.,
Palisade Gardens,
Palisade Restaurant Co., Inc.,

Panco Paving, Inc.,
Pandora Products, Inc.,
Pan Seal Incorporated,
Paprota Bros., Inc.,
The Paradise Lounge,
Paradiso and Robbie Piano Company,
Paradox, Inc.,
Paramount Refrigeration Service, Inc.,
Paramus Spa, Inc.,
Par Auto Sales, Inc.,
Par Homes, Inc.,
Park Automotive Service, Inc.,
Park Central Apartments, Inc.,
Parkco Steel Buildings Corp.,
Parke Company,
Parke Ray Drug Co., Inc.,
Parker Embroidery Corp.,
Parker Wines & Liquors,
Park and Hagna,
Park Paint Hardware and Supply Co.,
Park of Puerto Rico, Inc.,
Park Ridge Taxi, Inc.,
Parks Colonial Diner,
Park View Cafe,
Parkview Investment Co.,
Parkway Agency of Madison Township,
Parkway Lanes,
Parkway Manor Development Corp.,
Parkway Miniature Golf, Inc.,
The Park Williams Corp.,
Parkwood Associates,
The Parris Club,
Parro, Inc.,
The Partner's Social Club, Inc.,
Par Troy Apts. Corp.,
Par Troy No. 2, Inc.,
Paruto Wine Co.,
Pascack Valley Gift Shop, Inc.,
Pasdell Agency, Inc.,
Passaic Contractor's Supply and Salvage Company,
Passaic County Auto Seat Covers, Inc.,
Passaic Lumber & Millwork Co.,

Passaic Paint Service, Inc.,
The Pasym Company,
Paterson Car Sales, Inc.,
Paterson Lining and Laminating Corp.,
Patrician Bar & Grill,
P and A Trucking Co., Inc.,
Patton, Inc.,
Paula Builders Corp.,
Paulison Apartments, Inc.,
Paul Michael Anthony Corporation,
The Paul Rosalie Corporation,
Paul Thomas Custom Shop Limited, Inc.,
Pavonia Court Homes, Inc.,
Pawlik Leone, Inc.,
Paxon Construction Company,
P & D Tavern, Inc.,
Peace Pipe Country Club, Inc.,
Pecris Luncheonette, Inc.,
Peerless Lanes, Inc.,
Pelbern Distributors, Inc.,
Pelikan, Inc.,
Pembrook Agency, Inc.,
Penguin, Inc.,
Penguin Pool Supply & Equipment Co., Inc.,
Penn Bar, Inc.,
Penn Builders, Inc.,
Penn Construction Co.,
Pen Nel, Inc.,
Pennhope Credit, Inc.,
Penn Jersey Shoes, Inc.,
Penn Motor Hotel, Inc.,
Pennsylvania Lincoln Laundry Corp.,
Penn Syrup of Trenton, Inc.,
Penny Motors, Inc.,
Pennypot Trucking, Inc.,
Penny Wise Shop, Inc.,
Pension and Estate Planning Consultants, Inc.,
Peoples United Leasing Corporation,
Peppermint Twist,
Peq Homes, Inc.,
Pequannock Estates, Inc.,
Perkel Drugs, Inc.,
Per Mac Corp., Inc.,

Perm Aluminum Products, Inc.,
The Permica Company,
Perna, Inc.,
Perth Amboy Sales & Service,
Perth Amboy Terminal Associates, Inc.,
Pestcoe Clothing Company, Inc.,
Petco Enterprises, Inc.,
Pete The Florist, Inc.,
Peter A. Calabrese Agency, Inc.,
Peterberg, Inc.,
Peter F. Pasbjerg Development Co.
Peters Family Holdings, Inc.,
Petland, Inc.,
Petrucci Ford, Inc.,
P & G Food Sales, Inc.,
PGP, Inc.,
PH Contractors, Inc.,
Phil Chris Corp.,
Philco Aluminum Windows, Inc.,
Phillips Omnibus Company, Inc.,
Phil's Snack Bar, Inc.,
Phoenix Corporation,
Phoenix Tool & Equipment Co., Inc.,
Photographers International Corporation,
Photographic Equipment and Development, Incorporated,
Photography By Lou,
Photopool, Inc.,
Phyllis 5 and 10, Inc.,
Phylynn Construction Corporation
Picardy Ltd.,
Pickle Heaven Delicatessen,
Piedmont Associates,
Piemonte Realty Co.,
Pierson, Bingham & Co., Inc.,
Pie in the Sky Stables,
Pine Brook Hills, Inc.,
Pine Chemicals, Inc.,
Pine Craft Provincial, Inc.,
Pine Island Homes, Inc.,
Pine Ridge Package Company,
Pine Tree Holding Company,
Pio Distributors, Inc.,

Pioneer Construction Co., Inc.,
Pioneer Precision Products Co.,
Piper Construction Corp.,
Pisa Sausage Corp.,
Pitney Built Homes, Inc.,
Pitt's Place, Inc.,
Pizza Palace, Inc.,
Pizza X Press,
P. Jantelle, Inc.,
PJM Laboratories Limited,
Plainfield Construction Corp.,
Plainfield General Tire Company, Inc.,
Plan for Better Living, Inc.,
Plantscriptions, Inc.,
Plare, Inc.,
Plastex Processing Co., Inc.,
Plastic Components, Inc.,
Plastics Unlimited, Inc.,
Plate Glass Co. of Elizabeth,
Playgirl's Club, Inc.,
Playtime Mfg. Co., Inc.,
Plaza Club Bar,
Pleasantdale Texaco, Inc.,
Pleasant Grove Farm, Inc.,
Pleasure Mfg. Corp.,
Ploski Construction Co., Inc.,
Plungermatic Molding Machine Corporation,
Plymouth Homes Industries, Inc.,
Plymouth Park Jewelers, Inc.,
Plymouth Rock Corp.,
Ply Paint Products, Inc.,
Ply Plastic Products, Inc.,
P. M. Brown & Co., Inc.,
P & M Service, Inc.,
P & N Construction Company,
Point Inn, Inc.,
Point Motors, Inc.,
Point Pleasant Beach Homes, Inc.,
Polartron, Inc.,
Polston Construction Corporation,
Polychrome Lithorgraphy Co., Inc.,
Poly Enterprises, Inc.,
Pompton Hills Construction Co.,

Pompton Lakes Estates,
Pompton Valley Builders, Inc.,
Pon Corp.,
Poole, Inc.,
Pooley House Movers, Inc.,
Pope & Rodgers Floor Covering Co., Inc.,
Pop's Tavern, Inc.,
Popular Name Brands, Inc.,
Port Newark Freight Consolidators, Inc.,
Port Newark Lanes, Inc.,
Portview Hotel, Inc.,
Powell Corp.,
Power Enterprises, Incorporated,
Powers Bar and Grill, Inc.,
Prall Realty Corporation,
Precision Assembly Corp.,
Precision Gears & Products, Inc.,
Precision Sensors, Inc.,
Preferred Products Co.,
Premerge Chemical Co.,
Premier Construction Corp.,
Premier Enterprises, Inc.,
Premium Distributors, Inc.,
Prescott Construction Co.,
Presto Grille Co., Inc.,
Primco, Inc.,
Primrose House of Beauty,
Primrose Realty Co.,
Princess Cleaners,
Princess Swimming Pools of Union County, a N. J. Corp.,
Princeton Art Services, Inc.,
Princeton Land Development Co.,
Princeton Pike Corporation,
Princeton Riding Club,
Prinit Co., Inc.,
Private Brands, Inc.,
Process Dynamics Corporation,
The Producers Company,
Producers Egg Service, Inc.,
Productive Design & Research Corp.,
Products Merchandising Service, Inc.,
Professional and Commercial Exchange, Inc.,

Professional Group Consultants, Inc.,
Progressive Tool and Engineering Co., Inc.,
Promar Realty,
Property Heating Corp.,
Prospect Street Corp.,
Prosperous Realty Company,
Protect A Life, Inc.,
The Proto Corporation,
Pro Tuch Industries, Inc.,
Psaltis, Inc.,
PS Enterprises, Inc.,
Psionics Corporation,
P & S Masons & Builders, Inc.,
P & S Service Center, Inc.,
Publishers Consultants, Inc.,
Publix, Inc.,
Purchasing Services, Inc.,
Purdy Pastine Plastics Corporation,
The Pushcart, Inc.,
PY Construction Corp.,
Pyramid Products, Inc.,

QGT Corporation,
Quaker Quality Products Corp.,
Quality Builders, Inc.,
Quality Clothing Mfg. Co., Inc.,
Quality Construction Corp.,
Quality Egg Co., Inc.,
Quality Home Products Corporation,
Queen Auto Parts, Inc.,
Quick Vent Sheet Metal Products, Inc.,
Quine A Mint Corp. of America,

RA Construction Co., Inc.,
Radiant City Incorporated,
R. A. Dugansky, Inc.,
R. A. Gayl Contracting Co., Inc.,
Rahway Electrical Supply Co., Inc.,
Rahway Sheet Metal Works,
Raimondi Construction Corp.,
Rajmas, Inc.,
Raleigh Realty Co.,
Raljo Novelty Corporation,

Rallim Realty Corp., Inc.,
Ralph Fry Enterprises, Inc.,
RAM Bus Co.,
Ramirez Jewelry Company, Inc.,
Ramsey Bus Trans. Co., Inc.,
Ram Trucking Corp.,
Randolph Bus Company, Inc.,
Rapco Realty Company,
Rapix Realty Co., Inc.,
Raritan Rev O Grille Distributors, Inc.,
Rauci Realty, Inc.,
Raven Construction Company,
Rayco Acceptance Corp.,
Rayco Auto Seat Cover Sales, Inc.,
Rayco Export Sales Corp.,
Rayco Seat Cover Sales, Inc.,
Ray Don, Inc.,
Ray Gard Products Corporation,
Raymond Wright Construction Corp.,
Ray Petroleum Company, Inc.,
Rayrus Corp.,
Ray's Tavern, Inc.,
R. B. Jones, Inc.,
RBM Enterprises, Inc.,
R C D,
RCS Enterprises, Inc.,
R and C Supply Co.,
Read Hardware & Paint Co., Inc.,
Readington Developers, Inc.,
Ready To Paint Furniture Mart,
Real Estate, Inc.,
Realty Painting Co., Inc.,
Rear of 82-86 W. 26 St., Inc.,
Rebet Industries, Inc.,
Recordio Records,
Record Racks, Inc.,
Recreations, Inc.,
Red Bank Cold Storage & Locker Co.,
Red Bank Dairy, Inc.,
Red Bank Dairy Products Corporation,
Red Cap Pizza, Inc.,
Redi of Rockaway, Inc.,
Red Lion Sanitary Pottery, Inc.,

Red Rock Leasing Service, Inc.,
Redwood Housing Corporation,
Reed Holding Co.,
Reeds Jewelers, Inc.,
Reed Switch & Coil Company,
Reeve Realty Co.,
Refrigeration of North Jersey,
Regal Electronics, Inc.,
Regal Sales Corporation,
Regal Trucking, Inc.,
Region Formal Wear, Inc.,
Reid Plumbing & Heating Corp.,
Reilly Motors, Inc.,
Reine Electronics, Inc.,
Reinsal Realty Corp.,
Reintex, Inc.,
Reliable Dyeing & Finishing Co., Inc.,
Reliable Enterprises, Inc.,
Reliable Fur Dressing & Dyeing,
Reliable Merchandise Co., Inc.,
Reliable Sales and Service, Inc.,
Reliant Brake Corporation,
Remondelli Abstract Company, Inc.,
Remsen Meat Center, Inc.,
Reneerock,
Ren Mar, Inc.,
Repair Rite, Inc.,
Repco Electronic Sales Company, Inc.,
Repro Associates Incorporated,
Republic Realty Co.,
Research Consultants, Inc.,
Research Products, Inc.,
Restful Acres, Inc.,
Rest, Inc.,
Revere Associates, Inc.,
Rexair Eastern Sales Corp.,
Rex Beer Distributors, Inc.,
Rex, Er Kennels, Inc.,
Rex Paving Company,
Reymar Holding Company,
RFR Corporation,
R. G. Mathews Corporation,
R & H Transport, Inc.,

Rialto Theatre Co. of Passaic,
Riccardi Bros., Inc.,
Richard Construction Co.,
Richard H. Hutchinson, Jr., Inc.,
Richard Kadrey of Asbury Park, Inc.,
Richard Schneider Enterprises, Inc.,
Richards & Zusi Lumber Company, Inc.,
Richard Watch, Inc.,
Richland Co., Inc.
Richland Investment Corp.,
Richlin Corporation, Inc.,
Richmond Services, Inc.,
Rich Ray Ice Cream Corp.,
Ricky of Hillsdale, Inc.,
The Riddle Restaurant, Inc.,
Ridgefield Auto Seat Covers, Inc.,
Ridgemont Homes, Inc.,
Ridge St. Corporation,
Ridgeview Heights, Incorporated,
Ridgewood Dry Cleaners, Inc.,
Ridgewood Gardens, Inc.,
Ridgewood Realty Co.,
Ridgewood Wood Products Co., Inc.,
Riger, Inc.,
Rigmonte Construction Co., Inc.,
Rigo Enterprises, Inc.,
Rijno, Inc.,
Rilco, Inc.,
Riley's Clinton Esso Servicenter, Inc.,
River Avenue Holding Corp.,
Riverbend Plantation,
River Edge Friendly Service, Inc.,
River Road Sales, Inc.,
Riverside Service, Incorporated,
Riverside Shortening Corp.,
River & Third Realty Co., Inc.,
River Vale Plaza Corporation,
R. J. Cox Chevrolet, Inc.,
RK Auto Sales, Inc.,
R & L Cleaners, Inc.,
RLH Corp.,
R & L Sales Corp.,
R & M Auto Parts, Inc.,

R & M Holding Co., Inc.,
RMK Emblem & Applique Cutting Co., Inc.,
R & M Warehouse Sales, Inc.,
Roann Corp.,
Roanoke S & F Warehouses, Inc.,
Robaine Homes,
Robar, Inc.,
Roberta's Shop, Inc.,
Robert Hance & Sons, Inc.,
The Robert Kann Laboratory,
Robert Marsh, Inc.,
Roberts Associates, Inc.,
Robert Treat Supperette, Inc.,
Robert W. Pedersen & Sons,
Robin Lingerie, Inc.,
Robinson Cole Engineering Co.,
Robinwood Construction Co., Inc.,
Robsan Development Corporation,
Rocco Venturo, Inc.,
Rockaway Bounceland, Inc.,
Rockaway Interior Designers, Inc.,
Rockaway Tobaccoland, Inc.,
Rock Drilling Equipment Co.
Rocket Packaging, Inc.,
Rock Products Corporation,
Rock Ridge Estates,
Rock Summit Co., Inc.,
Rockwood Corporation of New Jersey,
Roda Drugs, Inc.,
Rodney Realty Corporation,
Roe Del, Inc.,
Roessner & Ohler, Inc.,
Rogbar Corp.,
Roger Raymond Enterprises, Inc.,
Rolan, Inc.,
Rolen Corp.,
Roline Manufacturing Corporation,
Rolling Hill at the Seashore,
Rolling Ridges Co., Inc.,
Rollrite Tool & Machine Co., Inc.,
Romano & Mazziotta, Inc.,
Roma Pastry, Inc.,
Romath Products Co.,

Romin Realty Co.,
Romott Plumbing Co., Inc.,
Ronald R. Pagano & Co.,
Rondelle, Inc.,
Ron Electronics Corp.,
Rongay Homes, Inc.,
Roni Embroidery Corp.,
Ronjer, Inc.,
Roosevelt Paint & Wallpaper Co.,
Rosalind Terrace, Inc.,
Rosan Snack Bar, Inc.,
Rosa's Laundermat, Inc.,
Rosa Wine Co.,
Rosebarn Realty Co.,
Rosedale Inn,
Rose Discount Center, Inc.,
Rose Dover Clough, Inc.,
Rose Equipment Rental Co., Inc.,
Rose Pierre Beauty Salon,
Ross Manufacturing Co., Inc.,
Roth & Davis, Inc.,
Rothman and D'Agostino of Eatontown,
Route 202-206 Somerville Circle Diner, Inc.,
Rover Construction Co.,
Rowe Marine, Inc.,
Roxbury Bus Lines, Inc.,
Royal Bake Shop, Inc.,
Royal Blue Enterprises, Inc.,
Royal Contractors, Inc.,
Royal 81, Inc.,
Royal Exterminators, Inc.,
Royal Heating Corporation,
Royal Imperial Stations, Inc.,
Royal Oyster Co.,
Royal Plastics Manufacturing Company, Inc.,
Roy Dean and Sons, Inc.,
Royfor Company,
Roy Hullings, Inc.,
Roy, Inc.,
RPO Laboratories, Inc.,
R. Ryerson & Son, Inc.,
R & S Fleet Sales, Inc.,
RT Discount Stores,

Rubin Furniture Co., Inc.,
Rubin Realty, Inc.,
Rubrand Specialty Co.,
Ruckaway Builders, Inc.,
Rudy's Yankee Clipper Bar & Grill, Inc.,
Rudzik Bros., Inc.,
Rujay, Inc.,
Rupe Rest Associates, Inc.,
Russell Equipment, Inc.,
Russell E. Stevens, Jr, Inc.,
Rutex, Inc.,
Rutherford Roofing and Siding Co.,
Ruthie Realty Co.,
Ruth & Rusty's Corp.,
Rutland Truck Leasing Corporation,
Rutledge Hotel, Inc.,
R. W. Spake and Associates,

Sachs Passaic Dress Shops, Inc.,
Saddle Brook Realty & Investment,
Sadim Incorporated,
S & A Distributors, Inc.,
Safety Scaffolds Erectors, Inc.,
Safety Scaffolds Rentals, Inc.,
Safety Skid, Inc.,
Sailer Gordon, Inc.,
St. Moritz Restaurant, Inc.,
Salek Construction Co., Inc.,
Salem Vending Service, Inc.,
Salesbuilders, Inc.,
Salesmark Associates, Inc.,
Salesmen's Wondermart, Inc.,
Sal Filippone, Inc.,
Sali An Dress, Inc.,
Salon One O Five,
Salon Primo, Inc.,
Sam Car, Inc.,
Sam Granet, Inc.,
Sam Klotz Associates,
Samro Shoes, Inc.,
Samson Incorporated,
Sam's Taxi Service, Inc.,
Sam's Wines and Liquors, Inc.,

Samuel Latten Embroideries, Inc.,
Samuel Troub & Son,
Sandy Hook Bait & Tackle Co., Inc.,
Sandy Point Marina, Inc.,
Sandy's King Size Hamburgers, Inc.,
Sano Vend Corp.,
San Pat Estates, Inc.,
San See Cleaners, Inc.,
The Santa Claus Movement, Inc.,
Sapaca Co.,
Sapienzo Plumbing and Heating,
Sara Enterprise Co., Inc.,
Saro Corp.,
Satam Sales, Inc.,
Save It Branded Products, Inc.,
Saveon Office Supplies, Inc.,
Sav Mor Feed & Sales Co.,
Savoye Construction Company, Inc.,
Sawmill Inn Productions, Inc.,
Saxon Beverage Company,
Sayre Cine Corp.,
Sayre Realty, Inc.,
SB Builders, Inc.,
Scaico Controls, Inc.,
S & C Construction Corp.,
The Schaffer Meat Corporation,
Scheifele Manufacturing Company,
Schenck Electric Supply, Inc.,
Schifter Rambler, Inc.,
Schmidt Home Builders, Inc.,
Schmidt's Pharmacy, Inc.,
Schneider, Inc.,
Scholz Design Builders,
School of Electronic Data Processing,
School House Estates, Inc.,
School of the Outdoors, Inc.,
Schulman Bros., Inc.,
Science Pools, Inc.,
Science Publications Corp.,
Scottelectric Company,
Scott Pharmacy, Inc.,
Scotty's Lamp Shop, Inc.,
Screencraft,

Scrubbee, Inc.,
Seaboard Mills, Inc.,
Seaboard Sand & Stone Co.,
Seaboard Scrap, Inc.,
Seabrook Holding Co., Inc.,
Sea Circus, Inc.,
Seacoast Builders, Inc.,
Seacoast, Inc.,
Sealguide, Inc.,
Sealshipt Corporation,
Seaman Road Realty Company,
Seamless Siding Corp.,
Seashore Parking Services, Inc.,
Sebeck Embroidery Co., Inc.,
Security Patrol, Inc.,
Security Planning Associates,
Sedgefield Contractors, Inc.,
SED Memories, Inc.,
Seifert Hardware & Mill Supplies, Inc.,
Selected Securities Research, Inc.,
Self Employed Retirement Fund,
Sell Fast of Hackensack, Inc.,
Sell Your Self Company,
Selray Bakeries, Inc.,
Seltz Franchising Developments, Inc.,
Selwac Corp.,
Semac, Inc.,
Semala Foods, Inc.,
SEM Con Electronics Corp.,
Senior Ice Cream Corp.,
Sensational Sales Corporation,
Sentinel Construction Co., Inc.,
Serlin, Inc.,
Servart Corp.,
Service Chemical, Inc.,
Service Construction Company, Inc.,
Service Motor Car Co. of Hackensack,
Service Tire Co., Inc.,
7-11 Food Stores, Inc.,
739 Corp.,
70 Chester Ave. Corp.,
Seventy Ege Corp.,
73 James St. Corp.,

Severino Brothers Welding & Repair Company, Inc.,
S & F Aluminum Company, Inc.,
S & G Auto Body, Inc.,
Sgro Custom Tailoring, Inc.,
Sgro and Young Builders,
Shafer's Food Markets, Inc.,
Shafran Painting Co., Inc.,
Shafs, Inc.,
Shaler Supermarket,
Shamrock Enterprises, Inc.,
Shark River Auction Market, Inc.,
Sharon Bags, Inc.,
Sharpe Pharmacy and Drugs, Inc.,
Sharu Construction Co.,
The Shaw Construction Co., Inc.,
Shaw Realty Co., Inc.,
Shaw's Warehouse, Inc.,
Sheldian Corporation,
Shell O Tap Corporation,
Shelly Realty, Inc.,
Shel Pat Realty Co., Inc.,
Shelter Construction Corp.,
Shelton Construction Co., Inc.,
Shep Enterprises, Inc.,
Shepherd Chemical, Inc.,
Sheri Coat, Inc.,
Sheridan Ford, Inc.,
Shernce Coal Company,
Sherold Construction Corporation,
Shield Plastics Corporation, Inc.,
Shiff Realty Company,
Shoebox of Paterson,
Shoppers' Cleaning Service,
Shoppers Paradise of New Jersey, Inc.,
Shoppers World Camera Center, Inc.,
Shop Rite of Raritan Township, Inc.,
Shore Cleaners, Inc.,
Shore Deli, Inc.,
Shore Gift Shops, Inc.,
Shore Mortgage Co.,
Shore Sales & Service,
Shore Sportland, Inc.,

Shrewsbury River Realty, Inc.,
Shrink Film Products Corp.,
S & H Truck Leasing Co., Inc.,
Shulman Builders, Inc.,
Sibert & Company,
Sickler & Wilson Equipment Company, Inc.,
SI Corporation,
Sid Luber Fabrics, Inc.,
Sid Ridner Co., Inc.,
Sid's Buster Brown,
Sid Silverman, Inc.,
Siebert & Co., Inc.,
Sier, Inc.,
Sifri Shoe Shops, Inc.,
Sig Buchmayr, Inc.,
Sigma Lathe and Tool Co.,
Signature Tree, Inc.,
Silico, Inc.,
Silver Bros., Inc.,
Silver Dollar Cafe,
Silver Star Cafe, Inc.,
Silvine Standard Shades, Inc.,
Simonetto Construction Company, Inc.,
Sim's Associates, Inc.,
Sipell Realty Corporation,
Sir, Inc.,
Siris Corp.,
Sir John Gallwey and Partners, Inc.,
Site Constructors N. J., Inc.,
Siwel Realty Co.,
The Six of A Kind Corporation,
1601 Arctic Corp,
Sixth Five Realty Corp.,
Skin Divers Supply & Salvage Co.,
SKS Holding Co., Inc.,
Sky Cliff Apts.,
Skyline Lanes, Inc.,
Skyline Manor, Inc.,
Skyview Restaurant, Inc.,
Slade Bros. Paving Company, Inc.,
Sleybert, Inc.,
Smail Ford, Inc.,
Small Home Builders,

Smith and Chapin, Inc.,
Smith & Colegrove, Inc.,
Smith & Davenport, Inc.,
Smithfield Park, Inc.,
Smith Lewis Hardware Company, Inc.,
Sobel's Eat Shoppe, Inc.,
S & O Embroidery
Sokolow & Glick, Inc.,
Sola Chateau, Inc.,
Solarcap, Inc.,
Solidhed Company,
Somar Dry Cleaners, Inc.,
The Somber Company, Inc.,
Somerset Barlane Corp.,
Somerset Valley Construction Co.,
Somerville Industrial Park,
Somerville Meat Center,
Soncrant's Korner Kitchen,
Sonel Realty Co., Inc.,
Sonic Devices, Inc.,
Sonora Electromatics, Inc.,
South Bartram, Inc.,
South Brunswick Fair Grounds Corp.,
Southern Wholesale Supply Co., Inc.,
South Jersey Flasher, Inc.,
South Jersey Fruit and Produce Carrier, Inc.,
South Jersey Masons, Inc.,
Southland Realty Corporation,
South River Brick Face Co., Inc.,
Space Builders, Inc.,
Space Records, Inc.,
Spade Construction Company,
Spanbar, Inc.,
Spanish Industrial Developments, Inc.,
Spankin Clean,
Sparta D & I Motors, Inc.,
Spartan Homes, Inc.,
Specialty Tours, Inc.,
Spectrum International,
Speed EE Snack Bar, Inc.,
Speed Way Construction Company,
Speedwell Plumbing and Heating, Inc.,
Speer Development Co.,

SPF, Inc.,
Spicent Corporation,
Spiezle's Clothes, Inc.,
Spin Inn Corp.,
Spier's Dairy, Inc.,
Sport King, Inc.,
Sports Leasing Corporation,
Sportsman's Hardware, Inc.,
Sprague Martin Vacuum Plating Co., Inc.,
Spray Incorporated,
Springview Dairy Farm,
Spruce Construction Co.,
S. Scibetta, Inc.,
S & S Electrical Lighting Supply, Inc.,
S & S Printing, Inc.,
Stafovite, Inc.,
Stahl Sales and Construction Co.,
Stamile Brothers Sewer Connecting Co., Inc.,
Standard Agency, Inc.,
Standard Cutting Co., Inc.,
Standard Distributors, Inc.,
Standard Engineering & Construction Co.,
Standard Pottery Co., Inc.,
Standard Transistor Service, Inc.,
Staney Associates, Inc.,
Stanie Brae, Inc.,
Stanley Co., Inc.,
Stanley Kasper Enterprises, Inc.,
Stanley Kitchner Dodge Corporation,
Stan Mar Corp.,
Stara, Inc.,
Star Auto Body, Inc.,
Star Beverage Corporation,
Star Enterprises, Inc.,
Star Fleet, Inc.,
Star Investment Co.,
State Beverage Corporation,
State Coffee Shop, Inc.,
State Line Motors, Inc.,
The Station Shop,
Station Tavern, Inc.,
Sta Tite Adhesives, Inc.,
Statler Builders, Inc.,

Statler Homes, Inc.,
Stat O Tech Corporation,
Statprop, Inc.,
Steben Aircraft Products, Inc.,
Steel Panel Manufacturing Corp.
Steel Sash Sales & Service, Inc.,
Stefani Park, Inc.,
Stelbar Realty Corp.,
Stelco Products Company, Inc.,
Stellar Optical Manufacturing Company,
Sterile Medical Products, Inc.,
Sterling Court, Inc.,
Sterling Dry,
Sterling Plumbing and Heating Co., Inc.,
Sterling Silverloy Corporation,
Stern Light, Inc.,
Steve Co., Inc.,
Stewart Bros. Broadway Servicenter,
Stewart's Marine Mart,
Stickeler Morse Photo Service, Inc.,
Stillman Gardens, Inc.,
Stites, Inc.,
Stoddart Schaaf Contractors, Inc.,
Stone & Company,
Stone Harbor Pharmacy, Inc.,
Stony Brook Builders, Inc.,
Story Book Homes, Inc.,
Stratom Realty, Inc.,
Stricklin Builders, Inc.,
Stuyvesant Fashions, Inc.,
Style Merchandise Corp.,
Suberjim Investment Co.,
Suburban Art & Photo, Inc.,
Suburban Dry Wall Corp.,
Suburban General Hospital,
Suburban Maintenance,
Suburban Nursing Home, Inc.,
Suburban Radio and Appliance Co.,
Suburban Realty Co.,
Sudco Building Corp.,
Sue Ann, Inc.,
Sue Rose Realty Corp.,
Suez of New Brunswick, Inc.,

Sugar Plum Bake Shop, Inc.,
The Su Len Company,
Sulzer Electric Co.,
Summit Acres, Inc.,
Summit Dye Works, Inc.,
Summit Fuel Co., Inc.,
Summit Industries, Inc.,
Summit Perth Amboy, Inc.,
Summit Realty Corp.,
Sumol Realty Corp.,
Sun and Beach Realty, Inc.,
Sundown Bar & Grill, Inc.,
Sun King of America, Inc.,
Sunshine Laundry, Inc., No. 1,
Sunshine Photo Service, Inc.,
Superb Cleaners,
Superior Controls, Inc.,
Superior Diners, Inc.,
The Superior Vending Corporation,
Supermarket Merchandisers, Inc.,
Supreme Packing and Provision Co.,
Supuwi, Inc.,
Sure Built Masonery, Inc.,
Sure Fit Shoes, Inc.,
Surf Construction, Inc.,
Sussex Bowling, Inc.,
Sussex Land Corp.,
Sussex Offset Service, Inc.,
Swan Embroidery Co., Inc.,
Sweetwood Products, Inc.,
Swift Homes of North Jersey, Inc.,
Syd's, Inc.,
Sylab Realty Co.,
Sylvan Greens, Inc.,
Symin Equipment Corp.,
Syndicated Investors Corporation,
Synor Company,
Systems Products Co.,

TAE Company, Inc.,
Tafhon Kennels, Inc.,
Tag Construction Company, Inc.,
Taggart Chamberlain Funeral Home,

The Talisman Corporation,
Tall Apparel, Inc.,
Tan Bark Farms, Inc.,
Tanorama, Inc.,
Tappen Development Co.,
Tara Corporation,
Tar D. Meg Corporation, Incorporated,
TA Realty Company, Inc.,
The Tasker Green Company, Inc.,
Taunton Realty Co.,
Taylor Blower Company, Inc.,
Taylor Mt. Prospect Corp.,
Taylor's Cleaners, Inc.,
TCA, Inc.,
TCR Corp.,
Teaneck Plumbing Supply Co., Inc.,
Teaneck Ranch Homes, Inc.,
Techlit Services, Inc.,
Technical Applicators Co., Inc.,
Technical Engineered Products, Inc.,
Technical Refrigeration and Air Conditioning, Inc.,
Teddy Frank, Inc.,
Tedesco's Frozen Foods, Inc.,
Telephone Communications Corporation,
Temple Acceptance Corp.,
Ten Acres, Inc.,
10 Henry Street, Inc.,
1001 Auto Parts Distributors, Inc.,
Ten Sixty Realty Corporation
Ten Stefanic Ave. Corp.,
Tenth Motel Corp.,
Tenzer's Fairmont Hotel, Inc.,
Terra Construction Corp.,
Terrapolitan Development Corp.,
Terry Enterprises, Inc.,
Terry Jo Fashions, Inc.,
Terry Reilly, Incorporated,
Testing Equipment Sales Co., Inc.,
Texat Corporation,
Textile Laminators, Inc.,
T & F Supply Company,
T. G. Land Corp.,
Thaddeus Erection, Inc.,

Thanmird, Inc.,
Theatre Realty Company,
Theodore C. Gams and Associates, Inc.,
Theognosia Holding Company,
Theoret Realty Company,
Thermal Associates, Inc.,
Thermo Flo Boiler & Generator Co.,
Thermo Metal, Inc.,
Thermoscraft Contracting Co.,
Thermoset Plastics, Inc.,
Thierry's Bowling Center, Inc.,
Thirteen Twenty Six Corporation,
Thirteen West Front Street, Inc.,
37 Bergen Street Corp.,
3700 Boulevard Corp.,
3380 Corporation,
Thirty Three South Street, Inc.,
Thomas A. Edison, Incorporated,
Thomas Factors Corporation,
Thomas J. Sterlacci Hauling, Inc.,
Thomas M. Eagan & Son, Inc.,
Thos P. Brennan Co., Inc.,
Thompson Realty Co. of Princeton, Inc.,
Thompson & Van Dyke, Inc.,
Thor Manufacturing Company, Inc.,
Thornton & Shuman, Inc.,
Three Brothers Shell,
389, Inc.,
340 Main Avenue Realty Co., Inc.,
349 Hamilton Ave. Corp.,
335 Corporation,
Three Ten Maple Street Corp.,
Three Two Co., Inc.,
Thrift Sales Co., Inc.,
Tiger Enterprises, Inc.,
Tilpar Corporation,
Tilsam Realty Co. No. 2,
Timbercraft, Inc.,
Timber Lakes Beach Club, Inc.,
Time Out Realty Co., Inc.,
Times Herald, Inc.,
Tim Tam Services, Inc.,
Tina's Supper Club, Inc.,

Tinplate Corporation of America,
Tiny's Bargain Stores,
Titanium Machine Co.,
T & M, Inc.,
T & N Commandatore Trucking Co.,
TNW Corp.,
Toaseal, Inc.,
Toby Joyce Sportswear,
Tomasella Landscaping Company, Inc.,
Tomby Corporation,
Toms River Co.,
Toms River Roofing Company, Inc.,
Tom's River Styx Garage, Inc.,
Tomwil Builders, Inc.,
Toney & Joe, Inc.,
Tonnele Realty Corp.,
Tony's Atlantic Service, Inc.,
To Pat Donuts, Inc.,
Top Line Distributors, Inc.,
Topps Cleaners, Inc.,
Topps Cleaners & Shirt Launderers, Inc.,
Topps Tailoring and Pressing Co., Inc.,
Tora Li Sportswear, Inc.,
Torii Cultured Pearls Co., Inc.,
Toron TV, Inc.,
Towel Machine Service Corp.,
Town Auto Service, Inc.,
Town Cars, Inc.,
Town Coffee Shop,
Town and Country Bicycle Stores, Inc.,
Town & Country Suites,
Town & Country Trucking and Warehousing, Inc..
Town Shop, Inc.,
Town & Surf, Inc.,
Trade Bindery, Inc.,
Trade Tile Distributors,
Trail Development Corporation,
Trans Car Corp.,
Trans Globe Trucks, Inc.,
Transig Corporation,
Transit Freeze Corporation,
Transmissions, Inc.,
Trans World Refining Corporation,

Travelers' Tavern,
Travel Holiday Tours, Ltd.,
Trebor Realty Corp.,
Treco, Incorporated,
Tremont Const. Co., Inc.,
Trenton Cabana Club, Inc.,
Trenton Corp.,
Trenton Dance Studios, Inc.,
Trenton Darling Shops Corp.,
Trenton Marine Terminal, Inc.,
Trenton Products Company,
Trenton Tribune, Inc.,
Triangle Service, Inc.,
Triboe Ler Corporation of America,
Tri Builders, Inc.,
The Tricorn Company, Inc.,
Tri County Collection Agency, Inc.,
Tri County Medical Center,
Trigoyne Corporation,
Trim,
Trim Telefilm Service Corp.,
Trio Merchandising Corporation,
Triple A Construction Corp.,
Triple Johnson Corporation,
Triplett Builders,
Triplett Construction Corporation,
Tri Sonic Corporation,
Trison, Inc.,
Tri Square Industries, Inc.,
Tri State Disposal Co., Inc.,
Tri State Lumber Co.,
Triton Agency, Inc.,
Triune, Inc.,
Tri Us Unlimited, Inc.,
Troum Realty Company,
Troy Development Corporation,
Troy Laundries, Inc.,
Troy Records, Inc.,
Tru Gee, Inc.,
Trusty Group, Inc.,
Tuckerton Estates, Inc.,
Tuco, Inc.,
Tudor Home Builders, Inc.,

Tudor Village, Inc.,
Tuman Construction Corp.,
Turbit Corporation,
The Turtur Agency, Inc.,
Turul Builders, Inc.,
Tuscan Crafts, Inc.,
1249-1251 Broad St., Inc.,
24 Belmont Circle, Inc.,
Twenty Fulton Street Corp.,
20 Long Street Company,
Twenty Nine Heights Road, Inc.,
Twenty Three Realty Company,
2200 Center Ave. Bldg. Corp.,
Twenty Two Stores, Inc.,
Twin Borough Construction, Incorporated,
Twin County Electric Service,
Twin Motor Sales, Inc.,
Two Bridges Restaurant, Inc.,
284 Lakeview Ave., Inc.,
281 Garden St. Realty Corp.,
256 Warren Corp.,
256 Water Street, Inc.,
245 Newark Avenue Corporation,
246-248 Pal Ave. Corp.,
214 Newark Ave. Corp.,
200 Miller St. Corp.,
209-211-214 Second Street Corp.,
270 Varick Street, Inc.,
206 Corporation, Inc.,
264 Corporation, Inc.,
261 Taxi Corp.,
261-263 Mercer Corp.,
235 Taxi Corp.,
233 Roosevelt Avenue Corporation, Inc.,
The 232 Broadway Corporation,
203 Corporation,
227 Cab Corporation, Inc.,
Two Kings Restaurant, Inc.,

U Bowl, Inc.,
UCI Realty Co.,
Underground Utilities, Inc.,
Ultrad Water Purifiers, Inc.,
U Neek Super Markets,

Union Blue Ribbon Bake Shop,
Union Club, Inc.,
Union Foods, Inc.,
Union Furniture City,
Union Holding Company, Inc.,
Union Industries,
Union Palace Bowling Academy Co.,
Union Radio & Television Co.,
Uni Roc of New Jersey,
Unit Advertising Corporation,
United Cabinet & Woodworking Company,
United Cleaning & Maintenance Co.,
United Energy Corp.,
United National Labs, Inc.,
United Plating Corp.,
United Pool Corporation,
United Promotions, Inc.,
United Sample Service Corp.,
United Space Industries Corp.,
United States Investment Corp.,
US Tank Corporation,
United Welding Supply, Inc.,
United Wholesale Foods,
Unity Enterprises Co., Inc.,
Universal Aerasol Packing Co.,
Universal Boat Sales, Inc.,
Universal Gravure Corp.,
Universal Machinery Distributors of New Jersey, Inc.,
Universal Painting and Decorating Co., Inc.,
Universal Power Tool Sales Corp.,
Universal Stereo Corp.,
University Barbeque Shoppe,
Univestor World Corporation,
Upper Claremont Building Corp., Inc.,
Up Rite Stores, Inc.,
Ure Sons, Inc.,
Urscheler Realty Corp.,
Urshom Operating Corp.,
Utility Trailers, Inc.,
U & V Corporation,

Vaccarella & De Pietro, Inc.,
Vac, Inc.,

Vail Mortgage Associates, Inc.,
Valet Service, Inc.,
Valley Color & Chemical Co., Inc.,
Valley Liquors,
Valley Maintenance Co., Inc.,
Valley Plumbing Co.,
Valor Aluminum Enterprises, Inc.,
Val Worth Enterprises, Inc.,
Variety Manufacturing Corp.,
Variety Toys, Inc.,
Vari Pac Manufacturing Corporation,
Varsity Bowling Centre, Inc.,
Varsity Pharmacy of Bridgeton,
Varsity Pharmacy of Cherry Hill,
Varsity Pharmacy of Vineland East,
Varsity Pharmacy of Vineland West,
Vasco, Inc.,
V & B Enterprises, Inc.,
V. Bivona & Sons, Inc.,
Vector Company, Inc.,
Vela Corp.,
Velve Crete, Inc.,
Vendico, Inc.,
Ventilating Equipment Sales Co.,
Ventrose Holding Co., Inc.,
Venus Embroidery Co.,
Vermont Homes, Inc.,
Verona Hardware, Inc.,
Versatile Income Planning, Inc.,
Vesco Homes, Inc.,
Vestal Builders, Inc.,
Veteran's Cleaners, Inc.,
V. Fasone Company, Inc.,
Vicki Millinery and Bag Shop, Inc.,
Vicon Homes, Inc.,
Viconro Development Corporation,
Vigon Finance Company,
Vigus Builders, Inc.,
Village Homes, Inc.,
Village Pontiac, Inc.,
Villa Piemonte Corporation,
Villa Rosa,
Vinnie's Dairy Products, Inc.,

Visual Dynamics Corporation,
Vitaron Chemical Manufacturing Co., Inc.,
Vito Bruno Electric Corporation,
Vito's Hotel, Inc.,
V and J Restaurant,
VL Holding Co., Inc.,
Vol Art Company, Inc.,
Von Der Horst & Associates, Inc.,
V & R Trucking Corp.,

Wacker Motor Car Company,
W. A. Groux Tours, Inc.,
Wakefield's Show Spot Bar, Inc.,
Waldon Homes, Inc.,
Waldork, Inc.,
Wallington Homes, Inc.,
Wallington Wood & Marine Co.,
Walmur Corporation,
Walsh Motor Co., Inc.,
Walter A. Kuhn and Company, Inc.,
Walter Burhenne, Inc.,
Walter C. Gregory Corporation,
Walton Lamson Associates, Inc.,
Walzak, Inc.,
Warco Associates, Inc.,
Warinanco Self Service Laundromat, Inc.,
War Mel, Inc.,
Warren Enterprises, Inc.,
Warren Hairdresser,
Warths Gift and Card Shop,
Warwick Investment Corp.,
Warwick Retail Stores, Inc.,
Washington Brass Foundry, Inc.,
Washington Bungalow Sales Company,
Washington Development Co.,
Washington Food Markets,
Washington Taxi, Inc.,
Wash O Mat of Morrisville, Inc.,
Watchung Estates,
Watchung Laboratories, Inc.,
Watchung Whispering Leaves, Inc.,
Waterfront, Inc.,
Waterides, Inc.,
Water Realty Co.,

Water Street Grille, Inc.,
Watessing Real Estate Company,
Waverly Terminal Co.,
Wayne Country Club Restaurant, Inc.,
Wayne Department Store Inc., of Haddonfield,
Wayne Enterprises, Inc.,
Wayne Foundation & Excavating Corp.,
Wayne Gas, Inc.,
Wayne Stores, Inc. of New Jersey,
Way Realty Corp.,
Weatherly, Inc.,
Weather Specialties Corporation,
Webb Construction Co., Inc.,
Webb Holding Corporation,
Weber Bros, Inc.,
Weehawken Engineering & Mfg. Co.,
Weequahic Park Service,
Weequahic Sport Shop, Inc.,
Weiner Glass & Supply Co.,
Weinmann's Sales Company,
Weirmar of New Jersey, Inc.,
Weiss, Inc.,
Weko, Inc.,
Welded Door Corp.,
Wells Drug Stores, Inc.,
Welsh Realty, Inc.,
Werner's Meadows, Inc.,
Wesco, Inc.,
Wesco Plumbing & Heating Co., Inc.,
West Cherry Hill SPA, Inc.,
Westchester Express, Inc.,
Westchester Motor Lines, Inc.,
Western Builders, Inc.,
Westervelt Company, Inc.,
Westfield Development, Inc.,
Westfield Homes, Inc.,
Westfield Sports Car Center, Inc.,
Westfield Sun Appliance, Inc.,
Westfield Supply Company, Inc.,
West Milford Engineering & Contracting Co., Inc.,
West Milford Iron Works, Inc.,
West Orange Landscaping, Inc.,
West Rahway Associates, Inc.,

Westville Corporation,
Westville Gardens Corporation,
West Windsor Development Co., Inc.,
Wethree Enterprises, Inc.,
W & F Contracting Corp.,
White Bluff Plaza, Inc.,
White City Homes,
White Eagle Milling & Lumber Co.,
Whitehead Construction Co.,
White Horse Gardens, Inc.,
White Meadow Construction Company,
Wide Globe Maintenance Co.,
Wilbern Corporation,
The Wilbur Rogers Elizabeth Corporation,
The Wilbur Rogers Hackensack Corporation,
Wilbur Rogers, Inc.,
The Wilbur Rogers New Brunswick Corporation,
The Wilbur Rogers Perth Amboy Corporation,
The Wilbur Rogers Plainfield Corporation,
Wilderotter Storage Warehouse Co., Inc.,
Wildwood Aviation Maintenance Corporation,
Willflo, Inc.,
Wm. C. Foody Building & Investment Co., Inc.,
William C. Frost & Sons, Inc.,
William Clower Trucking Company,
William D. Bennett Electric Co.,
William F. Howell Enterprises, Inc.,
Wm. H. Rademaekers & Son Company,
Wm. J. Cullinane Company,
William P. Curran, Inc.,
William White Holding Company,
Willis Transit Co., Inc.,
Willow Brook Embroidery Corp.,
Willow Shirt Corp.,
Wilsam Construction Company,
Wilshire Homes, Inc.,
Wilshire Lace Corp.,
Wilson & Giegerich, Inc.,
Wimced Realty Corp.,
Windsor, Inc.,
Windswept Farms, Inc.,
The Winfred Corp.,
Wingate, Inc.,

Winkler Automatic Heating Corp.,
Winton Tool & Mfg. Corp.,
Wiscap Holding Corp.,
Wise Liquor Store, Inc.,
Withey Holding Corporation,
Wittrock's Tea Room, Inc.,
W & K Construction Co., Inc.,
W & O Liquors, Inc.,
Wolness Corporation,
Wonda Wheels, Incorporated,
Wonder Bar,
Wonder Ride, Inc.,
Woodbine Estates, Inc.,
Woodbridge Industrial Center, Inc.,
Woodcliff Garage, Inc.,
Wood Estates, Inc.,
Wood Holding Co., Inc.,
Woodland Investors, Inc.,
Wood Liz Investment Corporation, Inc.,
Woodmont Holding Co., Inc.,
Wood Production Parts,
The Woodshield Corp.,
Woodside Trucking Co., Inc.,
Woodstown Builders Supply Company,
Woodward Machinery Co., Inc.,
World Beauty Academy, Inc.,
World Wide Securities, Inc.,
Wright Equipment Corporation,
W & S Construction Co., Inc.,
Wychwood, Inc.,
Wyckoff Heating & Air Conditioning Co., Inc.,
Wynchester Homes, Inc.,
Wychwood Associates, Inc.,
Wyndmoor Estates,
Wynnewood Homes, Inc.,
Wynwood Estates, Inc.,

Xerographic Electronics Co., Inc.,

The Yachtsman, Inc.,
Yale Taxi, Inc.,
Yankee House, Inc.,
Yard's
Yates Productions,

Ye Brass Rail, Inc.,
Ye Measure and Make Shop,
Ye Old Rail,
YFS, Inc.,
Yield Fund Corporation,
Yock's Grill,
York Construction Co.,
Yorkshire Sportswear Company,
Yorktown Barrel Co., Inc.,
Yorktown Holding Co.,
Yorkview Realty Co.,
Young and Sova Company,

Zacher & Co.,
Zall Bros., Inc.,
Zanders Electric, Inc.,
Z and B Printing Co.,
Zeb's Oil Supply, Inc.,
Zee Rocker Associates, Inc.,
Zenith Electric Co., Inc.,
Zenitherm Alloys Corp.,
Zietz Apartments, Inc.,
Zimmerman and Frey, Inc.,
Zimmerman Photo Supply Corp.,
Zoned Right Corp.,
Zucchet & Sgro Builders, Inc.,

are repealed, and that all powers conferred by law upon such corporations and each of them, shall hereafter be inoperative and void.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fifth day of January, A. D., one thousand nine hundred and sixty-six, and in the Independence of the United States, the one hundred and ninetieth.

RICHARD J. HUGHES,
Governor.

By the Governor,

ROBERT J. BURKHARDT,
Secretary of State.

AMENDMENTS TO THE 1947 CONSTITUTION

Amendments to the 1947 Constitution

PROPOSED AMENDMENTS ADOPTED

Amend Article IV, Section I, Paragraph 2 of the State Constitution to read as follows:

2. No person shall be a member of the Senate who shall not have attained the age of thirty years, and have been a citizen and resident of the State for four years, and of the district for which he shall be elected one year, next before his election. No person shall be a member of the General Assembly who shall not have attained the age of twenty-one years and have been a citizen and resident of the State for two years, and of the district for which he shall be elected one year, next before his election. No person shall be eligible for membership in the Legislature unless he be entitled to the right of suffrage.

Amend Article IV, Sections II and III of the State Constitution to read as follows:

SECTION II.

1. The Senate shall be composed of forty senators apportioned among Senate districts as nearly as may be according to the number of their inhabitants as reported in the last preceding decennial census of the United States and according to the method of equal proportions. Each Senate district shall be composed, wherever practicable, of one single county, and, if not so practicable, of two or more contiguous whole counties.

2. Each senator shall be elected by the legally qualified voters of the Senate district, except that if the Senate district is composed of two or more

counties and two senators are apportioned to the district, one senator shall be elected by the legally qualified voters of each Assembly district. Each senator shall be elected for a term beginning at noon of the second Tuesday in January next following his election and ending at noon of the second Tuesday in January four years thereafter, except that each senator, to be elected for a term beginning in January of the second year following the year in which a decennial census of the United States is taken, shall be elected for a term of two years.

3. The General Assembly shall be composed of eighty members. Each Senate district to which only one senator is apportioned shall constitute an Assembly district. Each of the remaining Senate districts shall be divided into Assembly districts equal in number to the number of senators apportioned to the Senate district. The Assembly districts shall be composed of contiguous territory, as nearly compact and equal in the number of their inhabitants as possible, and in no event shall each such district contain less than eighty per cent nor more than one hundred twenty per cent of one-fortieth of the total number of inhabitants of the state as reported in the last preceding decennial census of the United States. Unless necessary to meet the foregoing requirements, no county or municipality shall be divided among Assembly districts unless it shall contain more than one-fortieth of the total number of inhabitants of the state, and no county or municipality shall be divided among a number of Assembly districts larger than one plus the whole number obtained by dividing the number of inhabitants in the county or municipality by one-fortieth of the total number of inhabitants of the state.

4. Two members of the General Assembly shall be elected by the legally qualified voters of each Assembly district for terms beginning at noon of the second Tuesday in January next following their election and ending at noon of the second Tuesday in January two years thereafter.

SECTION III.

1. After the next and every subsequent decennial census of the United States, the Senate districts and Assembly districts shall be established, and the senators and members of the General Assembly shall be apportioned among them, by an Apportionment Commission consisting of ten members, five to be appointed by the chairman of the state committee of each of the two political parties whose candidates for governor receive the larger number of votes at the most recent gubernatorial election. Each state chairman, in making such appointments, shall give due consideration to the representation of the various geographical areas of the state. Appointments to the Commission shall be made on or before November 15 of the year in which such census is taken and shall be certified by the Secretary of State on or before December 1 of that year. The Commission, by a majority of the whole number of its members, shall certify the establishment of Senate and Assembly districts and the apportionment of senators and members of the General Assembly to the Secretary of State within one month of the receipt by the Governor of the official decennial census of the United States for New Jersey, or on or before February 1 of the year following the year in which the census is taken, whichever date is later.

2. If the Apportionment Commission fails so to certify such establishment and apportionment to the Secretary of State on or before the date fixed or if prior thereto it determines that it will be unable so to do, it shall so certify to the Chief Justice of the Supreme Court of New Jersey and he shall appoint an eleventh member of the Commission. The Commission so constituted, by a majority of the whole number of its members, shall, within one month after the appointment of such eleventh member, certify to the Secretary of State the establish-

ment of Senate and Assembly districts and the apportionment of senators and members of the General Assembly.

3. Such establishment and apportionment shall be used thereafter for the election of members of the Legislature and shall remain unaltered until the following decennial census of the United States for New Jersey shall have been received by the Governor.

Amend Article XI by adding thereto Section V as follows:

SECTION V.

1. For the purpose of electing senators in 1967 and until the 1970 decennial census of the United States for New Jersey shall have been received by the Governor, the forty senators are hereby allocated among fifteen Senate districts, as follows:

First District—the counties of Gloucester, Atlantic and Cape May, two senators;

Second District—the counties of Salem and Cumberland, one senator;

Third District—the county of Camden, three senators;

Fourth District—the counties of Burlington and Ocean, two senators;

Fifth District—the county of Monmouth, two senators;

Sixth District—the county of Mercer, two senators;

Seventh District—the county of Middlesex, three senators;

Eighth District—the county of Somerset, one senator.

Ninth District—the county of Union, three senators;

Tenth District—the county of Morris, two senators;

Eleventh District—the county of Essex, six senators;

Twelfth District—the county of Hudson, four senators;

Thirteenth District—the county of Bergen, five senators;

Fourteenth District—the county of Passaic, three senators; and

Fifteenth District—the counties of Sussex, Warren and Hunterdon, one senator.

2. For the purpose of electing members of the General Assembly and the senators from Assembly districts where so required in 1967 and until the 1970 census of the United States for New Jersey shall have been received by the Governor, the Assembly districts shall be established by an Apportionment Commission consisting of ten members, five to be appointed by the chairman of the state committee of each of the two political parties whose candidates for governor receive the largest number of votes at the most recent gubernatorial election. Each state chairman, in making such appointments, shall give due consideration to the representation of the various geographical areas of the state. Such Apportionment Commission shall be appointed no earlier than November 10 nor later than November 15, 1966, and their appointments shall be certified by the Secretary of State on or before December 1, 1966. The Commission, by a majority of the whole number of its members, shall certify the establishment of Assembly districts to the Secretary of State on or before February 1, 1967.

3. If such Apportionment Commission fails so to certify the establishment of Assembly districts to the Secretary of State on or before the date fixed or if prior thereto it determines that it will be

unable so to do, it shall so certify to the Chief Justice of the Supreme Court of New Jersey, and he shall appoint an eleventh member of the Commission. Such Commission, by a majority of the whole number of its members, shall within one month after the appointment of such eleventh member certify to the Secretary of State the establishment of Assembly districts.

4. The Assembly districts so established shall be used thereafter for the election of members of the General Assembly and shall remain unaltered until the following decennial census of the United States for New Jersey shall have been received by the Governor.

Adopted November 8, 1966.

PROPOSED AMENDMENTS TO THE 1947 CONSTITUTION THAT HAVE BEEN REJECTED

(1603)

Proposed Amendments to the 1947 Constitution that have been Rejected

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PROPOSED AMENDMENT REJECTED

Amend Article VII, Section II, paragraph 2 to read as follows:

2. County clerks, surrogates and sheriffs shall be elected by the people of their respective counties at general elections. The term of office of county clerks, surrogates and sheriffs shall be 5 years. Whenever a vacancy shall occur in any such office, it shall be filled in the manner to be provided by law.

There shall be printed on each official ballot to be used at such general election the following:

If you favor the proposition printed below make a cross (×), plus (+) or check (√) in the square opposite the word "Yes." If you are opposed thereto make a cross (×), plus (+) or check (√) in the square opposite the word "No."

	Yes.	Shall the amendment of Article VII, Section II, paragraph 2 of the Constitution to fix the terms of sheriffs at 5 years instead of 3 years, be approved?
	No.	

In any municipality in which voting machines are used, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instructions to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

Filed July 9, 1956.

PROPOSED AMENDMENT REJECTED

Amend Article VII, Section I, paragraph 1 of the Constitution to read as follows:

1. Property shall be assessed for taxation under general laws and by uniform rules. All real property assessed and taxed locally or by the State for allotment and payment to taxing districts shall be assessed according to the same standard of value; and such real property shall be taxed at the general tax rate of the taxing district in which the property is situated, for the use of such taxing district. The Legislature may authorize the governing body of any municipality constituting a taxing district to establish a proportion of the standard of value at which such real property situate therein shall be assessed, and such proportion shall be uniformly applied to all such real property within the taxing district.

EXECUTIVE ORDERS

Executive Orders

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 26

WHEREAS, The Commission to Study the Arts in New Jersey has found that there is widespread interest and participation in the arts among the people of our State, and that numerous institutions, organizations and individuals provide the people with facilities and programs in the arts within the limit of their present resources; and

WHEREAS, The Commission has found that many of New Jersey's citizens still lack adequate opportunities to view, enjoy, study, or participate in theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibitions, architecture, literature, and the performing and creative arts generally; and

WHEREAS, The Commission has found that New Jersey's facilities in the performing and creative arts need and deserve greater public support and encouragement in order to carry out more effectively programs of benefit to the people of the State, and that more adequate opportunities are needed in New Jersey for professional training and practice in the performing and creative arts; and

WHEREAS, The general welfare of the people of the State will be promoted by giving recognition and encouragement to the arts as a vital aspect of our culture and heritage and as an integral part of our educational programs; and

WHEREAS, The Commission to Study the Arts in New Jersey has indicated that the State must make prompt application for available Federal funds to avoid their being reallocated to other areas;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution, do hereby order and direct that:

1. The Commission to Study the Arts in New Jersey is hereby designated the sole official agency of the State of New Jersey authorized to apply for, receive, disburse, and administer grants of money from the National Foundation on the Arts, under the provisions of the National Arts and Humanities Law of 1965 (P. L. 89-209).

2. This designation shall be effective as of this date and shall remain in effect during the life of the Commission or until such time as it shall be superseded by a new agency of State government.

3. The Commission, in co-operation with the Department of Education, is authorized to use such funds as may be otherwise available for the purposes of qualifying for grants from the National Foundation on the Arts.

[SEAL] Given, under my hand and seal this twenty-seventh day of April, in the year of Our Lord, one thousand nine hundred and sixty-six, and of the Independence of the United States, the one hundred and nintieth.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ JOHN W. GLEESON,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 27

To the Heads of All State Departments, Bureaus, Divisions, Etc.:

I, RICHARD J. HUGHES, Governor, order and direct that beginning Monday, June 13, 1966, and continuing through Friday, September 9, 1966, all state offices shall close one-half hour earlier than the regular closing hour. Except as may be prescribed by Directive of the Department Head with respect to employees of the Department, this Order shall not apply to employees assigned to work a 40-hour week or those employees engaged in field operations requiring attendance beyond the hours prescribed above, maintenance workers paid on an hourly basis or employees required to work shift assignments.

[SEAL] Given, under my hand and seal this 7th day of June, in the year of Our Lord one thousand nine hundred and sixty-six, and in the Independence of the United States, the one hundred and ninetieth.

RICHARD J. HUGHES,
Governor.

Attest:

JOHN W. GLEESON,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 28

WHEREAS, The travel regulations promulgated by the Governor on July 1, 1959, with amendments thereto, have been in effect with little or no change, and

WHEREAS, Circumstances have necessitated certain changes in the methods for handling the travel procedures of the State, and

WHEREAS, In the interest of proper and efficient operation, it is necessary that the regulations be rewritten and revised,

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by statutes of this State, do hereby order and direct that the travel regulations promulgated July 1, 1959, and amendments thereto be rescinded as to all transactions occurring on and after July 1, 1966, and that the regulations attached hereto and made a part hereof shall be the official State travel regulations and that all requests for expenditures thereunder shall be made in accordance therewith; that these regulations shall be effective July 1, 1966; and that the Director of the Division of Budget and Accounting in the Department of the Treasury is charged with the enforcement thereof.

[SEAL] Given, under my hand and seal this 17th day of July, in the year of Our Lord, one thousand nine hundred and sixty-six, and of the Independence of the United States, the one hundred and ninety-first.

/s/ RICHARD J. HUGHES,
Governor.

Attest:
/s/ JOHN W. GLEESON,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 29

I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State do hereby order and direct that:

1. Friday, November 25, 1966 (the day following Thanksgiving Day) be declared an extra holiday for State employees.

[SEAL] Given, under my hand and seal this 9th day of November, in the year of Our Lord, one thousand nine hundred and sixty-six, and of the Independence of of the United States, the one hundred and ninety-first.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 30

WHEREAS, New Jersey State Government has long been committed to a policy of seeking improved methods of administration and promoting the efficiency and economy in its operations; and

WHEREAS, The effective use of automatic data processing systems by several agencies of the State Government has clearly demonstrated its value in

New Jersey State Library

providing improved services both to the public and to State Government itself, with concomitant economies of operation; and

WHEREAS, At my direction a study has been made of the data processing needs of New Jersey State Government and of the extent to which centralized automatic data processing systems can best be developed to serve the needs of State Government on a comprehensive over-all basis; and

WHEREAS, As a result of that study, a report entitled "Review, Evaluation and Recommendations Concerning Automatic Data Processing in New Jersey State Government" has been submitted to me; and

WHEREAS, The said report contains recommendations which should be implemented promptly;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby order and direct:

1. The attached "Statement of Policy on Automatic Data Processing for New Jersey State Government" is hereby declared to be the official policy of New Jersey State Government.

2. The State Treasurer, acting under the authority of this Executive Order and under statutory powers conferred on him, shall establish within the Division of Budget and Accounting in the Department of the Treasury a Bureau of Data Processing; shall assign to that Bureau such employees of the Department of the Treasury as may be appropriately assigned thereto; and shall from time to time assign or appoint to the said Bureau such other employees as may be required.

3. The State Treasurer shall, acting through the Division of Budget and Accounting and the Bureau of Data Processing, co-ordinate the data processing activities of all State Government agencies, shall effect the most practicable consolidation of data

processing installations in a manner to serve most effectively the needs of State Government on a comprehensive over-all basis, and shall provide data processing policy guidance and systems development assistance to all agencies of State Government.

4. The State Treasurer, acting through the Division of Budget and Accounting and the Bureau of Data Processing, shall cause to be developed a State Automatic Data Processing Master Plan which will provide guidelines for the orderly growth and development of automatic data processing in State Government.

5. There is hereby established an Automatic Data Processing Advisory Committee to consist of seven State agency administrators possessing a broad knowledge of automatic data processing. The members of the Advisory Committee shall be appointed by the State Treasurer for one year terms, but shall be eligible to succeed themselves. The Advisory Committee shall advise the State Treasurer, the Director of the Division of Budget and Accounting and the Supervisor of the Bureau of Data Processing with respect to the development of the State Automatic Data Processing Master Plan and other matters in connection with the utilization of automatic data processing facilities and personnel. The Supervisor of the Bureau of Data Processing shall be, ex officio, the Chairman of the Advisory Committee.

6. All State Department Heads and State agency administrators shall co-operate fully with the agencies of the Department of the Treasury, and with each other, to insure the greatest possible effectiveness in the application of automatic data processing to the business of State Government. All State administrators are urged to develop a thorough understanding of the capabilities of automatic data processing and to prepare themselves to provide the leadership and support so essential to make the most effective use of data processing systems in the operation and management of State Government agencies and programs.

[SEAL] Given, under my hand and seal this 9th day of November in the year of Our Lord, one thousand nine hundred and sixty-six, and of the Independence of the United States, the one hundred and ninety-first.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 31

WHEREAS, New Jersey State Government has long been committed to a policy of impartiality with respect to those who seek to communicate with its officers and employees;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby order and direct:

1. No circulars, notices, advertisements, solicitations, inquiries, or other communications of whatever origin, purpose or design shall be included in or distributed with, or at the same time as, an envelope or other container having within it a paycheck or other State of New Jersey official communication, except with the prior permission of the Director of the Budget

[SEAL] Given, under by hand and seal this 21st day of December in the year of Our Lord, one thousand nine hundred and sixty-six, and of the Independence of the United States, the one hundred and ninety-first.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 32

WHEREAS, New Jersey State Government has long been concerned with improving motor vehicle safety; and

WHEREAS, In order to achieve the highest degree thereof it is of extreme importance that the drivers of State-owned motor vehicles practice safety diligently, thereby setting an example to the entire driving public;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby order and direct that:

1. There is hereby created within the Department of the Treasury an Accident Review Board which shall comprise one representative from the Department of the Treasury, Central Motor Pool, and four representatives from the Department of Law and Public Safety, being one each from the

Division of Law, Division of Motor Vehicles, Division of State Police and Bureau of Claims.

2. It shall be the function of the Accident Review Board:

(a) to review each accident in which a Central Motor Pool vehicle shall have been involved, after submission to it of an investigation report thereof by the Division of Motor Vehicles.

(b) to recommend corrective measures in order to reduce accidents and increase safety,

(c) to maintain a driving record for each State employee who uses a Central Motor Pool vehicle, and

(d) to develop policies and procedures designed to improve the driving of State employees operating Central Motor Pool vehicles.

[SEAL] Given, under my hand and seal this 23rd day of December in the year of Our Lord, one thousand nine hundred and sixty-six, and of the Independence of the United States, the one hundred and ninety-first.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Secretary to the Governor.

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