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RULE PROPOSALS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Hearing Rules of Special Applicability Special Education Program

Proposed New Rule: N.J.A.C. 1:6A

Authorized By: Howard H. Kestin, Director, Office of
Administrative Law.

Authority: N.J.S.A. 52:14F-5 e, f, g, h, n, o, and p.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Burton D. Weltman, Esq.
Assistant Director for Rules
Office of Administrative Law
88 East State Street
Trenton, NJ 08625

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

This proposal is known as PRN 1982-361.

The agency proposal follows:

Summary

The purpose of these proposed rules is to provide for a fair and efficient process for hearings arising out of the Special Education Program of the Department of Education. On July 23, 1982, the Commissioner of Education formally requested that the Office of Administrative Law assume the hearing function in these matters.

In contemplation of this shift of responsibilities, a pre-proposal for rules on this subject appeared in the July 6, 1982 New Jersey

Register at 14 N.J.R. 675(a), and a public hearing on the pre-proposal was held on July 21, 1982. Numerous written and oral comments and suggestions were received from parents, attorneys, representatives of boards of education, and representatives of the Department of Education. The comments and suggestions were reviewed and answered. Most of them were also accepted, and are incorporated into this proposal.

The proposed rules incorporate and are consistent with the Federal rules on this subject, at 45 CFR 121a 500 et seq. Federal requirements which are contained in these proposed rules include:

1. A detailed notice requirement where any special education action with respect to a child is proposed;
2. A 45 day time limit between hearing request and hearing decision, subject to reasonable adjournments and delays for cause;
3. A requirement that all evidence intended for a hearing be disclosed to all parties at least five days prior to the hearing; and
4. A provision that any party may be assisted at a hearing by individuals with special knowledge or training with respect to handicapped pupils and their educational needs.

Other provisions in these proposed rules include:

1. A pre-hearing settlement conference, to be conducted by the Department of Education;
2. Providing for interpreters and for an independent educational evaluation, free of charge to parents, where deemed necessary by the judge; and
3. An expedited schedule for hearing and decision.

Social Impact

These hearings deal with extremely complex and sensitive issues involving the education of handicapped children. The issues must be dealt with in the context of a dispute between parents and school officials over the proper educational program for a child, but in which the best interests of the child is the paramount concern. A speedy but thorough hearing is very often essential in these matters, as the proper educational placement of the child for an approaching school year may hinge on the hearing decision. These rules and procedures will expedite the process, as they provide for a more streamlined hearing system than previously existed and because the OAL has a larger pool of judges from which to draw than the Bureau of Special Education had hearing examiners. These rules and procedures should also result in an improved hearing process, as the legal resources and staff of the OAL will be added to the educational resources and staff of the Bureau in handling these matters.

NEW JERSEY REGISTER

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Economic Impact

The new procedures, which include a greater emphasis on settlement and an expedited hearing schedule, should save some parties some litigation costs. The administrative and judicial costs of the hearings will continue to be paid for from funds administered by the Bureau of Special Education, the Bureau reimbursing the OAL for hearing expenses incurred by the OAL.

Full text of the proposed new rule follows.

SUBCHAPTER 1. APPLICABILITY**1:6A-1.1 Applicability**

The following rules shall apply to the notice and hearing of matters arising out of the Special Education Program of the Department of Education, as described in N.J.A.C. 6:28-1.1 et seq. Any aspect of notice or hearing not covered by these rules of special applicability shall be governed by the Uniform Administrative Procedure Rules (UAPR) contained in N.J.A.C. 1:1-1.1 et seq. To the extent that these rules of special applicability are inconsistent with the UAPR, these rules shall apply. For reference see 20 N.J.S.A. 1415 and 45 CFR 121a500 et seq.

SUBCHAPTER 2. COMMENCEMENT OF MATTER**1:6A-2.1 Commencement of matter by a board of education, parent or guardian: notice of action**

(a) With respect to the referral, evaluation, classification, or educational placement of a pupil, or to the provision of a free and appropriate education to a pupil under N.J.A.C. 6:28-1.1 et seq.:

1. When a board of education proposes to act or to make any change with regard to a pupil, the board shall send a written notice to the parent(s) or guardian of the pupil no later than 15 days after making such a determination, but in no event less than 15 days prior to the date for implementing the proposed action or change.

2. When a board of education is requested by a parent or guardian to make any change with regard to a pupil, the board shall send a written notice to the parent(s) or guardian of the pupil forthwith upon approving or denying the request, and in no event more than 30 days from the date of the request.

(b) Each notice shall be clearly and simply written and shall include:

1. A description of the action proposed or denied by the board of education, an explanation for the proposal or denial, a description of the other options considered and a rationale for the rejection of those options;

2. A description of the procedures and factors used by the board of education in determining whether to propose or deny an action, including each test, record or report the board used as a basis for the proposal or denial;

3. A request for parental or guardian consent to any action proposed by the board of education, as described in N.J.A.C. 6:28; and

4. A copy and explanation of the procedures, described in this subchapter and in N.J.A.C. 6:28, for appealing the board's proposal or denial, including a clear statement of:

i. The right to examine all relevant records with respect to the pupil;

ii. The right to a hearing at the Office of Administrative Law on the proposal or denial;

iii. The right, at the hearing, to be represented by counsel and assisted by individuals with special knowledge or training in the problems of handicapped children.

(c) The notice shall be communicated in the native language of the parents(s) or guardian. If a written form of communication is clearly not feasible, another appropriate form of communication may be used.

(d) The board of education shall take appropriate steps to insure that the parent(s) or guardian receives and understands the notice, and shall maintain a record of all steps it has taken in this regard.

1:6A-2.2 Hearing request by parent, guardian or board of education

(a) A parent, guardian or board of education may, in writing, request a hearing at any time after the board of education has sent a written notice of action or after 30 days have elapsed from the date of a parent's or guardian's request for change with regard to a pupil. A hearing request shall be addressed to the Department of Education. The Department shall acknowledge receipt of the request and shall forthwith send each party a copy of the hearing request.

(b) A hearing request shall specify, as nearly as practical, the issues in dispute. A hearing request from a parent or guardian shall specify whether the dispute concerns the classification of the pupil, the placement of the pupil, the contents of the pupil's Individualized Education Program, or such other issue as may be clearly specified.

(c) Upon receiving from the Department of Education acknowledgment or notice of a hearing request, the parties shall immediately begin to exchange information, in preparation for a settlement conference. The board of education shall provide all pertinent records to the parent or guardian. The parent or guardian shall provide pertinent information requested by the board.

SUBCHAPTER 3. EMERGENCY RELIEF, SETTLEMENT AND SCHEDULING OF HEARING**1:6A-3.1 Emergency relief pending settlement or decision**

(a) As part of a hearing request, or at any time after a hearing is requested, the affected parent(s), guardian or board may apply in writing for emergency relief pending a settlement or decision on the matter.

(b) Prior to the transmittal of the hearing request to the Office of Administrative Law, application for emergency relief shall be addressed to the Department of Education, with a copy to the other party. The Department shall forward the matter forthwith to the Office of Administrative Law.

(c) After transmittal, application for emergency relief must be made to the Office of Administrative Law, with a copy to the other party.

(d) The OAL shall process any application for emergency relief and shall schedule on an expedited basis, any hearing deemed necessary. Other than in extraordinary circumstances, emergency relief shall not be granted until all parties have had an opportunity to be heard.

1:6A-3.2 Settlement conference by the Department of Education

(a) Within seven days of receipt of any hearing request, the Department of Education shall conduct and all parties shall attend a settlement conference at a time and place convenient to the parent or guardian. The conference shall be recorded verbatim.

(b) The purpose of the settlement conference is to attempt to settle the dispute and to assist the parties in defining issues, identifying evidence, exchanging information, stipulating facts and listing possible witnesses for a hearing in the event that settlement cannot be reached.

(c) If a settlement is reached, the terms shall be reduced to writing within three days, and signed by the parties and the representative of the Department of Education.

(d) If settlement is not reached, the Department of Education shall prepare within three days a written document that specifies the issues in dispute, any stipulations, and witness lists for each party. This document shall be included with the transmittal of the matter to the OAL, and shall be sent to the parties. Any exhibits that both parties agree are admissible may be attached to the document.

(e) Where the hearing has been requested by a board of education, the parent or guardian may request and shall receive an adjournment of the settlement conference for up to 15 days. For good cause, the Department of Education may otherwise adjourn a settlement conference or schedule another settlement conference. Any

adjournment of the settlement conference or scheduling of another conference shall extend the deadline for decision on the matter by an amount of time equal to the adjournment or rescheduling.

1:6A-3.3 Time for discovery

(a) All requests for information, records or other discovery shall be made before or at the settlement conference. All responses to these requests shall be completed no later than five days before the date of the hearing.

(b) Each party shall disclose to the other party any documentary evidence and summaries of testimony intended to be introduced at the hearing.

(c) Upon application of a party the judge shall exclude any evidence at hearing that has not been disclosed to that party at least five days before the hearing.

1:6A-3.4 Scheduling of hearing by the Office of Administrative Law

(a) If the matter is not fully resolved at the settlement conference, as required in N.J.A.C. 1:6A-3.2, the representative of the Department at the conference shall, in the presence of the parties, telephone the Clerk of the Office of Administrative Law and the Clerk shall assign for them a preemptory hearing date. The hearing date shall, to the greatest extent possible, be convenient to all parties but shall be no later than 14 days from the date of the conference, unless a later date is agreed upon by all parties. If a later date is agreed upon, the deadline for decision shall be extended by the amount of the delay. The Commissioner of Education shall, no later than three business days after the settlement conference, transmit the matter to the Office of Administrative Law. Copies of all notices, requests, pleadings, filings, stipulations of issues and facts, and witness lists compiled at the settlement conference and a description of the position of each party shall be included with the standard OAL transmittal form. In addition, the transmittal shall include the dates of all settlement conferences, including any which were adjourned.

1:6A-3.5 Ongoing settlement efforts

(a) The scheduling of a hearing does not preclude voluntary ongoing efforts by the parties to settle the matter before or at the hearing.

(b) Any administrative review by the Department or ongoing settlement efforts by the parties shall not delay, interfere with, or otherwise impede a request for a hearing or the progress thereof, nor be grounds for adjournment of a hearing, unless consented to by the party requesting the hearing. Any such delay or adjournment shall extend the deadline for decision by an amount of time equal to the delay or adjournment.

SUBCHAPTER 4. HEARING

1:6A-4.1 Procedures for hearing

(a) To the greatest extent possible, the hearing shall be conducted at a time and place convenient to the parent(s) or guardian.

(b) For good cause shown on the record, the judge may adjourn the hearing, and the deadline for decision will be extended by the amount of time of the adjournment.

(c) A verbatim record shall be made of the hearing.

(d) Unless consented to by both parties, any findings and recommendations made as a result of an administrative review provided by rules of the Department of Education may not be introduced as evidence or made part of the record at hearing.

(e) The judge's decision shall be based on the preponderance of the credible evidence, and the proposed action of the Board of Education shall not be accorded any presumption of correctness.

1:6A-4.2 Representation

(a) At a hearing, any party may be represented by legal counsel or assisted by individuals with special knowledge or training with respect to handicapped pupils and their educational needs, or both.

1:6A-4.3 Interpreters

Where necessary, the judge may require the Department of Education to provide an interpreter at the hearing or written translation of the hearing decision at no cost to the parent(s) or guardian.

1:6A-4.4 Independent educational evaluation

(a) For good cause and after giving the parties an opportunity to be heard, the judge may order an independent evaluation of the pupil. The evaluation shall be conducted in accordance with N.J.A.C. 6:28-1.6 by an appropriately certified or licensed professional examiner(s) who is not employed by and does not routinely provide evaluations for the board of education responsible for the education of the pupil to be evaluated. The judge shall choose an independent evaluator from a list approved by the Department of Education and order the board of education to pay for the independent evaluation at no cost to the parent(s) or guardian.

(b) Where an independent educational evaluation is ordered, the judge may adjourn the hearing, and the deadline for decision will be extended by the amount of time of the adjournment.

SUBCHAPTER 5. DECISION AND APPEAL

1:6A-5.1 Deadline for decision

Subject to any adjournments reasonably granted or other postponements agreed to by the parties and due to unusual circumstances stated on the record, the judge shall render a decision no later than 45 days from the date of the hearing request.

1:6A-5.2 Appeal

Any party may appeal the decision of the judge either to the Superior Court of New Jersey, pursuant to the Rules Governing the Courts of the State of New Jersey, or to a district court of the United States pursuant to 20 U.S.C.A. 1415(e)(3).

1:6A-5.3 Stay of implementation upon appeal

Where a party appeals the decision and upon request by any party, the judge may stay implementation of the decision, if he finds that immediate implementation would likely result in serious harm to the pupil or other pupils in the event that his or her decision is rejected or modified upon appeal.

(a)

OFFICE OF ADMINISTRATIVE LAW

**Hearing Rules of Special Applicability
Alcoholic Beverage Control**

Rule Pre-Proposal: N.J.A.C. 1:13

Interested persons may present comments, statements or arguments at the public hearing to be held on September 23, 1982 at 10:00 A.M. at:

Office of Administrative Law
88 East State Street
Trenton, NJ 08625

Interested persons may submit in writing, data, views or arguments relevant to the pre-proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Burton Weltman, Esq.
Assistant Director
Office of Administrative Law
88 East State Street
Trenton, NJ 08625

This is a notice of pre-proposal for a rule (see N.J.S.A. 52:14B-4(e) as implemented by N.J.A.C. 1:30-3.2). Any rule concerning the subject of this pre-proposal must still comply with the general rulemaking provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Office of Administrative Law's Rules for Agency Rulemaking, N.J.A.C. 1:30.

This pre-proposal is known as PPR 1982-8.

The agency pre-proposal follows:

Summary

The provisions contained in this notice incorporate the ideas developed by the OAL Subcommittee on Special Rules for contested cases from the Division of Alcoholic Beverage Control (ABC).

The Subcommittee has met several times over the past year, and its members have exchanged correspondence. The Subcommittee included an administrative law judge, representatives of the Attorney General's office, the ABC, the private bar and the OAL staff. The provisions tentatively offered here do not necessarily represent the views of all the members of the Subcommittee.

It is necessary to develop special rules in order to comply with the requirements of N.J.S.A. 52:14F-3, f and g, that the OAL promulgate contested case procedures which are both uniform and specific. The special rules which are developed will supplement the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1, and will replace those ABC hearing rules which are still operative pursuant to N.J.A.C. 1:1-1(a).

The purpose of this notice is to report on these Special Rules as they are being developed by the OAL, and to request comments and suggestions as to this work. Based on comments received and further deliberations, the OAL will prepare a formal proposal of rules of special applicability for contested cases from the ABC.

Significant changes from existing ABC rules which are contained in these provisions include:

- 1:13-6.1(a): Requires that local issuing authority be served as respondent in any appeal from local issuing authority decision.
- 1:13-6.1(c): Specifies the petition for pocket license renewal.
- 1:13-6.2(c): Specifies answer in pocket license case.
- 1:13-17.1: Specifies effective date for a settlement.

Full text of the pre-proposal follows.

CHAPTER 13
ALCOHOLIC BEVERAGE CONTROL:
HEARING RULES OF SPECIAL
APPLICABILITY

SUBCHAPTER 1. APPLICABILITY

1:13-1.1 Applicability

In addition to the Uniform Administrative Procedure Rules (UAPR), the following rules of special applicability shall apply to any contested case hearing initiated pursuant to the Alcoholic Beverage Law, N.J.S.A. 33:1-1 et seq. To the extent that these rules of special applicability are inconsistent with the UAPR, these rules shall apply.

¹An attempt has been made to codify these rules of special applicability so that their subchapter designations are generally consistent with the subchapter designations of corresponding subject matter in the UAPR. For example, subchapter 1 of these special rules deals with applicability. The corresponding subchapter 1 of the UAPR (N.J.A.C. 1:1-1) also deals with applicability. This method of codification is for the sake of the reader's convenience only, and has no legal implications or effects.

1:13-1.2 Definitions

As used in this subchapter, the term "Director of ABC" means the Director of the Division of Alcoholic Beverage Control.

SUBCHAPTER 2. COMMENCEMENT OF CONTESTED CASES: JURISDICTION OF THE OFFICE OF ADMINISTRATIVE LAW

1:13-2.1 Continuing jurisdiction of contested case proceedings with respect to a license which is transferred, extended or renewed and with respect to the transfer, extension or renewal of the license

(a) The transfer, extension, surrender, expiration or renewal of any license involved in a contested case proceeding shall not affect the jurisdiction of the Director of ABC or of the Office of Administrative Law, and the proceedings may continue to their conclusion.

(b) The transfer, extension or renewal of any license involved in a contested case proceeding is subject to the final decision in the proceeding.

SUBCHAPTER 3. CONDUCT OF CONTESTED CASES

1:13-3.1 Commercial Sanctions: failure of importer, blender, distiller, rectifier or winery to comply with interim or final order or final decision

(a) Any importer, blender, distiller, rectifier or winery, whether licensed or unlicensed, who fails to comply with an interim or final order or final decision may be subject to commercial sanctions.

(b) Upon notice and opportunity for hearing, an order may be entered prohibiting any licensed wholesaler from directly or indirectly purchasing from the non-complying person or entity any alcoholic beverage other than malt alcoholic beverages. This sanction may be in addition to any other sanction or penalty provided by law.

(c) When issued by an administrative law judge, the order shall be treated as required by N.J.A.C. 1:1-9.7(a). The judge shall terminate the commercial sanction order upon satisfactory proof that the person has complied with the order or decision that formed the basis for the sanction.

SUBCHAPTERS 4.-5. (RESERVED)

SUBCHAPTER 6. FIRST PLEADING

1:13-6.1 Form content and filing of first pleading

(a) An appeal from an action of a local issuing authority shall:

1. Be made by petition;
 2. Be first served upon the respondent and then filed, together with acknowledgement or affidavit of service, with the Director of the Division of ABC;

3. Set forth the action of the issuing authority which forms the subject of the appeal, a brief statement of the law and facts which form the nature of the appeal, and the relief being sought and the grounds for relief; and

4. In every case, the local issuing authority shall be served as a respondent, and in the case of appeal by a person of the grant, transfer, or extension of a license, or the refusal to revoke or suspend a license, the licensee shall also be served as a respondent.

(b) A request for relief from sales discrimination shall be subject to the following:

1. A request by a duly licensed New Jersey wholesaler for relief from discrimination in the sale of any nationally advertised brand of alcoholic beverages other than malt beverages, as provided in N.J.A.C. 13:2-18.1, shall be made by petition;

2. The petition shall be first served upon the respondent importer, blender, distiller, rectifier or winery and then filed, together with acknowledgment or affidavit of service, with the Director of the Division of ABC; and

3. The petition shall contain the facts of the alleged discrimination, and the relief sought and the grounds for relief.

(c) A request for authorization to apply for renewal of a Class C license where the license has not been actively used for two years (Pocket License) shall be subject to the following:

1. A request for authorization by the Director of ABC of an application to the local issuing authority for renewal of a Class C license which has not been actively used within a period of two years prior to the commencement date of the license period for which the renewal is sought, pursuant to N.J.S.A. 33:1-12.39, shall be made by affidavit or verified petition;

2. The request may be made by affidavit where the licensee has been deprived of the use of his/her licensed premises as a result of eminent domain, fire or other casualty. Otherwise, the request shall be in the form of a verified petition;

3. The request shall be filed with the Director of ABC upon filing of the renewal application with the local issuing authority, which shall be no sooner than April 15 of the renewal year;

4. The request shall contain:

i. Proper description of the licensee, including the licensee's true identity as well as any trade name, the license number and the local issuing authority;

ii. The license term for which authorization is sought;

iii. Certification that a license renewal application and fees have been submitted to the local issuing authority; and

iv. The history or prior requests, including copies of any previously issued authorizations; and

v. Facts establishing good cause for the inactivity and for renewal, including the date of the last active use under license and the reason why business operations ceased, detailed explanation of the good faith efforts made to activate the license and any difficulties encountered impeding activation, and prognosis as to when and how the license shall be activated; and

5. The licensee shall send the original and one copy of the request to the Director of ABC and one copy to the local issuing authority.

(d) Requests for other contested case hearings shall:

1. Be made by petition. This shall include cases dealing with rehabilitation of convicted offenders, disqualification and removal of applicants and licensees, discipline of license and seizure of contraband or other illegally possessed items;

2. Include sufficient information to inform the other party, the Director of ABC and/or the judge of the nature of the case, the operative allegations of law and fact, and the relief requested; and

3. Be served on the Director of ABC, and, where applicable, the other party(ies) to the case.

(e) The commencement of a contested case with respect to the seizure of unlawful property shall be subject to the following:

1. Pursuant to N.J.S.A. 33:1-66, whenever the Director of ABC seizes any property and he commences a contested case to determine whether the property is unlawful property and whether it shall be forfeited, he shall issue a notice of seizure hearing;

2. The notice of seizure hearing shall include a statement that a contested case has been commenced, the nature of the contested case, and the operative allegations of law and fact, and a warning that the hearing shall be conducted ex parte in the absence of any response or appearance by an interested party; and

3. The notice shall be served upon any person claiming, or known or believed by the Director of ABC to have an interest in the seized property, and shall be published, pursuant to the requirements in N.J.S.A. 33:1-66.

1:13-6.2 Form and content of answer to first pleading

(a) The local issuing authority shall include in its answer a statement of the grounds for its action, a copy of the resolution authorizing the action, and a reply to each allegation contained in the petition. The answer shall be filed with the Director of the ABC and served upon each party.

(b) An answer to request relief from sales discrimination shall include the following:

1. A respondent's answer shall reply to each allegation in the petition and include a statement as to whether the respondent has refused to sell to the petitioner(s) any amount of alcoholic beverages other than malt alcoholic beverages, and the reasons for any such refusal; and

2. The respondent shall serve the answer on each other party, and shall file the answer, together with proof of service of the parties, with the Director of ABC.

(c) A response to a request for authorization to apply for renewal of a Class C license where the license has not been actively used for two years (Pocket License) shall be subject to the following:

1. The Director of ABC shall either grant the authorization based on the affidavit or verified petition, or respond to the request with sufficient particularity to define the issues to be heard;

2. Where it appears that authorization may be determined through additional pleadings, the Director shall order such pleadings, and may determine the matter, prior to transmittal of the case to the Office of Administrative Law;

3. The response shall be served on the applicant and transmitted to the local issuing authority; and

4. The local issuing authority may respond to the request for authorization and indicate whether it will appear at the hearing and will oppose or support the request.

(d) Answers to other contested case hearing petitions shall:

1. Be answered by a named respondent with sufficient specificity so that the issues raised in the petition are joined, and the controverted matters of fact and law are disclosed; and

2. The respondent shall serve his answer on each party and file a copy with the Director of ABC.

(e) A response to notice of commencement of a contested case with respect to the seizure of unlawful property shall:

1. Contain information establishing the respondent's interest in the seized property and sufficient information to disclose the controverted matters of fact and law in the case;

2. May contain a motion for release of the seized property upon posting of a proper bond or payment of cash equivalent to the retail value of the property; and

3. Upon request of the Director of ABC, the respondent shall file, as part of his response, a verified petition as to any of the facts relied upon in the response.

1:13-6.3 Time for first pleading and answer

(a) Time for first pleading: Appeals from the issuance of a license and from the granting of an application for the extension or transfer of a license must be taken within 30 days from the date of the action appealed from; all other appeals must be taken within 30 days after the service or mailing of notice.

(b) Time for answer: Within 10 days after service of the first pleading, a respondent must serve an answer on each party and file with the Director of ABC the answer along with any other papers required with the answer by this chapter.

SUBCHAPTERS 7.-8. (RESERVED)

SUBCHAPTER 9. MOTIONS

1:13-9.1 Automatic stay of suspension or revocation pending contested case decision; motion to rescind stay

(a) The filing of an appeal from a suspension or revocation of a license shall act as a stay of such suspension or revocation pending the determination thereof, unless otherwise ordered pursuant to a motion under N.J.A.C. 1:1-9.1. Any other appeal shall not stay the effect of the action appealed from unless otherwise ordered pursuant to a motion under N.J.A.C. 1:1-9.

1:13-9.2 Motion to show cause on license renewal

(a) Upon appeal from the denial of an application for renewal of a license, the judge may order respondent issuing authority to show cause at the license renewal hearing why the term of the license should not be extended pending the determination of the appeal, together with additional interim relief extending the term of the license pending the hearing.

(b) If it shall appear that the action of the respondent issuing authority is prima facie erroneous and that irreparable injury to the appellant would result, the judge may order that the term of the license be extended pending a final determination of the appeal. The judge may subject such an order to reasonable conditions.

SUBCHAPTERS 10.-14. (RESERVED)

SUBCHAPTER 15. EVIDENCE

1:13-15.1 De novo hearings; stipulations; offer of transcript of local hearing

(a) Each hearing shall be conducted de novo.

(b) With the approval of the judge, a case may be presented upon an agreed statement of facts where none of the material facts is disputed.

(c) Where there is available a stenographic transcript or electronic recording of proceedings before the local issuing authority, either party may, if at least three days notice of intention to do so has been given opposing parties or counsel therefor, offer the transcribed record thereof in lieu of producing said witnesses at the contested case hearing of an appeal. In such event, any opposing party may subpoena witnesses to appear personally, and any party may produce any additional evidence, oral or documentary, at the hearing of the appeal. Subject to the approval of the judge, the parties may agree to present the appeal solely upon such stenographic or electronic transcript.

SUBCHAPTER 16. (RESERVED)

SUBCHAPTER 17. SETTLEMENT

1:13-17.1 Effective date of settlement

(a) Any settlement shall be conditioned either to take effect on the 45th day from the date of the order or to take effect no later than the 45th day from the date of the order at a date to be chosen by the Director of ABC upon notice to all parties. The parties shall choose which of these effective date conditions shall apply to their settlement.

(a)

OFFICE OF ADMINISTRATIVE LAW

Hearing Rules of Special Applicability
Civil Rights

Rule Pre-Proposal: N.J.A.C. 1:13C

Interested persons may present comments, statements or arguments at the public hearing to be held on September 23, 1982 at 1:00 P.M. at:

Office of Administrative Law
88 East State Street
Trenton, NJ 08625

Interested persons may submit in writing, data, views or arguments relevant to the pre-proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Burton Weltman, Esq.
Assistant Director
Office of Administrative Law
88 East State Street
Trenton, NJ 08625

This is a notice of pre-proposal for a rule (see N.J.S.A. 52:14B-4(e) as implemented by N.J.A.C. 1:30-3.2). Any rule concerning the subject of this pre-proposal must still comply with the general rulemaking provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Office of Administrative Law's Rules for Agency Rulemaking, N.J.A.C. 1:30.

This pre-proposal is known as PPR 1982-7.

The agency pre-proposal follows:

Summary

The provisions contained in this notice incorporate the ideas developed by the OAL Subcommittee on Special Rules for contested cases from the Division on Civil Rights.

The Subcommittee has met several times over the past year, and its members have exchanged correspondence. The Subcommittee included an administrative law judge, representatives of the Attorney General's office, the Division on Civil Rights, the private bar, and the OAL staff. The provisions tentatively offered here do not necessarily represent the views of all the members of the Subcommittee.

It is necessary to develop special rules in order to comply with the requirements of N.J.S.A. 52:14F-3, f and g, that the OAL promulgate contested case procedures which are both uniform and specific. The special rules which are developed will supplement the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1, and will replace those civil rights hearing rules which are still operative pursuant to N.J.A.C. 1:1-1(a).

The purpose of this notice is to report on the Special Rules as they are being developed by the OAL, and to request comments and suggestions as to this work. Based on comments received and further deliberations, the OAL will prepare a formal proposal of rules of special applicability for contested cases from the Division on Civil Rights.

Full text of the pre-proposal follows.

CHAPTER 13C
CIVIL RIGHTS: HEARING RULES OF SPECIAL
APPLICABILITY

SUBCHAPTER 1. APPLICABILITY, DEFINITIONS

1:13C-1.1 Applicability

In addition to the Uniform Administrative Procedure Rules (UAPR), the following rules of special applicability shall apply to any contested case hearing initiated pursuant to the Law Against Discrimination, N.J.S.A. 10:5-1 et seq. To the extent that these rules of special applicability are inconsistent with the UAPR, these rules shall apply.

An attempt has been made to codify these rules of special applicability so that their subchapter designations are generally consistent with the subchapter designations of corresponding subject matter in the UAPR. For example, subchapter 1 of these special rules deals with applicability. The corresponding subchapter 1 of the UAPR (N.J.A.C. 1:1-1) also deals with applicability. This method of codification is for the sake of the reader's convenience only, and has no legal implications or effects.

1:13C-1.2 Definitions

As used in this subchapter, the term:

"Division" means the Division on Civil Rights.

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

"OAL" means the Office of Administrative Law.

SUBCHAPTER 2. COMMENCEMENT OF CONTESTED
CASES: JURISDICTION OF THE OFFICE
OF ADMINISTRATIVE LAW

1:13C-2.1 Notices of investigation and probable cause or no
probable cause

(a) If, after the filing of the complaint, the Division orders an investigation to be conducted as to the allegations of the complaint, the Division shall forthwith notify in writing the complainant(s) and respondent(s) of the investigation.

(b) Upon determination by the Director of DCR that probable cause does or does not exist as to a complaint, the Division shall forthwith notify in writing the complainant(s) and respondent(s) of the determination.

SUBCHAPTERS 3. and 4. (RESERVED)

SUBCHAPTER 5. FILING AND TRANSMISSION OF
CONTESTED CASES IN THE OFFICE
OF ADMINISTRATIVE LAW

1:13C-5.1 Conditions for transmission

(a) Pursuant to N.J.S.A. 10:5-13, the Division shall transmit a matter as a contested case to the Office of Administrative Law upon written request of the complainant under the following conditions:

1. The request is made no earlier than 180 days from the filing of the original complaint; and

2. The Division has not made a finding of no probable cause or otherwise dismissed the complaint.

(b) Pursuant to N.J.S.A. 10:5-14, the Division may transmit a matter as a contested case to the Office of Administrative Law upon a finding of probable cause and after the failure of efforts at conciliation.

1:13C-5.2 Administrative resolution: conciliation conference

(a) After a finding of probable cause and prior to transmittal of a case to the Office of Administrative Law, the Division shall schedule a conciliation conference.

(b) The complainant(s) and respondent(s) shall have at least five days notice of the time and place of the conciliation conference.

This notice shall contain a provision advising the respondent that in the event conciliation is unsuccessful, the Division shall transmit the matter for a contested case hearing.

(c) The Division shall deem the refusal or unexcused failure of any party to attend a scheduled conciliation conference as an unsuccessful attempt at conciliation.

1:13C-5.3 Transmission: format of papers

(a) After the Director of DCR determines that a case shall be transmitted to the Office of Administrative Law, the Division shall transmit the case and shall serve all parties with a copy of the transmittal form with copies of all papers transmitted.

(b) The transmittal form shall indicate whether the case is filed pursuant to N.J.S.A. 10:5-13 or 10:5-14. The papers transmitted shall include the initial complaint, the answer, and any amendments thereto.

(c) In the case of a matter transmitted pursuant to N.J.S.A. 10:5-14, the finding of probable cause shall be included among the papers transmitted. The finding of probable cause, however, shall be considered as a pleading only and shall not be considered as evidence of any matter alleged therein. None of the testimony or evidence obtained in the probable cause investigation shall be transmitted.

SUBCHAPTER 6. FIRST PLEADING

1:13C-6.1 Form, format, contents of first pleading

(a) An action may be commenced by the filing of a verified, written complaint with any office, official, or field representative of the Division.

(b) The complaint shall be typewritten or printed on a form distributed by the Division or on legal-size paper.

(c) The complaint shall include in the caption the name of the county in which the alleged discrimination took place, and shall set forth in separate numbered paragraphs the following:

1. The full name and address of each complainant;
2. The full name and address of each respondent, if known, or a description of each respondent adequate to identify that person;
3. A statement of the nature of the alleged discrimination (e.g. the race, creed, color, national origin, nationality, ancestry, marital status, sex, military status, age or handicap of the complainant);
4. A brief statement setting forth the facts of the alleged discrimination;
5. The section of the Law Against Discrimination allegedly violated;
6. A statement setting forth any other action, criminal, civil or administrative, which has been instituted in the matter; and
7. The notarized signature and verification of the person or persons filing the complaint.

1:13C-6.2 Service of first pleading

Forthwith upon receiving a complaint, the Division shall serve a copy of the complaint upon each respondent.

SUBCHAPTERS 7-9. (RESERVED)

SUBCHAPTER 10. PRE-HEARING PROCEDURES AND
CONFERENCES

1:13C-10.1 Pre-hearing conference preparation

Where a pre-hearing conference has been scheduled for the parties in a contested case proceeding, the parties or their representatives shall confer no later than seven days before the date of the pre-hearing conference in order to insure that they are prepared to deal with the matters specified in the pre-hearing notice.

1:13C-10.2 Division participation in pre-hearing conference

Where a complainant has requested that a matter be transmitted to the Office of Administrative Law pursuant to N.J.S.A. 10:5-13,

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the Director of DCR shall be notified of any pre-hearing conference and, upon notice to all parties, may send a representative to the pre-hearing conference. The representative may participate in the conference to the extent necessary to determine if intervention by the Director of DCR in the contested case hearing is necessary to protect the public interest.

SUBCHAPTER 11. DISCOVERY

1:13C-11.1 Discovery by parties other than the Division: accessible information; conditions for refusal

(a) After the Director of DCR has issued a finding of probable cause, any party, upon written request and with notice to all other parties, may receive discovery of the following information in the Division's file:

1. Statements made by any person other than the investigating field representative during the course of an investigation, including statements made by the complainant prior to the finding of probable cause;

2. All factual written reports of the investigating field representative; and

3. All other relevant factual written data, factual written reports or documentary information.

(b) Prior to the transmittal of the case to the OAL, the Director of DCR may refuse, terminate or limit discovery as the circumstances warrant if it appears that a party's purpose in seeking discovery is to harass or oppress another party.

(c) Following transmittal of a case to the OAL, all requests for additional discovery or for limitations on discovery shall be addressed to the OAL, as set forth in the Uniform Administrative Procedure Rules of Practice, N.J.A.C. 1:1-1.

SUBCHAPTER 12. INTERVENTION AND PARTICIPATION

1:13C-12.1 Authority of Director to intervene

The Director of DCR may intervene on his own behalf as a complainant in any contested case, or may proceed on behalf of a complainant with the consent of the complainant, pursuant to N.J.S.A. 10:5-1 et seq.

SUBCHAPTER 13. (RESERVED)

SUBCHAPTER 14. CONSOLIDATION OF TWO OR MORE CONTESTED CASES

1:13C-14.1 Consolidation and severance of complaints

After a contested case has been transmitted to the OAL, any motion regarding the consolidation or severance of that case with or from any other complaint which may have been filed with the Division shall be made to the judge assigned to the case first transmitted to the OAL.

SUBCHAPTER 15. EVIDENCE

1:13C-15.1 Information excludable from contested case hearing

Information obtained by the Division through subpoenas or interrogatories issued on its own authority after a contested case has been transmitted to the OAL may be excluded from the contested case hearing at the discretion of the judge.

SUBCHAPTER 16. CONCLUSION OF HEARING

1:13C-16.1 Motion to remand

Following initial decision, but prior to final decision, the Director of DCR may remand a case upon his own motion or upon motion of a party or attorney representing the Division. A motion for remand shall be made no later than 10 days following the date of the initial decision. Any remand shall be made no later than 30 days

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from the date of the initial decision. A remand may be made for reasons of substantial newly discovered evidence which could alter the decision and which by due diligence could not have been discovered prior to the hearing, or fraud, misrepresentation or other misconduct of an adverse party.

1:13C-16.2 Finding of no probable cause as final decision

The decision of the Division that no probable cause exists for a complaint alleging unlawful discrimination shall be deemed a final decision in the matter and shall preclude any transmittal of the complaint to the Office of Administrative Law for a contested case hearing.

SUBCHAPTER 17. (RESERVED)

SUBCHAPTER 18. INVESTIGATIONS OF COMPLAINTS

1:13C-18.1 Director's investigations of complaints

(a) Following receipt of a complaint and prior to the transmittal of the case to the OAL, the Director of DCR, pursuant to N.J.S.A. 10:5-6., 10:5-8c, g, h, i, j, and 10:5-9.1, may, on his own or at the request of a complainant, conduct an investigation to determine probable cause for the complaint, including the extent to which an industry or group of industries, business person or group of business persons, or other person or groups of persons are complying with the Law Against Discrimination.

(b) In the conduct of an investigation, all the investigatory powers granted by N.J.S.A. 10:5-8h, i and j shall be available to the Director of DCR. These powers shall include, but shall not be limited to, the issuance of subpoenas, the taking of depositions, and the se. vice of interrogatories.

(c) In connection with an investigation of the operation of any real property, as defined by N.J.S.A. 10:5-5n, the Director of DCR may require the submission of information concerning the race, creed, color, national origin, nationality, ancestry, age, handicap, marital status, sex, or military status of the occupants of such real property, the terms and conditions on which the sale or lease of the real property is to be made to the general public, the vacancy rate of the real property subject to rent, the plans for advertising or notifying the public of the availability of the real property for rental or sale, the standard form documents used in the rental or sale of the real property, and such other information as may be reasonably necessary to carry out the provisions of the Law Against Discrimination.

(d) In connection with an investigation of any employer as defined by N.J.S.A. 10:5-5(e), the Director of DCR may require the submission of information concerning:

1. The race, creed, color, national origin, nationality, ancestry, age, handicap, marital status, sex or military status of employees;
2. The employment records of employees;
3. The procedures for advertising or notifying the public of the availability of jobs;
4. The procedures for hiring or selecting employees;
5. The testing, seniority, promotion and discharge procedures; and
6. Such other information as may be reasonably necessary to carry out the provisions of the Law Against Discrimination.

1:13C-18.2 Enforcement of depositions, subpoenas, interrogatories, and other investigatory orders

If any person fails to comply with an order of the Director of DCR for the taking of depositions and interrogatories, or fails to provide information as required pursuant to a lawful investigation, the Director of DCR may invoke the appropriate enforcement provisions of N.J.S.A. 10:5-8i, 10:5-19 and N.J.S.A. 10:5-26, as well as the provisions of N.J.A.C. 1:13C-18.4.

1:13C-18.3 Temporary injunctions

If the Director of DCR determines during or subsequent to an

investigation that the interests of the complainant may be irreparably damaged by the lapse of time before a contested case hearing could be scheduled, or between the scheduling of a hearing and the ultimate disposition of the matter, the Director of DCR may instruct the attorney for the Division to seek such temporary injunctive relief in the Superior Court of New Jersey, pursuant to N.J.S.A. 10:5-14.1, as may be necessary to preserve the rights of the complainant.

1:13C-18.4 Sanctions: Failure to comply with investigatory interrogatory

(a) Following receipt of a complaint and prior to the transmittal of the case to the OAL, the Director of DCR may issue interrogatories to any respondent as part of the Division's investigation of the complaint.

(b) Each set of interrogatories shall specify a reasonable time for response and shall include a notice of the possible consequences, as outlined in this section, of the failure to respond to the interrogatories within the allotted time period.

(c) Within the time set for response, the respondent shall:

1. Answer the interrogatories; or
2. Move to strike the interrogatories; or
3. Move to extend the time for answer.

(d) The respondent shall support any motion to strike an interrogatory or extend the time for answer with an affidavit or brief, or both. The Director of DCR may determine the motion on the motion papers without oral argument.

(e) If the Director of DCR denies a motion to strike an interrogatory or extend the time for answer, the Director shall:

1. Order the respondent to fully answer the interrogatories within 10 days; and
2. Specifically set forth the reasons for the denial and for the order; and

3. Notify the respondent that failure to fully answer within 10 days may result in either an entry of probable cause or, in the interests of justice, an entry of proposed default.

(f) If the respondent fails to respond to an interrogatory within the time limits prescribed pursuant to (b) above, or if the respondent fails to fully answer the interrogatories pursuant to the order described in (e) above, the Director of DCR may:

1. Deem the failure to answer as an admission that the interrogatories, if answered, would have established facts in accordance with the claim of the complainant; and
2. Deem the failure to answer as a waiver of the respondent's right to have the Division determine whether or not there is probable cause, or make conciliation efforts; and
3. Order either the entry of probable cause or, in the interests of justice, the entry of proposed default in the matter.

(g) An order for entry of probable cause or proposed default shall be supported by an affidavit from a field representative or other Division employee authorized by the Director of DCR. The affidavit shall state:

1. The date of service of the verified complaint and interrogatories on the respondent and the date of the service of any order requiring answers to the interrogatories or extending the time in which to answer them;
2. That the respondent has failed to respond to the interrogatories within the time required by the Director.
3. That the respondent has been given notice of the consequences of the failure to respond to the interrogatories; and
4. That the complainant had filed the complaint within the time prescribed by law.

(h) After the entry of probable cause or proposed default, the Director of DCR shall transmit the case to the Office of Administrative Law.

(i) At any time after transmittal and prior to the first scheduled day of hearing, the respondent may move before the judge, who may vacate an entry of probable cause or proposed default and reopen the case for good cause shown. The respondent's assertion of good

cause shall be in affidavit form and shall include full and complete answers to all interrogatories.

(j) If the judge vacates an entry of probable cause or proposed default, the hearing shall be cancelled and the case shall be remanded to the Division for impartial investigation, probable cause determination, and conciliation or other administrative resolution.

(k) When a case is transmitted to the OAL pursuant to an entry of probable cause for failure to answer interrogatories, the respondent shall not be entitled to discovery, notwithstanding the provisions of N.J.A.C. 1:1-11.5.

(l) When a case is transmitted to the OAL pursuant to an entry of proposed default for failure to answer interrogatories, the respondent shall not be entitled to present any defense. The judge shall receive the order of proposed default, the supporting affidavit and any other evidence proffered by the complainant and the Division. The judge shall determine if the facts set forth by the complainant and the Division establish a prima facie case of discrimination, and if so, the judge shall determine the amount of damages or other appropriate relief.

CIVIL SERVICE

(a)

CIVIL SERVICE COMMISSION

Hours of Work

Criteria for Setting Work Week

Proposed New Rules: N.J.A.C. 4:1-7.11, 18.6 through 18.8

Proposed Amendment: N.J.A.C. 4:1-18.2

Proposed Repeal: N.J.A.C. 4:2-7.1

Authorized By: Civil Service Commission, Peter J. Calderone, Director, Division of Administrative Practices and Labor Relations.

Authority: N.J.S.A. 11:5-1 and 11:14-1.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Peter J. Calderone, Director
Division of Administrative
Practices and Labor Relations
CN 312
Trenton, NJ 08625

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

This proposal is known as PRN 1982-358.

The agency proposal follows:

Summary

All of the proposed rules pertain to hours of work and compensation. N.J.A.C. 4:1-7.11 incorporates most of repealed N.J.A.C. 4:2-7.1 and provides that NL4 titles, titles with non-limited hours requiring a minimum of 40 hours per week, will be compensated at a rate of one salary range higher than NL titles, titles with non-limited hours. This action will compensate NL4 and NL titles equitably.

N.J.A.C. 4:1-18.2 is being amended to clarify that the rule is applicable to State employees only and that the Overtime Committee rules are set forth in N.J.A.C. 4:6.

N.J.A.C. 4:1-18.6 describes the criteria for assigning a fixed number of hours per week to a title; N.J.A.C. 4:1-18.7 describes the criteria for assigning a NL work week to titles; N.J.A.C. 4:1-18.8 provides the criteria for assigning a NL4 work week. This information had been contained in the Overtime rules. They have been properly placed in N.J.A.C. 4:1-18 and rewritten in clear, understandable English. The portion of N.J.A.C. 4:2-7.1 pertaining to compensation has been incorporated into N.J.A.C. 4:1-18.8.

Social Impact

The adoption of N.J.A.C. 4:1-18.6, through 18.8 will have no social impact since they represent no change in existing law, rule or practice.

Economic Impact

The adoption of N.J.A.C. 4:1-7.11, 4:1-18.2, 18.6 through 18.8 will have no economic impact since they represent no change in existing law, rule or practice.

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

4:1-7.6 through 4:1-7.10 (Reserved)

4:1-7.11 Compensation for NL4 Titles

NL4 titles will be assigned one salary range higher than NL titles with the same evaluated job content.

4:1-18.2 Overtime

In order to meet the demands of work, **State** employees may be required to work in excess of the hours of work designated as the normal work week for their [class] title. [Any employee] **State employees** who [is] **are** authorized or required to work beyond the normal work week for [his class] **their** title shall be compensated [in the manner prescribed by overtime regulations] **as specified in N.J.A.C. 4:6.**

4:1-18.5 (Reserved)

4:1-18.6 Fixed work week titles

(a) **In State service, titles which meet all of the following criteria shall be assigned a fixed work week of 35 or 40 hours:**

1. The work schedule is consistently regular, amenable to administrative control and determined by the direction of a supervisor rather than by the nature of the service. Employees have minimal discretion over their work schedule;

2. The hours of work conform to a standard pattern of work time for the typical work station;

3. Employees are under contact supervision and normally work within a formal work program in a State office location or place of business. Field work without direct supervision is minimal; and

4. An appointing authority can certify with assurance when an employee performs work beyond the normal work week.

4:1-18.7 Non-limited (NL) titles

(a) **State titles which do not meet all the criteria set forth in N.J.A.C. 4:1-18.6 shall be assigned a non-limited (NL) work week.**

(b) **Titles in the following categories shall be assigned a non-limited (NL) work week without regard to the criteria set forth in N.J.A.C. 4:1-18.6:**

1. Management titles in which employees have direct or delegated responsibility for the management of a State department, institution, agency, division, bureau, branch

office or a professional level program. The managerial functions performed by these employees include planning, directing, scheduling, staffing, assigning, training, coordinating and/or evaluating and responsibility for and authority to determine the work program and the requirements for overtime of a work unit. Such positions include deputies, assistants and staff administrative classes at management levels who either through delegation or in the absence of their supervisor may assume many of the functions performed by their supervisor. This category could include supervisory professional classes above the level of work foreman and clerical supervisor;

2. Titles encompassing sworn unclassified employees of the State police who are generally required to be available for the maintenance of the law, order and security;

3. Military titles in the Department of Defense in which employees are required to be on duty in support of National Guard units engaged in fulfilling their missions; and

4. Seasonal titles in which schedules of work vary considerably between a prime and a slack work season.

4:1-18.8 NL4 Titles

In State service, titles with non-limited hours of work in which the duties require direct and continuous supervision of employees in titles assigned a 40 hour work week shall be assigned an NL4 work week.

4:2-7.1 [Titles designated as NL4] (Reserved)

(a) This section provides information concerning the provisions approved by the Civil Service Commission for individuals in NL (hours not limited) titles who supervise 40 hours per week employees.

(b) The Civil Service Commission approved the following changes in the compensation plan, effective June 22, 1974 (Salary Administration Memorandum No. 3-75):

"Effective June 22, 1974, salary ranges assigned to titles whose duties include supervision of employees in titles assigned a 40 hour work week will be allocated to ranges that are one range higher in the Pay Schedule than that range to which the job evaluation points convert, the same as if they were 40 hour week titles... Such titles will be designated in the Compensation Plan as NL4."

(c) In accordance with the above policy, there is one condition to be met for a title to be designated as NL4. That condition is that the duties of the title require the incumbent(s) to work regularly at least a 40 hour week in order to directly supervise employees on a regular and continuous basis in titles assigned to a 40 hour work week.

(d) An Appointing Authority may request that a NL class title be designated NL4 by submitting a written request to the Director, Division of Classification and Compensation. Upon receipt of the request, a review of the specific reasons for such designation shall be made and an investigation may be made, if necessary. If the request is not supported by the facts the Appointing Authority shall be promptly notified. If the request is justified the Director of Classification and Compensation shall forward a recommendation to the Chief Examiner and Secretary who may submit it to the Civil Service Commission for consideration.]

(a)

CIVIL SERVICE COMMISSION

**Certification and Appointment
Notifying Eligibles of Certification**

Proposed Amendment: N.J.A.C. 4:1-12.10

Authorized By: Civil Service Commission, Peter J. Calderone, Director Division of Administrative Practices and Labor Relations.
Authority: N.J.S.A. 11:1-7a, 11:5-1a, 11:6-2e, 11:6-3e, 11:10-1 and 11:10-5.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Peter J. Calderone, Director
Division of Administrative
Practices and Labor Relations
CN 312
Trenton, NJ 08625

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

This proposal is known as PRN 1982-341.

The agency proposal follows:

Summary

The proposed amendment clarifies the notification procedure upon an eligible's certification and states that the eligible must respond to the notice within five business days otherwise s/he will be removed from the eligible list. This is the existing policy and practice of the Department of Civil Service, and is simply being codified. The regulations referred to in the existing rule are simply a reiteration of other Civil Service rules. These are preprinted on the certification notice. The requirement that the notice should contain such information is being deleted as unnecessary and simply over regulation. However, the Department of Civil Service has no intention of deleting this from the form.

Social Impact

No social impact is expected since this change essentially codifies existing policy and practice.

Economic Impact

No economic impact is expected since this change codifies existing policy and practice.

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

4:1-12.10 Notifying eligibles of certification

[When the name of an eligible is certified to an appointing authority, the Department of Civil Service shall send a notice or cause a notice to be sent to the eligible of such certification. Such notice shall contain regulations concerning the certification and shall be forwarded to the eligible at the address as it appears on his application for the examination or other address as subsequently advised.] **The Department of Civil Service or its designee shall notify an eligible at the last known address when his/her name is certified. The eligible must respond to the appointing authority within five business days from receipt of the notice.**

Failure to respond within five days will result in removal from the eligible list.

(b)

CIVIL SERVICE COMMISSION

**Assignments and Transfers
Lateral Title Change**

**Proposed Amendment: N.J.A.C. 4:1-15.2
Proposed Repeal: N.J.A.C. 4:2-15.2**

Authorized By: Civil Service Commission, Peter J. Calderone, Director, Division of Administrative Practices and Labor Relations.
Authority: N.J.S.A. 11:1-7a., 11:5-1a. and 11:11-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Peter J. Calderone
Director, Division of Administrative
Practices and Labor Relations
CN 312
Trenton, NJ 08625

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

This proposal is known as PRN 1982-342.

The agency proposal follows:

Summary

The current rule, N.J.A.C. 4:1-15.2, permits an employee to change laterally from one title to another if the ranges, requirements, qualifications and examinations of the former and latter titles are substantially similar. The proposed amendments will address several administrative problems Civil Service has encountered when employees have changed titles which are not substantially similar. The amendments specify that when the criteria are not met for a lateral title change, an employee will be appointed provisionally pending promotional examination. The amendments also specify when a lateral change in title will not be permitted.

N.J.A.C. 4:2-15.2 is being repealed as part of the ongoing recodification process.

Social Impact

These amendments will serve as notice to all employees contemplating a change in title that an impending move between titles will be closely scrutinized to determine whether it will be permitted with retention of permanent status or whether a promotional examination will be required.

Economic Impact

Additional administrative costs will result for the Division of Examinations in administering examinations if each time a lateral change in title occurs, a promotional situation exists which triggers a promotional examination for the title in question.

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

PROPOSALS

4:1-15.2 Lateral title change

(a) The movement of a permanent employee from [a position in one class to a position in an] **one title to an equivalent [class] title** in the same [organization unit] **department or autonomous authority** [at the same or converted rate of compensation for the hours of work] shall constitute a lateral title change. Such change may be made only if the [ranges are the same or have been converted] **titles are compensated at the same or converted rate** to adjust for the hours of work and if the requirements for both positions are substantially similar requiring essentially the same tests and qualifications and the title change does not [mitigate] **operate** against the principles of the merit system. **An employee who receives a lateral title change shall retain his or her permanent status.**

(b) [See also N.J.A.C. 4:2-15.2.] **If both lateral titles are not substantially similar and the new title requires unique tests or qualifications, a provisional appointment may be made pending promotional examination. Such provisional appointment shall not be permitted at the entry level of a title series of above the entry level if a complete promotional list exists or a promotional examination has been announced. Eligibility for such examination shall be limited to the organizational scope where the provisional is appointed.**

4:2-15.2 [Criteria for retention of regular appointment status with title change] **(Reserved)**

[(a) This section provides criteria whereby an employee will retain regular appointment status when his/her title is changed either laterally or demotionally without a qualifying test.

(b) An employee with permanent status in a class title, who is being appointed to another class title with the same or lower evaluated job content as the title from which s/he is coming, and which includes a skill or skills not encompassed in the employee's present title, may retain RA status without a qualifying test, if proof is submitted that the employee has had RA status in a title which includes such a skill or skills or previously has passed a New Jersey Civil Service examination which includes testing for these skills at the level of the position to which s/he is being appointed.

Example:

An employee with RA status as a Senior Clerk Transcriber (A09) can be appointed to a position in the title, Senior Clerk Stenographer (A09) and retain RA status without a qualifying test in stenography if proof is submitted that the employee has had RA status in a title which involved the skill of stenography if proof is submitted that s/he has passed a New Jersey Civil Service examination which included testing for this skill at the level of the position to which s/he is being appointed, Senior Clerk Stenographer.

(c) A currently valid Clerical Proficiency Certificate for stenography, typing or transcription issued by the Department of Civil Service will be acceptable for retention of permanent status when an employee who has qualified in the clerical skills is appointed to an entrance level title with the same or lower evaluated job content and such title requires stenography, typing or transcription skills.

An employee with RA status in the title, Audit Account Clerk (A05) can be appointed to a position in the title, Clerk Typist (A05) and retain RA status if the employee has a currently valid Clerical Proficiency Certificate for typing issued by the Department of Civil Service.]

(a)

CIVIL SERVICE COMMISSION

Hours of Work
Dual EmploymentProposed Repeal: N.J.A.C. 4:1-18.4, 4:2-18.4
and 4:3-18.1

Authorized By: Civil Service Commission, Peter J. Calderone, Director, Division of Administrative Practices and Labor Relations.
Authority: N.J.S.A. 11:5-1(a).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Peter J. Calderone, Director
Division of Administrative
Practices and Labor Relations
CN 312
Trenton, NJ 08625

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

This proposal is known as PRN 1982-339.

The agency proposal follows:

Summary

N.J.A.C. 4:1-18.4 provides that a full-time public employee may hold another part-time job in the public service only with the consent of the full-time employer. N.J.A.C. 4:2-18.4 and 4:3-18.1 provide that Civil Service will record the payroll item of an employee holding public employment and public office, but that such recording does not indicate approval. These rules also advise that if conflict of interest issues arise, they are beyond the jurisdiction of Civil Service.

The rules proposed for repeal are unnecessary regulations by this Department. N.J.S.A. 11:1-1 et seq. does not address the issue of dual office holding in general although employees holding certain positions are specifically prohibited from dual public employment in paid positions. It is common practice for public employees to work in positions outside the public service and this is not regulated by Civil Service. Dual public employment seems clearly an area of an appointing authority's discretion, subject of course to other laws and regulations, such as the New Jersey Conflicts of Interest Law (N.J.S.A. 52:13D-12 et seq.). Many appointing authorities already have written policies and/or guidelines on this matter.

Social Impact

Those appointing authorities that do not have policies or guidelines on dual employment will need to decide if such are necessary and if so will have to adopt policies and/or guidelines. Civil Service does not have information on how many appointing authorities already have policies or guidelines in place.

Economic Impact

Civil Service can discern no economic impact of this repeal.

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

4:1-18.4 [Dual employment] **(Reserved)**

[(a) A full-time employee in a position in the classified service shall not be permitted, while continuing to hold such a position, to accept part-time employment in another public agency without the prior and continuing consent of the appointing authority in whose department he is regularly employed.

(b) Approval of dual public employment shall be conditioned on definite terms relating to hours and the effect on regular employment.

(c) See also N.J.A.C. 4:2-18.4.]

4:2-18.4 [Dual office holding] **(Reserved)**

[(a) This section describes the required payroll auditing procedures when dual office holding is found to exist.

(b) When instances of the concurrent holding of public office and public employment are found to exist the payroll item for the employee in question will be recorded and the Civil Service Department shall advise the appointing authorities that the recording of the payroll item in question does not grant authority for the continued concurrent holding of public office and public employment. The determination as to whether such dual office holding constitutes a conflict of interest is beyond the jurisdiction of the Civil Service Commission.]

4:3-18.1 [Dual office holding] **(Reserved)**

[(a) This section describes the required payroll auditing procedures when dual office holding is found to exist.

(b) When instances of the concurrent holding of public office and public employment are found to exist the payroll item for the employee in question will be recorded and the Civil Service Department shall advise the appointing authorities that the recording of the payroll item in question does not grant authority for the continued concurrent holding of public office and public employment. The determination as to whether such dual office holding constitutes a conflict of interest is beyond the jurisdiction of the Civil Service Commission.]

(a)

CIVIL SERVICE COMMISSION

**Miscellaneous Provisions
Public Records**

**Proposed New Rule: N.J.A.C. 4:1-25.1
Proposed Repeal: N.J.A.C. 4:2-20.12**

Authorized By: Civil Service Commission, Peter J. Calderone, Director, Division of Administrative Practices and Labor Relations.

Authority: N.J.S.A. 11:5-1(a), Executive Order No. 11, 1974.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Peter J. Calderone, Director
Division of Administrative Practices
and Labor Relations
CN 312
Trenton, NJ 08625

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

This proposal is known as PRN 1982-340.

The agency proposal follows:

Summary

As part of this Department's ongoing recodification project, N.J.A.C. 4:2-20.12 is being repealed and incorporated into N.J.A.C. 4:1-25.1. This rule stipulates which Civil Service records are available for public inspection. The proposed new rule has few substantive changes; however, reference to pension records has been eliminated since they are not within Civil Service jurisdiction, and "payroll record" has been revised to "amount of gross compensation". The latter revision permits the amount an employee earns to be public information while protecting the employee's optional deductions from public disclosure. The balance of the changes reflect this department's policy of writing all rules in clear, concise English.

Social Impact

Since the revision reflects current procedure, there is no social impact.

Economic Impact

Since the revision reflects current procedure, there is no economic impact.

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

SUBCHAPTER 25. MISCELLANEOUS PROVISIONS

4:1-25.1 **Public records**

(a) With respect to Civil Service records of individual employees, only the following shall be public:

1. An individual's name, title, position, salary, amount of gross compensation, length of government service including starting and ending dates, and reason for separation;

2. Data which show conformity with specific experiential, educational or medical qualifications required for government employment. In no event shall detailed medical, psychological or psychiatric information be made public.

3. Personnel records, except as specified above, are not subject to disclosure other than to persons authorized by the State or Federal government to inspect such records in connection with their official duties.

(b) Any other Civil Service records which are required by law to be made, maintained or kept on file are public records available for inspection.

4:2-20.12 [Examination of public records] **(Reserved)**

[(a) This section details the State policy on examination by citizens of public records in accordance with Executive Order No. 11. (1974).

(b) Public records are to be readily accessible for examination by citizens of this State for the protection of the public interest. All records which are required by law to be made, maintained and kept on file by State and local governmental agencies are public records, subject to inspection and examination and must be available for copying.

(c) Except as otherwise provided by law or when essential to the

performance of official duties or when authorized by a person in interest, governmental instrumentalities shall not disclose to anyone other than a person duly authorized by this State or the United States to inspect such information in connection with their official duties, personnel or pension records of an individual, except that the following shall be public:

1. An individual's name, title, position, salary, payroll record, length of government service, date of separation from government and reason for separation; and the amount of pension the individual is receiving;

2. Data contained in information which disclose conformity with specific experimental, educational or medical qualifications required for government employment or for receipt of a public pension, but in no event shall detailed medical or psychological information be released.

(d) Executive Order 11 became effective November 15, 1974.]

COMMUNITY AFFAIRS

(a)

DIVISION OF HOUSING

Uniform Construction Code Enforcing Agency Fees

Proposed Amendments: N.J.A.C. 5:23-4.17 and 4.20

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

Authority: N.J.S.A. 52:27D-124.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

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

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

This proposal is known as PRN 1982-336.

The agency proposal follows:

Summary

The construction official's fee recommendations and expense statement must accompany each fee schedule filed with the department. The multiplier used by the department in assessing fees is eliminated and increases are made in specific fees charged by the department.

Social Impact

Inclusion of the construction official's recommendations will give the department a better basis upon which to evaluate the reasonableness of any local fee increase. Elimination of the multiplier will make calculation of fees easier and remove a source of confusion.

Economic Impact

Fees charged by the department will increase approximately 50 percent on average. The increases are necessary in order to make the department's enforcing agency function self-supporting. The department believes that it is fair and reasonable that this function be self-supporting because local code enforcement by the department under the Uniform Construction Code Act only exists where a municipality has requested the department to assume that function in substitution for local enforcement, which is locally-supported in those municipalities that enforce the Code themselves. The rest of the State's taxpayers should not have to subsidize any municipality that chooses not to enforce the Code with its own employees. The department does not expect that the increases in the fees will be so significant as to have a material adverse effect upon builders or property owners.

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

5:23-4.17 Municipal enforcing agency fees

(a) (No change.)

(b) Report:

1. (No change.)

2. **A copy of the construction official's report recommending a fee schedule and setting forth enforcing agency expenses shall be filed with the department when prepared, but, in any event, not less frequently than once every two years and a copy of the ordinance, together with the fee schedule, shall be filed with the department when enacted or amended.**

(c) (No change.)

5:23-4.20 Department fees

(a) General:

[1. All departmental fees, including minimum fees, as provided in this section shall be calculated using a multiplier of two (that is, 2.0).

i. The multiplier is intended to provide the department with a flexible method of altering its fees to meet its obligations as an enforcing agency. The department's responsibilities are subject to change on relatively short notice, and a number of factors are either unknown or impossible of calculation prior to the development of an experience pattern with the regulations. The multipliers will be adjusted to reflect true costs as geographical jurisdiction and the complexity and volume of construction over which the department has jurisdiction become more clear.]

2.-5. renumbered as 1.-4.

(b) (No change.)

(c) Departmental (enforcing agency) fees:

1. (No change.)

2. Basic construction fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and stacks, and the number of electrical fixtures and devices at the unit rates provided herein plus any special fees. **In any case, the minimum fee for basic construction work shall be \$20.00.**

i. Volume or cost: The fees for new construction or alteration are as follows:

(1) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.8 (d). The new construction fee shall be in the amount of [\$0.00035] **\$0.011** cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in article [2]3 of the building subcode; except that the fee shall be [\$0.0015] **\$0.006** per cubic foot of volume for use groups A-1, A-2, A-3, A-4, F, S-1 and S-2[.] **and the fee shall be \$0.03 per cubic foot for structures on farms used exclusively for the storage of food or grain, or the sheltering of livestock, with the maximum fee for such structures on farms not to exceed \$500.00;**

(2) Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work. The fee shall be in the amount of [~~\$3.00~~] **\$10.00** per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of [~~\$2.50~~] **\$8.00** per \$1,000 of estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the amount of [~~\$2.00~~] **\$6.00** per \$1,000 of estimated cost above \$100,000. For the purpose of determining estimated cost, the applicant shall submit to the department, if available, cost data produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The department will make the final decision regarding estimated cost:

(3)-(4) (No change.)

(5) Fees for minor construction work shall be based upon the estimated cost of the work. The fee shall be in the amount of [~~\$3.00~~] **\$10.00** per \$1,000 of estimated cost or fraction thereof.

ii. Plumbing fixtures and stacks: The fees shall be as follows:

(1) The fee shall be in the amount of [~~\$2.00~~] **\$4.00** per fixture or stack for all fixtures except as listed in (2) below.

(2) The fee shall be in the amount of [~~\$12.50~~] **\$25.00** per special device for grease traps, oil separators, water-cooled air conditioning units, [and] utility service connections, **boilers and furnaces**.

(3) (No change.)

iii. Electrical fixtures and devices: The fees shall be as follows:

(1) For from one to 50 receptacles or fixtures, the fee shall be in the amount of [~~\$10.00~~] **\$20.00**; for each 25 receptacles or fixtures in addition to this, the fee shall be in the amount of [~~\$1.50~~] **\$3.00**; for the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacle or similar fixture, and motors or devices of less than one horsepower or one kilowatt.

(2) For each motor or electric device of more than one horsepower or one kilowatt, the fee shall be in the amount of [~~\$2.00~~] **\$4.00**.

(3) (No change.)

(4) For each service panel of 100 amperes capacity or less, the fee shall be in the amount of [~~\$5.00~~] **\$10.00**; for each service panel of greater than 100 amperes capacity, the fee shall be increased [~~\$2.50~~] **\$5.00** for each 100 ampere increment;

(5) (No change.)

[(6) In any case, the minimum fee for electrical work shall be \$10.00.]

3. The fee for a demolition permit shall be [~~\$12.50~~] **\$25.00** for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two-family residences (use group R-3 of the building subcode), **and structures on farms used exclusively for storage of food or grain, or sheltering of livestock**, and [~~\$25.00~~] **\$50.00** for all other use groups.

4. The fee for a permit for removal of one building from one lot to another or to another location on the same lot shall be in the amount of [~~\$2.50~~] **\$5.00** per \$1,000 of the estimated cost of moving, plus the estimated cost of new foundation and all work necessary to place the building in its completed condition in the new location.

5. The fee for a permit to construct a sign shall be in the amount of \$0.50 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be [~~\$5.00~~] **\$20.00**.

6. The fee for a certificate of occupancy shall be in the amount of 10 percent of the new construction permit fee which would be charged by the department pursuant to these regulations. The minimum fee shall be [~~\$25.00~~] **\$50.00**, **except for one or two-family residences less than 5,000 square feet in area and less than 30 feet in height, for which the minimum fee shall be \$25.00.**

i. The fee for a certificate of [continued] occupancy granted to a change of use group shall be [~~\$25.00~~]; **\$50.00**.

ii. **The fee for a certificate of continued occupancy shall be \$25.00.**

[ii.] iii. There shall be no fee for a temporary certificate of occupancy.

7. The fee for a permit to install an elevator shall be [~~\$75.00~~] **\$150.00**; [and] for each reinspection the fee shall be \$37.50; and for each five-year reinspection the fee shall be \$125.00;

8. The fee for plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy subcode is as follows: [~~\$50.00~~] **\$100.00** for one and two-family homes and light commercial structures having the indoor temperature controlled from a single point, and [~~\$250.00~~] **\$500.00** for all other structures.

9. **The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$250.00 for class I structures and \$50.00 for class II and class III structures. The fee for resubmission of an application for a variation shall be \$100.00 for class I structures and \$25.00 for class II and class III structures.**

(a)

DIVISION OF HOUSING

New Home Warranty and Builders' Registration Warranty Coverage Claim Filing

Proposed Amendment: N.J.A.C. 5:25-5.5

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

Authority: N.J.S.A. 46:3B-10.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

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

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

This proposal is known as PRN 1982-363.

The agency proposal follows:

Summary

The amendment clarifies the time within which a claim for warranty coverage may be filed.

Social Impact

The home buying public is put on notice that a claim for warranty coverage must be filed within a specific time period or the claim will be barred.

Economic Impact

There may be an adverse economic effect upon any claimant who disregards the time limit established by this rule.

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

5:25-5.5 Claims procedure

(a) (No change.)

(b) Owner responsibilities rules are:

1. Any owner who believes he has a covered defect shall provide written notice of the defect(s) to the builder not later than [the expiration date of the warranty] **seven calendar days after the date on which the warranty on that item expires.** The notice shall be delivered to the builder's business address.

2. (No change.)

3. If the matter cannot be resolved through the informal dispute settlement process established in N.J.A.C. 5:25-5.5(a)6, (b)1 and 2, then the owner may file a Notice of Claim and demand for dispute settlement with the Division. **The Notice of Claim shall be filed within 14 days after the expiration of the 30 day period provided in (b)2 above.** The claim shall state the name of the builder, the date on which notice of defect was given to the builder, the Certificate of Participation number and a copy of the written notice of [the] defect, as prescribed in [paragraph 1 of this subsection.] **(b)1 above.** [A Notice of Claim must be filed within 30 days of the expiration of the warranty period.]

i.-ii. (No change.)

4. (No change.)

(c)-(g) (No change.)

ENVIRONMENTAL PROTECTION

(a)

DIVISION OF FISH, GAME AND WILDLIFE

Marine Finfish Menhaden Season

Proposed New Rule: N.J.A.C. 7:25-22.1

Authorized By: Robert E. Hughey, Commissioner, Department of Environmental Protection.

Authority: N.J.S.A. 23:2B-6.

DEP Docket No.: 033-82-08

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Paul E. Hamer, Chief
Bureau of Marine Fisheries
Division of Fish, Game and Wildlife
Department of Environmental Protection
CN 400
Trenton, NJ 08625

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

This proposal is known as PRN 1982-362.

The agency proposal follows:

Summary

The proposed regulation establishes a season for the taking of menhaden by purse seine for purposes of reduction into fish meal and oil. This action is being taken to conform to a coast-wide management plan developed under Federal and State fishery management laws and mutually agreed upon by all of the Atlantic coastal states, under the auspices of the Atlantic States Marine

Fishery Commission. The plan is focused upon the reduction in the catch of juvenile menhaden in order to increase the average size of menhaden stock.

Social Impact

The social impact of this regulation would not be felt until 1984, since the only menhaden reduction plant in New Jersey has closed this season and probably for next season, as well. There could be limited negative impact for out-of-state fishing boats, operating in New Jersey waters, since they will not be able to fish during the four weeks by which the season is being shortened. However, since these boats fish primarily in out-of-state waters during the season, this impact should be small. This action would not have a social impact upon menhaden fishermen, who use this species for bait purposes, because it would not affect them.

When New Jersey's only reduction plant resumes operation in 1984, its season of operation will be four weeks shorter than it has been in the past.

Economic Impact

Considerable beneficial economic impact is anticipated as a result of the expected increase in the average age of the menhaden stock which this rule proposal will cause. There should be a resulting higher quality fish meal. It will also result in a larger yield of menhaden oil which is extracted from older and larger fish. It will also help to insure better quality fishing in New Jersey in the future, since the New Jersey fishery depends upon larger fish.

Finally, there may be a small positive economic impact upon menhaden bait fishermen. Due to the seasonal restriction, on the large vessels from the reduction plants, the small-size bait seine vessels may be able to make their catch in a shorter period of time due to the possibility of menhaden schools lingering for a longer period of time in an area.

Environmental Impact

The environmental impact of the proposed rule is that it will result in the conservation of the menhaden fishery stock, by permitting longer growth periods for the stock. In addition to increasing the expected quantity of fish in the fisheries, their increased average size will enhance the viability of menhaden fishing and processing industry.

Full text of the proposal follows.

SUBCHAPTER 22. FISHERY MANAGEMENT IN NEW JERSEY

7:25-22.1 Menhaden season

The season for taking menhaden from the marine waters of the State of New Jersey by purse seine for fish meal reduction shall begin on the third Monday in May and end on the third Friday in October. This regulation in no way restricts the taking of menhaden for bait, chum or purposes other than for fish meal reduction.

(a)

OFFICE OF PESTICIDE CONTROL**Pesticide Control
New Jersey Pesticide Control Code****Proposed Amendment: N.J.A.C. 7:30
Public Notice: Extension of Comment Period**

Take notice that the Department of Environmental Protection has extended the comment period concerning the proposed amendments to the pesticide control regulations (see 14 N.J.R. 787(a) in the August 2, 1982 issue of the New Jersey Register) from September 1, 1982 to September 13, 1982.

Interested persons may submit in writing, data, views or arguments relevant to this proposal on or before **September 13, 1982** to:

Raymond Ferrarin, Acting Chief
Office of Pesticide Control
Division of Environmental Quality
CN 027
Labor and Industry Building, Room 1108
Trenton, NJ 08625

HEALTH

(b)

HEALTH ECONOMICS SERVICES**Financial Elements and Reporting Regulation****Proposed Amendment: N.J.A.C. 8:31B-4.44
and 4.66**

Authorized By: Shirley A. Mayer, M.D., M.P.H.,
Commissioner, Department of Health (with the approval
of the Health Care Administration Board on June 3,
1982).

Authority: N.J.S.A. 26:2H-1, et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

James R. Hub, Director
Health Economics Services
State Department of Health
CN 360, Room 600
Trenton, NJ 08625

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

This proposal is known as PRN 1982-359.

The agency proposal follows:

Summary

The Proposed 1983 Financial Elements and Reporting Regulation contains only two changes to the 1982 Regulations, neither of which are substantial to the rate setting methodology.

The proposed changes include:

1. Major Moveable Equipment. Footnote number 2 is eliminated consistent with the Procedural and Methodological Regulations. Footnote number 3 is changed to number 2.

2. Interest Expense for Major Moveable Equipment. The year 1980 is eliminated since it is pertinent only to the 1980 regulations. The intent of the regulation was that each and every hospital during its first year under Chapter 83 P.L. 1978 has the opportunity to appeal interest expenses, not only those hospitals entering in 1980.

Social Impact

The proposed changes will result in better cross referencing of material from the Procedural and Methodological Regulation to the Financial Elements and Reporting Regulation; and no social impact by eliminating the reference to the year 1980.

Economic Impact

Better cross referencing may result in time savings. No economic impact will result by eliminating the reference to the year 1980.

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

8:31B-4.44 Major Moveable Equipment^{12]}

Major Moveable Equipment, as defined in 8:31B-4.21 includes straightline depreciation costs on owned or capitalized leased Major Moveable Equipment plus a Price Level Depreciation Allowance in excess of this historical depreciation (see 8:31B-3.27(a)2 for the explanation of how this allowance is calculated) and operating lease/rent payments relative to Major Moveable Equipment utilized for Services Related to Patient Care. Leased Major Moveable Equipment is to be capitalized or reported as operating lease costs in accordance with Generally Accepted Accounting Principles.^{13]2} Major Moveable Equipment Costs so determined are reported as a Natural Classification of Expense (see 8:31B-4, Part III, below) of each cost center. Major Moveable Equipment utilized by more than one functional cost center must be assigned to the using cost centers based on an estimate of each center's utilization. Capitalized repair and installation costs should be included with the cost of the equipment. (See also 8:31B-4.32.) Interest associated with capitalized financing purchases or leases is to be excluded and reported as a reconciliation, per 8:31B-4.66(e), since the Internally Generated Major Moveable Equipment Replacement Fund is established to provide sufficient funds to replace purchased equipment or meet installment payments for financed equipment (both principal and interest).

^{2]}For-Profit hospitals shall be reimbursed for major moveable equipment through straight line depreciation, and interest as reported in accordance with Section 1.]

^{13]2}See Financial Accounting Standards Board Statement of Financial Accounting Standards Numbers 13, 17, and 23.

8:31B-4.66 Administrative Items

(a)-(d) (No change.)

(e) Interest Expense for Major Moveable Equipment is excluded from Costs Related to Patient Care and treated as Case C. However, hospitals [receiving a PCB in 1980] **during the first year under Chapter 83** may appeal to the Commission, pursuant to N.J.A.C. 8:31B-3.63(c) to have this interest expense or the interest expense in (d) above included in their [1980] PCB.

HIGHER EDUCATION

(a)

BOARD OF HIGHER EDUCATION

Academic Personnel Policies Guide for New Jersey State Colleges

Proposed Amendment: N.J.A.C. 9:2-2.25

Authorized By: T. Edward Hollander, Chancellor and Secretary, Board of Higher Education.
Authority: N.J.S.A. 18A:3-14(h) and 18A:66-172.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

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

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

This proposal is known as PRN 1982-338.

The agency proposal follows:

Summary

The proposed rule provides for a one year extension from mandatory retirement at age 70 for State College faculty and administrators. Extensions may only be made by the College Board of Trustees upon recommendation of the college president. The proposal also clarifies the existing regulation to indicate that college administrators are also subject to the mandatory retirement age.

Social Impact

The proposal will permit State Colleges to retain outstanding faculty for an additional year beyond current mandatory retirement, if the faculty are willing.

Economic Impact

The State Colleges will incur additional expenses for each faculty member granted a retirement extension as senior faculty tend to be in the higher salary ranges. The increased cost will be justified on an institutional basis by the improved quality of instruction. No precise dollar estimate for the cost can be given as it is unknown how many faculty will be granted extensions and what salaries will be paid to each faculty.

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

9:2-2.25 Retirement

(a) Faculty members **and administrators** shall be retired no later than June 30 of the college year during which they become 70 years of age, or earlier at their opinion. **Upon the recommendation of the President of the college, the Board of Trustees may grant a one year waiver of mandatory retirement until age 71, when such waiver is deemed in the best interest of the college.**

(b) (No change.)

HUMAN SERVICES

(b)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual Submittal of Form ED-6

Proposed Amendment: N.J.A.C. 10:81-7.13

Authorized By: Walter E. Ulrich, Acting Commissioner, Department of Human Services.
Authority: N.J.S.A. 44:7-6 and 44:10-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

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

This proposal is known as PRN 1982-350.

The agency proposal follows:

Summary

Because of a reassignment of certain peripheral duties within the Division of Public Welfare, the inventory of Form ED-6, Request and Authorization for Records Disposal, will be maintained in the Bureau of Management Services rather than the Bureau of Business Services. Approval authority has also been transferred. There is no change in the identification of records to be disposed of, in the retention periods, in the criteria used in authorizing disposal or manner of disposal.

Social Impact

This proposal does not involve the public in any way. The only impact will occur in the two bureaus involved.

Economic Impact

No economic impact is anticipated.

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

10:81-7.13 Retention and destruction of case records

(a)-(b) (No change.)

(c) Requests for destruction of case records will be submitted on State Form ED-6, Request and Authorization for Records Disposal, which may be obtained from the Bureau of [Business] **Management Services**, Division of Public Welfare. Form ED-6 will be completed as follows:

1.-3. (No change.)

4. All copies of the completed Form ED-6 will be forwarded to the Bureau of [Business] **Management Services** for approval. The county welfare agency shall not destroy any records until such approval has been received by CWA in writing.

(d) (No change.)

(a)

DIVISION OF PUBLIC WELFARE**Public Assistance Manual
Refugee Resettlement Program, Cuban/
Haitian Entrant Program****Proposed New Rule: N.J.A.C. 10:81-10
Proposed Repeal: Appendix A of N.J.A.C.
10:81**

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.
Authority: N.J.S.A. 44:7-6 and 44:10-3; Public Law 96-
212 (Refugee Act of 1980); and 45 CFR Parts 400 and
401.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

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

This proposal is known as PRN 1982-346.

The agency proposal follows:

Summary

This proposal incorporates all current program material relevant to the Refugee Resettlement and Cuban/Haitian Entrant programs into the New Jersey Administrative Code. The rules are based on existing Federal regulations governing these programs.

Social Impact

This proposal is designed to ensure the uniform application of policy and procedures governing the Refugee Resettlement and Cuban/Haitian Entrant programs and thus the equitable treatment of all persons eligible for assistance under these programs.

Economic Impact

Inasmuch as the Refugee Resettlement and Cuban/Haitian Entrant programs are 100 percent Federally financed, the fiscal impact on State expenditures is negligible. For Federal fiscal year 1982, the estimated amount of expenditures for these programs in New Jersey is \$14,391,552.

Full text of the proposal follows. Delete in its entirety the existing text of Appendix A in N.J.A.C. 10:81 as it appears in the New Jersey Administrative Code and replace it with the following.

**SUBCHAPTER 10. REFUGEE RESETTLEMENT
PROGRAM-CUBAN/HAITIAN
ENTRANT PROGRAM****FOREWORD**

The Refugee Resettlement Program (RRP) and Cuban/Haitian Entrant Program (CHEP) are Federally funded programs designed to help meet the needs of refugees and entrants.

Federal financial participation for refugees under RRP and entrants under CHEP is 100 percent. For refugees and entrants who

meet AFDC-C or -F segment criteria, 50 percent of the Federal reimbursement is from Title IV-A funds and 50 percent from refugee or entrant funds. For those refugees and entrants meeting AFDC-N or GA criteria, 100 percent Federal financial reimbursement is from refugee or entrant funds.

10:81-10.1 Identifying refugees/entrants

(a) Definition of a refugee: An individual is considered a refugee for purposes of RRP if he or she fled from and cannot return to his or her place of national origin because of fear of persecution on account of race, religion or political opinion. Such an individual may be eligible under RRP if he or she is included in one of the statuses granted by the Immigration and Naturalization Service (INS) as delineated in this subchapter (see N.J.A.C. 10:81-10.2).

(b) Definition of an entrant: An individual may be eligible for assistance under CHEP if he or she is included in one of the statuses granted by INS as delineated in N.J.A.C. 10:81-10.3. By definition, an entrant is a person meeting one of these statuses.

10:81-10.2 INS statuses for RRP

(a) Applicants may be eligible for assistance under the RRP if they have been classified in one of the following INS statuses:

1. A person from any country who has been granted parole status as a refugee or asylee under section 212(d)(5) of the Immigration and Nationality Act (INA) and so indicated by INS Form I-94. An "applicant for asylum" is not eligible for RRP;

2. A person admitted from any country as a conditional entrant under section 203(a)(7) of the INA and so indicated on Form I-94;

3. A person from any country admitted as a refugee under section 207 of the INA and so indicated on Form I-94;

4. A person from any country who has been granted asylum under section 208 of the INA and so indicated on Form I-94; or

5. A person from any country who previously held one of the statuses identified in (a)1 through 4 above whose status has subsequently been changed to that of permanent resident alien. In addition to the required Form I-151 or I-551 (resident alien forms) showing the status of resident alien, the individual must also provide sufficient documentation to substantiate that one of the eligible statuses indicated in (a)1 through 4 above was held prior to that of resident alien.

(b) Individuals with either the INS status of applicant for asylum (as differentiated from an individual who has been granted asylum) or the INS status of Cuban/Haitian Entrant are not eligible under RRP.

10:81-10.3 INS statuses for CHEP

(a) Applicants may qualify for CHEP provided they possess an INS Form I-94 stamped as indicated in (a)1 and 2 below.

1. Cubans: A person who either entered or was paroled into the United States after April 20, 1980 and possesses an INS Form I-94 which indicates one of the following:

i. "Cuban/Haitian Entrant (Status Pending)";

ii. "Outstanding Order of Exclusion/Paroled Pursuant to 8 CFR 212.5(b) Employment Authorization" or "Paroled Pursuant to 8 CFR 212.5(b) Employment Authorized"; or

iii. He or she is a citizen of Cuba and contains the initials "OOE".

(1) CWAs shall keep a file identifying any Cubans determined eligible for CHEP whose I-94 contains the initials "OOE" so that assistance to such cases may be terminated in the future if the Federal government changes CHEP eligibility criteria. This special procedure is necessary because some Cubans released from the Federal Correctional Institution in Atlanta, Georgia, have Exclusion Orders against them. They did not receive a "Cuban/Haitian Entrant (Status Pending)" stamp but they did receive a parole from INS. Their I-94 contains the initials "OOE". They are eligible to apply for CHEP because the Federal District Judge has issued a Temporary Restraining Order (TRO) making the Exclusion Orders legally unenforceable. However, if the TRO is removed in the future, it will be necessary to determine these persons ineligible for CHEP and therefore they must be readily identifiable.

(2) Distinction between the initials "OOE" and the words "Outstanding Order of Exclusion" must be made for there are a small number of Cubans whose I-94 contains the words "Outstanding Order of Exclusion". These Cubans have Exclusion Orders against them but they are not covered by the TRO mentioned above and thus are not eligible for CHEP.

2. Haitians: A person who possesses an INS Form I-94 which states that the person is a citizen of Haiti who has been either "Paroled" or granted "Voluntary Departure". The I-94 may be stamped as one of the following:

- i. "Cuban/Haitian Entrant (Status Pending)";
- ii. "Outstanding Order of Exclusion/Paroled Pursuant to 8 CFR 212.5(b) Employment Authorization" or "Paroled Pursuant to 8 CFR 212.5(b) Employment Authorized".

3. Expired status: Persons in (a)1 and (a)2 above are eligible even if the expiration date on their parole or voluntary departure status has passed.

4. Rules on Cubans/Haitians not addressed in (a)1 through 3 above are as follows:

i. Persons who do not qualify under (a)1 through 3 above categories are generally ineligible for CHEP. Ineligible persons, for example, include any Cubans or Haitians who have never been encountered by the INS and those Cubans and Haitians who possess regular immigrant and nonimmigrant visas.

(1) CWAs may receive applications for assistance from Cubans and Haitians who do not fall into any of the above categories but who appear to have immigrant visas. In those instances, the CWA shall contact the State Refugee Coordinator who will consult the Regional Office of Refugee Resettlement in order to determine whether or not eligibility exists and advise the agency accordingly.

10:81-10.4 Resettlement

(a) Most refugees and entrants are resettled by a voluntary agency and will have a sponsor. This sponsor, which may be an individual, church or organization, shares certain responsibilities as a moral commitment with the resettling agency. Such responsibilities include: receiving the refugee or entrant, helping him or her find food, shelter, clothing, furniture, and employment; and assisting the refugee to adjust to a new environment (see N.J.A.C. 10:81-10.7(c)).

(b) Verification with sponsors: When a sponsor no longer provides adequate financial aid for the refugee or entrant, the refugee or entrant may turn to a CWA for assistance. As part of its regular verification process, the CWA shall contact the sponsor and inquire as to what, if any, assistance the sponsor may still be providing to the refugee/entrant. The CWA shall also request that such sponsor notify the resettlement agency of this change in circumstance. In addition, the refugee's sponsor or resettlement agency shall be contacted to verify the possible existence of any matching grant assistance being provided to the refugee (see N.J.A.C. 10:81-10.7(c)1). Meanwhile the CWA shall grant assistance to eligible refugees. Any cash assistance to the client from the sponsor or resettlement agency shall be treated as unearned income (see N.J.A.C. 10:82-4.13(c)). All contacts with the sponsor and/or resettlement agency shall be recorded in the case record (see N.J.A.C. 10:81-10.7(c)).

10:81-10.5 Termination of RRP/CHEP eligibility: Continued eligibility for assistance

(a) Case numbers: For C, F, L (C and F) and Medicaid Only (MO) type cases no longer eligible for RRP or CHEP benefits, the suffix "R" or "T" is to be deleted from the case number; N and K (C and N) type cases are to have case numbers assigned from the AFDC numbering sequence and case information entered into the CODES system.

(b) Program codes: While program codes (PCs) for C, F, and L type cases shall remain unchanged, i.e., PC30, the PC for N and K type cases must be changed from 80 to 30. Similarly, the program status code (PSC) for this latter group must also be changed as

appropriate. Thus, all CWAs must submit MAP-1 forms for all N and K type cases to make such changes on the Medicaid Status File (MSF).

(c) Race codes: Race codes (RCs) must be changed for all cases (C, F, N, L and K). For CODES purposes, change the RC in block 519/BM, and/or 13/QE of CODES Form 105 for C, F and L type cases from "R" or "H" to the appropriate racial/ethnic code. For MSF purposes, the race code (field 17 on Form MAP-1) must be changed from "7" or "9" to that which is appropriate for all C, F, N, K and L type cases. Note, for those CWAs "live" on the CODES Medicaid Interface, submission of a MAP-1 form will not be necessary to make such change on the MSF for C, F, and L type cases on the CODES system, as this will be done automatically.

Note: When AFDC-N and K type RRP and CHEP cases must be entered into the CODES system for public assistance purposes and are currently on the CODES system for food stamp (FS) purposes only, attention must be given to the FS portion of the case to assure that all information, e.g., RCs, is properly updated.

10:81-10.6 Registration of RRP and CHEP cases

(a) The application for all AFDC-N segment and GA type cases shall be registered in accordance with N.J.A.C. 10:81-2.3(d). The program designation letter (case number prefix) for all RRP and CHEP case numbers is "V".

(b) Program and code numbers: In the segment indicator of CODES Form 105, the suffix "R" is to be used to designate all refugees eligible under RRP and "T" for all CHEP cases. All RRP cases must have the digit 7 in the race code field (17) on the MAP-1 or if subject to CHEP, the digit 9 in the race code field.

(c) Cases which do not meet the AFDC-C or F criteria retain the program status code of 80 under RRP and CHEP. Race codes as indicated in (b) above are also applicable to AFDC-N segment and GA type cases. All RRP and CHEP cases are to be assigned a case number within the "V" program designation letter numbering sequence.

(d) For CODES purposes, the race code of "R" shall be entered in block 519/BG, 531/BM or 13/QE of the 105 document for RRP cases and a race code of "H" in the appropriate block for CHEP cases.

10:81-10.7 Eligibility

(a) No U.S. citizen is eligible for RRP or CHEP (exception: see (a)2 and 3 below) and a refugee or entrant may be eligible only if he or she meets the appropriate definition and INS status in N.J.A.C. 10:81-10.1 through 10.3. In addition, all refugees and entrants who have been in the U.S. for three years will cease to be eligible for cash and medical assistance under RRP and CHEP (see (b) below). Such ineligible refugees and entrants who are still in need shall, as appropriate, be assisted under AFDC-N or referred to the municipal welfare department via Form PA-14, "Referral for Services", giving the reason for referral.

1. Family composition: For a large extended family group, the CWA shall establish a separate budget unit for each non-AFDC eligible individual or couple in the household.

2. Two parent families: When both parents are refugees or entrants, the case is treated as a single RRP or CHEP case even if one or more children are U.S. citizens. When only one parent is a refugee or entrant, RRP/CHEP assistance is granted only to family members who are refugees or entrants.

3. One parent families: When the parent is a refugee or entrant, the entire family is treated as a single RRP/CHEP case, even if one or more of the children are U.S. citizens. If the parent is a U.S. citizen but one or more of the children are refugees or entrants, RRP or CHEP assistance is granted only to family members who are refugees or entrants.

(b) Eligibility limitations: Eligibility for assistance under either RRP or CHEP is limited to a total of 36 months.

1. AFDC-C or -F segment cases: For all AFDC-C or -F type cases,

need shall be determined by the same procedures used for the AFDC-C or -F segments (see N.J.A.C. 10:82-2.7).

2. Rules concerning GA (AFDC-N or GA) type cases are as follows:

i. First 18 month period: For all GA and AFDC-N type applicants/recipients residing in the U.S. for less than 18 months from their initial entry date or when parole status was first granted as identified on INS Form I-94, income and resources shall be treated in accordance with the standards and criteria applicable to AFDC-C or F, except, that CWAs shall not apply the \$30.00 and one-third earned income disregard. The assistance standard for applicants/recipients shall be the appropriate amount for eligible unit size using Schedule I found in N.J.A.C. 10:82-1.2.

ii. Second 18 month period: During the second 18 month period, GA and AFDC-N type cases shall have eligibility/grant entitlement determined in accordance with AFDC-N or GA criteria, as applicable.

(1) AFDC-N type RRP and CHEP applicants/recipients (intact families not meeting employment criteria for AFDC-F segment) shall have eligibility and grant entitlement determined by using Schedule II found in N.J.A.C. 10:82-1.2 and N.J.A.C. 10:82-2.11 and 12. CWAs shall apply the same standards and criteria relevant to income and resources as for any other AFDC-N applicant/recipient including applicable disregards.

(2) All other GA type cases (single adults and childless couples) shall have need determined using the same standards and criteria as applied to all other GA applicant/recipients, including applicable disregards, in accordance with N.J.A.C. 10:85 except that AFDC-N work registration criteria shall apply. In determining eligibility and grant entitlement, CWAs shall use the appropriate standard for the eligible unit size, using Schedule I or II in N.J.A.C. 10:85, as appropriate.

iii. During both 18 month periods, all eligible GA type cases will retain Medicaid eligibility using the existing program code assigned to such cases.

(c) Treatment of income and resources: The CWA shall consult with sponsors and/or the resettling agency about the possibility of contributions. Cash assistance to the client must be considered as unearned income (see N.J.A.C. 10:81-10.4(b)); however, the income and resources of the sponsors themselves shall not be considered. No resources which are in fact not available to the refugee or entrant shall be considered in determining eligibility. This includes resources in the refugee's/entrant's native land owned by the refugee/entrant or a responsible relative.

(d) Refugees included under the matching-grant program with voluntary agencies: A Soviet refugee or other non-Cuban, non-Indochinese refugee may be receiving assistance under a matching grant. These grants are separate and distinct from the one-time per capita grant which the Department of State makes to resettlement agencies for the reception and initial placement of newly arriving refugees. The refugee's sponsor or resettlement agency shall be contacted to verify the existence of matching grant assistance and the amount of the grant, if applicable. If assistance is being provided under a matching grant, the entire amount received shall be treated as unearned income in determining the refugee's eligibility and the amount of assistance that will be provided.

(e) Work and training requirements: Refugees and entrants who are under the -C or -F segment of the AFDC program are subject to the work and training requirements governing that program.

1. An affidavit signed by the applicant(s) of a two-parent family attesting to past work history shall be considered sufficient official verification for AFDC-F purposes provided the affidavit indicates the period of time in which the work was performed (see N.J.A.C. 10:81-3.18(17)).

2. Refugee and entrant cases that are under the N segment of the AFDC program and those considered GA type cases are subject to the work and training requirements detailed in (e)2i through iii below:

i. Work registration: All refugees and entrants who are not exempt

from the work requirements (see (i) below) must register with the Job Service Office of the New Jersey Employment Service (NJES) using Form NJES-511F, "New Jersey Division of Employment Services Self-Registration Application", and identifying RRP or CHEP on that form. However, this requirement shall not be applied during the first 60 days following a refugee's/entrant's date of entry (as specified on Form I-94) into the U.S.

ii. Appropriate work and training criteria: All employable refugees and entrants must accept appropriate work or training opportunities. In the case of offers of employment or training made through the local job service (JS) office, the application of appropriate work criteria and initial determination whether there is good cause to refuse will be made by the JS office subject to review and final determination by the CWA. The job or training assignment must be related to the physical and mental capability of the individual to perform the task on a regular basis. Any claim of adverse affect to physical or mental health shall be based on an adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health. Cost of obtaining such medical evidence is an allowable 100 percent reimbursable cost to the agency.

(1) The total daily commuting time to and from home shall not exceed two hours. If a greater distance or time is generally accepted in the community, then the round trip commuting time shall not exceed community standards. Round trip time shall not include the time needed to transport a child to and from a child care facility.

iii. Training requirements for employed refugee and entrant recipients: In the instance of a refugee or entrant who is employed and receiving public assistance, the welfare agency shall require part-time training such as English language instruction or skill training, if available and determined appropriate, if the refugee or entrant is employed part-time (less than 100 hours per month), as a condition for continued receipt of assistance. Additionally, the CWA shall encourage, but not require part-time English language instruction or skill training if the refugee or entrant is employed full-time (100 or more hours per month).

(f) Rules on refugees and entrants attending school are as follows:

1. A full-time student age 18 will be eligible for assistance if the student is reasonably expected to complete a program of secondary school (or the equivalent level of vocational or technical training) before attaining age 19.

2. A refugee or entrant of any age who is otherwise eligible shall not be denied cash assistance while enrolled and participating in a training program which is approved by the welfare agency and intended to have a definite short-term (less than one year) employment objective.

(g) Rules concerning voluntary termination of employment are as follows:

1. New applicants: For the 30 consecutive calendar days immediately prior to receiving aid, an employable refugee or entrant must not have voluntarily terminated employment in order to receive assistance nor have refused to apply for or accept an appropriate job offer. However, the dependent family of such an ineligible applicant may apply for and receive cash assistance.

2. Current recipients: Employable refugees or entrants currently receiving aid must not have voluntarily terminated employment in order to continue to receive assistance nor refuse to apply for or accept offers of appropriate work or training.

(h) Sanctions: Refusal of an employable adult recipient to register with the Employment Service or to accept or continue an employment or training opportunity without good cause will result in the following actions:

1. The welfare agency will provide (either directly or through arrangements with the Employment Service or an appropriate voluntary resettlement agency or sponsor) counseling within seven days intended to provide the refugee or entrant with an understanding of the implications of his refusal to accept employment or training and to encourage the refugee's or entrant's

acceptance of such opportunity. Only one such counseling session is required but additional counseling may be provided at the discretion of the welfare agency.

2. If the employable refugee or entrant recipient continues to refuse an offer of employment or training, assistance will be terminated 30 days after the date of his original refusal. The refugee or entrant shall be given at least 10 days written notice of the termination of assistance and the reason therefore (see N.J.A.C. 10:81-6 and 7.1). This sanction shall be applied in the following manner:

i. If the assistance unit includes other individuals, then the grant shall be reduced by the amount included on behalf of that refugee or entrant. If the employable refugee or entrant is a caretaker relative, assistance in the form of protective or vendor payment will be provided to the remaining members of the assistance unit.

ii. If such individual is the only individual in the assistance unit, assistance shall be terminated.

(1) The refugee's or entrant's sponsor, or the voluntary resettlement agency where there is not a sponsor, will be notified on the action taken in (h)2i or ii above.

iii. A decision by the refugee or entrant to accept employment or training, made at any time within the 30-day period after the date of the original refusal, shall result in the continuation of assistance without interruption if the refugee or entrant continues to meet the income eligibility requirements for continued assistance.

iv. An employable refugee or entrant may reapply for assistance 30 days after the termination of assistance because of refusal to accept or continue employment or training.

(i) Exemptions from employment or training requirements: The inability to communicate in English does not make the refugee or entrant "unemployable".

1. The following refugees and entrants are exempt from the employment or training requirements given in (e) above:

i. An individual who is under age 16; or between 16 and 18, enrolled or accepted for enrollment as a full-time student for the next school term in an elementary, secondary, or vocational or technical school; or under age 19 and attending full-time, a secondary school, or the equivalent level of a vocational or technical school, and expected to complete the program of the school before reaching age 19;

ii. A person who is ill, incapacitated or age 65 or over;

iii. A person whose presence in the home is required because of illness or incapacity of another member of the household;

iv. The parent or other caretaker relative of a child under six years of age who personally provides care for the child with only very brief and infrequent absences from the child;

v. The parent or other caretaker of the child who is deprived of parental support or care by reasons of death, continued absence from the home, or physical or mental incapacity of a parent, if another adult relative in the home is registered and has not refused to participate in the program or accept employment without good cause; or

vi. Any individual working 30 or more hours per week.

(j) Initial grants and immediate need: When there is an urgent need for assistance, the initial grant shall be based on presumptive eligibility (see N.J.A.C. 10:81-3.3).

10:81-10.8 Medical assistance and medical expense spend-down

(a) Medical assistance: State eligibility standards for Title XIX shall apply to a refugee's or entrant's eligibility for medical assistance except:

1. Requirements for categorical relatedness for medical assistance shall not be imposed. Actual receipt of financial assistance for living expenses shall not be required as a condition of eligibility for medical assistance;

2. The AFDC allowance standard for the appropriate family size shall constitute the medical assistance financial standard. However, the Medicaid "Cap" shall apply to eligible refugees/entrants in Title XIX approved facilities;

3. No financial resources which are in fact not available to the refugee or entrant, including resources remaining in the place of national origin owned by a refugee or entrant or a responsible relative, shall be considered in determining eligibility for medical assistance;

4. The income and resources of sponsors, and in-kind services and shelter provided to refugees or entrants by their sponsors, shall not be considered in determining eligibility for medical assistance; and

5. All refugees and entrants who have been in the U.S. for three years will no longer be eligible for medical or cash assistance under RRP or CHEP.

(b) Medical expense spend-down: Refugees or entrants whose countable income exceeds the standards of Schedule I of N.J.A.C. 10:82-1.2 may apply to the CWA for assistance in paying excessive medical expenses. Such expenses include all reasonable costs related to illness, medical diagnosis and treatment, and hospitalization. Also included in the definition of medical expenses are the following:

1. Medical insurance premiums including any enrollment fees, capitation fees for enrollment in prepaid health care programs and premiums for any other health insurance program which is primarily established for payment of medical costs. Copayment or deductibles imposed by any health insurance programs described in (b) above in which the individual is enrolled. Costs related to necessary medical or remedial care which are covered by Medicaid; and

2. The sponsor's income and resources shall not be considered in determining eligibility, nor shall in-kind services and/or shelter provided to the refugees/entrants by the sponsor.

(c) With respect to medical assistance and medical expense spend-down for non-institutionalized aged, blind, and disabled refugees/entrants who are not receiving SSI benefits, the following shall apply:

1. The Medicaid Only income eligibility standard for the appropriate living arrangement constitutes the medical assistance financial standard (see Table B of N.J.A.C. 10:94-5.6(c)5).

2. Income and resources shall be treated in the same manner as for aged, blind, and disabled individuals in the Medicaid Only program.

(d) Rules concerning eligibility criteria are as follows:

1. Income: The CWA shall determine the refugee's or entrant's income according to the procedure for establishing initial eligibility (see N.J.A.C. 10:81-10.7(c) and (c)1 above and N.J.A.C. 10:82-4). However, the \$40.00 and one-third disregard of earned income does not apply.

i. When the countable income is greater than the schedule allowance, the client must pay for medical expenses equal to his or her excess income. Medical expenses greater than the excess income make the client eligible for medical assistance (spend-down).

2. Resources: Resources, other than income, shall be considered in accordance with N.J.A.C. 10:82-3.2 and 3.8 through 3.12. For persons applying for medical assistance only, legally responsible relatives include spouse for spouse and parent(s) for a child under age 21.

i. Medical resources, in the form of insurance or other entitlement, must be applied to costs incurred for any items of medical care prior to the use of Medicaid funds. Incurred medical expenses which have been or will be paid within a reasonable period of time by a third party are not considered a liability of the individual and such expenses shall not be deducted from his or her excess income.

(e) Procedures: Medical expenses shall be reported on a monthly basis for expenses incurred during the preceding calendar month and balanced against income received during the same period.

1. Rules concerning applicant's responsibility are as follows:

i. At the initial request for medical payment applicants must:

(1) Complete Form PA-1J, Application and Affidavit for AFDC, MA, CPP, RRP, CHEP and Food Stamps; and

(2) Present evidence of status as a refugee or entrant (see N.J.A.C.

10:81-10.2 and 3).

ii. At the time of each monthly request for medical payment, applicants must:

(1) Present documentation of all income received by the family during the preceding month; and

(2) Present all bills, paid and unpaid, for medical expenses incurred during the preceding month.

2. Rules concerning IM worker's responsibility are as follows:

i. At the initial request for medical payment, the IM worker shall:

(1) Assist the applicant to complete Form PA-1J;

(2) Explain that bills paid by the client cannot be reimbursed; and

(3) Question applicants eligible for the RRP or CHEP spend-down about unpaid medical bills for the three months immediately preceding the date of application. When the applicant has incurred such medical obligations, the worker shall assist in completing Form FD-74, "Application for Payment of Unpaid Medical Bills New Jersey Health Services Program (Medicaid)", to obtain retroactive Medicaid coverage.

ii. At each subsequent request, the IM worker shall prepare Form PA-52, "IRP Medical Payment Worksheet and Authorization" (crossing out IRP and inserting RRP or CHEP in its place) as follows:

(1) Part I:

(A) Complete items A through J as indicated;

(B) Enter the appropriate allowance standard in Item K;

(C) Subtract J from K to determine amount of income in excess of standard in Item L.

(2) Part II:

(A) List paid and unpaid medical bills (use back of page if necessary);

(B) Enter total cost of all bills.

(3) Part III:

(A) Subtract income in excess of Standard (K) from total cost of medical bills. The remaining amount if any, is the deficit.

3. CWA's responsibility: The CWA shall pay unpaid medical bills up to the amount of the deficit. Payment for medical expenses will be by vendor payment made directly to the provider and recorded under Vendor Payments on fiscal reporting Form PA-644.

10:81-10.9 Social services

Referral and information about other services available in the community should be offered to refugees and entrants regardless of their eligibility for financial assistance (see N.J.A.C. 10:81-7.20).

10:81-10.10 Fair hearings

The procedures and provisions for fair hearings in N.J.A.C. 10:81-6 and 7 shall apply in RRP and CHEP.

10:81-10.11 Case records

(a) A separate record shall be established for each individual or family receiving assistance. For continuing cases, all changes in the status of each case and the dates on which changes occurred shall be recorded. For inactive cases, since RRP and CHEP are federally financed, the case records are considered Federal records. Therefore, they cannot be disposed of in the same manner that CWAs dispose of case records for other inactive public assistance cases. Accordingly, the records for closed refugee and entrant cases must be retained until a Federal audit is completed.

(b) Each case record must contain:

1. The alien registration number as it appears on Form I-94 issued by INS;

2. The name and address of the refugee's or entrant's sponsor (if known);

3. Documentation of contacts with the sponsor and/or resettlement agency; and

4. Date of entry into the United States.

(a)

DIVISION OF PUBLIC WELFARE

Assistance Standards Handbook Amendments Required by the Omnibus Budget Reconciliation Act of 1981

Proposed Amendments: N.J.A.C. 10:82-1.2, 1.4, 1.5, 1.7, 2.1 through 2.6, 2.8, 2.9, 2.10, 2.13, 2.19, 3.13, 4.1, 4.3, 4.4, 4.15, and 5.3

Authorized By: Department of Human Services.

Authority: N.J.S.A. 44:7-6 and 44:10-3; P.L. 97-35 and Chapter II of Title 45, Code of Federal Regulations (FR Vol. 47, No. 25, 5648-5685).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

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

This proposal is known as PRN 1982-349.

The agency proposal follows:

Summary

This proposal incorporates technical revisions, clarifications, and interpretations received from the United States Department of Human Services subsequent to passage of P.L. 97-35 as final Federal regulations promulgated as a result of that law. The proposal codifies the Federal and State statutory requirement that Aid to Families of Dependent Children be limited to children under the age of 18 or age 18 if reasonably expected to complete secondary school prior to attaining age 19. In addition, the proposal:

1. Clarifies which income is counted and not counted in the determination of maximum income eligibility;

2. Clarifies the treatment of scholarships, educational grants, and student loans;

3. Incorporates the Federal policy that Social Security Title II benefits (RSDI) of 18 year olds must be considered;

4. Identifies allowable earned income disregards in the determination of initial eligibility;

5. Implements the Federal requirement that employment expense and child care deductions be reduced for persons employed less than full time;

6. Clarifies maximum income eligibility for companion cases, that is, families in which some members are eligible only for AFDC-N;

7. Incorporates a provision whereby the rate of recovery of overpayments may be reduced for circumstances of hardship;

8. Clarifies the situations for which an alien sponsor's income and resources are deemed to the AFDC family;

9. Revises language concerning Earned Income Tax Credits to reflect new Federal rules;

10. Defines "good cause" for terminating or reducing employment and refusal to accept employment for purposes of application of earned income disregards;

11. Clarifies the treatment of nonrecurring lump sum income; and

12. Implements Federal rules prohibiting direct AFDC payments for child care incident to employment.

Social Impact

This proposal is anticipated to have little or no new social impact as, in accordance with Federal and State law and Federal regulations, these program revisions have previously been effected since October, 1981 with the exception of those revisions which are merely technical in nature.

Economic Impact

This proposal is anticipated to have little or no new economic impact, as, in accordance with Federal and State law and Federal regulations, these program revisions have previously been effected since October, 1981.

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

10:82-1.2 Schedules of allowances

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

(d) AFDC eligibility shall not exist **for any month** if the total income of the eligible unit exceeds the amount indicated in Schedule III for the appropriate eligible unit size and program segment. For this purpose, total income shall include all income of the eligible unit (without benefit of the disregards in N.J.A.C. 10:82-4.4 or 4.5) including the income of stepparents **and alien sponsors** determined available to the eligible unit in N.J.A.C. 10:82-2.9 **and 3.13**. Total income includes the earned income of the AFDC children. Child support payments, whether received directly by the household or collected through the CSP process, shall be counted in the determination of total income [Total income shall not include the AFDC payment.] (see N.J.A.C. 10:82-2.13(f) **for companion cases**).

1. The AFDC grant shall not be considered as income for this purpose.

2. Funds exempted under N.J.A.C. 10:82-3.2(b)6 and monies disregarded under N.J.A.C. 10:82-4.6 shall not be considered income for this purpose.

(No change on Schedule III – Maximum Income Levels.)

10:82-1.4 Eligible unit; AFDC-C and -F segments

(a)-(b) (No change.)

(c) A child [over 18 and under 21 who is not regularly attending school or formal vocational or technical training] **not meeting AFDC age requirements** is not eligible for AFDC-C or -F and shall not be included in the eligible unit. For determination of Medicaid eligibility **for such children under age of 21**, see N.J.A.C. 10:82-2.10.

(d)-(e) (No change.)

10:82-1.5 Eligible unit; AFDC-N segment

(a) The eligible unit shall include the two natural or adoptive parents and their eligible children under 18 years of age [or under 21 years of age and regularly attending school or formal technical training] **and any child age 18 if a full-time student in a secondary school, or in the equivalent level of vocational or technical training, and reasonably expected to complete the program before reaching age 19**. If one parent has children of his or her own living in the home, [(a) 1 and 2 below] **the following shall apply**:

1.-2. (No change.)

(b) A child [over 18 and under 21 who is not regularly attending school or formal vocational or technical training] **not meeting program age requirements** is not eligible for AFDC-N and shall not be included in the eligible unit. See N.J.A.C. 10:81-8.22 through 8.25 for possible Medicaid eligibility.

10:82-1.7 Eligible AFDC child [over 18 and under 21] regularly attending school

(a) When an eligible child [over 18 and under 21] is a student regularly attending school, college or university, or regularly attending a course of vocational training designed to fit him or her for gainful employment, this child shall be included in the eligible unit whether or not he or she is living in the home during the period in which he or she is pursuing his or her studies (see N.J.A.C. 10:82-1.9 for definitions of school attendance).

(b) Any [scholarship,] grant or student loan received by such child [, whether from Federal, State or other public or private source,] **in the form of a Basic Educational Opportunity Grant, Supplemental Educational Opportunity Grant, or National Direct Student Loan** shall be disregarded in computing the grant so long as the child continues to attend school as stated in [subsection] (a) **above** [of this section] and meets the conditions under which such moneys are granted. **Student loans from other sources are disregarded to the extent they meet the criteria of N.J.A.C. 10:82-3.2(b)8i(1). Other grants and scholarships shall be disregarded to the extent that the payment is used for expense directly related to education such as tuition, books, fees, equipment, transportation for school purposes, and child care services necessary for school attendance. Any funds received which serve to duplicate the public assistance grant shall not be disregarded.**

1. [This disregard includes f]Funds received through college workstudy programs **shall be disregarded**. [Stipends provided for living expenses are not disregarded.]

2. RSDI benefits received by an eligible child between 18 and 21 years of age who is a full time student shall be totally disregarded as income or resource in determining either initial or continuing eligibility and in calculating the amount of the grant.]

(c)-(d) (No change.)

10:82-2.1 Form PA-3A or Form 105

(a) (No change.)

(b) Form PA-3A [,] shall be completed in the following order:

1. Part 1: All members of the eligible unit must be listed in Part I, followed by the appropriate information:

i.-iii. (No change.)

iv. Under "Categorically Related", list those persons not in the eligible unit who are eligible for Medicaid [; specifically, a person between 18 and 21 years of age who would be otherwise eligible for AFDC-C or -F except that he/she is not attending school or training (see N.J.A.C 10:82-1.4(c))].

2.-6. (No change.)

[10:82-2.2 Initial eligibility

On all new applications, reapplications or reopened applications, initial financial eligibility must be established before a determination of the amount of the monthly grant can be made. Form PA-3A or Form 105, as appropriate, provides space for this determination. See N.J.A.C. 10:82-2.7 regarding maximum income eligibility for AFDC-C and -F, and N.J.A.C. 10:82-1.2 and 2.11 regarding maximum income eligibility and initial eligibility for AFC-N.]

10:82-[2.3]2.2 (No change in text.)

10:82-[2.4]2.3 Noneligible persons in the household

(a) (No change in text.)

(b) When the natural or adoptive parent is not included in the eligible unit and has earned or unearned income of his/her own, such income, less the parent's per capita share of the allowance standard for the eligible unit with the parent included, shall be applied to the needs of the eligible children, except when such parent is an SSI recipient.

1. For earned income, the net amount to be considered available to the eligible unit shall be determined by deducting only the first

\$75.00 (**\$50.00 for part-time employment**) of such income and the actual expenses of child care [() or care for an incapacitated individual ()] that does not exceed \$160.00 (**\$110.00 for part-time employment**) per child [() or individual ()].

10:82-[2.5]2.4 (No change in text.)

10:82-[2.6]2.5 (No change in text.)

10:82-2.6 Initial eligibility

On all new applications, reapplications, or reopened applications, initial financial eligibility must be established before a determination of the amount of the monthly grant can be made (For -N segment cases, see N.J.A.C. 10:82-2.11). For AFDC-C and -F cases, the earned income disregards (see N.J.A.C. 10:82-2.8) apply, except that the disregard of the first **\$30.00** of the remaining income plus one-third of the remainder does not apply. If total income equals or exceeds the public assistance allowance, the family is ineligible for assistance.

10:82-2.8 Determination of calculated earned income; AFDC-C and -F procedures

(a) From the total gross earnings of each person in the AFDC-C and -F segments, deduct the cost of producing income if self-employed (see N.J.A.C. 10:82-4.3) and proceed as follows:

1. From gross earnings deduct the first \$75.00 (**\$50.00 for part-time employment**) of such earnings for each employed individual in the eligible unit.

2. Deduct an amount equal to the [actual] expenditures for child care or for care of an incapacitated individual living in the same home as the AFDC-C or -F eligible unit. In no event shall this deduction exceed the limits provided for in N.J.A.C. 10:82-5.3 or \$160.00 (**\$110.00 for part-time employment**) per month for each [child or incapacitated individual] **AFDC recipient requiring such care.**

3. (No change.)

4. **Part-time employment shall be defined as employment of less than 120 hours per month.**

10:82-2.9 Stepparents; AFDC-C and -F procedures

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

(d) When a stepparent of eligible AFDC-C children lives in the same home as the children and is not included as a member of the eligible unit, his or her income shall be considered available to the eligible unit in accordance with the following procedures:

1. Reduce the stepparents' gross earned income by \$75.00 (**\$50.00 for part-time employment**).

2. (No change.)

3. Further reduce the remaining income by the appropriate amount in Schedule I (N.J.A.C. 10:82-1.2) for the stepparent and any other individuals residing in the household who are **or could be** claimed by the stepparent as dependents for Federal personal income tax liability and who are not recipients of AFDC-C or -F.

4. The remaining income shall be further reduced by amounts paid by the stepparent to individuals not living in the household who are **or could be** claimed by him or her as dependents for purposes of determining his or her **Federal personal income** tax liability.

5.-6. (No change.)

10:82-2.10 Medicaid eligibility; AFDC-C and -F procedures

(a)-(b) (No change.)

(c) A child [over 18 and under 21 who is not attending school or formal vocational or technical training] **not meeting AFDC age requirements** may be eligible for Medicaid if he or she would be otherwise eligible for AFDC-C or -F [except that he/she is not in school or training] (see N.J.A.C. [10:81-3.13(b) and] **10:81-8.22** through 8.25.

10:82-2.13 Companion cases

(a)-(e) (No change.)

(f) **The Maximum Income Level: Per Capita Tables below shall be used to determine AFDC income eligibility for companion cases of two to 10 members. For cases of more than 10 members the maximum income level shall be the per capita of the standard for the total eligible unit on Schedule III, N.J.A.C. 10:82-1.2, multiplied by the number of members in that segment.**

Maximum Income Level - Per Capita Table Number in -C or -F Segment									
Total Eligible Unit	1	2	3	4	5	6	7	8	9
2	205								
3	180	360							
4	155	311	466						
5	140	281	421	562					
6	131	261	392	522	653				
7	123	247	370	494	617	741			
8	118	236	354	473	591	709	827		
9	114	228	342	456	570	684	798	912	
10	111	221	332	443	554	664	775	886	996

Number in -N Segment									
Total Eligible Unit	1	2	3	4	5	6	7	8	9
2	137								
3	120	240							
4	104	207	311						
5	94	187	281	374					
6	87	174	261	348	435				
7	82	165	247	329	411	494			
8	79	158	236	315	394	473	551		
9	76	152	228	304	380	456	532	608	
10	74	148	221	295	369	443	517	590	664

10:82-2.19 Overpayments and underpayments

(a) Upon discovery of an overpayment, the CWA shall take action as outlined in (a) of this section. The CWA shall seek recovery of all overpayments regardless of fault including overpayments caused by administrative action or inaction.

1.-2. (No change.)

3. In the circumstances of an overpayment to an eligible unit which is currently receiving assistance, the amount may be repaid by the eligible unit or the grant shall be reduced by an amount which is equal to 10 percent of the total of the eligible unit's gross income, liquid resources, and the AFDC grant which would otherwise be payable. The AFDC grant shall be reduced by this amount until such time as the full amount of the overpayment is recovered. If the grant is reduced to zero because of recovery, the eligible unit will continue to be considered in receipt of AFDC benefits. If the amount payable because of recovery is less than \$10.00, the AFDC check shall be issued in that lesser amount.

i. When, in the judgement of the CWA, recovery at the 10 percent rate would create undue hardship, that is, recovery at that rate would be detrimental to the well-being of the dependent child(ren), the CWA may establish recovery at a lesser rate, but not below a minimum rate of five percent. The determination of hardship shall be made on a case by case basis and may include, but is not limited to, a CWA determination that the family has extraordinary essential needs which cannot be met if recovery is made at the maximum rate.

4.-6. (No change.)

7. The CWA must take one of the following three actions by the end of the quarter following the quarter in which the overpayment is first identified:

- i. Recover the overpayment;
- ii. Initiate action to locate and/or recover the overpayment from a former recipient; or
- iii. Execute a monthly recovery agreement from a current recipient's grant or income/resources.

8. In locating former recipients who have outstanding overpayments, the CWA shall use appropriate data sources such as unemployment insurance files, the Division of Taxation, the Department of Motor Vehicles, Bendex, and other sources relating to former recipients.

9. For overpayments occurring prior to October 1, 1981, the CWA shall recover only if the overpayment resulted from willful withholding of information by the recipient.

(b)-(d) (No change.)

10:82-3.13 Deeming of sponsor's income and resources to a sponsored alien

(a) The income and resources of an alien's sponsor shall be deemed to be unearned income and resources of an alien [applicant] applying for AFDC for the first time after September 30, 1981 for a period of three years following the alien's entry into the United States. For purposes of this section, a sponsor is an individual (not an organization) who executed an affidavit of support or similar agreement on behalf of an alien (who is not the sponsor's dependent child or spouse) as a condition of the alien's entry into the United States. No income or resources shall be deemed from a sponsor who is (or whose spouse is) receiving AFDC or SSI.

1. These deeming provisions do not apply to any alien who is:

- i. Admitted as a conditional entrant refugee to the United States as a result of the application of the provision of section 203(a)(7) of the Immigration and Nationality Act;
- ii. Admitted as a refugee to the United States as a result of the application of the provisions of section 207(c) of the Immigration and Nationality Act;
- iii. Paroled into the United States as a refugee under section 212(d)(5) of the Immigration and Nationality Act;
- iv. Granted political asylum by the Attorney General under section 212(d)(5) of the Immigration and Nationality Act; or
- v. A Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980 (Public Law 96-422).

(b) The amount of income of a sponsor which shall be deemed to be the unearned income of an alien shall be determined as follows:

1. The sponsor's total monthly earned income (and that of his/her spouse if living with the sponsor) shall be reduced by 20 percent (not to exceed \$175.00) plus the full amount of any costs incurred in producing income from self-employment.

2. (No change.)

3. The amount determined in (b)2 above shall be reduced by the following:

- i. (No change.)
- ii. Any amounts actually paid by the sponsor or sponsor's spouse to people not living in the household who are or could be claimed by [the sponsor] them as dependents [for] to determine their Federal personal income tax liability; and
- iii. (No change.)

4. (No change.)

(c) The amount of resources of the sponsor (and the sponsor's spouse if living with the sponsor) shall be determined in accordance with the provisions of this subchapter excepting N.J.A.C. 10:82-3.10 through 3.12. The value of the sponsor's resources shall be reduced by \$1,500 and the remaining amount shall be deemed available to the alien and counted in the determination of eligibility and payment level.

(d) In any case where a person is the sponsor of two or more aliens

[who are living in the same home], the income and resources of the sponsor (and the sponsor's spouse if living with the sponsor), to the extent the income and resources would be deemed to any one of the aliens under the provisions of this section shall be equally divided among the sponsored aliens.

(e) The sponsored alien shall provide the CWA with any information and documentation necessary to determine the income and resources of the sponsor and the sponsor's spouse that can be deemed available to the alien, and obtain any cooperation necessary from the sponsor.

[(e)](f) (No change in text.)

[(f)](g) Any sponsor of an alien[,] and the alien [,] shall be jointly and severally [,] liable for any overpayment of AFDC made to the alien during the three years after the alien's entry into the United States that was caused by the sponsor's failure to provide correct information under the provisions of this section, except where the sponsor was without fault or where good cause existed.

1. (No change.)

10:82-4.1 General provisions

(a)-(b) (No change.)

(c) Earned income shall include the amount of Earned Income Credit advance payment which an individual receives or is entitled to receive.

1. (No change.)

2. When an individual who is eligible to receive advance payments of earned income tax credit has made all possible efforts to receive the advance payments but does not receive them, because of the refusal of the employer to issue them, the CWA shall not count the amount as earned income.

[2.]3. (No change in text.)

[3. The CWA must reconcile at the end of the tax year any differences between the amount of EIC counted for AFDC purposes and the amount actually received by the recipients. Any underpayment or overpayment shall be treated in accordance with N.J.A.C. 10:82-2.19.

4. At the end of the tax year, if the amount of the advance payments counted by the CWA exceeds the amount of the allowable credit, the CWA shall adjust the benefits of an individual who is a current recipient to provide payment equal to the amount of assistance lost. No such payments shall be made to individuals who are not currently in receipt of AFDC.

5. In any case where the amount of the advance payments counted by the CWA is less than the allowable credit, the CWA shall count as earned income in the month received any earned income credit payment received by the individual at the end of the tax year to the extent it exceeds the amount counted as advance payments.

10:82-4.3 Earned income from self-employment

(a) [Earned income from self-employment is the gross proceeds of a trade, business or enterprise, adjusted by deducting business expenses or costs of producing the income. Personal expenses, income tax payments, lunches, transportation, child care, and so forth, are not classified as business expenses for this purpose.] With respect to self-employment, the term "earned income" means the total profit from a business enterprise (such as farming) resulting from a comparison of the gross receipts with the business expenses. Business expenses are those costs directly related to producing the goods or services and without which, the goods or services could not be produced. However, items such as depreciation, personal business and entertainment expenses, personal transportation, purchase of capital equipment, and payments on the principal of loans for capital assets or durable goods are not business expenses.

1. (No change.)

(b)-(c) (No change.)

10:82-4.4 Disregard of earned income in AFDC-C and -F segments

(a) The CWA shall disregard from the earned income of each employed individual, the first \$75.00 (**\$50.00 for part-time employment**) of such earnings.

(b) The CWA shall disregard from the remaining earned income, the actual costs paid for child care or for the care of an incapacitated individual. The amount of the disregard shall not exceed the limits provided in N.J.A.C. 10:82-5.3 or \$160.00 (**\$110.00 for part-time employment**) per month for each such [person] AFDC recipient requiring care.

(c) The CWA shall disregard from the total earned income not already disregarded, the first \$30.00 and one-third the remainder for each employed individual.

1. (No change.)

2. Any month for which the individual loses the \$30.00 and one-third disregard because of a provision in (d) below, shall be considered as one of the four consecutive months.

(d) None of the disregards above shall apply to the earned income of the individual for any month in which one of the following conditions apply to him or her:

1. Terminated his or her employment or reduced his or her earned income without good cause within 30 days prior to that month.

i. Good cause includes the following circumstances:

(1) The termination or reduction is not voluntary;

(2) The wages of employment are below the applicable minimum wage;

(3) The individual is not physically able to engage in the employment; and

(4) The employment constitutes a risk to health or safety.

2. Refused without good cause, within 30 days prior to that month, to accept employment in which he or she is able to engage which is offered through the State Division of Employment Security or any other bona fide offer of employment. **The good cause provisions of (d)1i above apply.**

3. (No change.)

4. Voluntarily requested assistance to be terminated for the primary purpose of avoiding the receipt of the \$30.00 and one-third disregard for four consecutive months.

10:82-4.15 Irregular or nonrecurring lump sum income

(a) When a recipient receives nonrecurring [payments] **income** [that are not considered to be earned income] (e.g., retroactive RSDI payments, income tax refunds), [those payments] **that income** will be added together with all other [monthly] income received **that month** by the eligible unit after application of the disregards in N.J.A.C. 10:82-2.8 and 2.12 and the exemption of income in N.J.A.C. 10:82-4.7. When this total exceeds the AFDC allowance standards in Tables I or II as appropriate, the family will be ineligible for AFDC for the number of full months derived by dividing this total income by the allowance standard applicable to the eligible unit. Any remaining income **from this calculation** is treated as if it is **unearned** income received in the first month following the period of ineligibility and is considered available for use at that time.

1. For purposes of determining the period of ineligibility, the family includes the AFDC assistance unit and any other individual (such as a stepparent) whose lump sum income caused the unit's income to exceed the allowance standard.

2. The period of ineligibility shall begin in the first month subsequent to the month the nonrecurring income is received or if there is insufficient time for a timely adverse action notice, the following month.

3. In the event the nonrecurring income is not reported timely, the period of ineligibility shall begin at the point the ineligibility would have occurred had the CWA had knowledge of its receipt. The amount of overpayment for the period of ineligibility must be established and recovery made.

4. The period of ineligibility applies to each individual in the

eligible unit at the time of receipt of the lump sum nonrecurring income. Other family members to whom the penalty does not apply, may be eligible as a separate assistance unit.

5. The period of ineligibility may be reduced only when it is found that a life-threatening circumstance exists. The basis for a determination to shorten the period of ineligibility shall be thoroughly documented in the case record. The period of eligibility shall not be shortened unless the following criteria are met:

i. Until the onset of the life-threatening circumstance, the lump sum income must have been used to meet essential family needs; and,

ii. The eligible unit must have no other income or resources sufficient to meet the life-threatening circumstances.

(b) (No change.)

10:82-5.3 Child care

(a) (No change.)

(b) Child care may be provided when the county welfare agency determines that such care is essential because of any one or more of the following:

1. The parent or parent-person who normally cares for the child [is employed,] is in training the employment or is in a program of vocational rehabilitation;

2. (No change.)

(c) Further rules on child care expenses are:

1. Expenses of child care incident to employment [are normally recognized in] **may not be paid pursuant to this section for the AFDC-C and -F segments [as a deduction]. Such expenses must be met by the eligible unit and be recognized as an income disregard** in determining calculated earned income, unless such cost is otherwise provided for under a separate program such as WIN, and so forth. **No payments are authorized for child care expenses incident to the employment of a non-needy caretaker relative.**

2.-5. (No change.)

(d)-(h) (No change.)

(a)

DIVISION OF PUBLIC WELFARE

General Assistance Manual
Verification of Unemployment/Disability
Benefits

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

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

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

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

This proposal is known as PRN 1982-356.

The agency proposal follows:

Summary

As a result of cooperative arrangements established between the State Departments of Human Services and Labor, municipal welfare departments may now have much faster service in obtaining verified information about Unemployment/Disability Insurance benefits. This proposal informs the municipal welfare departments of the method of access to such service.

Social Impact

The use of the service is expected to expedite processing of General Assistance cases with reduced error or misunderstanding.

Economic Impact

Since there is no change in eligibility or payment provisions, no change in the level of assistance payments should result. To the extent that better information produces more accurate administration with reduction in errors and the resultant correction effort, a saving in administrative time is expected. It is not anticipated that the saving will be translated into dollar amounts.

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

10:85-3.2 Application process

- (a)-(d) (No change.)
- (e) Rules concerning verification and sources of evidence are:
 - 1.-3. (No change.)
 - 4. Verification of income and resources:
 - i. (No change.)
 - ii. Unearned income[.]: All unearned income must be verified by examination of benefit check or by contact with the company or agency granting such benefit. (Note: The Social Security Administration will release information only with written consent of the client.)
- (1) For situations of incomplete or inconsistent information about Unemployment/Disability Insurance benefits from the client himself/herself, or, where the agency experiences difficulty in securing verification, the MWD may send Form PA-24 (Verification of Unemployment/Disability Insurance) to DPW, Attn: Integrity Control Section.**
- iii.-v. (No change.)
- 5. (No change.)
- (f)-(i) (No change.)

(a)

DIVISION OF PUBLIC WELFARE

**Home Energy Assistance Handbook
Automatic Payments**

Proposed Amendment: N.J.A.C. 10:89-3.1

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.
Authority: N.J.S.A. 30:4B-2 and Low Income Energy
Act of 1981.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

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

This proposal is known as PRN 1982-348.

The agency proposal follows:

Summary

N.J.A.C. 10:89-3.1 has been revised to reflect the fact that automatic payments to AFDC and SSI households were issued in December and February, that the application deadline for households which did not receive an automatic payment was extended to April 30, 1982, and that non-public assistance (NPA) Food Stamp households were included in the automatic payment component of the program and were issued benefits in March 1982.

Social Impact

Approximately 28,000 additional households were assisted through the provision of automatic payment to NPA Food Stamp households. These benefits were provided in March to households which had not previously applied for HEA, many of which had been protected by the winter moratorium on utility shut-offs. Since the moratorium expired on March 15, these benefits became a particularly useful resource for those households facing utility shut-offs.

Economic Impact

Automatic payments to NPA Food Stamp households were financed in part by a special supplemental allocation from the Federal government to the HEA program of approximately \$4.8 million which was made available to New Jersey in March 1982. Expenditure of the supplemental allocation in this manner satisfied the Federal requirement that the funds be spent on client benefits during fiscal year 1982. There will be no direct economic impact upon New Jersey taxpayers since the entire cost of assistance and administration is federally funded. There will be an indirect benefit to the public due to the influx of additional Federal dollars into the State's economy. The supplemental appropriation of \$4.8 million brings the total amount of energy assistance funds allocated to New Jersey to approximately \$72 million for fiscal year 1982.

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

10:89-3.1 Automatic payments to certain households

- (a) Recipient households
 - 1. Certain households eligible for and receiving AFDC or SSI (with the exceptions noted in (a)ii below) during October will receive the first of two payments based on eligible unit size, income and responsibility for heating costs in [November] **December**. The second payment will be made [in January] **by the end of February**. **Certain households eligible for and receiving non-public assistance (NPA) food stamps (FS) during February will receive a single automatic payment in March**. A notice explaining that the automatic payment is a supplement to assist the household meet its heating costs will be included with the payment.
 - i. Automatic payments will only be made between November and [January] **March**. Households which do not receive automatic payments by [January 31] **March 31**, must submit an application by [February 15] **April 30** to receive HEA.
 - ii. (No change.)
 - 2.-4. (No change.)
 - 5. NPA-FS households: The Division of Public Welfare will determine eligibility for automatic payments based on the**

information regarding heating arrangements and fuel type contained in its computer records for all NPA-FS households. This information will be collected from the head of household at each application or recertification for FS and will be updated whenever the household reports a change. However, once a household becomes eligible for automatic payments, only an address change will be reflected in HEA records.

(a)

DIVISION OF PUBLIC WELFARE

Monthly Reporting Policy Handbook

Proposed New Rule: N.J.A.C. 10:90

Authorized By: George J. Albanese, Commissioner, Department of Human Services. Authority: N.J.S.A. 44:7-6, 44:10-3, and 30:4B-2; 45 CFR 233.31 through .37 and 7 CFR 273.21.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

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

This proposal is known as PRN 1982-345.

The agency proposal follows:

Summary

The proposed rule sets forth new policy for a Monthly Reporting (MR) System for recipients of public assistance benefits under the Aid to Families with Dependent Children (AFDC) Program and households participating in the Food Stamp Program. The MR System requires, as a condition of continued eligibility and receipt of benefits, that AFDC eligible units (cases) and Food Stamp households submit monthly to county welfare agencies (CWAs) a form reporting their current income, family circumstances and any changes that have occurred. The rule also requires retrospective budgeting of benefits, whereby the AFDC grant amount and food stamp allotment is computed using actual, verified income received in a previous month. Eligible units/households who fail to submit acceptable monthly reports will have their assistance terminated.

The rule will initially be implemented as a pilot project in several counties and on a select category of AFDC cases, those with income from employment or recent work experience. The MR System will gradually be expanded to the remaining counties, additional categories of AFDC cases, and to similar categories of households participating in the Food Stamp Program.

Social Impact

The proposed rule will make it easier for recipients of AFDC/ Food Stamps to report changes in circumstances to county welfare agencies on the single monthly report form, rather than the current alternatives of telephoning, writing, or going in person to the agency. It will improve agency administration of the programs through the use of a single standard form and set of procedures for action on reported changes and determining eligibility monthly.

The rule will enhance State supervision of the program with the standardized form and procedures, rather than 21 county variations.

Economic Impact

The rule will improve the accuracy of assistance payments and food stamp benefits by basing them on actual, verified income received each month. Program cost savings will accrue through more efficient program administration. There may be an increase in administrative costs due to forms and postage. Inasmuch as this is a pilot project, the economic impact, at this juncture, cannot be measured with any degree of accuracy.

Full text of the proposed new rule follows.

CHAPTER 90
MONTHLY REPORTING POLICY HANDBOOK

FOREWORD

The New Jersey Department of Human Services, Division of Public Welfare (DPW), is instituting a Monthly Reporting (MR) System in county welfare agencies (CWAs). Under the MR system, eligible units receiving Aid to Families with Dependent Children (AFDC) and households participating in the Food Stamp Program will be required to submit monthly reports to the CWAs regarding their income, circumstances and family/household composition, as a condition of receiving AFDC and food stamp benefits.

The eligible unit's AFDC grant and household's food stamp benefit will be determined based on income received in a previous month. Eligible units/households who fail to submit acceptable monthly reports will have their assistance terminated.

The MR System will begin as a pilot project in two counties, Burlington and Camden, including only a select category of AFDC cases, those with earned income (one or more members are working). The system will gradually be expanded to additional counties, to other categories of AFDC cases, and to similar categories of food stamp households. In advance of program/system expansion, the affected population will be notified. Such notices will include a letter or pamphlet mailed to the affected population 30 days before expansion, press releases to the media, posters in the CWA offices, and interviews with CWA workers, where possible.

The proposed rule will be flexible, subject to change upon notice, and will serve as interim regulations until the MR system is expanded and finalized, based on the results of the pilot project.

SUBCHAPTER 1. PURPOSE AND SCOPE

10:90-1.1 General provisions

(a) This Handbook is published for use by the county welfare agencies (CWAs) involved in Monthly Reporting (MR) as an integral part of the N.J.A.C. 10:81 (Public Assistance Manual), N.J.A.C. 10:82 (Assistance Standards Handbook), and N.J.A.C. 10:87 (Food Stamp Manual), and shall at all times be used and interpreted in conjunction with these documents as appropriate.

(b) The purpose of this Handbook is to:

- 1. Identify individuals included in Monthly Reporting;
2. Establish policy for monthly reporting and retrospective budgeting;
3. Establish policy for determining eligibility and computing benefits based on monthly reporting; and
4. Establish procedures for acting upon information reported monthly by clients.

(c) This is a public document. It is available in accordance with the conditions and procedures set forth in N.J.A.C. 10:81-1.13.

(d) If any regulations herein contradict or conflict with existing regulations or policy established in N.J.A.C. 10:81, N.J.A.C. 10:82, or N.J.A.C. 10:87, such material is superseded by this Handbook.

- 1. Nothing in this Handbook is to be construed to be in conflict

with the regulations on safeguarding information as stated in 10:81-7.32.

(e) The concept of reasonable certainty: While this material attempts to minimize discretionary action on the part of the CWA, there will be situations which are only generally covered by existing policy guidelines. In cases of this nature, the CWA shall be expected to make a judgment, based on experience and/or knowledge of MR, which can be defended as both reasonable and prudent.

1. Situations not covered by the Handbook: In cases where treatment of a situation is neither specifically nor generally addressed in this Handbook, the matter shall be referred to designated staff of the Division of Public Welfare (DPW) for resolution.

(f) Distribution of Handbook: Copies of this Handbook shall be provided to administrative staff and to other appropriate staff working with applicants and recipients. Those individuals are expected to be thoroughly familiar with its contents in order that policy and procedures may be consistently applied.

SUBCHAPTER 2. POLICY REQUIRED FOR MONTHLY REPORTING/RETROSPECTIVE BUDGETING

10:90-2.1 General provisions

Monthly reporting/retrospective budgeting (MR/RB) is an integral part of the AFDC and Food Stamp Programs. Under MR/RB, all factors of eligibility are determined prospectively and the amount of the assistance payment/food stamp benefit is computed using retrospective budgeting. The following policy changes or supplements existing policy in the AFDC and Food Stamp Programs.

10:90-2.2 Definitions

(a) The following terms and their definitions apply to MR:

1. Prospective Budgeting: Eligibility is determined (and the amount of assistance/food stamp benefit is computed for the first two months) based on the CWA's best estimate of income and circumstances which will exist in a month, the "Payment Month". This estimate shall be based on the CWA's reasonable expectation and knowledge of current, past, or future circumstances.

2. Retrospective Budgeting: The amount of assistance and the food stamp benefit for a payment month is computed based on actual income or circumstances which existed in a previous month, the "Budget Month".

3. Budget Month: The fiscal or calendar month from which income or circumstances of the eligible unit/household shall be used in computing the amount of the assistance payment/food stamp benefit. (The Budget Month is identified on the Monthly Status Report as the "Report Period", and may also be referred to as the "Report Month".)

4. Payment Month: The fiscal or calendar month for which the CWA shall pay assistance/issue a food stamp allotment. Payment/issuance is based upon income or circumstances in the Budget Month. In prospective budgeting, the Budget Month and the Payment Month are the same. In retrospective budgeting, the Payment Month is the second month after the Budget Month.

i. The Payment Month in the AFDC Program corresponds to the "Issuance Month" in the Food Stamp Program. In this Handbook, the Payment Month shall represent both the month for which AFDC assistance is paid and the month for which food stamp benefits are issued.

5. Processing Month: In retrospective budgeting, the fiscal or calendar month between the Budget Month and Payment Month during which the eligible unit/household reports to the CWA income and circumstances for the Budget Month (and any other changes) and the CWA acts on the reported information to compute the grant/food stamps for the Payment Month.

i. Example: For the AFDC payment/food stamp benefit issued on June 1:

Budget Month = April 1 - April 30
 Processing Month = May 1 - May 31
 Payment Date = June 1
 Payment Month = June 1 - June 30

6. Monthly Status Report (MSR): The report form used for MR which an eligible unit/household submits monthly to the CWA to report its income and circumstances for a Budget Month, and any changes that are expected to occur in the current or future months.

i. The Monthly Status Report is a computer-generated form sent each month to an eligible unit/food stamp household in the MR system for completion and return to the CWA. The form lists basic eligibility questions about family/household composition, various expenses, employment, income, resources, and expected changes in these items. The client must answer yes or no to most questions, and provide any additional explanations and verification asked for. The responses are used by the CWA to determine continued eligibility for benefits under the AFDC/Food Stamp programs. Computer-printed information includes the dates of the report period (Budget Month) covered by the MSR, the CWA supervisory unit name and telephone number, and the name(s) of individual(s) who must sign the form. The MSR contains a statement of understanding, which the client(s) must sign, that the reported information may result in a reduction/termination of program benefits, the responses are correct to the client's knowledge, fair hearings are available, and abuse of the Food Stamp Program will be penalized.

7. Filing Deadline: The date by which the CWA must receive a complete MSR to consider the MSR filed timely. The Filing Deadline is five working days after the end of the Budget Month.

8. Extension Period: The period of time (10 calendar days) after the Filing Deadline during which the eligible unit/household may still file a complete MSR and have its eligibility determined and benefits computed for a Payment Month.

i. An MSR received by the CWA or completed during the Extension Period is not considered to be filed timely.

9. Extension Deadline: (10 calendar days after the Filing Deadline) - The last day of the Extension Period. The Extension Deadline is the date by which the CWA must receive a complete report of earnings to consider earnings reported timely.

i. A report of earnings that is submitted or completed by the eligible unit after the Extension Deadline is not considered to be a timely report of earnings, unless good cause exists (see N.J.A.C. 10:90-2.3(a)).

10. Beginning months: In monthly reporting/retrospective budgeting in the Food Stamp Program, the month in which a household applies for food stamps and the month thereafter. A beginning month cannot be any month which immediately follows a month in which a household is certified.

i. The beginning months correspond to the "initial two payment months of eligibility" in the AFDC Program, and in this Handbook shall be referred to as the latter.

10:90-2.3 Reporting requirements

(a) Monthly reporting: Each AFDC eligible unit/food stamp household is required to submit a report form (Monthly Status Report) to the CWA monthly.

1. Information to be reported: Each AFDC eligible unit/food stamp household is required to report the following information on the report form:

i. Budget month income, family/household composition, deductions, and other circumstances relevant to the amount of the assistance payment/food stamp benefit;

ii. Any changes in income, deductions, resources, or other relevant circumstances affecting continued eligibility which the eligible unit/household expects to occur in the current month or in future months; and

iii. Stepparent's income and alicn sponsor's income and resources, where appropriate.

2. Complete monthly report: An eligible unit/household will be considered to have fulfilled the monthly reporting requirement if the MSR form is complete. The MSR is considered complete if the following conditions are met:

i. The MSR contains all information necessary to determine eligibility and compute the amount of the assistance payment/food stamp benefit (i.e., all questions are answered concerning: Household members and changes; expenses for child/adult care, shelter, utilities, and medical care; income from a job; other income; resources; and any expected changes);

ii. All appropriate verification of earned income, and any other required documentation, is included; and

iii. The MSR is signed by the appropriate member(s) of the eligible unit/household (or authorized representative), attesting to the correctness of the reported information and the understanding that public assistance benefits may change or terminate because of the information reported on the MSR.

3. Verification of earned income: Appropriate verification of earned income includes all paystubs, a letter from an employer or other written documentation of all earnings received in the budget month.

4. Timely filing of the monthly report: A monthly report must be filed timely. A monthly report form will be considered to have been filed timely by the eligible unit/household if it is received by the CWA by the Filing Deadline with all necessary verification attached (see N.J.A.C. 10:90-2.2(a)7 and 2.2(a)8).

5. Penalty for failure to file the monthly report timely: The CWA shall terminate from assistance any eligible unit/household who does not file the MSR timely, i.e., whose complete MSR is not received by the CWA by the Filing Deadline.

6. Timely report of earnings: The eligible unit must submit a timely report of earnings. A report of earnings by the eligible unit will be considered timely if it is received by the CWA by the Extension Deadline and if it is complete, with all verification attached (see N.J.A.C. 10:90-2.2(a)7 and 2.2(a)8).

7. Penalty for failure to report earnings timely – AFDC-C and -F segment cases: If, for any Budget Month, an eligible unit does not report earnings timely, and cannot demonstrate good cause as defined in (a)8 below for failing to report earnings timely, its assistance payment for the corresponding Payment Month shall be computed without the application of earned income disregards: \$75.00 work expense deduction, child/adult care expense deduction, and \$30.00 and one-third disregard.

i. AFDC-N segment cases: If, for any Budget Month, an eligible unit does not report earnings timely, the CWA shall apply no penalty and shall compute the assistance payment with the earned income disregards.

8. Good cause for failure to report earnings timely: The penalty of loss of earned income disregards (see (a)7 above) shall not be applied to an eligible unit that has failed to make a timely report of earnings due to good cause. Good cause shall be fully documented in the case record, and the CWA shall maintain a log of good cause determinations. Good cause for failure to make a timely report of earnings shall include:

i. Illness, which prevented the client from reporting on a timely basis. Illness shall be documented in the case record.

ii. Unanticipated circumstances, clearly beyond the client's control, which, in the judgment of the CWA, prevented the client from reporting and verifying earnings timely. This good cause determination must be approved at the supervisory level.

(b) Reporting other changes (by means other than the MSR form): The CWA shall direct AFDC clients to report information concerning changes as defined in (a)1ii above to the CWA as they become aware of expected changes rather than waiting to inform the CWA on the monthly report form. These changes may be reported by the client over the telephone, by mail, or in person. An expected change must also be reported to the CWA when it actually occurs, on the MSR for the appropriate Budget Month.

1. Timely reporting of other changes (by means other than the

MSR form): The CWA shall consider changes reported by the eligible unit by means other than the MSR to have been reported timely if they are reported as soon as the eligible unit becomes aware of the expected change(s), but no later than the next Filing Deadline.

2. Food Stamp Program requirements: The CWA shall not require households which file monthly reports to submit any reports of changes other than the monthly report (MSR).

10:90-2.4 Income, employment and deductions

(a) Gross monthly income: The CWA shall use gross monthly income to determine eligibility prospectively and to compute the assistance payment and food stamp benefit (except for (b) below). Gross monthly income shall be determined according to the methods in this section. The CWA shall not multiply weekly gross income by 4.333 or use any other conversion factor to determine gross monthly income.

1. Eligibility determination: Gross monthly income used in the prospective eligibility determination shall be the CWA's best estimate of income that will exist in a Payment Month. The CWA shall estimate earnings or other income received more frequently than monthly (e.g., weekly or biweekly) based on a four-week payment month (see the Example in (a)2i(1) below).

2. Assistance payment/food stamp benefit computation: Gross monthly income used in the assistance payment/food stamp benefit computation shall be determined according to (a)2i or ii below.

i. In the initial two payment months of eligibility when the CWA computes the assistance payment using prospective budgeting (see N.J.A.C. 10:90-4.2(a)), gross monthly income shall be the CWA's best estimate of the gross monthly income which will exist in a payment month. The CWA shall estimate earnings or other income received more frequently than monthly (e.g., weekly or biweekly) based on the most recent four consecutive weeks. For food stamp purposes, if these four weeks of income are unavailable, the CWA shall estimate income according to N.J.A.C. 10:87-6.9(a)1 and 2.

(1) Example:

Actual Income	Gross Monthly Income
\$200.00 RSDI payment received once a month	\$200.00
\$75.00 UIB payment received every 2 weeks (\$75.00 / \$75.00)	\$150.00
\$60.00 regular weekly earnings (4 x \$60.00)	\$240.00
Irregular weekly earnings - 4 consecutive weeks: (\$75.00, \$62.00, \$86.00, \$90.00)	\$313.00

ii. After the initial two payment months of eligibility, when the CWA computes the assistance payment/food stamp benefit using retrospective budgeting, gross monthly income shall include all income actually received by the eligible unit/household during the Budget Month.

(b) Net monthly income: For certain food stamp households in N.J.A.C. 10:87-6.15(a)3, the CWA shall use net monthly income to determine eligibility and compute the food stamp benefit, according to N.J.A.C. 10:87-6.15(a)1ii through viii.

(c) Employment less than one full month: After the initial two payment months of eligibility, when a recently employed client has been paid for less than one full month, or when a client loses a job, the CWA shall determine eligibility prospectively using its best estimate of gross monthly income that will exist in the Payment Month, and shall compute the assistance payment/food stamp benefit retrospectively using the gross monthly income actually received in the Budget Month. In this situation, the two gross income amounts will likely differ (see 10:90-4.3).

1. Example: A client began working on July 12 and received two

paychecks that month. Gross earnings received were \$68.00 and \$80.00. The eligible unit would report \$148.00 gross earned income on the July Budget Month MSR by attaching the two wage stubs (or other acceptable verification of income). In the August Processing Month, the CWA would determine eligibility prospectively (its best estimate of gross monthly income for the September Payment Month could be \$296.00). If the client were prospectively eligible, the CWA would compute the assistance payment retrospectively for the September Payment Month using the \$148.00 as gross monthly income.

(d) Changes in employment circumstances: Any change in employment circumstances, such as a change in base pay, change to full-time or part-time work, or a different job, must be reported to the CWA and all earnings reported on the MSR for the Budget Month during which the change occurred. The CWA shall use its best estimate of gross monthly income for the Payment Month to determine eligibility prospectively, and actual gross monthly income received in the Budget Month (all appropriate wages reported on the MSR, regardless of the level of earnings or number of hours employed) to calculate the assistance payment/food stamp benefit retrospectively.

(e) Contract income: The CWA shall prorate income received by individuals employed on a contractual basis in accordance with (e)1 and (e)2 below. In many situations, the monthly prorated contract income amounts for AFDC and food stamp purposes will likely differ. The CWA shall use the respective monthly prorated contract income amounts to determine eligibility and compute the assistance payment/food stamp benefit. Clients employed on a contractual basis, such as teachers, school aides, etc., are still required to report income and circumstances monthly to the CWA (see N.J.A.C. 10:90-4.3(c)).

1. For AFDC purposes, the CWA shall prorate income received by contract over the period of the contract.

2. For food stamp purposes, the CWA shall prorate income received by contract over the period the income is intended to cover, in accordance with N.J.A.C. 10:87-6.9(a)4.

(f) Income from self-employment received other than monthly: The CWA shall annualize self-employment income which is received other than monthly. Therefore, the CWA shall use the monthly annualized self-employment income to determine eligibility and compute the assistance payment/food stamp benefit. Self-employed individuals are still required to report income and circumstances monthly to the CWA.

(g) Scholarships, educational loans and grants: The CWA shall prorate nonexcluded scholarships, deferred educational loans, and other educational grants to cover the period they are intended to cover. The CWA shall use the monthly prorated amount to compute the food stamp benefit.

10:90-2.5 Adverse actions and adequate notice

(a) Information reported on the MSR: Where information reported on the MSR results in a change in eligibility or amount of the assistance payment/food stamp benefit, the eligible unit/household must receive adequate notice of this change (see (b) below). The adequate notice must be received by the eligible unit/household no later than the appropriate Payment Date (effective date of the change), either with or in lieu of the resulting assistance payment/food stamp benefit.

1. Under monthly reporting, the client/household (or authorized representative) must sign the statement on the MSR every month, attesting to the fact that he or she understands that the information he or she reports may result in a change in benefits or termination of assistance. This signature is one requirement for a complete MSR, and authorizes the CWA to dispense with the timely (10-day) notice for any adverse actions taken as a result of information reported on the MSR.

(b) Adequate notice: In cases of intended action to discontinue, terminate, suspend, or reduce assistance, a written adequate notice must be provided by the CWA to the eligible unit/household as a

result of information reported on the MSR. To be considered adequate the notice must include:

1. A statement of the action the CWA has taken or intends to take;
2. The reason(s) for the intended action;
3. The specific regulation(s) supporting such action;
4. The eligible unit's/household's right to appeal the CWA's action or to request a fair hearing;
5. The circumstances under which assistance may be continued at the prior month's level if a hearing is requested;
6. The name of the person/CWA unit to contact for additional information; and,
7. For food stamp purposes, the liability of the household for any overissuances received while awaiting a fair hearing, if the hearing official's decision is adverse to the household.

(c) Information reported by means other than the MSR: Where information reported by the eligible unit/household by means other than the MSR results in a change in eligibility or amount of the assistance payment/food stamp benefit, the eligible unit/household must receive a timely (10-day) and adequate notice of this change.

1. Timely means that the notice must be mailed at least 10 days before the date the action would become effective.

SUBCHAPTER 3. APPLICATION/CERTIFICATION PROCESS

10:90-3.1 General provisions

During the initial contact and/or application/certification interview, the principles and procedures of MR must be explained to the family/household as part of the application process.

10:90-3.2 Initial contact

If the initial contact is an inquiry or referral, as defined in N.J.A.C. 10:21-2.1(c), the CWA must explain MR to the individual, including the required monthly reporting and filing deadline, prospective and retrospective budgeting. This explanation shall be in addition to the explanation required by N.J.A.C. 10:81-2.2(a)2.

10:90-3.3 Formal application

(a) If the individual elects to file a formal application as defined in N.J.A.C. 10:81-2.1(c), the CWA's additional responsibilities under Monthly Reporting include:

1. Information on system operation: The CWA shall provide the following information at the application/certification interview:

i. An explanation of MR/RB: The prospective budgeting of eligibility and retrospective budgeting of income; required monthly reporting, verification and filing deadline; penalties for failure to file;

ii. A copy of the monthly report and an explanation of how to complete and file it;

iii. A telephone number which the family/household may call to ask questions or obtain help in completing the monthly report; and

iv. For AFDC applicants, an explanation of other reporting requirements: The requirement that clients must report any changes in income or circumstances as soon as they are expected to occur, without waiting for the next MSR.

2. Submittal of the MSR: The CWA shall advise the applicant that he or she may be required to complete and file an MSR before his or her eligibility for assistance is completely determined. This will ensure that the eligible unit/household receives the correct grant/food stamp allotment in the next month.

i. Example: A family applies for assistance on March 25 and eligibility is not determined until April 10. The CWA shall issue the March Budget Month MSR to the applicant on April 1 for completion and filing by required deadlines, for use in computing the Payment Month's (May) assistance payment/food stamp benefit.

SUBCHAPTER 4. DETERMINING ELIGIBILITY AND COMPUTING THE ASSISTANCE PAYMENT/FOOD STAMP BENEFIT

10:90-4.1 Determining eligibility prospectively in all payment months

(a) For all payment months, the CWA shall use prospective budgeting to determine all factors of eligibility. Thus, the CWA shall establish eligibility based on its best estimate of income and circumstances which will exist in the month for which the assistance payment/food stamp benefit is made, i.e., the Payment Month.

1. Therefore, the CWA must consider all information reported on the MSR for the Budget Month, and any changes the eligible unit subsequently reports during the Processing Month, to determine eligibility for the Payment Month.

i. Example: An eligible unit reports no change in circumstances on the MSR for the January Budget Month, but on February 14 (Processing Month), a change in circumstances occurs which affects eligibility (e.g., a 17 year-old child moves out the home) and the eligible unit reports this change to the CWA on February 15. The CWA shall then consider this change when determining eligibility for the March Payment Month. In this example, the CWA would reduce assistance effective March 1, and issue a timely and adequate adverse action notice to the eligible unit by February 18.

(b) Child support collection: For purposes of determining eligibility, the CWA shall consider a child support collection paid directly to the client/eligible unit as income in the Budget Month in which it was received by the client/eligible unit.

10:90-4.2 Computing the assistance payment/food stamp benefit in the initial two payment months of eligibility

(a) The CWA shall use prospective budgeting to compute the assistance payments/food stamp benefits for the initial two payment months of eligibility, except in situations detailed in (b) below. See N.J.A.C. 10:90-2.4(a)2i for determination of gross monthly income in these two months.

1. Example: A family applies for AFDC on April 15. The CWA shall use prospective budgeting to determine eligibility and compute the assistance payments/food stamp benefits through May.

April 15 - April 30 = first Payment Month
 May 1 - May 31 = second Payment Month

(b) The CWA shall use retrospective budgeting to compute the amount of the assistance payment/food stamp benefit in the initial two payment months of eligibility if:

1. Assistance had been suspended for one month (as defined in N.J.A.C. 10:90-4.5), the initial month follows the month of suspension, and the family's circumstances for the initial month had not changed significantly from those reported in the corresponding Budget Month (loss of a job); or

2. Assistance had been terminated for a Payment Month due to failure to file a complete MSR, and the family reapplies for assistance during the month of termination, and the initial month is the month of termination.

i. Example: An eligible unit/household receives an extra pay in the March Budget Month which makes the case ineligible for the May 1 payment/allotment. The case is suspended for the May Payment Month but receives an MSR (for April Budget Month). In the May Processing Month the CWA computes the assistance payment/food stamp benefit for June 1 using retrospective budgeting. (June is the initial Payment Month following the Payment Month of suspension, May.)

ii. Example: An eligible unit/household fails to file a complete, signed MSR in April (for March Budget Month) and is terminated for the May Payment Month. On May 5 the family/household applies for reinstatement and completes the MSR for the April Budget Month. The CWA shall compute the assistance payment/food stamp benefit for June 1 using retrospective budgeting. (Note: The eligible unit/household must also complete the MSR for the March Budget Month.)

10:90-4.3 Computing the assistance payment/food stamp benefit after the initial two payment months of eligibility

(a) After the initial two payment months of eligibility, the CWA shall use retrospective budgeting to compute the amount of each subsequent month's assistance payment/food stamp benefits, based on income, deductions and other relevant circumstances in the corresponding Budget Month, except for contract income, self-employment income received other than monthly, and certain educational grants (see N.J.A.C. 10:90-2.4(e), (f) and (g)).

1. Example: An eligible unit/household reports receipt of \$200.00 income on the July Budget Month MSR. In the August Processing Month, the CWA determines that the eligible unit/household is eligible prospectively for the September Payment Month and therefore computes the assistance payment/food stamp benefit for September 1, by retrospectively budgeting the \$200.00 of income.

(b) First and second months of retrospective budgeting: Except as provided in N.J.A.C. 10:90-4.2(b)1 above, for the first and second payment months for which retrospective budgeting is used, the CWA shall not count income from the Budget Month already considered for any Payment Month determined prospectively which is not of a continuous nature.

1. For food stamp purposes, this policy shall apply only to the first payment month for which retrospective budgeting is used. Therefore, for the third month of participation, the CWA shall disregard any income that the household received in the month of application which no longer provides income to the household (income from a terminated source).

2. Example: A family/household applies for AFDC/food stamps on April 14. A family/household member had received a bonus of \$50.00 from his employer on April 10, but this bonus was a one-time payment which he did not expect to receive in future months. The CWA would not include the \$50.00 bonus in the April Budget Month's income for use in computing the June 1 assistance payment (the June Payment Month is the first month for which retrospective budgeting is used).

3. Example: In (b)2 above, if a family/household member had received an RSDI check on April 3, and expected to receive these benefits in subsequent months, the RSDI benefit amount would be included in the April Budget Month's income for use in computing the June 1 assistance payment/food stamp benefits.

(c) Contract income: According to N.J.A.C. 10:90-2.4(e), the monthly prorated contract income amount(s) shall be used to determine eligibility using prospective budgeting and to compute the assistance payment/food stamp benefit using retrospective budgeting. However, in any month in which the amount of income actually received is different than the monthly prorated contract income amount(s), the CWA shall use:

1. The monthly prorated contract income amount(s) for the prospective eligibility determination (the CWA's best estimate of income which will exist in the Payment Month); and

2. The actual income received in the Budget Month for the grant/food stamp calculation using retrospective budgeting.

i. Example: A school aide's contract for 10 months is \$3,000 or a \$300.00 monthly prorated contract amount. The contract pays the full \$300.00 only if the client works a full month. The CWA shall use \$300.00 for the prospective eligibility determination and retrospective grant/food stamp calculation. In January, due to snow, the client works only 14 days and actually receives only \$200.00, and reports this on the January Budget Month MSR (processed in February). For the corresponding March Payment Month, the CWA shall use \$300.00 in the prospective eligibility determination and \$200.00 in the retrospective grant/food stamp calculation.

10:90-4.4 Changes in circumstances

(a) Individual added to an eligible unit: In any month for which an individual will be determined eligible prospectively and will be added to an existing AFDC eligible unit, the CWA must meet the

individual's needs to the same extent it would if the individual were an applicant for AFDC.

1. Example: An eligible unit reports (using any acceptable mechanism) during the May Processing Month that an individual (e.g., newborn, child returning from foster care, etc.) moved into the home on May 10. The CWA determines that the individual is eligible for AFDC prospectively for May and June. The CWA shall reflect the additional individual's needs in the assistance payment for the June Payment Month and may issue an additional payment for May's eligibility (May 10 - 31).

2. N.J.A.C. 10:82-2.20(b)1 and (b)2 shall also apply.

(b) Individual added to a food stamp household: If a household gains a member in the processing month between the budget month and payment month, the CWA shall determine eligibility using the household's composition during the payment month.

10:90-4.5 Suspension

(a) The CWA shall suspend, rather than terminate, assistance for a payment month when:

1. The CWA has knowledge, or reason to believe, that ineligibility would exist for one payment month only; and

2. Ineligibility for that one payment month was caused by income or other circumstances in the corresponding budget month.

(b) Accordingly, the CWA shall suspend assistance for a payment month when ineligibility for that one payment month was caused by a regular and periodic extra paycheck from a recurring income source.

(c) MSR issuance: In cases where assistance has been temporarily suspended for one month, the MSR must still be mailed to the eligible unit/household for completion and return during the month in which benefits are suspended to ensure continuous monthly reporting.

(d) Medicaid coverage: The eligible unit will lose entitlement to Medicaid coverage for the payment month of suspension. The adverse action notice suspending the case must advise the eligible unit of that fact.

1. Example: An employed client in an eligible unit of three receives regular weekly income of \$100.00 which is paid on Fridays. Gross monthly earned income is \$400.00. Applying the \$75.00 work expense deduction (this case has no child care expenses nor is entitled to the \$30.00 and one-third disregard) yields countable earned income of \$325.00. The monthly grant is \$35.00 (\$360.00 - \$325.00 equals \$35.00). In the April Budget Month (which contains five Friday pay dates instead of the usual four) the client's gross monthly earned income is \$500.00 instead of the usual \$400.00 (countable earned income is \$500.00 - \$75.00, or \$425.00). This extra paycheck, when used in the retrospective assistance payment computation, renders the case ineligible for assistance and Medicaid coverage in the corresponding June Payment Month (\$360.00 - \$425.00 equals \$65.00 excess income). The CWA shall suspend assistance for June and issue the MSR to the family.

(e) Subsequent eligibility: The MSR issued to the family/household during the payment month of suspension shall be used to determine if eligibility will be restored for the subsequent payment month.

1. If the MSR issued during the suspension month reflects income or circumstances which restore eligibility, the family/household will be reinstated and benefits computed and issued based on the change in income or circumstances.

2. If the MSR issued during the suspension month reflects continued ineligibility, the case shall be closed.

i. Example: Given the situation in (d)1 above, the eligible unit reports on MSR issued in June (May Budget month) four weeks of earnings at \$100.00 per week (\$400.00 total). The CWA shall reinstate the eligible unit and issue a payment on July 1 (July Payment Month). If, however, the eligible unit reports on the MSR issued in June (May Budget Month) four weeks of earnings at \$120.00 per week (\$480.00 total), the CWA shall close the case effective July 1 (July Payment Month).

(f) \$30.00 and one-third disregard: For AFDC purposes, if income from a recurring source results in suspension or termination due to receipt of an extra paycheck, the payment month of ineligibility does not interrupt the accumulation of consecutive months of the \$30.00 and one-third disregard, nor does it count as one of the consecutive months.

(g) Child support collection: A child support collection for the suspension month paid directly to a client/eligible unit shall not be counted as income in the retrospective grant calculation when the suspension month becomes a budget month.

1. Example: Given the situation in (d)1 above, the CWA usually receives \$80.00 per month as a child support collection for this eligible unit. During the June suspension month, the CWA issues the \$80.00 directly to the client/eligible unit. The client submits an MSR (for the June Budget Month) in July and reports this \$80.00 as income. The CWA shall not include this \$80.00 as income in the retrospective grant calculation for the August payment. However, the CWA must still consider a child support collection as income in the prospective eligibility determination for the August Payment Month.

10:90-4.6 Reinstatement

(a) If a family/household was terminated from assistance because it failed to file a complete MSR for a Budget Month, the family/household may apply for reinstatement.

(b) Reinstatement Period: The Reinstatement Period, during which a family/household may apply for reinstatement in (a) above, is defined as the day after the Extension Deadline in the Processing Month through the last day of the corresponding Payment Month of termination.

1. Example: Given an Extension Deadline of February 16, if a family was terminated from assistance effective for March 1, the Reinstatement Period would be February 17 through March 31.

Budget Month:	January 1-31
Processing Month:	February 1-28
Extension Deadline:	February 16
Payment Month:	March 1-31
Reinstatement Period:	February 17 through March 31.

(c) The CWA may reinstate the family/household if the following conditions are met:

1. The family/household applies for reinstatement no later than the last day of the Payment Month of termination;

2. The family/household files a complete MSR for the Budget Month corresponding to the Payment Month of termination; and

3. The CWA determines, based on the MSR for the Budget Month in (c)2 above, that the family/household is eligible for assistance in the Payment Month of termination. (The CWA shall calculate the assistance payment for the Payment Month of termination without application of earned income disregards to AFDC-C and -F segment cases, since earnings were not reported timely.)

(d) If the CWA reinstates the family/household, the CWA must immediately issue an MSR for the Budget Month that precedes the Payment Month of termination. The eligible unit/household must file this MSR according to the Filing and Extension Deadlines established for that Budget Month's MSR.

1. Example: An eligible unit/household does not submit its January Budget Month MSR and CWA terminates assistance effective March 1 (March is the Payment Month of termination). On March 3 the family/household applies for reinstatement. On March 4 the family/household completes the January Budget Month MSR and the CWA determines that the family/household is eligible for assistance. The CWA shall then immediately issue an MSR for the February Budget Month, which the eligible unit/household must complete the file by the March 5 filing Deadline.

(e) If a family/household applies for reinstatement after the Payment Month of termination, the CWA shall not reinstate the

case. The family/household must file a new application for assistance.

10:90-4.7 Food Stamp Program

(a) Information and verification requirements: The CWA shall require a food stamp household in monthly reporting to provide additional information and verification necessary to determine eligibility for food stamp benefits. The CWA shall also take appropriate action concerning the household's food stamp benefits if required information and verification is not provided by the Extension Deadline.

(b) Additional food stamp eligibility information: Upon receipt of the monthly report, the CWA may contact the household directly, as needed, to obtain further information on specific items. These items include:

1. The effect of a reported change in resources on a household's total resources; and
2. The effect of a reported change in household composition on the applicability of the work registration requirement.

(c) The CWA shall require the household to verify information the MSR as follows:

1. Each month the household shall verify gross nonexempt income, utility expenses which exceed the standard, medical expenses, and all questionable information; and
2. The household shall verify alien status, Social Security numbers, residency and citizenship, if these items have changed since the last report.

(d) CWA action on incomplete verification: If a household does not provide required verification by the Extension Deadline, the CWA shall take the following actions:

1. If the household does not verify earned income, the CWA shall regard the household's report as incomplete, take action in accordance with N.J.A.C. 10:90-5.2(a)2;
2. If the household does not verify utility expenses in excess of the standard, the CWA shall allow the utility standard if the household is entitled to it;
3. If the household does not verify medical expenses, the CWA shall not allow a deduction; and
4. If the household does not verify other items for which verification is required, the CWA shall:
 - i. Act on the reported change if it would decrease benefits;
 - ii. Not act on the reported change if it would increase benefits.

(e) Termination: The CWA shall terminate a household's food stamp participation if the household:

1. Is ineligible for food stamps, unless suspended in accordance with N.J.A.C. 10:90-4.6;
2. Fails to file a complete report by the Extension Deadline; or
3. Fails to comply with a nonfinancial eligibility requirement, such as registering for employment.

(f) Notice of termination: The CWA shall issue a notice of termination to the household so that it receives the notice no later than the household's normal payment date. This notice of termination must:

1. Be an adequate notice, as described in N.J.A.C. 10:90-2.5(b);
2. Inform the household of the reason for its termination;
3. Explain how the household may be reinstated; and
4. Inform the household of its right to request a fair hearing and to receive continued benefits.

SUBCHAPTER 5. CWA ACTION ON MONTHLY REPORTS AND OTHER REPORTED CHANGES

10:90-5.1 By the Filing Deadline

(a) MSR is received: If the MSR is received by the CWA by the Filing Deadline, the CWA must review the report to determine its accuracy and completeness.

1. MSR is complete: If the MSR is complete, as defined in N.J.A.C. 10:90-2.3(a)2, the CWA shall:
 - i. Determine eligibility using prospective budgeting;

ii. Compute the assistance payment/food stamp benefit using retrospective budgeting;

iii. Process the assistance payment/food stamp benefit; and

iv. Notify the eligible unit/household (using form PA-15) of any changes from the prior payment and the basis for its determination. The PA-15, "Notification Form", serves to notify the client of his or her case status, benefit amounts, effective dates, intended action (favorable as well as adverse) by the county welfare agency and the manual citations justifying the authority for such action. This form contains a detailed section on the fair hearing process advising of rights and responsibilities, availability of free legal services and contains the Division's toll-free telephone number. Within this section, the client is also provided with a convenient "tear sheet" form to be used for initiating a fair hearing request if the client so desires. This notice must be:

(1) An adequate notice, as defined in N.J.A.C. 10:90-2.5(b) if the payment/benefit is being reduced or assistance is being terminated as a result of information provided in the MSR; and

(2) Mailed to arrive no later than the resulting payment/benefit or in lieu of the payment/benefit. An eligible unit/household has 10 days from the date of this notice to request a hearing in order to receive reinstatement. The PA-15 shall advise the eligible unit/household of this fact.

2. MSR is not complete: If the MSR is not complete, as defined in N.J.A.C. 10:90-2.3(a)2, the CWA shall:

i. Determine whether the eligible unit has made a complete report of earnings;

ii. Determine those other items on the MSR that are not complete (including, for food stamp eligibility, the additional verification required by N.J.A.C. 10:90-4.7(c)); and

iii. Send the eligible unit/household a notice (the Extension Notice) identifying the incomplete areas and advising that its assistance payment/food stamp benefit will be terminated for the relevant Payment Month.

3. Extension Notice: The Extension Notice shall be the adequate notice sent to an eligible unit/food stamp household that has not filed timely, i.e., whose complete MSR has not been received by the Filing Deadline. The Extension Notice is the form which serves to notify an eligible unit/household that its assistance is being terminated by the CWA for failure to comply with the monthly reporting requirement (submit a complete MSR). It lists the incomplete items and the effective date of the termination, and provides a 10-day Extension Period during which the eligible unit/household may complete and submit the MSR and have the CWA reconsider the termination action and evaluate eligibility. The Extension Notice contains a detailed section on the fair hearing process advising of rights and responsibilities, availability of free legal services and contains the Division's toll-free telephone number. Within this section, the eligible unit/household is also provided with a convenient "tear sheet" form to be used for initiating a fair hearing request if the eligible unit/household so desires. The CWA shall send the Extension Notice to each appropriate eligible unit/household on the Filing Deadline, or no later than the next calendar day after the Filing Deadline. The Extension Notice must advise that:

i. The MSR is either incomplete or has not been received;

ii. Assistance is being terminated because the eligible unit/household has failed to comply with the monthly reporting requirement of N.J.A.C. 10:90-2.3(a);

iii. The eligible unit/household has the right to a fair hearing and the conditions under which assistance may be continued; and

iv. The eligible unit/household may receive AFDC/food stamp benefits if a complete, signed MSR (or replacement form determined by the CWA) is filed within the 10-day Extension Period, and the family/household is determined eligible. The Extension Deadline by which the completed MSR must be received will be specified in this Extension Notice.

(b) MSR is not received: If the MSR is not received by the CWA by the Filing Deadline the CWA shall take action according to

(a)2iii above.

10:90-5.2 During the Extension Period

(a) MSR is received: If the MSR (or replacement form) is received by the CWA during the Extension Period, that is, after the Filing Deadline but by the Extension Deadline, the CWA must review the report to determine its accuracy and completeness.

1. MSR is complete: If the MSR (or its replacement form) is complete, the CWA shall:

- i. Determine eligibility using prospective budgeting;
- ii. Compute the assistance payment/food stamp benefit using retrospective budgeting;
- iii. Process the assistance payment/food stamp benefit; and
- iv. Promptly notify (using form PA-15) the eligible unit/household of its right to a fair hearing and of its right to have assistance reinstated at the prior month's level, if the eligible unit/household is found ineligible or eligible for an amount less than the prior month's payment. The eligible unit/household has 10 days from the date of this notice to request a hearing in order to receive reinstatement. The PA-15 shall advise the eligible unit/household of that fact.

2. MSR is not complete: If the MSR is not complete by the Extension Deadline, the CWA shall:

- i. Determine whether the eligible unit has made a complete, timely report of earnings and record all determinations of failure to report earnings timely;
- ii. Terminate assistance benefits; and
- iii. Promptly notify (using form PA-15) the eligible unit/household of the termination, its right to a fair hearing and its right to have assistance reinstated at the prior month's level. The eligible unit/household has 10 days from the date of this notice to request a hearing in order to receive reinstatement. The PA-15 shall advise the eligible unit/household of that fact.

(b) MSR is not received: If the MSR is not received by the CWA or the eligible unit/household has not responded to the Extension Notice by the Extension Deadline, the CWA shall terminate assistance benefits, with no further notice required.

10:90-5.3 During the Reinstatement Period

(a) The following policy shall be applied to MSR forms received during the Reinstatement Period, that is, from the day after the Extension Deadline through the last day of the corresponding Payment Month of termination. A family/household submitting an MSR during this period has been terminated from assistance for the Payment Month for failure to comply with the monthly reporting requirement of 10:90-2.3(a).

(b) MSR is received: If the MSR (or replacement form) is received by the CWA during the Reinstatement Period, the CWA must review the report to determine its accuracy and completeness.

1. Complete report of earnings and good cause determination: If, during the Reinstatement Period, the eligible unit submits a complete report of earnings, the report of earnings shall not be considered to be timely. For AFDC-C and -F segment cases, the resultant penalty of loss of earned income disregards shall be applied to any earnings that are not reported timely without good cause. During the Reinstatement Period, the CWA must provide the eligible unit with an opportunity to show good cause, as defined in N.J.A.C. 10:90-2.3(a)8, for not filing a timely report of earnings. The CWA shall determine whether good cause exists and document this determination in the case record and on a control log.

- i. If the CWA finds that good cause exists, it shall compute the assistance payment using the earned income disregards.
- ii. If the CWA finds that good cause does not exist, it shall compute the assistance payment for AFDC-C and -F segment cases without application of the earned income disregards.

2. The CWA shall follow reinstatement policy contained in N.J.A.C. 10:90-4.6.

10:90-5.4 Changes reported by means other than the MSR

Changes that are reported by the eligible unit/household by means other than the MSR shall be acted upon immediately by the CWA. If a change so reported results in a reduction or termination of the assistance payment/food stamp benefit, the CWA shall act upon the change in accordance with N.J.A.C. 10:82-2.20 and 10:87-9.7(b)1 by sending a timely (10-day) and adequate notice to the eligible unit/household informing it of the change in its assistance payment/food stamp benefit.

10:90-5.5 Replacement MSRs

(a) The CWA shall immediately issue a replacement MSR to any eligible unit/household that reports that an MSR was lost, stolen, destroyed or not received. The CWA shall adhere to the Filing and Extension Deadlines that apply to the relevant Budget Month's MSR, and shall process the replacement MSR as follows:

1. Before or on the Extension Deadline: If the eligible unit/household reports non-receipt, loss, etc., before or on the Extension Deadline and files the complete replacement MSR by the Extension Deadline, the CWA shall calculate the resulting assistance payment with the application of earned income disregards.

2. After the Extension Deadline: If the eligible unit/household reports non-receipt, loss, etc., after the Extension Deadline (eligible unit/household will have received the Extension Notice and will have been terminated from assistance), it must request reinstatement. The CWA shall act on the MSR according to N.J.A.C. 10:90-4.6. Regardless of when the eligible unit files the MSR, if it is an AFDC-C or -F segment case it will incur a penalty of loss of earned income disregards in the assistance payment calculation.

SUBCHAPTER 6. OTHER PROCEDURES

10:90-6.1 Redeterminations/Recertifications

(a) The CWA shall redetermine/recertify the unit's/household's eligibility using prospective budgeting and shall compute the assistance payment/food stamp benefit using retrospective budgeting. This shall be accomplished through the use of two forms: the PA-1J and the MSR. The Payment Month shall be the first month of the new redetermination/recertification period. The MSR from the corresponding Budget Month shall be used in the retrospective budgeting calculation. All processing time frames, etc., that apply to the MSR in the monthly reporting process shall apply to the redetermination/recertification process.

1. The PA-1J, "Application and Affidavit for AFDC, MA, CPP, RRP, CHEP and Food Stamps", is the form used to completely determine and redetermine a unit's/household's eligibility for public assistance and food stamp benefits. It asks detailed questions concerning family composition, deprivation and marital status, expenses, income, resources (bank accounts, automobiles, etc.) and work registration. The client must answer the relevant questions with the assistance of a CWA eligibility worker, if necessary, and provide written verification of income and circumstances from third party sources. The form contains statements, which the client(s) must read and sign, concerning the accuracy of the reported information, authorization for the CWA to contact third party sources for verification, assignment of support to the CWA, non-discrimination and fair hearings, and food stamp penalty warnings.

2. Example: A case is scheduled for its redetermination/recertification to be effective September 1. The CWA will use the MSR (and wage stubs) from the July Budget Month, received in the August Processing Month, to determine eligibility and compute the assistance payment/food stamp benefit for the September Payment Month.

(b) Special procedures for the recertification: The CWA and household shall follow special procedures for the food stamp recertification:

1. The CWA shall mail the notice of expiration of the certification period to the household with the MSR;

2. The CWA shall obtain the necessary information to complete the PA-1J at the recertification interview; and

3. The household shall complete the PA-1J no later than the time of the recertification interview.

(c) Recertification interview: The CWA shall conduct a complete interview with a household member or an authorized representative:

1. The CWA shall schedule the interview at any time during the last month of the old certification period; and

2. If the CWA schedules the interview for a date on or before the MSR's Filing Deadline, the CWA shall permit the household member and authorized representative to bring the MSR to the interview.

10:90-6.2 Fair hearings

(a) Eligible units participating in monthly reporting are entitled to fair hearings according to N.J.A.C. 10:81-6.1(a) and 10:87-8.

(b) Where an adverse action results from information reported on an MSR, an eligible unit/household has 10 days from the date of the adverse action notice to request a fair hearing and to receive continued assistance. An eligible unit/household has 90 days from the effective date of the adverse action to request a fair hearing without continued assistance.

1. For food stamp purposes, if the adverse notice period ends on a weekend or holiday, and a request for a fair hearing and continuation of benefits is received the day after the weekend or holiday, the CWA shall consider the request to be timely.

(c) Continued assistance: If an eligible unit/household requests a fair hearing in accordance with (b) above, within 10 days of the date of the adverse action notice, and does not waive continued assistance, the CWA shall continue assistance until the resolution of the fair hearing. For food stamp-related information reported on the MSR, the CWA shall continue food stamp benefits until the end of the certification period or resolution of the fair hearing, whichever is first. Receipt of continued assistance is also subject to the following provisions:

1. An eligible unit/household whose assistance has been continued shall file MSRs until the resolution of the fair hearing; and

2. During the period the fair hearing is pending, the CWA shall adjust the assistance payments/food stamp benefits to take into account reported changes, except for the factor(s) on which the fair hearing is based:

i. Example: On March 1 an eligible unit of four receives a termination notice dated February 27 based on its January MSR, and on March 3 requests a fair hearing and continued assistance. (The fair hearing issue concerns the budgeting of January's income.) The CWA issues a grant at the prior month's (February) amount (\$200.00) and the February Budget Month MSR. The eligible unit must file this MSR according to appropriate deadlines in order to receive a grant on April 1. This MSR is filed and indicates that an individual left the eligible unit in February. The CWA shall recompute the assistance payment for the new eligible unit of three and on April 1 issue the correct (reduced) assistance payment and an adequate adverse action notice (reduction in assistance).

10:90-6.3 Transfers

(a) The following policy for cases transferred into or out of counties involved in monthly reporting supplements CWA transfer responsibilities contained in N.J.A.C. 10:81-3.27 and 10:87-98:

1. Transfer from a non-MR county to an MR county:

i. Responsibilities of the non-MR county of origin: No change in responsibilities from N.J.A.C. 10:81-3.27(b)3i and 10:87-9.9;

ii. Responsibilities of the receiving MR county: The CWA shall:

(1) Advise the eligible unit/household of monthly reporting requirements, and of prospective and retrospective budgeting; and

(2) Ensure that the eligible unit/household shall begin monthly reporting (filing the MSR) for the second payment/allotment in the receiving county. The eligible unit/household must receive the MSR form with the first payment/allotment issued by the receiving CWA.

(A) Example: A family/household transfers from a non-MR CWA to an MR county on June 10. The receiving MR CWA issues the first assistance payment/food stamp benefit and MSR to the eligible unit/household on July 1 (June Budget Month). The first payment/allotment computed using MR/RB is for August 1.

(B) Example: A family/household transfers from a non-MR CWA to a MR CWA on June 26. The receiving MR CWA issues the first assistance payment/food stamp benefit and MSR to the eligible unit/household on August 1 (July Budget Month). The first payment/allotment computed using MR/RB is for September 1.

2. Transfer from an MR county to a non-MR county:

i. Responsibilities of the MR county of origin: The MR CWA shall submit the eligible unit's/household's most recent MSR along with other required documentation to the receiving non-MR CWA;

ii. Responsibilities of the receiving non-MR county: No change in responsibilities from N.J.A.C. 10:81-3.27(b)3ii and 10:87-9.10.

3. Transfer between MR counties:

i. Responsibilities of the MR county of origin: The CWA shall submit the eligible unit's/household's most recent MSR along with other required documentation to the receiving CWA;

ii. Responsibilities of the receiving MR county: The CWA shall continue to calculate the eligible unit's/household's assistance payment/food stamp benefit using retrospective budgeting.

INSURANCE

(a)

DIVISION OF ADMINISTRATION

Insurance Claims Unfair Claims Settlement Practices

Proposed Amendment: N.J.A.C. 11:2-17.7

Authorized By: Joseph F. Murphy, Commissioner,
Department of Insurance.

Authority: N.J.S.A. 17:1-8.1, 17:1C-6(e), 17:29B-1 et seq. and 17B:30-1 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

W. Morgan Shumake
Executive Director of Insurance
New Jersey Department of Insurance
CN 325
Trenton, NJ 08625

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

This proposal is known as PRN 1982-357.

The agency proposal follows:

Summary

The proposal clarifies the responsibilities of insurers in regard to the investigation and settlement of first party claims where there is a reasonable basis that the claimant has fraudulently caused or contributed to a loss. In such cases, insurers are relieved of the specific requirements of N.J.A.C. 11:2-17.7(b), (c) and (d). The proposal provides for reasonable additional time for the investigation of such claims and waives the requirement that the

claimant be informed of the reasons for delay. An insurer invoking this provision must, however, support its position with specific information which is available for the Department's review.

Social Impact

The proposal is designed to enhance insurers ability to properly investigate first party claims in which there is evidence of arson fraud or other fraud. By providing for regulatory oversight, the rule should also ensure that the rights of claimants are adequately protected.

Economic Impact

This proposal is a reasonable arrangement to assist insurers in fraud detection which is part of an overall effort to contain insurance costs. Further, its is expected that the rule will facilitate the insurer's role in society's efforts to overcome fraudulent practices.

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

11:2-17.7 Rules for prompt investigation and settlement of claims

(a)-(e) (No change.)

(f) Where there is a reasonable basis supported by specific information available for review by the Department of Insurance that the first party claimant has fraudulently caused or contributed to the loss by arson, or other fraudulent schemes, the insurer is relieved from the requirements of (b), (c) and (d) above. Provided, however, that the claimant shall be advised of the acceptance or denial of the claim within a reasonable time for full investigation after receipt by the insurer of a properly executed proof of loss.

(a)

DIVISION OF ADMINISTRATION

**Insurance Group
Readable Policies**

Proposed New Rule: N.J.A.C. 11:2-18

Authorized By: Joseph F. Murphy, Commissioner,
Department of Insurance.

Authority: N.J.S.A. 17:1-8.1, 17:1C-6(e) and 56:12-1 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

W. Morgan Shumake
Executive Director of Insurance
Department of Insurance
CN 325
Trenton, NJ 08625

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

This proposal is known as PRN 1982-334.

The agency proposal follows:

Summary

The Plain Language Law (N.J.S.A. 56:12-1 et seq., as amended)

requires consumer contracts, including certain property and liability insurance policies, to be written in a "simple, clear, understandable and easily readable way". This statute gives the Commissioner of Insurance the authority and responsibility to review contracts of insurance subject to the law and establishes a specific mechanism whereby insurers may obtain from the Commissioner an opinion as to whether a particular policy complies with the law.

The proposed new rules contain specific readability standards which are in addition to those set forth in the law. They also include filing procedures to be followed by insurers when submitting policies and related materials to the Department for review and certification pursuant to the law. Finally, they clarify the relationship between this review procedure and the traditional policy approval procedure pursuant to insurance laws and regulations, which is mandatory in any instance where a policy is changed for any reason—including the enhancement of readability.

Social Impact

The proposed rules together with the Plain Language Law will improve the readability of insurance policies so that benefits and coverage limitations are more easily understood. This improvement will enable consumers to make more informed purchase decisions and to claim all benefits due under an insurance policy.

Economic Impact

Under the Plain Language Law, insurers will incur moderate costs to revise and reprint their policies in accord with readability standards; however, these costs should be offset in the long run through improved relationships between insurers and consumers based on clearer understanding of contract provisions. In turn, this should reduce contract disputes and associated litigation costs for insurers and consumers. The Department's proposed rules should help to moderate implementation costs for insurers by providing specific readability standards to guide policy language revisions and to expedite agency review of policies to certify compliance with the law. The Department will incur modest cost in connection with the review of policies, but expects to absorb these costs within its existing budget and staff resources.

Full text of the proposal follows.

SUBCHAPTER 18. READABLE POLICIES

11:2-18.1 Purpose

The Plain Language Law (N.J.S.A. 56:12-1 et seq., as amended) requires certain insurance policies to be written in a "simple, clear, understandable and easily readable way". This subchapter provides rules for the implementation of the Act.

11:2-18.2 Scope

(a) This subchapter applies to all insurance policies which are issued to individuals to provide coverage for personal, family, or household purposes except life, health and annuity policies defined in N.J.S.A. 17B:17-19a, the "Life and Health Policy Language Simplification Act". Examples of coverage for personal, family or household purposes are:

1. Policies used solely to provide homeowners insurance, dwelling fire insurance on one to four family units, or individual fire insurance on dwelling contents;
2. Policies principally used to provide primary insurance on private passenger automobiles which are individually owned and used for personal or family needs; and
3. Policies of personal inland marine, personal theft, residence glass, and personal liability insurance.

(b) Coverage for personal, family or household purposes does not mean policies used to cover business, professional or other commercial risks, such as farm owners, business owners, and commercial multi-peril policies.

(c) This subchapter does not supersede any other law, regulation or filing procedure.

11:2-18.3 Definitions

"Commissioner" means the Commissioner of Insurance.

"Insurer" means any person, corporation, company, association, partnership, title insurance company, eligible authorized surplus lines insurer, or any other legal entity issuing a contract of insurance subject to this subchapter. In this subchapter, "insurer" also includes rating organizations.

"Policy" means any contract of insurance subject to this subchapter and includes, but is not limited to, all policies, contracts, certificates, riders and endorsements that provide insurance coverage to individuals. "Policy" also includes applications to be signed by the applicant and all other writings required to complete the insurance transaction.

"Text" means all printed matter in a policy, except the name and address of the insurer; the name, number and title of the policy; the table of contents or index; captions or subcaptions; applications; specification or declarations pages; and schedules or tables. "Text" does not include specific language required, permitted or approved by a law, regulation, rule or published interpretation of a State or Federal agency.

11:2-18.4 Minimum readability standards

(a) The Plain Language Law provides, at N.J.S.A. 56:12-10, certain "examples of guidelines" that the Commissioner may consider in determining whether a contract complies with the Act. The readability standards in this section are in addition to the standards enumerated in the Act.

(b) A policy shall be printed in a legible type style with adequate contract between paper and ink. Captions, headings and spacing shall be used to increase overall readability.

(c) A policy shall be printed in not less than 10 point type, one point leading. This rule shall not apply to schedules and tables; specification or declaration pages; or applications not required to be signed by the applicant.

(d) Policies with 3,000 or more words, or with four or more pages, shall contain a table of contents or alphabetical index.

(e) The style, arrangement and overall appearance of the policy shall give no undue prominence to any portion of the text or to any endorsements or riders.

(f) Each section shall be self-contained and independent. However, general provisions applicable to more than one section may be included in a common section.

(g) Policies shall contain only essential provisions.

(h) Policies shall be written in everyday, conversational language with a personal style, and technical terms or words with a special meaning shall be avoided wherever possible.

(i) The text of a policy shall achieve a score of at least 40 on the Flesch reading ease test or an equivalent score on a comparable test authorized for use by the Commissioner.

1. For the purpose of (i) of this section, a Flesch reading ease test score shall be measured by the following method:

i. For policy forms containing 10,000 words or less of text, the entire form shall be analyzed. For policy forms containing more than 10,000 words, the readability of two 200 word samples per page may be analyzed instead of the entire form. The samples shall be separated by at least 20 printed lines.

ii. The number of words and sentences in the text or sample shall be counted and the total number of words divided by the total number of sentences. The figure obtained shall be multiplied by a factor of 1.015.

iii. The total number of syllables shall be counted and divided by the total number of words. The figure obtained shall be multiplied by a factor of 84.6.

iv. The sum of the figures computed under ii and iii above subtracted from 206.835 equals the Flesch reading ease score for the policy form.

v. In measuring the Flesch test score, the following special rules shall be observed when counting syllables, words and sentences:

(1) A syllable means a unit of spoken language consisting of one or more letters of a word as divided by an accepted dictionary. Where the dictionary shows two or more equally acceptable pronunciations of a word, the pronunciation containing fewer syllables shall be used;

(2) A contraction, hyphenated word, or numbers and letters, when separated by spaces, shall be counted as one word; and

(3) A unit of words ending with a period, semicolon, or colon, but excluding headings and captions, shall be counted as a sentence.

2. At the option of the insurer, riders, endorsements, and other forms made a part of the policy may be scored as separate forms or as part of the policy.

3. A score lower than 40 on a Flesch reading ease test may be permitted whenever the Commissioner finds a lower score is warranted by the nature of a particular policy form or type or class of policy forms.

11:2-18.5 Procedures for requesting an opinion of compliance with the Plain Language Law

(a) An insurer may request an opinion from the Commissioner as to whether an insurance policy and related "writings required to complete the consumer transaction" are in compliance with the Plain Language Law. The Commissioner shall consider the Law's provisions and the implementing provisions of this subchapter in responding to such requests.

(b) For each policy form and related writings for which an opinion is desired, an insurer shall prepare the Request for Opinion shown in Exhibit A of this subchapter. For related writings (including riders and endorsements) submitted separately from a basic contract to which they will apply, one Request for Opinion Form shall be prepared for each writing or group of writings applicable to one policy form. The insurer shall also provide two copies (where possible, "specimen" or "proof" copies) of the policy and related writings to be reviewed.

(c) An officer of the insurer shall complete and submit the Affidavit of Compliance shown in Exhibit B for each contract and related writings, or for each separately submitted writing or group of writings applicable to one policy form. An officer of a rating organization which requests an opinion as to compliance may complete and sign the affidavit on behalf of the member companies of the rating organizations.

(d) An opinion as to compliance should not be requested for a policy form to be issued on a nationwide basis unless the policy form will be issued in New Jersey.

(e) Pursuant to N.J.S.A. 56:12-5, an insurer need not request an opinion as to compliance with the Plain Language Law for policy forms identical to those which have already been certified for some other insurer or rating organization.

(f) Any insurance policy whose language is revised for any reason, including compliance with the Plain Language Law, must be approved by the Commissioner pursuant to insurance laws and regulations before it can be issued:

1. The Commissioner's opinion as to compliance with the Plain Language Law is distinct from his approval of a policy pursuant to insurance laws and regulations.

2. Filings for review and approval of policies pursuant to insurance laws and regulations should be prepared in accord with existing filing procedures.

3. Ordinarily, a request for opinion as to a policy compliance with the Plain Language Law and a filing for approval pursuant to insurance laws and regulations should be submitted to the Commissioner at the same time and in the same package.

4. If an insurer has already received approval of a policy pursuant to insurance laws and regulations, and believes that the policy complies with the Plain Language Law without further revision, it may resubmit the policy for the sole purpose of requesting an opinion as to compliance with the Plain Language Law. In

PROPOSALS

LABOR

completing the Request for Opinion Form (Exhibit A), it should provide information necessary to confirm the previous approval of the policy pursuant to insurance laws and regulations.

11:2-18.6 Enforcement

The Commissioner may seek injunctive relief to enforce this subchapter. The court may authorize reasonable attorney's fees and costs in such a proceeding.

11:2-18.7 Separability

If any provision of this subchapter, or its application to any person or circumstances, is held invalid, the remainder of this subchapter and its application to other persons or circumstances shall not be affected.

Note: The following Exhibits A and B are part of this proposal.

EXHIBIT A

REQUEST FOR OPINION AS TO COMPLIANCE WITH PLAIN LANGUAGE LAW (N.J.S.A. 56:12-1 et seq., as amended)

NAME OF INSURER: _____ FORM NO.: _____
ADDRESS: _____ DATE OF SUBMITTAL: _____
TELEPHONE: _____

I. PURPOSE OF POLICY SUBMISSION

1. Is an opinion as to whether the form complies with the Plain Language Law being requested pursuant to N.J.S.A. 56:12-8?

YES NO

2. Is filing and approval pursuant to insurance laws and regulations by the Department of Insurance also being requested?

YES NO

Note: Filings for approval of policies pursuant to insurance laws and regulations should be prepared in accord with the Department's existing procedures. Requests for readability certification should include Exhibits A and B; two copies of the policy (including related writings) to be reviewed; and any appropriate attachments.

3. If the form you are submitting has already been approved by the Department of Insurance pursuant to insurance laws and regulations, please indicate the following information:

DEPARTMENT FILE NO.: _____
DATE OF DEPARTMENT OF INSURANCE APPROVAL: _____

II. REFERENCE TO OTHER FORMS

Pursuant to N.J.S.A. 56:12-5, an insurer need not request an opinion as to compliance with the Plain Language Law for policy forms identical to those which have already been certified for some other insurer or rating organization.

1. If a policy is similar but not identical to a previously certified policy, please identify the previously certified policy as specifically as possible. Include the following information if available.

FILER: _____
FORM NUMBER: _____
DEPARTMENT FILING NUMBER: _____
DATE OF CERTIFICATION: _____

2. Describe how the policy now submitted for review differs from the previously certified form.

III. FLESCH READING EASE TEST

1. Identify any language not considered "text" as defined in N.J.A.C. 11:2-18.3 of the regulation on policy readability. This language may be identified by reference to the policy section numbers.

2. If any of the language identified in item 1 is required, permitted or approved by a law, regulation, rule or published interpretation of a State or Federal agency, identify both the language and the law, rule or interpretation.

3. If the text of the policy form does not score at least 40 on the Flesch reading ease test, provide an explanation to enable the Commissioner to determine whether the lower score is warranted by the nature of the policy form (N.J.A.C. 11:2-18.4(i)3 of the regulation). A lower score will be accepted only in exceptional circumstances.

Name and Title of Person Completing Form

Signature

**EXHIBIT B
AFFIDAVIT OF COMPLIANCE**

NAME OF INSURER: _____ FORM NO.: _____

I certify that this contract and related writings comply with the Plain Language Law (N.J.S.A. 56:12-1 et seq.) and with N.J.A.C. 11:2-18.

I also certify that the score of the text of the form on the Flesch reading ease test is _____ and that the test score has been accurately calculated as required by N.J.A.C. 11:2-18.

Date: _____ Name and Title of Insurer's Officer: _____

Signature

LABOR

(a)

THE COMMISSIONER

**Maximum Weekly Benefit Rates
1983 Maximum Weekly Benefits for
Unemployment Compensation and State
Plan Temporary Disability**

Proposed Amendment: N.J.A.C. 12:15-1.3

Authorized By: Roger A. Bodman, Commissioner,
Department of Labor.
Authority: N.J.S.A. 34:1-5, 34:1-20, 43:21-3(c) and
43:21-40.

Interested persons may submit in writing, data, views or

arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Arthur J. O'Neal, Jr., Director
 Division of Planning and Research
 CN 056
 Department of Labor
 Trenton, NJ 08625

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

This proposal is known as PRN 1982-352.

The agency proposal follows:

Summary

This proposed amendment establishes the 1983 maximum weekly benefit rates for benefits under the Unemployment Compensation Law and for State Plan benefits under the Temporary Disability Benefits Law.

Social Impact

The proposed amendment will increase the weekly benefit rates received by individuals eligible for the maximum weekly benefit rate under the Unemployment Compensation Law and the Temporary Disability Benefits Law, beginning January 1, 1983.

Economic Impact

This amendment will ensure that payments to unemployment and disability insurance recipients entitled to maximum benefits will increase in line with the upward trend of wages in the State's economy, thus preserving the real purchasing power of their benefits. The added costs to the Unemployment Insurance and Disability Insurance Trust Funds will be offset by an increase in the taxable wage base for employer and worker contributions to these funds as provided by proposed rule N.J.A.C. 12:15-1.4.

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

12:15-1.3 Maximum weekly benefit rates

(a) In accordance with the provisions of the Unemployment Compensation Law, the maximum weekly benefit rate for benefits under the Unemployment Compensation Law and the maximum weekly benefit amount for State Plan benefits under the Temporary Disability Benefits Law is hereby promulgated as being [~~\$145.00~~] **\$158.00** per week.

(b) These maximum benefits shall be effective for the calendar year [1982] **1983** on benefit years and periods of disability commencing on or after January 1, [1982] **1983**.

(a)

THE COMMISSIONER

**Taxable Wage Base
 1983 Taxable Wage Base Under the
 Unemployment Compensation Law**

Proposed Amendment: N.J.A.C. 12:15-1.4

Authorized By: Roger A. Bodman, Commissioner,
 Department of Labor.
 Authority: N.J.S.A. 34:1-5, 34:1-20 and 43:21-7(b)(3).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Arthur J. O'Neal, Jr., Director
 Division of Planning and Research
 CN 056
 Department of Labor
 Trenton, NJ 08625

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

This proposal is known as PRN 1982-353.

The agency proposal follows:

Summary

This proposed amendment establishes the 1983 taxable wage base for the purpose of contributions under the Unemployment Compensation Law.

Social Impact

The proposed amendment will increase the wages of an individual employee of an employer that are subject to employer and worker contributions under the Unemployment Compensation Law beginning January 1, 1983.

Economic Impact

This amendment will generate increased revenues for the Unemployment Insurance and Disability Insurance Trust Funds needed to offset the increased level of benefits for these programs which are statutorily indexed to the upward trend of wages in the State's economy.

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

12:15-1.4 Taxable wage base under the unemployment compensation law

(a) In accordance with the provisions of N.J.S.A. 43:21-7(b)(3), the "wages" of any individual with respect to any one employer for the purpose of contributions under the Unemployment Compensation Law shall include the first [~~\$8,200~~] **\$8,800** during the calendar year [1982] **1983**.

(b)

THE COMMISSIONER

**Unemployment Compensation
 Contribution Rates of Governmental Entities
 for 1983**

Proposed Amendment: N.J.A.C. 12:15-1.5

Authorized By: Roger A. Bodman, Commissioner,
 Department of Labor.
 Authority: N.J.S.A. 34:1-5, 34:1-20 and 43:21-7.3(e).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

PROPOSALS

Arthur J. O'Neal, Jr., Director
Division of Planning and Research
CN 056
Department of Labor
Trenton, NJ 08625

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

This proposal is known as PRN 1982-354.

The agency proposal follows:

Summary

This proposed amendment establishes the 1983 contribution rate for governmental entities that elect to pay contributions under the Unemployment Compensation Law.

Social Impact

The proposed amendment will lower the contribution rate for governmental entities to 1.5 percent in 1983 from the 2.0 percent level that prevailed in 1982, thus resulting in a lower level of contributions due on each employee's taxable wages.

Economic Impact

This amendment will lower unemployment insurance costs to government entities for calendar year 1983.

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

12:15-1.5 Contribution rate of governmental entities and instrumentalities

(a) In accordance with the provisions of N.J.S.A. 43:21-7.3(e), the contribution rate for all governmental entities and instrumentalities electing to pay contributions under the Unemployment Compensation Law is hereby established as being [two percent (2%)] **one and one-half percent (1.5 percent)**, for the entire calendar year.

(b) This contribution rate shall be effective on taxable wages paid in the calendar year of [1982] **1983**.

(a)

THE COMMISSIONER

Benefit Rates

Workers' Compensation Benefit Wages for 1983

Proposed Amendment: N.J.A.C. 12:235-1.5

Authorized By: Roger A. Bodman, Commissioner,
Department of Labor.

Authority: N.J.S.A. 34:1-5, 34:1-20 and 34:15-12.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Arthur J. O'Neal, Jr., Director
Division of Planning and Research
CN 056
Department of Labor
Trenton, NJ 08625

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

This proposal is known as PRN 1982-355.

LAW AND PUBLIC SAFETY

The agency proposal follows:

Summary

This proposed amendment establishes the 1983 maximum workers' compensation rates for temporary disability, permanent total disability, permanent partial disability, and dependency.

Social Impact

The proposed amendment will increase the weekly benefit rates received by individuals eligible for the maximum weekly benefit rate for temporary disability, permanent total disability, permanent partial disability, and dependency under the Workers' Compensation Law.

Economic Impact

This amendment will ensure that payments to Workers' Compensation recipients entitled to maximum benefits will increase in line with the upward trend of wages in the State's economy, thus preserving the real purchasing power of their benefits.

The effect of this change, other things being equal, will be to raise employers' workers compensation insurance costs.

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

12:235-1.5 Maximum workers' compensation benefit rates

(a) In accordance with the provisions of N.J.S.A. 34:15-12(a), the maximum workers' compensation benefit rate for temporary [total] disability, permanent total disability, **permanent partial disability**, and dependency is hereby promulgated as being [\$217.00] **\$236.00** per week.

(b) This maximum compensation shall be effective as to injuries occurring in the calendar year of [1982] **1983**.

LAW AND PUBLIC SAFETY

(b)

STATE ATHLETIC COMMISSION

**General Administrative Regulations
Ticket Issuance and Pricing and Tax
Payment**

**Proposed Amendments: N.J.A.C. 13:46-15.5,
15.6 and 15.18**

Proposed Repeal: N.J.A.C. 13:46-15.17

Authorized By: Office of the State Athletic Commissioner,
Jersey Joe Walcott, Chairman.
Authority: N.J.S.A. 5:2-5.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Jersey Joe Walcott, Chairman
Office of the State Athletic
Commissioner
143 East State Street
CN 500
Trenton, NJ 08608

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

This proposal is known as PRN 1982-360.

The agency proposal follows:

Summary

Subchapter 15 of the rules of the State Athletic Commissioner has been amended to authorize promoters to issue complimentary tickets while requiring them to pay the 10 percent tax required by N.J.S.A. 5:2-12. The tax is not to be paid, however, upon tickets issued without charge to certain persons whose occupational responsibilities require their presence at ringside.

In addition, the amended rules make clear that every ticket, including a ticket issued without charge, is to bear a notation of its price. Again, however, the ticket need not bear a price if it is being issued to persons whose occupational responsibilities require their presence.

Other portions of the amendment clarify existing rule language in order to avoid ambiguity.

Social Impact

The amendments will make certain that promoters will pay to the State Athletic Commissioner the full amount of tax required by N.J.S.A. 5:2-12.

Economic Impact

The revenues received by the State Athletic Commissioner from the promoters are likely to be increased because of the adoption of this amendment.

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

13:46-15.5 [Different priced tickets] **Format of tickets according to price and complimentary tickets**

(a) Tickets of different prices must be printed on cardboard of different colors.

(b) [The use of pass-out tickets is prohibited.] **A promoter may issue complimentary tickets without charge to those receiving them. The promoter shall pay to the Commissioner the 10 percent tax required by N.J.S.A. 5:2-12 on all complimentary tickets issued, with the tax being calculated upon the price which would have been paid for each ticket if it had been sold. The tax shall not be paid, however, upon tickets issued without charge to:**

1. Newspaper reporters, photographers, telegraphers, and radio and television announcers assigned to work by their recognized employers or supervisors, policemen and firemen in uniform and on duty, and persons of similar vocation who are admitted free to any club for the performance of special duties in connection with any event and whose special duties are the sole reason for their presence and free admission as set forth in N.J.A.C. 13:46-15.11;

2. Persons in the established working press section having reservations as set forth in N.J.A.C. 13:46-15.15; and

3. Actual employees as set forth in N.J.A.C. 13:46-15.16.

13:46-15.6 Price on ticket

(a) Every ticket offered for sale or issued as a **complimentary ticket** shall have printed thereon the total price. **The total price need not be printed, however, upon any ticket issued to:**

1. Newspaper reporters, photographers, telegraphers, and

radio and television announcers assigned to work by their recognized employers or superiors, policemen and firemen in uniform and on duty, and persons of similar vocation who are admitted free to any club for the performance of special duties in connection with any event and whose special duties are the sole reason for their presence and free admission as set forth in N.J.A.C. 13:46-15.11;

2. Persons in the established working press section having reservations as set forth in N.J.A.C. 13:46-15.15; and

3. Actual employees as set forth in N.J.A.C. 13:46-15.16.

13:46-15.17 Issuance of undeclared tickets

[(a)] No tickets of admission to any boxing or wrestling show shall be sold except the tickets declared on an official ticket manifest, supplied to the State Athletic Commission by the official licensed ticket printer.

[(b)] No advertising pass shall be issued unless the same is declared on an official ticket manifest, dated for a specific show and which shall become invalid thereafter.]

13:46-15.18 Advertisement on ticket

No advertising matter shall be printed on tickets. [offered for sale.]

PUBLIC UTILITIES

(a)

OFFICE OF CABLE TELEVISION

Regulations of Cable Television Refunds for Service Interruptions

Proposed Amendment: N.J.A.C. 14:18-3.9

Authorized By: Office of Cable Television, John P. Cleary, Director.

Authority: N.J.S.A. 48:5A-2(c) and (d) and 48:5A-6.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

John P. Cleary, Director
Office of Cable Television
Board of Public Utilities
1100 Raymond Boulevard
Newark, NJ 07102

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

This proposal is known as PRN 1982-351.

The agency proposal follows:

Summary

The proposed new rules establish criteria and a formula for refunds when cable television service is interrupted. They apply to curtailments or outages lasting more than two hours.

Customers who make a claim to the CATV company in writing within 10 days of the interruption will receive a pro-rated refund calculated in part, using the national average number of viewing hours.

Social Impact

For the first time, CATV subscribers will have a specific uniform, statewide remedy for service interruptions lasting more than two hours. Presently outage refunds are determined by individual company policies or on a strictly ad hoc basis. The new rule will promote harmony between CATV companies and consumers by fixing refund policy.

Economic Impact

Cable TV customers will not have to pay for service which, through the local operator's fault, or failure to promptly restore, is not available. This encourages cable TV operators to respond quickly to outages, and maintain standards and procedures which minimize them.

Refunds are limited to the dollar amount of lost service. No liability is imposed on the CATV system for consequential or indirect damages resulting from the outage.

On the basis of average total monthly charges, and the average length of outages lasting more than two hours, the average affected subscriber would be eligible for an average refund credit of \$.52 per outage. Over a recent 18 month period potential refunds to consumers under the formula would have totalled \$63,900.

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

14:18-3.9 Interruptions

(a)-(e) (No change.)

(f) A CATV company shall not be liable for interruptions or curtailment of service when:

1. The broadcasting station or stations whose signals are to be carried over the CATV company's system fail to broadcast either on a permanent or temporary basis; or

2. The broadcasting station or stations whose signals are to be carried over the CATV company's system fail to place a usable signal for reception; or

3. Due to failure of satellite or other transmission method to provide a usable signal, a signal is absent from carriage or is unusable by the CATV company.

(g) A CATV company shall be liable for all interruptions or curtailment, other than those listed in (f) above, in the following manner and scope:

1. For any interruption of less than two hours duration there shall be no liability;

2. In the event of a service interruption of at least two hours duration, the company shall make a refund to subscribers in an amount computed by the following formula:

$$(A/30) X (B/6.5) = \text{Refund}$$

Where A equals the total monthly charge for the service(s) and B equals the duration of the outage in hours;

3. The maximum liability for a refund shall not exceed the appropriate pro rata portion of the prescribed monthly tariff rate of the CATV company; and

4. In order to obtain a refund, subscribers must notify the CATV company by telephone or in writing within 10 days after any outage or service interruption.

TRANSPORTATION

(a)

TRANSPORTATION OPERATIONS

**Turns
Route 33**

Proposed New Rule: N.J.A.C. 16:31-1.19

Authorized By: John P. Sheridan, Jr., Commissioner,
Department of Transportation.
Authority: N.J.S.A. 27:1A-5, 1A-6 and 39:4-183.6.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

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

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

This proposal is known as PRN 1982-337.

The agency proposal follows:

Summary

This proposal will establish turning movement restrictions along Route 33 in Hamilton Township, Mercer County. Appropriate signs will be erected advising the motoring public.

Social Impact

This new rule will restrict left turn movements in the area indicated, reduce traffic accidents and enhance the safety and well-being of the motoring public as well as pedestrians.

Economic Impact

The Department will incur direct and indirect costs for its workforce and the placement of signs. Costs are dependent upon mileage, personnel and equipment requirements.

Full text of the proposal follows.

16:31-1.19 Route 33

(a) Turning movements of traffic on the certain parts of State highway Route 33 described below are regulated as follows:

1. No left turn west on Route 33 to south on Madison Avenue, in Hamilton Township, Mercer County.

OTHER AGENCIES

(b)

(a)

NEW JERSEY TURNPIKE AUTHORITY

NEW JERSEY TURNPIKE AUTHORITY

Fees for Photographs and Slides

Construction Contracts Executive Director as Hearing Officer

Proposed Amendment: N.J.A.C. 19:9-4.2

Proposed Amendment: N.J.A.C. 19:9-2.1

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

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

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

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

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

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

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

This proposal is known as PRN 1982-365.

This proposal is known as PRN 1982-364.

The agency proposal follows:

The agency proposal follows:

Summary

The proposed amendment deletes the Chief Engineer as the hearing officer in cases of appeals from rejected bidders and is replaced by the Executive Director of the New Jersey Turnpike Authority who, as the head of the agency, has authority to render final decisions in contested cases. The change is proposed in order to comply with N.J.S.A. 52:14B and 14F and Office of Administrative Law rules for contested cases.

Summary

The proposed amendment will increase the fees charged for obtaining photographs or slides of the New Jersey Turnpike or any facility located on the Turnpike. Fees will be changed as follows: 8 by 10 inch black and white photographs from \$3.00 to \$10.00; 8 by 10 inch color photographs from \$6.00 to \$15.00 and 35 millimeter slides from \$1.00 to \$10.00 per slide. These new fees will be charged as a result of increased labor and film processing costs.

Social Impact

Little, if any, social impact is expected since the change simply designates the Executive Director as the person who will render final decisions in contested cases for the Authority.

Social Impact

This new fee schedule will impact on all those individuals who request photographs or slides of the New Jersey Turnpike from the Authority.

Economic Impact

No economic impact will result from this amendment since the change in designated hearing officer will not add an economic burden.

Economic Impact

This amendment will have an economic impact on those requesting photographs since the fees are being increased. The Authority will benefit by this increase in offset costs in providing the requested materials.

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

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

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

19:9-4.2 Photographs; slides

(a)-(g) (No change.)

(a) Any individual requesting photographs or slides of the New Jersey Turnpike or any facility located thereon shall make written request to the Director of Public Information of the Turnpike Authority in accordance with the following fee schedule:

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

1. Photographs up to 8 by 10 inches, black and white glossy, per picture **[\$3.00]; \$10.00;**
2. Photographs 8 by 10 inches, color glossy, per picture **[\$6.00]; \$15.00;**
3. Slides, 35 millimeter, per slide **[\$1.00.] \$10.00.**

(i)-(j) (No change.)

(b)-(c) (No change.)

RULE ADOPTIONS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Verbatim Record of Proceedings

Adopted Amendment: N.J.A.C. 1:1-3.3

Proposed: June 21, 1982 at 14 N.J.R. 606(a).
Adopted: August 12, 1982 by Howard H. Kestin, Director,
Office of Administrative Law.
Filed: August 13, 1982 as R.1982 d.297, **with substantive changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: September 7, 1982.

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

Full text of the change between proposal and adoption follows (deletion from proposal shown in brackets with asterisks *[thus]*).

1:1-3.3 Verbatim record of proceedings; sound and stenographic recordings; requesting transcript cost

(a) **Pre-hearing conferences, settlement discussions, and informal discussions either immediately preceding hearing or during the hearing to facilitate orderly and expeditious conduct of the case, may be recorded at the discretion of the judge. All other proceedings in the presence of a judge [except settlement discussions and informal discussions either immediately preceding hearing or during the hearing to facilitate orderly and expeditious conduct of the case,] shall be recorded verbatim either by a stenographic reporter or by sound recording devices*[, or both]*.** Any discussions off the record, no matter how brief, except settlement discussions, shall be summarized for the record.

(b)-(f) (No change.)

(b)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Public Officers; Death or Separation from Office

Adopted New Rule: N.J.A.C. 1:1-3.11

Proposed: June 21, 1982 at 14 N.J.R. 606(b).

Adopted: August 12, 1982 by Howard H. Kestin, Director,
Office of Administrative Law.
Filed: August 13, 1982 as R.1982 d.295, **without change.**

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: September 7, 1982.

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

(c)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Motion to Consolidate

Adopted Amendment: N.J.A.C. 1:1-14.1

Proposed: July 6, 1982 at 14 N.J.R. 674(b).
Adopted: August 12, 1982 by Howard H. Kestin, Director,
Office of Administrative Law.
Filed: August 13, 1982 as R.1982 d.296, **without change.**

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: September 7, 1982.

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

(d)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Final Decision in a Contested Case

Adopted Amendment: N.J.A.C. 1:1-16.5

Proposed: June 21, 1982 at 14 N.J.R. 608(a).
Adopted: August 12, 1982 by Howard H. Kestin, Director,
Office of Administrative Law.
Filed: August 12, 1982 as R.1982 d.292, **without change.**

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

The Union County Medical Society, through its president, Frank J. Laudonio, M.D., expressed full support for the proposed amendment, saying that it is disturbing for the parties and the ALJ to labor through a hearing "in a genuine effort to discover the truth, only to have the decision of the administrative law judge overturned without explanation" from the agency head.

(a)

OFFICE OF ADMINISTRATIVE LAW

**Organizational Rule
Organization of the Office of Administrative Law**

Adopted New Rule: N.J.A.C. 1:31

Adopted: August 12, 1982 by Howard H. Kestin, Director, Office of Administrative Law.
 Filed: August 12, 1982 as R.1982 d.291.
 Authority: N.J.S.A. 52:14F-5e, f and g (exempt organizational rule, N.J.S.A. 52:14B-4(b)).
 Effective Date: August 12, 1982.

Summary

Howard H. Kestin, Director of the Office of Administrative Law, pursuant to N.J.S.A. 52:14F-5(f), 52:14B-3(1) and 52:14B-4(f); adopts, as a rule, a description of the organization of the Office of Administrative Law. This rule is intended to inform the public of the existence of and the basic tasks and responsibilities delegated to the Office of Administrative Law and how it is organized to implement those duties. The rule also explains the requirements which must be followed for the proper submission of rulemaking petitions from interested persons, and gives notice that petitions not in substantial compliance with these requirements will not be considered by the Office of Administrative Law.

These organizational rules are exempt from the notice and hearing requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and became effective upon filing on August 12, 1982 as R. 1982 d.291 (see N.J.S.A. 52:14B-4(b)).

Social Impact

This proposal provides the public with:

1. An official and ready reference of general information concerning the Office of Administrative Law's operation and structure in order to promote citizen participation and understanding; and
2. The specific requirements for public participation in rulemaking proceedings as petitioners, commentators, objectors or supporters in order to ensure agency accountability.

Economic Impact

No additional costs, either to the public or any State agency, are expected to result from this rule, as it merely describes existing activities.

**CHAPTER 31
ORGANIZATION OF THE OFFICE OF
ADMINISTRATIVE LAW**

**SUBCHAPTER 1. OPERATION AND PROCEDURES OF
THE OFFICE OF ADMINISTRATIVE
LAW**

- 1:31-1.1 Functions of the Office
 (a) The Office of Administrative Law (OAL), created by statute

in 1978, is independent of any executive department, board, division, commission, agency, council, authority, office or officer of the State of New Jersey. The OAL performs four major functions:

1. Conducts contested case hearings, as provided in N.J.S.A. 52:14B-10 and N.J.S.A. 52:14F-8, and conducts other administrative hearings as requested. In general, the Office of Administrative Law acquires contested case jurisdiction over a matter after an agency head determines that a contested case exists and subsequently files the case with the OAL, as provided in N.J.A.C. 1:1-2;
2. Promulgates rules for the conduct of contested case hearings. Rules are promulgated to assist judges, attorneys, and contested case parties by clarifying statutory requirements;
3. Supervises, coordinates and records rulemaking proceedings within the Executive Branch. Under the authority of N.J.S.A. 52:14F-5(f), the OAL oversees agency compliance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq.) and through N.J.A.C. 1:30-1 has established standards to guide agency rulemaking.
4. Publishes the New Jersey Register, the New Jersey Administrative Code and the New Jersey Administrative Reports. The publication function of the OAL is multifaceted:
 - i. Publication of proposed rules in the New Jersey Register gives an interested person an opportunity to comment and object;
 - ii. Publication of adopted rules in both the New Jersey Register and New Jersey Administrative Code provides a ready, updated reference to State agency rules; and
 - iii. Publication of contested cases in the New Jersey Administrative Reports provides the public with references and precedents for administrative adjudications.

1:31-1.2 Procedure to petition for a rule

(a) An interested person may apply by petition for the promulgation, amendment or repeal of any rule of the Office of Administrative Law. A petition shall be in writing, shall be legible and intelligible and shall be signed by the petitioner. Each petition shall contain the following information:

1. The full name and address of the petitioner;
2. The substance or nature of the rulemaking which is requested;
3. The reasons for the request;
4. The statutory authority under which the Office of Administrative Law may take the requested action.

(b) The Office of Administrative Law shall immediately date stamp and log each document submitted as a petition. Upon acceptance, the Office of Administrative Law shall forthwith file the document for publication as a notice of petition for a rule in the New Jersey Register, pursuant to the requirements of N.J.A.C. 1:30-3.6(a).

(c) No later than 30 days after receiving a petition, the Office of Administrative Law shall mail to the petitioner and file for publication in the New Jersey Register, a notice of action on the petition which shall contain the information prescribed by N.J.A.C. 1:30-3.6(b). The notice of action shall include either:

1. A statement denying the petition;
2. A notice of proposed rule or a notice of pre-proposal for a rule for publication in the Register; or
3. A statement that the matter is being referred for further deliberations, the nature of which shall be specified and which shall conclude upon a date certain. The results of these further deliberations shall be mailed to the petitioner and shall be submitted for publication in the Register.

1:31-1.3 Public information requests and submissions

(a) A member of the public may obtain information or make a submission or a request, or file a petition concerning any program of the Office of Administrative Law by contacting the Office of the Director, Office of Administrative Law, 88 East State Street, Trenton, New Jersey 08625.

(b) Each initial decision prepared by an administrative law judge of the Office of Administrative Law is available for inspection or copying during regular working hours at the libraries of the New Jersey Office of Administrative Law, 88 East State Street, Trenton, New Jersey 08625, and 185 Washington Street, Newark, New Jersey 07101.

(c) Any person may obtain copies of initial decisions or State agency rules, or may obtain information about or subscriptions to the New Jersey Register, Administrative Code or Administrative Reports by written request to Administrative Publications and Filings, CN 301, 88 East State Street, Trenton, New Jersey 08625.

(d) The cost for copies of documents is:

1. First page to 10th page: \$0.50 per page;
2. Eleventh page to 20th page: \$0.25 per page;
3. All pages over 20: \$0.10 per page.

Payment may be made by check payable to Administrative Publications, Office of Administrative Law. (OAL).

BANKING

(a)

DIVISION OF SAVINGS AND LOAN

Mortgage Bankers and Brokers License Fees and Procedures

Readopted Amendment: N.J.A.C. 3:38-1

Proposed: June 7, 1982 at 14 N.J.R. 571(a).

Adopted: August 20, 1982 by Michael M. Horn,
Commissioner, Department of Banking.

Filed: August 23, 1982 as R.1982 d.302, **with substantive and technical changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 17:1-8.1 and 17:11B-5.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

One public comment was received concerning the proposed rules. The comment suggested a technical amendment that would clarify the meaning of N.J.A.C. 3:38-1.1(b). This subsection was re-worded in order to more clearly state its intended meaning.

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

3:38-1.1 [License fees] License requirements

(a) (No change from proposal.)

(b) **Regardless of the date of issuance, all licenses shall expire on June 30 *in the odd numbered year* following the * [effective]* date of issuance, *[in odd numbered years]* the first expiration date for all licenses being June 30, 1983.**

(c) (No change from proposal.)

3:38-1.5 Bonds

(a) (No change from proposal.)

(b) ***[A mortgage banker or broker]* *Any licensee* may procure a blanket bond to cover all licensees in his employ * [including a corporate entity which employs such other licensees]*.**

(c) **The minimum amount of the bond posted shall be:**

1. For an individual mortgage banker or broker: \$25,000.

2. For a corporate *or non-corporate* entity plus one individual licensee: \$35,000.

3. For a corporate *or non-corporate* entity plus two to five individual licensees: \$60,000.

4. For a corporate *or non-corporate* entity plus six to 10 individual licensees: \$75,000.

5. For a corporate *or non-corporate* entity plus 11 to 15 individual licensees: \$100,000.

6. For a corporate *or non-corporate* entity plus 16 or more individual licensees: \$125,000.

3:38-1.8 Office requirements

(a) (No change from proposal.)

(b) **A licensee shall apply to the Commissioner for permission to establish a branch office or offices.**

1. Application for branch offices shall include the following:

i. *[An application]* *A licensee* fee of \$250.00;

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

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

(c)-(d) (No change from proposal.)

(b)

DIVISION OF SAVINGS AND LOAN

Mortgage Bankers and Mortgage Brokers Operations

Adopted New Rules: N.J.A.C. 3:38-2, -3, -4, -5 and -6.

Proposed: June 7, 1982 at 14 N.J.R. 493(a).

Adopted: August 20, 1982 by Michael M. Horn,
Commissioner, Department of Banking.

Filed: August 23, 1982 as R.1982 d.303, **with technical and substantive changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 17:1-8.1, 17:11B-5.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

One public comment was received concerning the proposed rules suggesting a wording change for N.J.A.C. 3:38-4.1(a)6. The suggestion was adopted.

Subchapter 6, which outlines appeal procedures, has been changed to comport with N.J.S.A. 52:14B-1 and 52:14F-1 and OAL rules on contested cases. Since these changes reflect the existing law, there is no violation of N.J.A.C. 1:30-3.5, OAL rules for rulemaking.

All other changes reflect an attempt to make the rules more understandable.

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

3:38-2.1 Methods and accounting

(a)-(b) (No change from proposal.)

(c) Each licensee shall maintain a trustee account ledger detailing receipts and disbursement of all funds deposited by the borrower or seller with the licensee in connection with the origination or closing of any mortgage loan ***[and]*. *The funds shall be* held**

in accordance with the terms of a written agreement between the licensee and such borrower or seller, which provides that upon the occurrence of a specific condition or event, the funds or a portion thereof shall be disbursed to the borrower or seller. All such trust accounts shall be reconciled on a quarterly basis. Nothing in (c) of this section is meant to include escrows collected or held by the licensee for taxes or insurance.

(d) (No change from proposal.)

3:38-2.4 Documentation

(a) (No change from proposal.)

(b) Each credit report for which ***[a separate charge is made to]*** an applicant ***is charged a separate fee*** shall consist of at least a written memorandum*. **The memorandum shall provide*** that the credit history of the applicant was investigated and by whom.

(c) Every appraisal report for which ***[a separate charge is made to]*** an applicant ***is charged a separate fee*** shall consist of at least a written memorandum indicating that the value of the property was evaluated and by whom.

3:38-4.1 Application

(a) No licensee shall change for any fees or services in the application for or the processing of a loan commitment at the closing of a loan other than the following, except as otherwise permitted by State or Federal law.

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

6. Reimbursement for third party charges paid by or ***[charged to the licensee.]* ***to be paid by the licensee;*****

7. (No change from proposal.)

SUBCHAPTER 6. ***[HEARING PROCEDURES]* ***APPEAL PROCEDURE*****

3:38-6.1 ***[Order to Show Cause]* ***Appeal Procedure*****

(a) Before any license is denied, suspended or revoked, or ***before*** any penalties ***are*** assessed against a licensee, the Commissioner shall afford the ***[licensee]* ***aggrieved party***** a hearing ***[initiated by serving upon the licensee an Order to Show Cause why the contemplated action should not be taken.],* ***if requested in writing and received by the Department within 20 days of receipt by the aggrieved party of an order to show cause asking why the denial, suspension, revocation or penalty should not be taken or assessed.*****

[(b)]* **The ***[Order to Show Cause]* ***order to show cause**** shall clearly set forth the ground or grounds upon which the contemplated action is based.**

[(b)]* **For a period not to exceed 30 days following receipt of the request for a hearing, the Department shall attempt to settle the dispute by conducting such proceedings, meetings and conferences as it deems appropriate.**

[(c)]* **If these efforts at settlement fail, the Department shall proceed according to the applicable provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq., as implemented by N.J.A.C. 1:1, the Uniform Administrative Procedure Rules of Practice.**

CIVIL SERVICE

(a)

CIVIL SERVICE COMMISSION

Leaves of Absence

Amount of Sick Leave

Adopted Amendment: N.J.A.C. 4:1-17.16
Adopted Repeal: N.J.A.C. 4:2-17.14 and 4:3-17.6

Proposed: April 5, 1982 at 14 N.J.R. 299(a).

Adopted: August 19, 1982 by Eugene J. McCaffrey, Sr. President, Civil Service Commission.

Filed: August 20, 1982 as R.1982 d.300, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 11:1-7a, 11:5-1a and 11:14-1.

Effective Date: September 7, 1982.

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

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

4:1-17.16 Amount of sick leave

(a) (No change from proposal.)

(b) At the beginning of each succeeding calendar year thereafter, a ***fulltime*** State employee shall be granted 15 days sick leave per year. Any amount of sick leave allowance not used in any calendar year shall accumulate to the employee's credit from year to year to be used if and when needed for such purpose.

(c)-(d) (No change from proposal.)

[(e)]* **See also N.J.A.C. 4:2-17.13 and 4:2-17.14.]**

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

EDUCATION

(b)

STATE BOARD OF EDUCATION

Business Services

Method of Determining Tuition Rates

Notice of Correction: N.J.A.C. 6:20-3.1

TAKE NOTICE THAT the operative date for the adopted amendment to N.J.A.C. 6:20-3.1 concerning method of determining tuition rates and appearing by notice of adoption in the August 16, 1982 Register at 14 N.J.R. 914(b), is **July 1, 1983.**

ENVIRONMENTAL PROTECTION

(a)

DIVISION OF WATER RESOURCES

Water Pollution Control Installation of Sewerage Facilities in Critical Areas

Adopted Suspension (One Year): N.J.A.C. 7:9-10.4, 10.5 and 10.6

Adopted Amendments: N.J.A.C. 7:9-10.2 and 10.3

Adopted New Rule: N.J.A.C. 7:9-10.9

Proposed: June 7, 1982 at 14 N.J.R. 504(a).
Adopted: August 17, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.

Filed: August 20, 1982 as R.1982 d.298, **without change.**

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

DEP Docket No.: 010-82-05.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

Only two comments were received on the proposed rule. One expressed complete approval with the proposal. The other comment recommended that the amendments not be adopted and that the regulations remain in effect. This comment was based upon the condition that the proposal would be detrimental to coastal resources.

The Department maintains that the suspension of the regulations will result only in the elimination of duplication in the administration of permit review. The requirements for permit approval will remain in effect, and the Department will continue to receive notification of all certifications of sewerage facilities for realty improvements in designated critical areas.

(b)

DIVISION OF WASTE MANAGEMENT

Fees Hazardous Waste Fee Schedule for Collection and Haulage

Adopted Amendment: N.J.A.C. 7:26-4.7

Proposed: April 19, 1982 at 14 N.J.R. 368(a).
Adopted: August 3, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.

Filed: August 6, 1982 as R.1982 d.289, **without change.**

Authority: N.J.S.A. 13:1E-6 and 13:1E-18.

Effective Date: September 7, 1982.

Operative Date: September 15, 1982.

Summary of Public Comments and Agency Responses:

1. COMMENT: The proposed reduced fees (\$50.00 per vehicle for the first 20 vehicles, \$5.00 per vehicle thereafter) remain excessive. Why not cut them further, for example, to \$20.00 per vehicle for the first 10 vehicles and \$5.00 per vehicle thereafter?

RESPONSE: The Department believes the proposed fees represent a substantial reduction, and are the lowest which can reasonably support administration of the registration program. Additional program-related costs for hazardous waste haulers, such as disclosure statement reviews, compliance investigation and administrative enforcement actions, are not fully covered even by the higher fee schedule now in place.

A comparison of costs under the old and new schedules reveals the substantial savings for large fleets under the amendment:

NUMBER OF VEHICLES	ANNUAL REGISTRATION COST		SAVINGS
	Old Fee	New Fee	
	Schedule	Schedule	
10	\$500	\$500	\$0
20	\$1000	\$1000	\$0
50	\$2500	\$1150	\$1350
100	\$5000	\$1400	\$3600
1,000	\$50,000	\$5900	\$44,100
5,000	\$250,000	\$26,000	\$224,000

2. COMMENT: The fees are discriminatory because solid waste haulers pay only \$20.00 per vehicle.

RESPONSE: This amendment does not change the fee for collection/haulage of non-hazardous waste, which continues at \$20.00 per vehicle for all vehicles. Solid waste haulers thus are not eligible for the \$5.00 fee, which means that hazardous waste haulers will actually pay less than solid waste haulers for fleets larger than 60 vehicles.

The intent and effect of the amended rule is to correct a discriminatory situation in which large interstate collector/haulers of hazardous waste were disadvantaged by duplicative fee requirements in many states. Solid waste haulers generally run localized operations which do not suffer from the same duplicative fees.

It should also be noted that the more extensive processing requirements for registration of hazardous waste haulers, such as disclosure statement investigation, result in higher per-company administrative costs than for solid waste registrants. A moderate fee differential for smaller fleets is therefore appropriate.

3. COMMENT: Register only the power units (tractors), not the trailers.

RESPONSE: The Department believes that since the trailer actually carries the waste, it is most appropriate for enforcement purpose to register that portion for the vehicle.

4. COMMENT: Thirty-six states impose no vehicle registration fee; 31 do not require a vehicle permit. Why should New Jersey burden the hauler?

RESPONSE: As a heavily industrialized, densely populated State, and a key link in the Northeast transportation corridor, New Jersey experiences exceptionally high volumes of hazardous waste transport, with similarly high potential risk. The department's registration program for collector/haulers is designed to minimize that risk to the public and to industry by fostering high standards of professionalism and responsibility in hazardous waste handling. The fee reduction amendment now proposed evidences our commitment to working in partnership with industry toward our common goal: safe and efficient management of hazardous waste.

HEALTH

ADOPTIONS

IMPLEMENTATION

Effective September 15, 1982 the annual registration fees for transporters of hazardous waste will be \$50.00 per vehicle for the first 20 vehicles, and \$5.00 per vehicle thereafter. Operators who have already registered 20 or more vehicles are automatically eligible for the fee of \$5.00 per additional vehicle. However, due to budgetary and administrative restrictions, fees paid for more than 20 vehicles under the old schedule will not be rebated. If an operator has registered fewer than 20 vehicles, the vehicles already registered will apply toward the "first 20" required to qualify for the \$5.00 fee. For example, an operator who had already registered 12 vehicles would pay \$50.00 per vehicle for the next eight vehicles and \$5.00 for each additional vehicle.

The savings available under the new fee schedule are noted above.

Adopted: August 2, 1982 by George J. Albanese, Commissioner, Department of Human Services.
Filed: August 6, 1982 as R.1982 d.286, **without change**.

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Effective Date: September 7, 1982.

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

(c)

HEALTH

(a)

HEALTH

**Interchangeable Drug Products
Notice of Correction: N.J.A.C. 8:71 (14 N.J.R. 836(a)).**

Take notice that errors appear in the August 2, 1982 Register at 14 N.J.R. 836(a) concerning the list of interchangeable drug products.

The list should have appeared as follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

The following proposed drugs with their acceptable manufacturers were **adopted**:

Hydrocortisone, neomycin, polymixin B Sulfate
otic solution [Drummer] Lemmon

The following drug product and its manufacturer, noticed in the original proposal, **was not adopted**:

Tolbutamide tab. 500 mg. [P-D,] Zenith

The following drug products and their manufacturers, noticed in the original proposal, **were not adopted** but are **still pending**:

Tolbutamide tab. 500 mg. P-D [Zenith]

DIVISION OF PUBLIC WELFARE

**General Assistance Manual
Funeral and Burial Expenses**

Adopted Amendment: N.J.A.C. 10:85-4.8

Proposed: May 17, 1982 at 14 N.J.R. 463(a).
Adopted: August 2, 1982 by George J. Albanese, Commissioner, Department of Human Services.
Filed: August 6, 1982 as R.1982 d.287, **without change**.

Authority: N.J.S.A. 44:8-111(d).

Effective Date: September 7, 1982.

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

(d)

DIVISION OF PUBLIC WELFARE

**General Assistance Manual
Legally Responsible Relatives**

Adopted Amendment: N.J.A.C. 10:85-9.1

Proposed: June 7, 1982 at 14 N.J.R. 543(a).
Adopted: August 2, 1982 by Walter E. Ulrich, Acting Commissioner, Department of Human Services.
Filed: August 6, 1982 as R.1982 d.284, **without change**.

Authority: N.J.S.A. 44:8-111(d).

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

One comment was received from the Chairman of the Local Assistance Board in Clifton. The Chairman's concern is that if parents' income or assets is such that no hardship would accrue if they become responsible for a child over 18, then they should be responsible for such child. As we informed the Chairman, his concern is legislative in origin and this revision merely brings the regulation into conformity with N.J.S.A. 44:1-140.

HUMAN SERVICES

(b)

DIVISION OF PUBLIC WELFARE

**Public Assistance Manual
Funeral or Burial Payments**

Adopted Amendment: N.J.A.C. 10:81-7.22

Proposed: May 17, 1982 at 14 N.J.R. 462(b).

(a)

DIVISION OF PUBLIC WELFARE

**Special Payments Handbook
Funeral and/or Burial Cost**

Adopted Amendment: N.J.A.C. 10:100-3.6

Proposed: May 17, 1982 at 14 N.J.R. 463(b).
Adopted: August 2, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: August 6, 1982 as R.1982 d.285, **without change**.

Authority: N.J.S.A. 44:7-12, -13, -38, and -43.

Effective Date: September 7, 1982.

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

(b)

**DIVISION OF YOUTH AND FAMILY
SERVICES**

**Social Services Program for Individuals and
Families
Personal Needs Allowance: Residential Health
Care Facilities and Boarding Homes**

**Adopted Amendments: N.J.A.C. 10:123-3.1
and 3.2**

Proposed: July 6, 1982 at 14 N.J.R. 699(a).
Adopted: August 19, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: August 23, 1982 as R.1982 d.301, **without
change**.

Authority: N.J.S.A. 44:7-87.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

The Division received three comments on the proposed amendment.

The DYFS Northern Regional Office commented in complete support.

The Office of the Ombudsman questioned the decision not to regulate the disposition of the \$20.00 SSI/SSA income disregard and recommended that the PNA be increased to \$50.00 per month.

We have decided not to regulate the disposition of the \$20.00 "SSI/SSA income disregard" for a number of reasons, two of which are paramount: a lack of clear legislative authority and intent and our desire to ensure resident equity. The law does state that the PNA may vary according to the type of facility, but does not give us the authority to set differential PNAs among SSI recipients within the same facility. Moreover, the law's statement and the records of the Senate Institutions Health and Welfare Committee's proceedings indicate no legislative intent to discriminate against certain SSI recipients by giving some a higher PNA than others. Further, if we were to accept this suggestion of making the "payments uniform" by varying the recipients' PNAs we would in effect be setting a fixed monthly rate—a practice which has no basis in law. Equally

important is the issue of resident equity. The intent of the PNA provision is to ensure that each resident retain a minimum amount of discretionary income in order to meet personal and incidental needs. The residents' needs for such items as toiletries, snacks, and cigarettes have no correlation with the amount of their monthly checks. This view is substantiated by Federal Medicaid regulations which set the monthly PNA in nursing homes at \$25.00 regardless of the patient's income, which can vary by over \$500.00 per month. Finally, social workers report that residents themselves are upset when some receive higher PNAs than others, they feel that variations are unfair and inequitable. Thus, setting a higher or discriminatory PNA may actually cause problems particularly in the area of enforcement. Regarding the recommendation that we raise the PNA to \$50.00 per month, rather than to \$46.00, we have decided to retain the original proposed level. Our policy is to increase both the residents' PNA and the operator's net revenue by the same proportion as the overall SSI check. Since both the resident and the operator are equally affected by inflation, this is an equitable proportioning of the cost of living increase. We should note that the \$46.00 PNA is one of the highest in the nation.

The New Jersey Association of Health Care Facilities did not object to the increase in the PNA. However, it did recommend that the rule make allowance for situations when a resident has received an over-payment while residing elsewhere before placement at his current facility with money being recouped from the resident's current monthly SSI check. The Association submitted that, in such situations, the facility would unfairly suffer a loss of income while the resident's PNA remain unchanged. We have decided not to address this recommendation in that the infrequency of the situation does not warrant a specific regulatory response.

LAW AND PUBLIC SAFETY

(c)

BUREAU OF SECURITIES

**Broker-Dealers; Agents
Fingerprinting of Agents**

Adopted Amendment: N.J.A.C. 13:47A-3.1

Proposed: June 7, 1982 at 14 N.J.R. 550(a).
Adopted: July 21, 1982 by James McLelland Smith,
Chief, Bureau of Securities.
Filed: August 23, 1982 as R.1982 d.304, **without change**
to N.J.A.C. 13:47A-3.1. N.J.A.C. 13:47A-1.1(e) and
13:47A-1.8(k) have not been adopted and are still
pending.

Authority: N.J.S.A. 49:3-67(a).

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

The Bureau of Securities received only one comment which urged adoption of the proposed rule. There were no points of controversy.

TRANSPORTATION

(a)

TRANSPORTATION OPERATIONS

Restricted Parking and Stopping

Routes 4, 17, 20, 21, 23, 27, 28, 33, 34, 33-34, 35, 35-71, 37, 47, 53, 57, 59, 62, 63, 67, 70, 71, 73, 77, 79, 87, 94, 153, 159, 161, 173, 182, 208, 280, 287, I-80, I-280, I-295, US1, 9, 22, 33, 40-50, 130, 202, 206, 322, 322-45

Adopted Amendments: N.J.A.C. 16:28A

Adopted New Rules: N.J.A.C. 16:28A

Proposed: June 21, 1982 at 14 N.J.R. 637(a).

Adopted: August 3, 1982 by David W. Gwynn, Chief Engineer, Transportation Operations and Local Aid.

Filed: August 6, 1982 as R.1982 d.283, **without change**.

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

Effective Date: September 7, 1982.

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

(b)

TRANSPORTATION OPERATIONS

Restricted Parking and Stopping Rising Sun Square Road

Adopted Emergency New Rule: N.J.A.C. 16:28A-1.95

Emergency New Rule Adopted: July 27, 1982 by John P. Sheridan, Jr., Commissioner, Department of Transportation.

Emergency New Rule Filed: August 5, 1982 as R.1982 d.282.

Gubernatorial Approval (see N.J.S.A. 52:14B-4(c)); August 4, 1982.

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

Emergency New Rule Effective Date: August 5, 1982.

Emergency New Rule Expiration Date: October 4, 1982.

OFFICE OF ADMINISTRATIVE LAW NOTE: A notice of proposed changes concerning restricted parking and stopping on Route US 30 and Rising Sun Square Road was published in the August 2, 1982 Register at 14N.J.R. 825(b). This emergency notice of adoption adopts that portion of the proposal concerning "no parking" zones along Rising Sun Square Road, in Bordentown Township, Burlington County.

The agency emergency adoption follows:

Summary

The proposed new rule establishes "no parking" zones along

Rising Sun Square Road in Bordentown Township, Burlington County in compliance with the request from local officials and confirmed in traffic engineering studies conducted by the Department. It will enhance the safety and well-being of the motoring public and populace. Signs will be erected to advise the motoring public.

Social Impact

This rule will establish "no parking" zones in the areas indicated, reduce the volume of traffic parking along both sides of the highway unless in cases of emergency, thus enhancing the safety and well-being of the populace.

Economic Impact

This new rule will cause the Department to incur direct and indirect costs, for its workforce and is contingent upon mileage, personnel and equipment to be utilized.

Full text of the emergency adoption follows.

16:28A-1.95 Rising Sun Square Road

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

1. No stopping or standing in Bordentown Township, Burlington County:

i. Along both sides.

(1) Rising Sun Square Road from the westerly curbline of Old York Road to a point 4,000 feet westerly therefrom.

(c)

TRANSPORTATION OPERATIONS

Miscellaneous Traffic Rules

Route US 9

Readopted Amendment: N.J.A.C. 16:30-3.4

Proposed: June 21, 1982 at 14 N.J.R. 661(b).

Adopted: August 10, 1982 by David W. Gwynn, Chief Engineer, Transportation Operations and Local Aid.

Filed: August 20, 1982 as R.1982 d.299, **without change**.

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

Effective Date: September 7, 1982.

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

(d)

TRANSPORTATION OPERATIONS

Miscellaneous Traffic Rules

Route 444 (Garden State Parkway)

Readopted Repeal: N.J.A.C. 16:30-3.6

Proposed: June 21, 1982 at 14 N.J.R. 662(a).

ADOPTIONS

Adopted: August 9, 1982 by David W. Gwynn, Chief Engineer, Transportation Operations and Local Aid. Filed: August 12, 1982 as R.1982 d.294, **without change**.

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

Effective Date: September 7, 1982.

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

OTHER AGENCIES

(a)

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

New Jersey Urban Loan Authority Procedure Manual

Adopted Repeal: N.J.A.C. 5:90

Proposed: June 7, 1982 at 14 N.J.R. 558(a).
Adopted: August 6, 1982 by James J. Hughes, Jr., Executive Director, New Jersey Economic Development Authority.
Filed: August 6, 1982 as R.1982 d.288, **without change**.

Authority: N.J.S.A. 34:1B-5.

Effective Date: September 7, 1982.

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

(b)

CASINO CONTROL COMMISSION

Accounting and Internal Controls Procedure for Control of Coupon Redemption and Other Complimentary Distribution Programs

Adopted Amendment: N.J.A.C. 19:45-1.46

Proposed: June 7, 1982 at 14 N.J.R. 559(a).
Adopted: August 12, 1982 by New Jersey Casino Control Commission, Theron G. Schmidt, Executive Secretary.
Filed: August 12, 1982 as R.1982 d.293, **without change**.

Authority: N.J.S.A. 5:12-63 and 5:12-70.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

One comment was received on this proposal from Resorts International Hotel Casino. Essentially, Resorts objected to the requirement that all non-coupon cash or slot token programs be

OTHER AGENCIES

submitted to the Commission and Division 15 days prior to its implementation. Although Resorts doesn't object to the submission, it feels the 15 day requirement limits its marketing flexibility.

The Commission determined that Resorts' objection to the 15-day notification period is unfounded. The wording in N.J.A.C. 19:45-1.46(b) allows the Commission to approve the procedures prior to the expiration of the 15-day period by affirmative written confirmation. The Commission is not required to wait for the full 15 day time period to elapse which automatically allows the casino licensee to implement its program. If prior to the 15 day limitation a casino licensee had a valid need to obtain approval for a marketing program covered by this subsection, it could be given.

(c)

CASINO CONTROL COMMISSION

Rules of the Games

Blackjack: Procedure for Dealing of Cards

Notice of Correction: N.J.A.C. 19:47-2.6

Take notice that codification errors appeared in the June 7, 1982 issue of the New Jersey Register at 14 N.J.R. 566, concerning blackjack; procedure for dealing of cards. N.J.A.C. 19:47-2.6 (Group D) should have appeared as follows:

19:47-2.6 Procedure for dealing of cards

(a)-(b) (No change.)

(c) After each full set of cards is placed in the shoe, the dealer shall remove the first card therefrom face downwards and place it in the discard rack which shall be located on the table immediately in front of or to the right of the dealer. Each new dealer who comes to the table shall also burn one card as described herein before the new dealer deals any cards to the players. The burn card shall be disclosed if requested by the player. **This procedure shall not be applicable to the "Bart Carter Shuffle".**

(d) If a double shoe is utilized, the following procedures shall be used in lieu of those set forth in (c) above.

1. Prior to commencement of each round of play, the dealer shall draw a card from either side of the double shoe. The suit of that card shall determine from which side of the shoe that round of play will be dealt. The casino licensee shall designate that the suits of hearts and diamonds shall correspond to the color of the backs of the cards being dealt from one side of the shoe, and that the suits of spades and clubs shall correspond to the color of the backs of the cards being dealt from the other side of the shoe.

2. A determinant card corresponding to the side of the shoe from which it was drawn shall become the player's first card. A determinant card that does not correspond to the side of the shoe from which it was dealt shall be burned by placing it in a segregated area of the dealing shoe.

[(d)] (e) At the commencement of each round of play, or immediately after the determinant card has been drawn and either burned or used as the player's first card, the dealer shall, starting on his left and continuing around the table, deal the cards in the following order:

1.-3. (No change.)

Renumber old (e)-(f) as (f)-(g).

[(g)] (h) After the decisions of each player have been implemented and all additional cards have been dealt, the dealer shall deal a

second card face upward to himself provided, however, that such card shall not be removed from the dealing shoe until the dealer has first announced "Dealer's Card" which shall be stated by the dealer in a tone of voice calculated to be heard by each person at the table. Any additional cards authorized to be dealt to the hand of the dealer by N.J.A.C. 19:47-2.12(b) shall be dealt face upwards at this time after which the dealer shall announce his total point count. In lieu of the requirements of this paragraph, the procedure set forth in subsection [(i)] (j) may be implemented.

[(h)] (i) At the conclusion of a round of play, all cards still remaining on the layout shall be picked up by the dealer in order and in such a way that they can be readily arranged to indicate each player's hand in case of question or dispute. The dealer shall pick up the cards beginning with those of the player to his far right and moving counter-clockwise around the table. After all the players' cards have been collected the dealer shall pick up his cards against the bottom of the players' cards and place them in the discard rack [.] **or in a segregated area of the double shoe.**

[(i)] (j) In lieu of the procedure set forth in [subsection (g)] (h) **above** [of this section], a casino licensee may permit a blackjack dealer to deal his hole card face downward after a second card and before additional cards are dealt to the players provided that said dealer not look at the face of his hole card until after all other cards requested by the players pursuant to these regulations are dealt to them.

[(j)] (k) Whenever the cutting card is reached in the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which he shall reshuffle the cards. **If a double shoe is utilized, the shuffle of the cards shall be limited to the side of the shoe in which the cutting card appeared.**

(l) **If the "Bart Carter Shuffle" is utilized and the cards in the discard rack exceed approximately one deck in number, the dealer shall continue dealing the cards until that round of play is completed after which he shall remove the cards from the discard rack and shuffle those cards so that they are randomly intermixed. After the cards taken from the discard rack are shuffled, they shall be split into three separate stacks and each stack shall be inserted into premarked locations within the remaining decks contained in the dealing shoe.**

Re-number old (k)-(l) as (m)-(n).

The proposal was adopted and filed with the Office of Administrative Law on July 21, 1982, and became effective upon publication in the August 2, 1982 Register at 14 N.J.R. 841(b).

MISCELLANEOUS NOTICES

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Notice to Our Readers

Beginning with this Register, the agency's reasons for any changes to a proposed rule made upon adoption of the rule appear as part of the notice of changes and adoption. A summary by the agency of comments received with respect to the proposal and of its responses to those comments also appears with the notice of adoption.

The publication of this material is in compliance with N.J.S.A. 52:14B-4(a)(4), as implemented by N.J.A.C. 1:30-4.1(a)5 and 6.

ENVIRONMENTAL PROTECTION

(b)

DIVISION OF ENVIRONMENTAL QUALITY

Air Ambient Quality Standards Major Revisions: State Implementation Plan (SIP) for Attainment and Maintenance of Ozone and Carbon Monoxide Air Quality Standards

Notice of Public Hearings

Authorized By: Robert E. Hughey, Commissioner,
Department of Environmental Protection.
Authority: N.J.S.A. 13:1D-5, -7, -9, -15, and 26:2C-1 et
seq.
DEP Docket Number: 034-82-08.

Three **public hearings** concerning the proposed SIP will be held on:

October 14, 1982 from 10:00 A.M. until the end of testimony at:
Atlantic City Hall
2nd Floor—Comm. Chambers
Atlantic City, NJ

October 19, 1982 from 10:00 A.M. until the testimony at:
NJ Sports & Exposition
Authority Racetrack
Party Room—Club House Level,
E. Rutherford, NJ

October 20, 1982 from 10:00 A.M. until the end of testimony at:
Rider College
Rm. 237—Student Center
2038 Lawrenceville Road
Trenton, NJ

Interested persons may submit in writing, data, views or arguments relevant to the proposed SIP on or before October 22, 1982, or appear at one of the public hearings to offer relevant testimony. Said submissions and any inquiries related thereto or concerning the public hearing, should be addressed to:

John C. Elston
Bureau of Air Quality Management
and Surveillance
Department of Environmental Protection
CN 027
Trenton, NJ 08625
(609)292-6710

Copies of this notice and of the SIP, including appendices and of the executive summary are being deposited and will be available for inspection during normal office hours from at least 30 days prior to the hearing through the closing of the hearing record on October 22, 1982 at:

NJ State Library, 205 West State Street, Trenton, NJ 08625

NJ Bureau of Air Pollution Control Field Office,
Metropolitan - 1259 Rt. 46, Parsippany-Troy Hills,
NJ 07054

NJ Bureau of Air Pollution Control Field Office,
Central - 65 Prospect Street, Trenton, NJ 08628

NJ Bureau of Air Pollution Control Field Office,
Newark - 1100 Raymond Blvd., Room 510, Newark,
NJ 07102

NJ Bureau of Air Pollution Control Field Office,
Southern - 100 Larwin Road, Cherry Hill, NJ 08034

Copies of the SIP without appendices will be available for inspection at the following locations during normal business hours from at least 30 days prior to the hearing through the closing of the hearing record on October 22, 1982 at:

County Libraries

County	Municipality
Burlington	Mount Holly
Camden	Echelon Urban Complex, Voorhees
Cape May	Cape May Court House
Cumberland	Bridgeton
Monmouth	Freehold
Morris	Whippany
Ocean	Toms River
Somerset	Somerville
Sussex	Newton

Public Libraries

Bloomfield, Cherry Hill, East Brunswick, East Orange, Elizabeth, Hackensack, Jersey City, Linden, New Brunswick, Newark, Paterson, Phillipsburg, Plainfield, Ridgewood, Trenton, Wayne, Woodbridge, and Woodbury

Summary

In 1973, the United States Environmental Protection Agency

(EPA) approved, with specific exceptions, New Jersey's first State Implementation Plan (SIP) for the attainment and maintenance of National Ambient Air Quality Standards (NAAQS) for ozone (O₃) and carbon monoxide (CO). This approval was contested, and EPA was ordered to rescind approval by the U.S. Court of Appeals for the District of Columbia. When New Jersey failed to timely resubmit an approvable plan, EPA published rules and regulations of its own for the State in the Federal Register on November 13, 1973 (38 Fed. Reg. 31388).

In accordance with requirements of the Clean Air Act as amended in August 1977, 42 U.S.C. 7401 et seq., New Jersey adopted and submitted to EPA its own revised SIP on December 29, 1978. (This plan is referred to as the 1979 SIP.) EPA rescinded its plan and granted final approval to New Jersey for the 1979 SIP on April 15, 1981.

The Clean Air Act also requires states to submit a revision to the 1979 SIP for any area that requested and received an extension beyond December 31, 1982 to achieve National Ambient Air Quality Standards. New Jersey requested and received such an extension, and is, therefore, required to revise its 1979 SIP. This plan revision proposed by this Notice of Public Hearing (known as the 1982 SIP revision) must comply with the requirements of the Clean Air Act and contain enforceable measures to assure attainment of such standards not later than December 31, 1987.

The 1982 SIP must include revised data on emissions into the ambient air of volatile organic substances, nitrogen oxides and carbon monoxide, revised air quality data and modeling, regulations controlling all stationary sources of volatile organic substances covered by EPA guidelines, regulations controlling other stationary sources of volatile organic substances with potential emissions over 100 tons per year, and regulations for the control of stationary sources of carbon monoxide with potential emissions over 1,000 tons per year. The 1982 SIP must also provide for implementation of all reasonably available transportation control measures, and all vehicle inspection/maintenance elements needed to achieve minimum emission reduction requirements.

Failure to obtain EPA approval by December 31, 1982 may result in a ban on the construction of new stationary sources and the modification of existing stationary sources of volatile organic substances (which form ozone) and/or carbon monoxide in areas that exceed National Ambient Air Quality Standards. In addition, if the EPA Administrator finds that a state is not making reasonable efforts to submit this second revision, EPA may withhold Clean Air Act funds and the U.S. Department of Transportation may withhold highway funds from the affected area.

The Department is seeking testimony from the public on the objectives of the plan, the way in which the plan was developed, the effects of the proposed measures, and recommendations for their implementation.

(a)

THE COMMISSIONER

State Certifications of Draft NPDES Permits

Public Notice

Robert E. Hughey, Commissioner of the Department of Environmental Protection, pursuant to the "New Jersey Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq., is authorized to assess compliance of a surface water discharge with State law

pertaining to discharges to the waters of the State. The Department is requested by the United States Environmental Protection Agency, as required by section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., to certify that a discharge, as described in a draft National Pollutant Discharge Elimination System permit, will not violate the requirements of State law.

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

LAW AND PUBLIC SAFETY

(b)

DIVISION OF MOTOR VEHICLES

Vehicle Inspection Inspection Period of Passenger Vehicles and Certain Commercial Vehicles

Notice of Correction: N.J.A.C. 13:20-7.3 and 7.4 (Emergency Amendment and Concurrent Proposal)

An error appeared in the August 16, 1982 issue of the New Jersey Register at 14 N.J.R. 918(a) concerning the cutoff date for comments on the concurrently proposed readoption of this emergency amendment. The correct date and applicable text follows:

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before **September 15, 1982**. These submissions, and any inquiries about submissions and responses, should be addressed to:

Clifford W. Snedeker, Director
Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, NJ 08666

PUBLIC UTILITIES

(c)

OFFICE OF CABLE TELEVISION

Application of New Jersey Cable Television Association for a Declaratory Ruling Concerning the Expiration Dates of Operating Authority Docket No.: 825C-6912

Notice of Public Hearing

PLEASE TAKE NOTICE that a petition for a declaratory ruling in the above matter has been filed at the Office of Cable Television by the New Jersey Television Association in behalf of its member systems and other systems in similar circumstances seeking a

MISCELLANEOUS NOTICES

declaratory ruling concerning the expiration date of authority to operate a cable television system.

The petitioner seeks clarification of an ambiguity which has arisen concerning certain commencement and expiration dates for CATV consents and certificates under the Cable Television Act, N.J.S.A. 48:5A-19 and -25. The Act provides that a certificate of approval must be granted by the Board of Public Utilities before operation of a cable television system may begin. The certificate of approval shall be valid for 15 years. However, section 17(a) of the Act requires that applicants for a certificate of approval must first obtain a consent from the municipality in which a cable television system is proposed. The Act also provides for a term of duration for the municipal consent ordinance. The petitioner maintains that the lapse in time between the adoption of a municipal ordinance granting consent and issuance by the Board of Public Utilities of a certificate of approval of that consent takes months, and in some cases, years. Furthermore, an ambiguity is created because the two sources for the commencement of the term of the operating authority (PUC approval and municipal consent) may be different. Where the municipal consent ordinance is looked to as the source and commencement of the operating term, a period of time is lost because of the review time necessary for the issuance of a certificate of approval from the Board of Public Utilities. The petitioner has, therefore, requested that the municipal consent ordinance and the term therein not become effective or commence unless and until a certificate of approval is issued by the Board of Public Utilities.

TAKE FURTHER NOTICE that a hearing pursuant to N.J.S.A. 52:14B-8 affording interested parties full opportunity to be heard will be held commencing at 10:00 A.M., Tuesday, October 12, 1982, at the Board of Public Utilities, 1100 Raymond Blvd., Newark, New Jersey 07102.

A copy of the petition is available at:
Office of Cable Television
Board of Public Utilities
1100 Raymond Blvd.
Newark, New Jersey 07102

Written comments from interested parties may be filed with the Director, Office of Cable Television at the above address prior to Tuesday, October 12, 1982.

OTHER AGENCIES

(a)

CASINO CONTROL COMMISSION

Notice of Public Hearings on the New Jersey Casino Control Act

Public Notice

The New Jersey Casino Control Commission plans to hold public hearings for the purpose of reviewing the New Jersey Casino Control Act. The public hearings will be held on:

September 21, 1982 from 11:30 A.M. until 4:00 P.M. – Atlantic County Community College, Walter Edge Hall Theater, Mays Landing, N.J.

The Evening Session for same date from 7:00 P.M. until 9:00 P.M. – Atlantic City Armory.

If necessary, the hearings will continue on **September 22 and 23, 1982** from 9:00 A.M. until 4:00 P.M. – Atlantic County Community College (Same as above).

OTHER AGENCIES

September 29, 1982 from 9:00 A.M. until 4:00 P.M. – Newark City Hall, Council Chambers, 920 Broad Street, Newark, N.J.

Persons interested in presenting testimony should contact Deborah Bozarth at (609)984-4560. All participants must submit an outline of their statements to the Commission by September 10, 1982.

(b)

CASINO CONTROL COMMISSION

**Petition for Rulemaking
Amendments to Procedures Concerning
Linked Progressive Slot Machine Jackpots**

Petitioner: Golden Nugget

Authority: N.J.S.A. 52:14B-4(f) and 1:30-3.6

Take notice that on August 4, 1982, the Casino Control Commission received a petition for rulemaking pursuant to N.J.S.A. 52:14B-4(f) from the Golden Nugget casino. Pursuant to N.J.A.C. 1:30-3.6, the Casino Control Commission has filed a notice of petition for rulemaking with regard to petitioner's request.

Golden Nugget has requested that jackpot payout procedures for linked progressive slot machines be amended so as to eliminate the requirement that winning progressive jackpots be paid before progressive meters can be reset. Petitioner maintains that the current procedure whereby the payout meter for a progressive slot machine cannot be reset until a winning patron has actually been paid causes customer dissatisfaction, excessive slot machine downtime, of between one-half to one hour, and decreased slot machine revenues and taxes. Petitioner has also proposed a lock out system which would eliminate progressive slot machine downtime while preserving the integrity of its payout system.

This is a notice of petition for a rule (see N.J.A.C. 1:30-3.6). Any rule concerning the subject of this notice of petition for a rule must comply with the rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

LATE FILINGS

BANKING

(a)

DIVISION OF BANKING

Investment Restatement Accounting

Adopted New Rules: N.J.A.C. 3:6-7.1 through 7.8

Proposed: July 6, 1982 at 14 N.J.R. 676(a).
Adopted: August 25, 1982 by Michael M. Horn,
Commissioner, Department of Banking.

Filed: August 25, 1982 as R.1982 d.307, **with technical and substantive changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 17:1-8.1 and 17:9A-256(a).

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

The Department of Banking received approximately 100 comments on these proposed rules and the companion rules for savings and loan associations. Among those commenting were several State banking regulators, numerous trade association representatives and a large number of savings bank officers.

The overwhelming majority of comments supported the concept of restatement investment accounting and commended its proposed adoption. Several people suggested minor changes or modifications to enhance its effects and encourage uniform application. For example, a substantial number of people suggested the use of a set schedule or matrix for the re-evaluation of mortgages. This suggestion has been accepted and included in a new rule, N.J.A.C. 3:6-7.7. New rules N.J.A.C. 3:6-7.4, 7.5, 7.6 and 7.8 have also been added as a result of public comments requesting these additional rules.

A small number of comments argued against mandatory application of the accounting changes or raised conceptual concerns. These comments were far outweighed by the number and enthusiasm of those favoring the changes.

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

3:6-7.1 Definitions

For the purpose of this subchapter, the following definitions apply:

"Debt securities" means U.S. Treasury, agency and corporation obligations, obligations of states and political subdivisions in the United States, corporate bonds, and other bonds, notes and debentures, ***and sinking fund preferred stock having a definite redemption date,*** except mortgage pass-through securities which shall be considered "mortgages" for purposes of these regulations.

. . .

"Reasonably estimated current value" ***[is the amount that one could reasonably expect to receive] *means*:**

1.* ***[for] *For a debt security ***[or mortgage]*** ***the amount that once could reasonably expect to receive* in a current sale between a willing buyer and a willing seller ***[and is]*** measured ***[as follows: 1. By]*** ***by*** market value if an active market exists; and ***[2. If]*** ***if*** no active market exists, by the selling price for similar assets in an active market, or by a forecast of expected cash flows provided such cash flows are discounted at a rate commensurate with the risk involved*;** except for debt securities maturing prior to January 1, 1983 which shall be valued at book value*.**

***2.** For a mortgage the value obtained by the application of the pricing matrix to be established by the Commissioner.*

3:6-7.2 Reports of income and condition

(a) For the purposes of preparing reports of income and condition for the Department of Banking, every ***insured* mutual *and stock* savings bank** shall, as of the opening of business July 1, 1982, restate the book values of all debt securities and mortgages held by it to their reasonably estimated current values.

(b) (No change from proposal.)

(c) For purposes of preparing reports of income and condition subsequent to the restatement of book values the amount reflected in the Investment Restatement Account shall be deferred and amortized to expense in equal annual installments over a period of 40 years, or such shorter period as shall be established by each institution's board of trustees or managers* , or as the Commissioner may direct in his discretion from time to time*.

(d) (No change from proposal.)

3:6-7.3 Debt securities and mortgages

(a) Each ***insured* mutual *and stock* savings bank** shall provide the Department of Banking with a certified copy of a resolution of its board of trustees or board of managers establishing the amount of the Investment Restatement Account allocated as to debt securities and mortgages, the term of amortization for the Investment Restatement Account, and the weighted average remaining life of debt securities.

(b) Each ***insured* mutual *and stock* savings bank** shall provide the Department of Banking with a written statement from a certified public accountant or other person or persons approved by the Commissioner setting forth the method used to determine the weighted average remaining life of restated debt securities and stating that values assigned to the restated debt securities and restated mortgages were calculated pursuant to the standards of reasonably estimated current values set forth herein.

(c) (No change from proposal.)

*3:6-7.4 Application to supervisory mergers and acquisition

Notwithstanding any provisions of this regulation to the contrary, the historical cost accounting method shall be utilized by the Commissioner for the purpose of determining if the conditions for a supervisory merger or acquisition exist pursuant to the provisions of Sections 2 and 3 of L. 1982, c.8.

3:6-7.5 Application to GUDPA

Notwithstanding any provisions of this regulation to the contrary, the historical cost accounting method shall be utilized

for purposes of the application of the provisions by the Governmental Unit Deposit Protection Act, N.J.S.A. 17:9-41 et seq.

3:6-7.6 Advertising

Notwithstanding any provisions of this regulation, no mutual or stock savings bank may utilize earnings reported under investment restatement accounting procedures during any period in any advertising promotion, or solicitations, unless the amount of earnings resulting from restatement are clearly identified and noted.

3:6-7.7 Instructions

The Commissioner shall provide instructions for the completion of all accounting reports pursuant to investment restatement accounting principles which shall be adhered to by all institutions and which shall include a matrix of values for the revaluation of mortgage loans as of July 1, 1982 and a uniform scheme of accounting entries.

3:6-7.8 Business plans

The Commissioner may, in his discretion, require a mutual or stock savings bank to prepare and submit a detailed plan forecasting future operations and the restructuring of its asset portfolio at any time after July 1, 1982.*

(a)

DIVISION OF SAVINGS AND LOAN Investment Restatement Accounting

Adopted New Rules: N.J.A.C. 3:28-5.1 to 3:28-5.7

Proposed: July 6, 1982 at 14 N.J.R. 678(a).
Adopted: August 24, 1982 by Michael M. Horn, Commissioner, Department of Banking.
Filed: August 25, 1982 as R.1982 d.306, **with technical and substantive changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 17:1-8.1 and 17:12B-197.

Effective Date: September 7, 1982.

Summary of Public Comments and Agency Responses:

The Department of Banking received approximately 100 comments on these proposed rules and the companion rules for savings banks. Among those commenting were several State banking regulators, numerous trade associations representatives and a large number of savings and loan association officers.

The overwhelming majority of comments supported the concept of restatement investment accounting and commended its proposed adoption. Several people suggested minor changes or modifications to enhance its effects and encourage uniform application. For example, a substantial number of people suggested the use of a set schedule or matrix for the re-evaluation of mortgages. This suggestion has been accepted and included in a new rule, N.J.A.C. 3:28-5.7. New rules N.J.A.C. 3:28-5.4, 5.5, 5.6 and 5.8 have also been added as a result of public comments requesting these additional rules.

A small number of comments argued against mandatory application of the accounting changes or raised conceptual concerns. These comments were far outweighed by the number and enthusiasm of those favoring the changes.

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

3:28-5.1 Definitions

For the purpose of these regulations the following definitions apply:

“Debt securities” means U.S. Treasury, agency and corporation obligations, obligations of state and political subdivisions in the United States, corporate bonds, and other bonds, notes and debentures, *and sinking fund preferred stock having a definite redemption date,* except mortgage pass-through securities which shall be considered “mortgages” for purposes of these regulations.

“Reasonably estimated current value” *[is the amount that one could reasonably expect to receive]* **means:*

1. *[for]* *For* a debt security *[or mortgage]* *the amount that one could reasonably expect to receive* in a current sale between a willing buyer and a willing seller *[and is]* measured *[as follows: 1. By]* *by* market value if an active market exists; and *[2. If]* *if*no active market exists, by the selling price for similar assets in an active market, or by a forecast of expected cash flows provided such cash flows are discounted at a rate commensurate with the risk involved*; except for debt securities maturing prior to January 1, 1983 which shall be valued at book value*.

2. For a mortgage the value obtained by the application of the pricing matrix to be established by the Commissioner.

3:28-5.2 Reports of income and condition

(a) For the purposes of preparing reports of income and condition for the Department of Banking, every insured mutual *and stock* savings and loan association shall, as of the opening of business July 1, 1982, restate the book values of all debt securities and mortgages held by it to their reasonably estimated current values.

(b) No change from proposal.)

(c) For purposes of preparing reports of income and condition subsequent to the restatement of book values the amount reflected in the Investment Restatement Account shall be deferred and amortized to expense in equal annual installments over a period of 40 years, or such shorter period as shall be established by each institution’s board of trustees or managers *, or as the Commissioner may direct in his discretion from time to time*.

(d) (No change from proposal.)

3:28-5.3 Debt securities and mortgages

(a) Each insured mutual *and stock* savings and loan association shall provide the Department of Banking with a certified copy of a resolution of its board of directors establishing the amount of the Investment Restatement Account allocated as to debt securities and mortgages, the term of amortization for the Investment Restatement Account, and the weighted average remaining life of debt securities.

(b) Each insured mutual *and stock* savings and loan association shall provide to the Department of Banking a written statement from a certified public accountant or other person or persons approved by the Commissioner setting forth the method used to determine the weighted average remaining life of restated debt securities and stating that values assigned to the restated debt securities and restated mortgages were calculated pursuant to the standards of reasonably estimated current values set forth herein.

(c) (No change from proposal.)

3:28-5.4 Application to supervisory mergers and acquisition

Notwithstanding any provisions of this regulation to the contrary, the historical cost accounting method shall be utilized by the Commissioner for the purpose of determining if the condition for a supervisory merger or acquisition exist pursuant to the provisions of Sections 2 and 3 of L. 1982, c.8.

3:28-5.5 Application to GUDPA

Notwithstanding any provisions of this regulation to the contrary, the historical cost accounting method shall be utilized for purposes of the application of the provisions by the Governmental Unit Deposit Protection Act, N.J.S.A.17:9-41 et seq.

3:28-5.6 Advertising

Notwithstanding any provisions of this regulation, no mutual or stock savings bank may utilize earnings reported under investment restatement accounting procedures during any period in any advertising promotion, or solicitations, unless the amount of earnings resulting from restatement are clearly identified and noted.

3:28-5.7 Instructions

The Commissioner shall provide instructions for the completion of all accounting reports pursuant to investment restatement accounting principles which shall be adhered to by all institutions and which shall include a matrix of values for the revaluation of mortgage loans as of July 1, 1982 and a uniform scheme of accounting entries.

3:28-5.8 Business plans

The Commissioner may, in his discretion, require a mutual or stock savings and loan association to prepare and submit a detailed plan forecasting future operations and the restructuring of its asset portfolio at any time after July 1, 1982.*

TRANSPORTATION

(a)

TRANSPORTATION OPERATIONS

Miscellaneous Traffic Rules

Rising Sun Square Road and Old Yorke Road

Adopted Emergency Amendment and Concurrent Proposal: N.J.A.C. 16:30-2.6

Emergency Amendment Adopted: August 3, 1982 by John P. Sheridan, Jr., Commissioner, Department of Transportation.
Gubernatorial Approval (N.J.S.A. 52:14B-4(c)): August 19, 1982.
Emergency Amendment Filed: August 25, 1982 as R.1982 d.308.
Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-6 and 39:4-140.
Emergency Amendment Effective Date: August 25, 1982.
Emergency Amendment Expiration Date: October 25, 1982.

Interested persons may submit in writing, data, views or

arguments relevant to the proposal on or before October 7, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

This amendment was adopted on an emergency basis and became effective upon acceptance for filing by the Office of Administrative Law (see N.J.S.A. 52:14B-4(c) as implemented by N.J.A.C. 1:30-4.4). Concurrently, the provisions of this emergency amendment are being proposed for re adoption in compliance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The readopted rule becomes effective upon acceptance for filing by the Office of Administrative Law (see N.J.A.C. 1:30-4.4(d)).

The concurrent proposal is known as PRN 1982-370.

The agency emergency adoption and concurrent proposal follows:

Summary

This proposal will establish a Stop and Yield Intersection at the intersection of Rising Sun Square Road and Old Yorke Road in Bordentown Township, Burlington County as the result of a complaint of traffic conditions and confirmed in traffic engineering studies conducted by the Department. Erection of the signs will enhance the safety and well-being of the motoring public and populace.

Social Impact

This amendment will cause motorists to execute a complete stop in the area indicated, thus, reducing the occurrence of accidents at Rising Sun Square Road and Old Yorke Road. Additionally, it will enhance the safety and well-being of the populace.

Economic Impact

The Department will incur direct and indirect costs for its workforce and the placement of signs. Costs are dependent upon mileage, personnel and equipment requirements.

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

16:30-2.6 Rising Sun **Square** Road and Old Yorke Road
(a) In accordance with the provisions of N.J.S.A. 39:4-140 the intersection of Rising Sun **Square** Road and Old[e] Yorke Road, these portions being under the jurisdiction of the New Jersey Department of Transportation in Bordentown Township, Burlington County, and described [herein below] **in (a) of this section** shall be [, and hereby is] designated a **Stop and Yield** Intersection.
1. Old Yorke Road and Rising Sun **Square** Road:
i. A **stop sign shall be erected on the east side of Old Yorke Road facing northbound traffic at Rising Sun Square Road.**
[i.] ii. A yield sign shall be erected [in] on Rising Sun **Square** Road.

OTHER AGENCIES

(a)

CASINO CONTROL COMMISSION

Rules of the Games; Blackjack Shuffle and Cut of the Cards

Adopted Amendment: N.J.A.C. 19:47-2.5 (identified under Group E as Alternative No. E-3)

Proposed: June 7, 1982 at 14 N.J.R. 567.
Adopted: August 24, 1982 by Casino Control Commission, Theron G. Schmidt, Executive Secretary.
Filed: August 24, 1982 as R.1982 d.305, with a technical change not in violation of N.J.A.C. 1:30-3.5.

Authority: N.J.S.A. 5:12-63(c) and N.J.S.A. 5:12-70(f).

Effective Date: September 7, 1982.

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

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

19:47-2.5 Shuffle and cut of the cards
(a)-(g) (No change from proposal as published at 14 N.J.R. 566, Group D, which became effective on August 2, 1982 as published at 14 N.J.R. 841(b).)
[(d)] *h*(No change from proposal as published at 14 N.J.R. 567, Group E, Alternative No. E-3.)

OAL Note: On August 2, 1982, at 14 N.J.R. 841(b), the Casino Control Commission adopted N.J.A.C. 19:47-2.5(a)-(g) from Group D as it appeared at 14 N.J.R. 566. The Casino Control Commission now adopts subsection (d) from N.J.A.C. 19:47-2.5 under Group E Alternative No. E-3 as published at 14 N.J.R. 567. The proposed subsection (d) has now been changed to (h) upon adoption so that N.J.A.C. 19:47-2.5 will be (a)-(h).

LATE FILINGS

BANKING

- Mutual savings banks: Investment restatement accounting 988(a)
- Mutual savings and loan: Investment restatement accounting 989(a)

TRANSPORTATION

- Stop and yield intersection: Old Yorke Road-Rising Sun Square Road, Bordentown (Emergency) 990(a)

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- Adoptions September 3

October 4 issue:

- Proposals September 9
- Adoptions September 20

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The rules in this index are listed in order of their N.J.A.C. citations. Accompanying the N.J.A.C. citation for each rule is a brief description of the rule's content, the Register citation for its proposal notice, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL), and the Register citation for its adoption.

An N.J.A.C. citation which includes a **section** number, such as 1:30-1.1, means that only that section has been modified. An N.J.A.C. citation which includes a **subchapter** number, such as 5:23-3, but no section designation, or which includes only title and chapter, such as 1:30, means that there have been extensive changes involving all or most sections of that subchapter or chapter.

At the bottom of the listing for each Title is the date of the most recent Code update for that Title.

The *Index of Adopted Rules* appears in the first Register of each month, complementing the *Index of Proposed Rules* which appears in the second Register of each month. Together, these indices make available to a Code and Register subscriber all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

Administrative Filings
CN 301
Trenton, New Jersey 08625

To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with July 5, 1979.

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1:1-17.1, 17.2	Settlement by consent; withdrawal of cases	14 N.J.R. 4(b)	R. 1982 d. 86	14 N.J.R. 335(b)
1:1-17.2	Correction: Withdrawal of cases	14 N.J.R. 4(b)	R. 1982 d. 86	14 N.J.R. 383(a)
1:30	Rules of agency rulemaking	Emergency	R. 1981 d. 83	13 N.J.R. 171(a)
1:30-1.2	Correction: Agency rulemaking	13 N.J.R. 171(a)	R. 1981 d. 83	13 N.J.R. 255(d)
(Title 1, Transmittal 1 dated July 17, 1980)				
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2:2-2.2	Official calfhood brucella vaccination	13 N.J.R. 114(b)	R. 1981 d. 173	13 N.J.R. 318(a)
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2:50-1.1	Dairy farmers and relief from notice of intent	14 N.J.R. 489(b)	R. 1982 d. 238	14 N.J.R. 833(d)
2:54-1.1	Milk marketing order	13 N.J.R. 551(a)	R. 1981 d. 416	13 N.J.R. 753(a)
2:54-1.1, 2.1	Milk Marketing Order 57-3 and Order 63-1	13 N.J.R. 798(a)	R. 1981 d. 512	14 N.J.R. 101(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
2:69-1.6	Slow-release nitrogen products	14 N.J.R. 258(a)	R. 1982 d. 159	14 N.J.R. 471(b)
2:69-1.11	Commercial values of primary plant nutrients	13 N.J.R. 114(c)	R. 1981 d. 172	13 N.J.R. 318(c)
2:69-1.11	Commercial values of fertilizers	14 N.J.R. 402(a)	R. 1982 d. 236	14 N.J.R. 833(e)
2:71-2.28, 2.29, 2.31	Farm products inspection and grading fees	14 N.J.R. 66(a)	R. 1982 d. 75	14 N.J.R. 277(a)

(Title 2, Transmittal 18 dated January 14, 1981)

BANKING--TITLE 3

3:1-1.1	Interest rates	Emergency	R. 1981 d. 429	13 N.J.R. 753(b)
3:1-1.1	Readoption: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d. 511	14 N.J.R. 101(c)
3:1-1.1	Correction: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d. 511	14 N.J.R. 205(a)
3:1-2	Procedural rules	13 N.J.R. 182(a)	R. 1981 d. 258	13 N.J.R. 382(b)
3:1-10.1	Real property transactions: Executive officer defined	14 N.J.R. 490(a)	R. 1982 d. 242	14 N.J.R. 834(a)
3:1-11	"Executive officer" and affiliated persons	14 N.J.R. 490(b)	R. 1982 d. 243	14 N.J.R. 834(b)
3:2-2	Repealed: Plain language review of contracts	14 N.J.R. 454(a)	R. 1982 d. 213	14 N.J.R. 755(a)
3:2-2.1-2.3	Plain language in consumer contracts	13 N.J.R. 184(a)	R. 1981 d. 259	13 N.J.R. 383(a)
3:6-1.1	Savings bank parity rule	13 N.J.R. 383(b)	R. 1981 d. 352	13 N.J.R. 551(b)
3:6-3	Standardization of executive officer classification	14 N.J.R. 491(a)	R. 1982 d. 244	14 N.J.R. 834(c)
3:6-7, -9	Class II and Small Business Loans	14 N.J.R. 182(a)	R. 1982 d. 126	14 N.J.R. 383(b)
3:6-12.1	Commercial bank parity	13 N.J.R. 383(c)	R. 1981 d. 351	13 N.J.R. 552(a)
3:7-5, 5.1-5.5	Statement of interest: Officers defined	14 N.J.R. 492(a)	R. 1982 d. 245	14 N.J.R. 834
3:8-3, -4	Nonmember commercial bank reserves	14 N.J.R. 183(a)	R. 1982 d. 125	14 N.J.R. 383(c)
3:11-2.1	Commercial bank lending: Approved subsidiaries	13 N.J.R. 799(a)	R. 1981 d. 516	14 N.J.R. 101(d)
3:11-7.7	Time deposit balances and 10 percent limitation	14 N.J.R. 608(b)	R. 1982 d. 263	14 N.J.R. 909(a)
3:11-10.1, 10.2	Savings banks participation in credit card operations	13 N.J.R. 61(b)	R. 1981 d. 91	13 N.J.R. 185(b)
3:17-4.4, -7	Small loan licensees	13 N.J.R. 115(e)	R. 1981 d. 257	13 N.J.R. 384(a)
3:17-7.1, 7.3	Permits to small loan licensees	13 N.J.R. 471(b)	R. 1981 d. 430	13 N.J.R. 754(a)
3:19-2	Energy rules on home repair financing	Emergency	R. 1981 d. 29	13 N.J.R. 116(a)
3:21-2	State chartered credit unions	13 N.J.R. 522(b)	R. 1981 d. 414	13 N.J.R. 754(b)
3:23	License fees for credit sales and loan businesses	Emergency	R. 1982 d. 76	14 N.J.R. 277(b)
3:23	Readoption: License fees for credit and lending	14 N.J.R. 277(b)	R. 1982 d. 158	14 N.J.R. 471(c)
3:26-4.1	Parity with federally-chartered savings and loan	13 N.J.R. 634(a)	R. 1981 d. 506	14 N.J.R. 40(a)
3:27-6	Repealed: Variable rate mortgage rules	13 N.J.R. 715(a)	R. 1981 d. 507	14 N.J.R. 40(b)
3:30-2.1	Reserve requirements	13 N.J.R. 61(c)	R. 1981 d. 90	13 N.J.R. 185(a)
3:38-1	Licensing of mortgage bankers and brokers	Emergency	R. 1981 d. 165	14 N.J.R. 571(a)
3:38-1.1	Mortgage bankers and brokers license fees	13 N.J.R. 256(c)	R. 1981 d. 260	13 N.J.R. 384(b)

(Title 3, Transmittal 17 dated January 14, 1981)

CIVIL SERVICE--TITLE 4

4:1	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d. 458	13 N.J.R. 885(a)
4:1-1.10	Petitions from interested persons	13 N.J.R. 384(c)	R. 1981 d. 413	13 N.J.R. 754(c)
4:1-2.1	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d. 233	13 N.J.R. 385(a)
4:1-5.17	Determining back pay awards	13 N.J.R. 715(b)	R. 1982 d. 35	14 N.J.R. 205(b)
4:1-6.5, 6.5A	Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d. 152	14 N.J.R. 471(d)
4:1-8.6	Promotional examinations	13 N.J.R. 6(b)	R. 1981 d. 92	13 N.J.R. 186(c)
4:1-8.8A	Residency standards	13 N.J.R. 552(c)	R. 1981 d. 501	14 N.J.R. 40(c)
4:1-8.11	Time and place of examinations	13 N.J.R. 554(a)	R. 1981 d. 461	13 N.J.R. 885(c)
4:1-8.11	Cancellation of examinations	13 N.J.R. 716(a)	R. 1981 d. 500	14 N.J.R. 40(d)
4:1-8.21	Make-up examinations and test security	14 N.J.R. 259(a)	R. 1982 d. 178	14 N.J.R. 573(a)
4:1-8.22, 8.23	Handicapped testing	Emergency	R. 1981 d. 401	13 N.J.R. 754(d)
4:1-8.22, 8.23	Readoption: Handicapped testing	13 N.J.R. 754(d)	R. 1981 d. 499	14 N.J.R. 41(a)
4:1-12.8	Certification of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d. 107	14 N.J.R. 335(c)
4:1-12.15	Extension of certification list	13 N.J.R. 117(a)	R. 1981 d. 127	13 N.J.R. 257(a)
4:1-13.4	Police and firefighters: Working test periods	14 N.J.R. 115(a)	R. 1982 d. 204	14 N.J.R. 709(a)
4:1-16.7	Suspension, fines and demotions	13 N.J.R. 63(b)	R. 1981 d. 107	13 N.J.R. 257(b)
4:1-16.13	Reemployment and retirees	14 N.J.R. 260(a)	R. 1982 d. 179	14 N.J.R. 573(b)
4:1-16.15	Benefit information to next of kin	14 N.J.R. 117(a)	R. 1982 d. 153	14 N.J.R. 472(a)
4:1-20.2, 20.3	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d. 233	13 N.J.R. 385(a)
4:1-20.3	Performance evaluations	13 N.J.R. 555(a)	R. 1981 d. 485	13 N.J.R. 943(a)
4:1-20.4	Inspection of evaluations	13 N.J.R. 556(a)	R. 1981 d. 459	13 N.J.R. 885(b)
4:1-20.8	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d. 233	13 N.J.R. 385(a)
4:1-24.2	Pre-layoff actions (proposed as 4:1-16.1A)	13 N.J.R. 862(a)	R. 1982 d. 88	14 N.J.R. 335(d)
4:2	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d. 458	13 N.J.R. 885(a)
4:2-6.4	Repealed: Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d. 152	14 N.J.R. 471(d)
4:2-7.1	Repealed: See 4:1-5.17	13 N.J.R. 715(b)	R. 1982 d. 35	14 N.J.R. 205(b)
4:2-7.1A, 7.2-7.7 7.9	Compensation plans; anniversary dates	14 N.J.R. 68(a)	R. 1982 d. 91	14 N.J.R. 336(a)
4:2-12.4	Certification of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d. 107	14 N.J.R. 335(c)
4:2-16.3	Repealed: Job Bank program	14 N.J.R. 117(b)	R. 1982 d. 108	14 N.J.R. 336(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
4:2-16.7	Benefit information to next of kin	14 N.J.R. 117(a)	R. 1982 d. 153	14 N.J.R. 472(a)
4:2-20.2	Performance evaluations	13 N.J.R. 555(a)	R. 1981 d. 485	13 N.J.R. 943(a)
4:2-20.11	Employee Advisory Service	13 N.J.R. 386(d)	R. 1981 d. 504	14 N.J.R. 41(b)
4:3	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d. 458	13 N.J.R. 885(a)
4:3-6.6	Repealed: Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d. 152	14 N.J.R. 471(d)
4:3-8.12	Residency standards	13 N.J.R. 552(c)	R. 1981 d. 501	14 N.J.R. 40(c)
4:3-12.5	Certifications of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d. 107	14 N.J.R. 335(c)
4:3-13.1	Repealed: Formerly CSPM (Local) 13-4.101	14 N.J.R. 115(a)	R. 1982 d. 204	14 N.J.R. 709(a)
4:4, 5, 6	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d. 458	13 N.J.R. 885(a)

(Title 4, Transmittal 15 dated November 10, 1980)

COMMUNITY AFFAIRS-TITLE 5

5:10-1.3, 2.2	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d. 363	13 N.J.R. 704(a)
5:10-1.17	Hotel and multiple dwelling inspection fees	Emergency	R. 1982 d. 259	14 N.J.R. 909(b)
5:10-2.2, 25.3	Standards for hotels and multiple dwellings	14 N.J.R. 119(a)	R. 1982 d. 253	14 N.J.R. 910(a)
5:10-25.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d. 363	13 N.J.R. 704(a)
5:11-3.2	Duplicate rental assistance	14 N.J.R. 72(a)	R. 1982 d. 71	14 N.J.R. 278(a)
5:11-9.2	Relocation assistance hearings	13 N.J.R. 186(d)	R. 1981 d. 183	13 N.J.R. 332(a)
5:12	Repeal State aid for urban renewal projects	13 N.J.R. 187(a)	R. 1981 d. 180	13 N.J.R. 333(a)
5:12	Plain language review of residential leases	13 N.J.R. 473(a)	R. 1981 d. 424	13 N.J.R. 782(b)
5:12	Repealed: Plain language review of leases	14 N.J.R. 222(a)	R. 1982 d. 139	14 N.J.R. 426(a)
5:17	Expiration date for retirement community disclosure	13 N.J.R. 560(d)	R. 1981 d. 425	13 N.J.R. 782(c)
5:21	Repealed: Uniform standards for mobile homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:22-2.6	Multiple dwelling exemptions and tax list designations (joint adoption, see 18:12-6A.8)	14 N.J.R. 72(b)	R. 1982 d. 78	14 N.J.R. 278(b)
5:23-1.4	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-1.4, -2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d. 134	13 N.J.R. 258(b)
5:23-2.5	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-2.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d. 462	13 N.J.R. 885(d)
5:23-2.6	Uniform Construction Code inspections	13 N.J.R. 187(b)	R. 1981 d. 182	13 N.J.R. 333(b)
5:23-2.8	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R. 1981 d. 132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R. 1981 d. 132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-3.3	Uniform Construction Code interpretations	13 N.J.R. 561(a)	R. 1981 d. 454	13 N.J.R. 886(a)
5:23-3.3	Uniform Construction Code: Casino hotels	13 N.J.R. 561(b)	R. 1981 d. 455	13 N.J.R. 886(b)
5:23-3.9	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-4.3	Temporary appointments of municipal code officials	13 N.J.R. 863(a)	R. 1982 d. 23	14 N.J.R. 142(b)
5:23-4.6	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-4.8	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-4.8(c)	Now codified as 5:23-4.19	14 N.J.R. 456(a)	R. 1982 d. 220	14 N.J.R. 755(b)
5:23-4.8, 4.10	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-4.10A	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 42	14 N.J.R. 233(a)
5:23-4.10A	Recodified as 5:23-4.25A	14 N.J.R. 496(a)	R. 1982 d. 232	14 N.J.R. 834(e)
5:23-4.19	Remitting of UCC training fees	14 N.J.R. 456(a)	R. 1982 d. 220	14 N.J.R. 755(b)
5:23-4.25A	Manufactured homes standards	14 N.J.R. 496(a)	R. 1982 d. 232	14 N.J.R. 834(e)
5:23-5.2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d. 134	13 N.J.R. 258(b)
5:23-5.3, 5.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d. 462	13 N.J.R. 885(d)
5:23-5.5	Uniform Construction Code	13 N.J.R. 635(a)	R. 1981 d. 463	13 N.J.R. 886(c)
5:23-5.5	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d. 10	14 N.J.R. 143(b)
5:23-5.5	Fire subcode officials and construction licensing	14 N.J.R. 8(a)	R. 1982 d. 56	14 N.J.R. 234(a)
5:23-5.5, 5.6, 5.7	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d. 8	14 N.J.R. 143(a)
5:23-5.8, 5.9	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d. 10	14 N.J.R. 143(b)
5:23-5.11	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d. 8	14 N.J.R. 143(a)
5:23-5.11	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d. 134	13 N.J.R. 258(b)
5:24-1.3	Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d. 131	13 N.J.R. 258(e)
5:24-1.3	Correction: Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d. 131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	13 N.J.R. 392(a)	R. 1981 d. 354	13 N.J.R. 562(a)
5:24-2	Protected tenancy for disabled and seniors	13 N.J.R. 802(a)	R. 1982 d. 9	14 N.J.R. 144(a)
5:25-2.8	Restoration of builders' registrations	14 N.J.R. 9(a)	R. 1982 d. 55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	13 N.J.R. 863(b)	R. 1982 d. 22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	13 N.J.R. 187(c)	R. 1981 d. 181	13 N.J.R. 333(d)
5:26	Planned real estate development full disclosure	12 N.J.R. 631(b)	R. 1981 d. 130	13 N.J.R. 259(a)
5:26-2.4	Registration fees for planned developments	14 N.J.R. 609(a)	R. 1982 d. 260	14 N.J.R. 912(a)
5:26-2.4, 3.1, 10.5	Planned real estate development full disclosure	13 N.J.R. 474(a)	R. 1981 d. 365	13 N.J.R. 704(b)
5:27	Rooming and boarding houses	13 N.J.R. 393(a)	R. 1981 d. 359	13 N.J.R. 704(c)
5:27-1.6, 3.2	Rooming and boarding houses and discrimination	13 N.J.R. 562(b)	R. 1981 d. 435	13 N.J.R. 842(e)
5:29	Petitions for rules	13 N.J.R. 259(b)	R. 1981 d. 242	13 N.J.R. 395(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
5:30-1.11	Realized revenue analysis report	13 N.J.R. 475(a)	R.1981 d.381	13 N.J.R. 755(a)
5:30-3.3	"Dedication by rider" to local budgets	14 N.J.R. 301(a)	R.1982 d.186	14 N.J.R. 654(a)
5:30-3.4	Filing of municipal budget amendments	13 N.J.R. 188(a)	R.1981 d.216	13 N.J.R. 395(b)
5:30-9.2	Form of tax collection record	13 N.J.R. 121(b)	R.1981 d.122	13 N.J.R. 260(a)
5:30-9.3	Tax collector examination	13 N.J.R. 70(d)	R.1981 d.121	13 N.J.R. 260(b)
5:70	Congregate Housing Services Program	14 N.J.R. 609(b)	R.1982 d.272	14 N.J.R. 912(b)
5:71	County offices on aging	13 N.J.R. 395(c)	R.1981 d.356	13 N.J.R. 563(a)
5:80-4.1	NJHFA: Debarment and suspension	12 N.J.R. 385(a)	R.1981 d.255	13 N.J.R. 397(a)

(Title 5, Transmittal 16 dated March 19, 1981)

EDUCATION-TITLE 6

6:2-1.1, 1.2, 1.7-1.19	Filing appeals before State Board	14 N.J.R. 261(a)	R.1982 d.268	14 N.J.R. 913(a)
6:11-3.3	Teacher certification fees	13 N.J.R. 8(b)	R.1981 d.82	13 N.J.R. 191(a)
6:11-3.7	Revocation of teaching certificate	14 N.J.R. 73(a)	R.1982 d.122	14 N.J.R. 383(d)
6:11-3.18	Teacher education and academic credentials	12 N.J.R. 452(e)	R.1981 d.22	13 N.J.R. 123(b)
6:11-7	Repealed existing subchapter	14 N.J.R. 456(b)	R.1982 d.269	14 N.J.R. 914(a)
6:11-7.1	State Approval of Teacher Education	14 N.J.R. 456(b)	R.1982 d.269	14 N.J.R. 914(a)
6:20-2.3	Budget and cost distribution records	13 N.J.R. 333(e)	R.1981 d.353	13 N.J.R. 563(b)
6:20-2.3	Program-oriented budgeting format	14 N.J.R. 309(a)	R.1982 d.194	14 N.J.R. 654(b)
6:20-3.1	Building use charge by receiving districts	14 N.J.R. 499(b)	R.1982 d.270	14 N.J.R. 914(b)
6:21-10.4	Private auto use for pupil transportation	13 N.J.R. 914(a)	R.1982 d.121	14 N.J.R. 384(a)
6:22-1.14, 1.19	Inspection fees for school facilities	14 N.J.R. 74(a)	R.1982 d.119	14 N.J.R. 384(b)
6:24-1.3	Format of petition for controversies and disputes	13 N.J.R. 190(a)	R.1981 d.265	13 N.J.R. 397(b)
6:24-1.3	Correction: Petition format	13 N.J.R. 190(a)	R.1981 d.265	13 N.J.R. 481(a)
6:29-4.2	Tuberculosis testing	13 N.J.R. 914(b)	R.1981 d.120	14 N.J.R. 385(a)
6:29-8.1, 8.2	Hearing screening of pupils	14 N.J.R. 108(a)	R.1982 d.195	14 N.J.R. 654(c)
6:30	Adult diploma requirements	13 N.J.R. 721(a)	R.1982 d.39	14 N.J.R. 205(c)
6:44-6,-7	Recodified as 6:30	13 N.J.R. 721(a)	R.1982 d.39	14 N.J.R. 205(c)
6:46-1.1	"Technical education" in local area districts	14 N.J.R. 9(b)	R.1982 d.118	14 N.J.R. 385(b)
6:46-1.1-1.5	Local area vocational school districts	13 N.J.R. 635(b)	R.1981 d.495	14 N.J.R. 41(c)
6:66	Archives and history records management	13 N.J.R. 190(b)	R.1981 d.202	13 N.J.R. 397(c)

(Title 6, Transmittal 17 dated November 10, 1980)

ENVIRONMENTAL PROTECTION-TITLE 7

7:1-3	Repeal of various rules	12 N.J.R. 454(b)	R.1980 d.433	12 N.J.R. 643(a)
7:1-4	Repeal of various rules	12 N.J.R. 454(b)	R.1980 d.433	12 N.J.R. 643(a)
7:1A	Repeal of various rules	12 N.J.R. 454(b)	R.1980 d.433	12 N.J.R. 643(a)
7:1A	Water Supply Bond Act loans	14 N.J.R. 10(a)	R.1982 d.167	14 N.J.R. 573(c)
7:1A-2.5, 2.12, 2.13	Water Supply Bond Act loans	14 N.J.R. 499(c)	R.1982 d.281	14 N.J.R. 915(a)
7:1C-1.5	Fees for 90-day construction permits	13 N.J.R. 123(c)	R.1981 d.187	13 N.J.R. 334(b)
7:1C-1.5	Maximum fees for waterfront development permits	13 N.J.R. 564(a)	R.1981 d.473	13 N.J.R. 943(b)
7:1C-1.13	90-day construction permits	Procedural	R.1981 d.48	13 N.J.R. 128(b)
7:1D	Repeal of various rules	12 N.J.R. 454(b)	R.1980 d.433	12 N.J.R. 643(a)
7:1G	Pinelands Comprehensive Management Plan	12 N.J.R. 309(a)	R.1980 d.370	12 N.J.R. 575(c)
7:1G	Drought crisis	Emergency	R.1981 d.93	13 N.J.R. 195(c)
7:1G	Water rationing plan	Emergency	R.1981 d.203	13 N.J.R. 397(d)
7:1G-3.1	Drought crisis	Emergency	R.1981 d.147	13 N.J.R. 334(c)
7:1G-3.3	Drought emergency	Emergency	R.1981 d.105	13 N.J.R. 204(a)
7:1G-3.7, 3.8	Rules of Drought Coordinator	Emergency	R.1981 d.222	13 N.J.R. 399(a)
7:1G-3.8	Water rationing plan	Emergency	R.1981 d.266	13 N.J.R. 400(a)
7:1G-4.1	Use of fresh water for horticulture	Emergency	R.1981 d.159	13 N.J.R. 335(a)
7:1G-5.4-5.7	Drought crisis	Emergency	R.1981 d.147	13 N.J.R. 334(c)
7:1G-5.8	Landlord/tenant: Excess use charges	Emergency	R.1981 d.217	13 N.J.R. 400(b)
7:1H	County environmental health services	11 N.J.R. 616(a)	R.1980 d.362	12 N.J.R. 514(a)
7:2-11.22	Swimming River Natural Area map	12 N.J.R. 505(d)	R.1981 d.4	13 N.J.R. 91(a)
7:7	Repeal of various rules	12 N.J.R. 454(b)	R.1980 d.433	12 N.J.R. 643(a)
7:7-2	Waterfront and coastal resource development	12 N.J.R. 252(a)	R.1980 d.375	12 N.J.R. 576(a)
7:7-2	Waterfront development permits	13 N.J.R. 73(c)	R.1981 d.355	13 N.J.R. 564(b)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	13 N.J.R. 75(a)	R.1981 d.267	13 N.J.R. 401(b)
7:7E	Waterfront and coastal resource development	12 N.J.R. 252(a)	R.1980 d.375	12 N.J.R. 576(a)
7:7E	Coastal resource and development policies	13 N.J.R. 76(a)	R.1981 d.186	13 N.J.R. 338(a)
7:7E-3.10, 3.30, 3.33, 3.37, 4.10, 4.11, 5.5	Coastal resources and development policies	13 N.J.R. 565(a)	R.1982 d.114	14 N.J.R. 385(c)
7:7E-7.2	Affordable housing and coastal development	13 N.J.R. 864(a)	R.1982 d.31	14 N.J.R. 206(a)
7:7E-8.7, 8.16, 8.17	Coastal resources and development policies	13 N.J.R. 565(a)	R.1982 d.114	14 N.J.R. 385(c)
7:8	Repeal of various rules	12 N.J.R. 454(b)	R.1980 d.433	12 N.J.R. 643(a)

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7:9-3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:9-4, -5, -6	Water quality standards	12 N.J.R. 108(c)	R. 1981 d.80	13 N.J.R. 194(b)
7:9-13.3, 13.5, 13.6	Sewer extension ban	12 N.J.R. 639(b)	R. 1981 d.224	13 N.J.R. 402(a)
7:9-15	Grants for restoring publicly owned freshwater lakes	12 N.J.R. 310(a)	R. 1980 d.374	12 N.J.R. 575(e)
7:10-8	Repealed: See 7:18	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)
7:12-1.1, 1.3,	Condemnation of certain shellfish beds	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:12-1.2-1.5	Shellfish beds: Reclassification	14 N.J.R. 310(a)	R. 1982 d.182	14 N.J.R. 655(a)
7:12-1.3	Condemnation of certain shellfish areas	13 N.J.R. 566(a)	R. 1981 d.431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:13-1.11	Flood plain delineation along Mullica River	12 N.J.R. 69(a)	R. 1981 d.8	13 N.J.R. 91(c)
7:13-1.11	Flood plain delineation along Cedar Creek	12 N.J.R. 70(a)	R. 1981 d.9	13 N.J.R. 91(d)
7:13-1.11	Flood plain delineation of Great Egg Harbor River	12 N.J.R. 506(a)	R. 1981 d.88	13 N.J.R. 194(d)
7:13-1.11	Flood plain delineation of Mullica River and tributaries	12 N.J.R. 506(b)	R. 1981 d.89	13 N.J.R. 194(e)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(b)	R. 1981 d.144	13 N.J.R. 339(c)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(a)	R. 1981 d.145	13 N.J.R. 340(a)
7:13-1.11	Delaware Basin floodway delineations	13 N.J.R. 805(a)	R. 1982 d.154	14 N.J.R. 472(b)
7:13-1.11	Floodway delineations along Tuckahoe River	13 N.J.R. 921(a)	R. 1982 d.155	14 N.J.R. 473(a)
7:13-1.11	Floodway delineations in Hackensack basin	14 N.J.R. 19(a)	R. 1982 d.156	14 N.J.R. 473(b)
7:13-1.11	Floodway delineations: Woodbridge and Rahway rivers	13 N.J.R. 920(a)	R. 1982 d.157	14 N.J.R. 473(c)
7:13-1.11	Delineated streams along Upper Mullica River	14 N.J.R. 367(b)	R. 1982 d.209	14 N.J.R. 755(c)
7:14	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14-1.4	New definition of "treatment works"	12 N.J.R. 311(b)	R. 1980 d.424	12 N.J.R. 642(b)
7:14-5, App. A	Statewide septage management	13 N.J.R. 124(a)	R. 1982 d.82	14 N.J.R. 336(c)
7:14A	Conditions for users of DTW	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14A-4	Industrial waste management facilities	12 N.J.R. 569(f)	R. 1981 d.373	13 N.J.R. 705(a)
7:14A-11, 13.1	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:14A-13.4	Pollutant discharge and waste management	13 N.J.R. 89(a)	R. 1981 d.214	13 N.J.R. 403(a)
7:15	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:17	Hard clam depuration pilot plant program	12 N.J.R. 253(a)	R. 1981 d.56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)
7:19	Water diversion and water supply allocation permits	13 N.J.R. 639(a)	R. 1981 d.488	14 N.J.R. 42(a)
7:19-3	Water diversion fees for non-growing use	14 N.J.R. 459(a)	R. 1982 d.239	14 N.J.R. 834(f)
7:21	Water policy and supply council	Organizational	R. 1981 d.366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	13 N.J.R. 481(d)	R. 1981 d.456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	13 N.J.R. 192(a)	R. 1981 d.223	13 N.J.R. 403(b)
7:24	Dam restoration grants	13 N.J.R. 9(a)	R. 1981 d.104	13 N.J.R. 195(b)
7:25-1.7	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d.395	12 N.J.R. 576(d)
7:25-4.6	Nongame and exotic wildlife inspection	13 N.J.R. 806(a)	R. 1981 d.513	14 N.J.R. 102(a)
7:25-4.8	Potentially dangerous species	12 N.J.R. 390(a)	R. 1980 d.448	12 N.J.R. 643(b)
7:25-5	Game Code	13 N.J.R. 262(a)	R. 1981 d.253	13 N.J.R. 403(c)
7:25-5	1982-83 Game Code	14 N.J.R. 402(b)	R. 1982 d.212	14 N.J.R. 755(d)
7:25-6	1981 Fish Code	12 N.J.R. 457(a)	R. 1980 d.400	12 N.J.R. 577(a)
7:25-6	1982-1983 Fish Code	13 N.J.R. 483(a)	R. 1981 d.470	13 N.J.R. 887(a)
7:25-7.2	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d.189	13 N.J.R. 340(b)
7:25-7.3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:25-7.4	Repeal rules prohibiting oyster dredging	Emergency	R. 1980 d.369	12 N.J.R. 575(b)
7:25-7.10	Taking of oysters	13 N.J.R. 125(a)	R. 1981 d.199	13 N.J.R. 403(d)
7:25-7.13	Crab dredging	12 N.J.R. 457(b)	R. 1980 d.396	12 N.J.R. 576(c)
7:25-7.13	Crab dredging	13 N.J.R. 125(b)	R. 1981 d.200	13 N.J.R. 404(a)
7:25-9.2	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d.395	12 N.J.R. 576(d)
7:25-9.2	Hard clam harvest penalties	13 N.J.R. 404(b)	R. 1981 d.362	13 N.J.R. 706(a)
7:25-9.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:25-9.4	Bay scallops	13 N.J.R. 126(a)	R. 1981 d.256	13 N.J.R. 404(c)
7:25-10	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:25-12.1	Preservation of clam resource	12 N.J.R. 641(a)	R. 1980 d.521	13 N.J.R. 11(b)
7:25-12.1	Sea clam harvesting (emergency adoption)	Emergency	R. 1981 d.448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	13 N.J.R. 643(a)	R. 1981 d.486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	Emergency	R. 1982 d.80	14 N.J.R. 288(a)
7:25-14	Atlantic Coast crabbing	13 N.J.R. 262(b)	R. 1981 d.299	13 N.J.R. 546(a)
7:25-14.8-14.10	Crab harvesting	13 N.J.R. 645(a)	R. 1982 d.169	14 N.J.R. 578(a)
7:25-14.9	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d.395	12 N.J.R. 576(d)
7:25-15.1	Hard clam relay program	13 N.J.R. 645(b)	R. 1982 d.117	14 N.J.R. 387(a)
7:25-16.1	Upstream line revisions	13 N.J.R. 484(a)	R. 1981 d.469	13 N.J.R. 887(b)
7:25-18	Marine fisheries	12 N.J.R. 312(a)	R. 1980 d.394	12 N.J.R. 576(c)
7:25-19.1	Atlantic Coast harvest season	12 N.J.R. 312(b)	R. 1980 d.373	12 N.J.R. 575(d)
7:25-20.1	List of nongame wildlife species of New Jersey	12 N.J.R. 390(b)	R. 1980 d.390	12 N.J.R. 576(b)
7:25-21	Terrapin	13 N.J.R. 126(b)	R. 1981 d.198	13 N.J.R. 405(a)
7:25A-1.1	Emergency: Oyster dredging license moratorium	Emergency	R. 1981 d.94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	13 N.J.R. 192(b)	R. 1981 d.188	13 N.J.R. 340(c)

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7:25A-2.1-2.7	Oyster management in Delaware Bay	13 N.J.R. 192(c)	R. 1981 d. 197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d. 189	13 N.J.R. 340(b)
7:25A-3.1	1982 seed oyster season	14 N.J.R. 264(a)	R. 1982 d. 148	14 N.J.R. 426(b)
7:26-1	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d. 281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-1.1	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:26-1.8	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-3.2.4.7	Solid waste collection and haulage	Procedural	R. 1981 d. 49	13 N.J.R. 129(a)
7:26-5.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:26-7.-8	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d. 281	13 N.J.R. 484(b)
7:26-9	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-11	Resource recovery grants	13 N.J.R. 9(a)	R. 1981 d. 184	13 N.J.R. 340(d)
7:26-11, -12	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-12.2	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:3-15)	13 N.J.R. 865(a)	R. 1982 d. 32	14 N.J.R. 206(b)
7:27-2	Control and prohibition of open burning	12 N.J.R. 690(a)	R. 1981 d. 135	13 N.J.R. 264(a)
7:27-10	Sulfur in coal	12 N.J.R. 571(a)	R. 1981 d. 185	13 N.J.R. 341(a)
7:27-16	Air pollution control: Volatile organic substances	13 N.J.R. 127(a)	R. 1982 d. 3	14 N.J.R. 145(b)
7:27A-1.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:28-41	Mercury vapor lamps	13 N.J.R. 9(b)	R. 1981 d. 464	13 N.J.R. 887(c)
7:29B	Noise measurement	13 N.J.R. 127(b)	R. 1982 d. 81	14 N.J.R. 339(a)
7:36-2.2, 3.2, 5.5, 6.4	Green Acres Program	12 N.J.R. 512(a)	R. 1981 d. 7	13 N.J.R. 91(b)
7:36-3.1	Green Acres reimbursement	14 N.J.R. 461(a)	R. 1982 d. 231	14 N.J.R. 835(a)
7:38	Wild and scenic rivers	12 N.J.R. 458(a)	R. 1980 d. 401	12 N.J.R. 577(b)
7:38-1.17	Wild and scenic rivers addition	13 N.J.R. 568(a)	R. 1982 d. 2	14 N.J.R. 147(a)
7:50	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:50	Pinelands Comprehensive Management Plan	12 N.J.R. 513(b)	R. 1981 d. 13	13 N.J.R. 91(e)
7:50	Pinelands management	13 N.J.R. 569(a)	R. 1982 d. 131	14 N.J.R. 388(a)
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8:13-2.1, 2.3, 2.4, 2.7-2.9, 2.11, 2.13-2.15	Soft-shell clam depuration	14 N.J.R. 415(a)	R. 1982 d. 241	14 N.J.R. 835(b)
8:21-3.23	Legal animal repellants	14 N.J.R. 79(a)	R. 1982 d. 123	14 N.J.R. 389(a)
8:21-10	Designated fluid milk products	12 N.J.R. 643(c)	R. 1980 d. 539	13 N.J.R. 13(f)
8:22-1	State Sanitary Code—Campgrounds	13 N.J.R. 130(a)	R. 1981 d. 161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	12 N.J.R. 577(d)	R. 1980 d. 499	13 N.J.R. 13(c)
8:30	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:30	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:31-22.1	Doctors' offices in medical facilities	13 N.J.R. 807(a)	R. 1982 d. 273	14 N.J.R. 915(b)
8:31-23.1	Parking garage standards	13 N.J.R. 807(b)	R. 1982 d. 274	14 N.J.R. 916(a)
8:31-24.1	Hospital personnel housing	13 N.J.R. 808(a)	R. 1982 d. 275	14 N.J.R. 916(b)
8:31-26.4	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 756(a)
8:31-27	Megavoltage radiation (recodified as 8:331)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Need and designation of regional services	12 N.J.R. 515(a)	R. 1980 d. 528	13 N.J.R. 13(d)
8:31-30.1	Plan Review Fee multiplier	13 N.J.R. 265(b)	R. 1981 d. 284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	13 N.J.R. 266(a)	R. 1981 d. 325	13 N.J.R. 571(c)
8:31A-9.2	Correction to Code: SHARE Manual	10 N.J.R. 534(c)	R. 1979 d. 25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (Inpatient)	13 N.J.R. 410(a)	R. 1981 d. 404	13 N.J.R. 756(c)
8:31B-3	Hospital procedural and methodological regulations	12 N.J.R. 515(b)	R. 1980 d. 455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	13 N.J.R. 486(b)	R. 1981 d. 494	14 N.J.R. 45(a)
8:31B-3.20D	Rate of return: For-profit hospitals	13 N.J.R. 266(b)	R. 1981 d. 290	13 N.J.R. 486(c)
8:31B-4	Hospital financial elements and reporting regulations	12 N.J.R. 516(a)	R. 1980 d. 453	12 N.J.R. 645(a)
8:31B-4.62	Excluded health care services	12 N.J.R. 643(d)	R. 1981 d. 10	13 N.J.R. 92(a)
8:31B-5.1, 5.2, 5.3	Diagnostic related groups	13 N.J.R. 726(b)	R. 1982 d. 27	14 N.J.R. 147(b)
8:31B-6.1-6.5	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	13 N.J.R. 267(a)	R. 1981 d. 296	13 N.J.R. 487(b)
8:33D-1.3	Regional hemophilia care centers	13 N.J.R. 727(a)	R. 1982 d. 26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	13 N.J.R. 649(a)	R. 1982 d. 24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	13 N.J.R. 651(a)	R. 1982 d. 25	14 N.J.R. 147(c)
8:33F-1.1-1.4, 1.6, 1.7	Regional end-stage renal services	13 N.J.R. 922(b)	R. 1982 d. 143	14 N.J.R. 426(c)
8:33G	Certificate of Need reviews: CT scanners	13 N.J.R. 487(c)	R. 1981 d. 472	13 N.J.R. 944(a)

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8:33H-3.3	Medicare and Medicaid beds in long-term care	14 N.J.R. 191(a)	R. 1982 d. 180	14 N.J.R. 578(b)
8:33I	Megavoltage radiation units (recodified from 8:31-27)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:37	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:37	Intermediate care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:39-Foreword	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:39-1	Foreword: Amend operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.1	Long-term care standards	13 N.J.R. 268(a)	R. 1981 d. 285	13 N.J.R. 495(a)
8:39-1.1, 1.16-1.21	Long-term care facilities: Licensure standards	14 N.J.R. 193(a)	R. 1982 d. 146	14 N.J.R. 427(a)
8:39-1.33	LTC facilities: Construction standards	13 N.J.R. 809(a)	R. 1982 d. 276	14 N.J.R. 916(c)
8:39-1.34	LTC facilities: Additional standards	13 N.J.R. 809(b)	R. 1982 d. 277	14 N.J.R. 916(d)
8:39-1.35	Operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.35	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:42-1.8	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:42A	Alcoholism treatment facilities	13 N.J.R. 217(b)	R. 1981 d. 236	13 N.J.R. 411(a)
8:43-2.13	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d. 529	13 N.J.R. 13(e)
8:43-3.3, 3.20, 3.22	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d. 297	13 N.J.R. 495(b)
8:43-3.22	Residential health care: Fire protection	13 N.J.R. 495(c)	R. 1981 d. 402	13 N.J.R. 756(d)
8:43-3.22	Fire safety in residential care homes	14 N.J.R. 194(a)	R. 1982 d. 145	14 N.J.R. 427(b)
8:43-4.13, 4.14	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d. 297	13 N.J.R. 495(b)
8:43-6.9	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d. 529	13 N.J.R. 13(e)
8:43A-2.1, 2.2	Ambulatory care facilities: Construction standards	13 N.J.R. 810(a)	R. 1982 d. 278	14 N.J.R. 916(e)
8:43A-3.1	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:43B-1.13	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:43B-3.1, 3.1A	Hospital construction standards	13 N.J.R. 811(a)	R. 1982 d. 279	14 N.J.R. 916(f)
8:43B-15.12, 15.12A	Renal dialysis services: Construction standards	13 N.J.R. 812(a)	R. 1982 d. 280	14 N.J.R. 917(a)
8:45-1.3	Licensure of clinical laboratories	13 N.J.R. 653(a)	R. 1981 d. 493	14 N.J.R. 45(b)
8:57-1.1-1.18	Reportable disease rules	12 N.J.R. 577(e)	R. 1980 d. 498	13 N.J.R. 13(b)
8:57-4.5, 4.10, 4.12, 4.13, 4.15, 4.16	Immunization of pupils in school	13 N.J.R. 738(a)	R. 1981 d. 502	14 N.J.R. 45(c)
8:65-7.8	CDS prescription filling requirements	13 N.J.R. 130(b)	R. 1981 d. 452	13 N.J.R. 845(a)
8:65-7.10	CDS: Prescriptions in LTCF's	13 N.J.R. 130(c)	R. 1981 d. 453	13 N.J.R. 845(b)
8:65-7.14, 7.18	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d. 124	14 N.J.R. 389(b)
8:65-8.7	Controlled dangerous substances	13 N.J.R. 131(a)	R. 1981 d. 238	13 N.J.R. 411(b)
8:65-10.1, 10.2	Controlled dangerous substances	Emergency	R. 1981 d. 50	13 N.J.R. 132(b)
8:65-10.1, 10.3, 10.4	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d. 124	14 N.J.R. 389(b)
8:65-10.4, 10.8	Controlled dangerous substances	Emergency	R. 1981 d. 50	13 N.J.R. 132(b)
8:71	Interchangeable drug products	12 N.J.R. 465(a)	R. 1980 d. 454	12 N.J.R. 645(b)
8:71	Interchangeable drug products	12 N.J.R. 516(b)	R. 1981 d. 25	13 N.J.R. 131(b)
8:71	Interchangeable drug products	12 N.J.R. 465(b)	R. 1981 d. 26	13 N.J.R. 131(c)
8:71	Interchangeable drug products	Emergency	R. 1981 d. 27	13 N.J.R. 132(a)
8:71	Interchangeable drug products	12 N.J.R. 644(b)	R. 1981 d. 81	13 N.J.R. 217(d)
8:71	Interchangeable drug product list	13 N.J.R. 269(a)	R. 1981 d. 364	13 N.J.R. 706(c)
8:71	Interchangeable drug list	12 N.J.R. 644(b)	R. 1981 d. 405	13 N.J.R. 757(a)
8:71	List of interchangeable drugs	13 N.J.R. 354(a)	R. 1981 d. 403	13 N.J.R. 757(b)
8:71	Interchangeable drug products	13 N.J.R. 654(a)	R. 1981 d. 503	14 N.J.R. 45(d)
8:71	Correction: Generic drug list	13 N.J.R. 654(a)	R. 1981 d. 503	14 N.J.R. 102(b)
8:71	Generic drug list additions	13 N.J.R. 217(c)	R. 1982 d. 58	14 N.J.R. 235(a)
8:71	Amitriptyline addition	14 N.J.R. 22(b)	R. 1982 d. 106	14 N.J.R. 342(a)
8:71	Generic drug list additions	14 N.J.R. 22(a)	R. 1982 d. 115	14 N.J.R. 389(c)
8:71	Additions to generic drug list	14 N.J.R. 22(a)	R. 1982 d. 197	14 N.J.R. 655(b)
8:71	Additions to generic drug list	14 N.J.R. 369(a)	R. 1982 d. 240	14 N.J.R. 836(a)

(Title 8, Transmittal 14 dated September 18, 1980)

HIGHER EDUCATION-TITLE 9

9:1-4.6	Post-master's level programs	13 N.J.R. 411(c)	R. 1981 d. 392	13 N.J.R. 757(c)
9:1-6.1, 6.4	Petitions from out-of-state institutions	14 N.J.R. 372(a)	R. 1982 d. 219	14 N.J.R. 756(a)
9:2-2.12	Faculty promotion at four-year colleges	14 N.J.R. 121(b)	R. 1982 d. 130	14 N.J.R. 390(a)
9:2-4.1	Eligibility for Alternate Benefit Program	14 N.J.R. 261(a)	R. 1982 d. 128	14 N.J.R. 390(b)
9:2-11.7	Veteran's Tuition Credit Program	13 N.J.R. 572(a)	R. 1981 d. 449	13 N.J.R. 845(c)
9:2-12.1-12.4	Teacher preparation (proposed as 9:1-7.1-7.4)	14 N.J.R. 24(a)	R. 1982 d. 99	14 N.J.R. 342(b)
9:4-1.2	Establishment of a community college	13 N.J.R. 495(d)	R. 1981 d. 391	13 N.J.R. 758(a)
9:4-1.4, 1.5, 1.12, 2.4, 2.13, -3	Accounting standards for county colleges	14 N.J.R. 26(b)	R. 1982 d. 100	14 N.J.R. 343(a)
9:4-3.1, 3.10	County college annual audit	14 N.J.R. 318(a)	R. 1982 d. 218	14 N.J.R. 757(a)
9:4-3.57	County college work load data	13 N.J.R. 218(a)	R. 1981 d. 215	13 N.J.R. 412(a)
9:4-3.61	State aid to county colleges	13 N.J.R. 271(a)	R. 1981 d. 271	13 N.J.R. 496(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
9:7-2	Student assistance	13 N.J.R. 218(b)	R. 1981 d.232	13 N.J.R. 412(b)
9:7-3.1	Tuition Aid Grant Program	13 N.J.R. 572(b)	R. 1981 d.415	13 N.J.R. 758(b)
9:7-3.1	Tuition Aid: 1982-83 Award Table	14 N.J.R. 122(a)	R. 1982 d.129	14 N.J.R. 390(c)
9:7-5	Public Tuition Benefits Program	14 N.J.R. 28(a)	R. 1982 d.127	14 N.J.R. 390(d)
9:9-1.3	Guaranteed student loan program	13 N.J.R. 355(a)	R. 1981 d.275	13 N.J.R. 496(b)

(Title 9, Transmittal 16 dated March 19, 1981)

HUMAN SERVICES-TITLE 10

10:38	Interim Assistance Procedures Manual	13 N.J.R. 220(d)	R. 1981 d.225	13 N.J.R. 412(c)
10:49-1.2	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.2	Medicaid ID: Special Status Card	14 N.J.R. 418(a)	R. 1982 d.261	14 N.J.R. 917(b)
10:49-1.3	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.5	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.5	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:49-1.7	Utilization of insurance benefits	12 N.J.R. 187(c)	R. 1981 d.123	13 N.J.R. 272(a)
10:49-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:49-1.13, 1.14	Providers using management agencies	13 N.J.R. 272(b)	R. 1981 d.246	13 N.J.R. 412(d)
10:49-1.17	Suspension of provider from Medicaid program	12 N.J.R. 581(a)	R. 1980 d.501	13 N.J.R. 17(a)
10:49-1.17	Suspended providers	13 N.J.R. 222(a)	R. 1981 d.315	13 N.J.R. 574(c)
10:49-1.17	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.26	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:49-1.27	Final audits	13 N.J.R. 133(c)	R. 1981 d.114	13 N.J.R. 273(a)
10:49-5.3,5.4	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-5.6	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-6.5	Medicaid: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:49-6.8	Compromising claims	12 N.J.R. 582(a)	R. 1980 d.502	13 N.J.R. 17(b)
10:50	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:50-2.7	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:51	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:51-1.13, 1.14	Emergency amend "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.13, 1.14	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1.17	Legend drug dispensing fee	13 N.J.R. 575(c)	R. 1981 d.411	13 N.J.R. 758(d)
10:51-1.19	Emergency amendment: "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1(App.B,D)	Pharmaceutical Services Manual	13 N.J.R. 134(a)	R. 1981 d.124	13 N.J.R. 274(a)
10:51-1(App.B,D)	Non-legend drugs and legend services	13 N.J.R. 739(a)	R. 1981 d.505	14 N.J.R. 46(a)
10:51-1(App.E)	Pharmacy Manual: Protein replacements	14 N.J.R. 418(b)	R. 1982 d.211	14 N.J.R. 757(b)
10:51-2	Pharmacy Manual billing procedures	13 N.J.R. 274(b)	R. 1981 d.247	13 N.J.R. 415(a)
10:51-3	Pharmaceutical services in LTC facilities	13 N.J.R. 415(b)	R. 1981 d.344	13 N.J.R. 577(a)
10:51-3.15	Capitation of fee for legend drugs dispensed by LTC pharmacy providers	13 N.J.R. 577(b)	R. 1981 d.465	13 N.J.R. 887(d)
10:51-4.5	Repeal payments for pharmaceutical consultants	12 N.J.R. 410(a)	R. 1981 d.101	13 N.J.R. 228(c)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	13 N.J.R. 289(a)	R. 1981 d.248	13 N.J.R. 415(c)
10:52	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:52-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.3	Non-covered hospital services	13 N.J.R. 14(d)	R. 1981 d.126	13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:52-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:52-1.17	Out-of-State inpatient hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	13 N.J.R. 359(a)	R. 1981 d.293	13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	13 N.J.R. 93(a)	R. 1982 d.13	14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:53-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-2.18	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-1.3	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:54-1.5	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:54-1.6	Reimbursement for anesthesia time	12 N.J.R. 413(a)	R. 1981 d.220	13 N.J.R. 417(b)
10:54-1.22	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)

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10:54-2.4, 2.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-3	Procedure Code Manual	12 N.J.R. 520(c)	R. 1980 d.511	13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 95(a)	R. 1981 d.111	13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 223(a)	R. 1981 d.211	13 N.J.R. 418(c)
10:54-3	Procedure codes for pacemakers	13 N.J.R. 297(a)	R. 1981 d.251	13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	13 N.J.R. 298(b)	R. 1981 d.314	13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	13 N.J.R. 578(d)	R. 1981 d.475	13 N.J.R. 946(b)
10:54-3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:55	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56-1.8, 1.12	Dental Services Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:56-3.15	Orthodontics	13 N.J.R. 134(b)	R. 1981 d.113	13 N.J.R. 299(b)
10:57-1.4	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-1.9	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:59	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:59-1.7, 1.8	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.9	Medical Supplier Manual	13 N.J.R. 430(c)	R. 1981 d.376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	13 N.J.R. 223(b)	R. 1981 d.328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:60	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:60-1, 2.1-2.3	Home Health Services Manual revisions	14 N.J.R. 264(b)	R. 1982 d.199	14 N.J.R. 656(a)
10:60-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	13 N.J.R. 95(b)	R. 1981 d.110	13 N.J.R. 299(c)
10:61-1.4	Physician orders for laboratory services	13 N.J.R. 430(d)	R. 1981 d.342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:62	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	13 N.J.R. 299(d)	R. 1981 d.280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.2	Rehabilitation in long-term care	14 N.J.R. 420(a)	R. 1982 d.210	14 N.J.R. 757(c)
10:63-1.4	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.4	Special equipment in long-term care	13 N.J.R. 877(a)	R. 1982 d.110	14 N.J.R. 391(a)
10:63-1.5	Inspection of long-term care	14 N.J.R. 81(a)	R. 1982 d.72	14 N.J.R. 279(a)
10:63-1.6	Level III care in LTC facilities	14 N.J.R. 462(a)	R. 1982 d.264	14 N.J.R. 917(c)
10:63-1.8	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.8	Clinical records in long-term care facilities	12 N.J.R. 701(a)	R. 1981 d.33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	13 N.J.R. 431(a)	R. 1981 d.345	13 N.J.R. 579(d)
10:63-1.19	LTCSM: Termination of Medicaid eligibility	13 N.J.R. 15(b)	R. 1981 d.62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	12 N.J.R. 701(a)	R. 1981 d.23	13 N.J.R. 146(a)
10:63-3.1	Reimbursement to Long Term Care Facilities	12 N.J.R. 702(a)	R. 1981 d.87	13 N.J.R. 227(a)
10:63-3.8	LTC's nursing care costs	13 N.J.R. 360(b)	R. 1981 d.326	13 N.J.R. 579(e)
10:63-3.21	Rescission: Long-term care per diem reduction	13 N.J.R. 498(a)	R. 1981 d.375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	14 N.J.R. 413(a)	R. 1982 d.74	14 N.J.R. 279(b)
10:65	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:65-2.1	Medical day care rates	13 N.J.R. 362(a)	R. 1981 d.318	13 N.J.R. 580(a)
10:66	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	13 N.J.R. 363(a)	R. 1981 d.313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	12 N.J.R. 662(b)	R. 1981 d.112	13 N.J.R. 299(c)
10:66-3.3	Independent Clinic Services Manual	13 N.J.R. 224(a)	R. 1981 d.212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-3.3	Family planning procedure codes	13 N.J.R. 663(a)	R. 1982 d.84	14 N.J.R. 343(b)
10:67-1.2	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-1.8	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:67-2.5, 2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:68-2.5, 2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:69A-2.1	Pharmaceutical Assistance for Aged and Disabled	14 N.J.R. 321(b)	R.1982 d.198	14 N.J.R. 659(a)
10:69A-5.6	PAA eligibility determinations	13 N.J.R. 432(a)	R.1981 d.332	13 N.J.R. 580(c)
10:69A-7.1	PAA: Payment recovery from estates	14 N.J.R. 80(a)	R.1982 d.147	14 N.J.R. 427(c)
10:81	PAM: Federal Omnibus Reconciliation Act of 1981	Emergency	R.1981 d.397	13 N.J.R. 759(a)
10:81	PAM: Readopted Federal requirements	13 N.J.R. 759(a)	R.1981 d.518	14 N.J.R. 102(c)
10:81-1.14	PAM: Welfare board minutes	13 N.J.R. 877(b)	R.1982 d.151	14 N.J.R. 473(d)
10:81-2.7	PAM: Deprivation of parental support in AFDC-C	12 N.J.R. 703(a)	R.1981 d.28	13 N.J.R. 146(b)
10:81-7.1	AFDC: New or changed income	13 N.J.R. 300(a)	R.1981 d.262	13 N.J.R. 432(b)
10:81-7.22	AFDC: Funeral or burial payments for children	13 N.J.R. 580(d)	R.1981 d.447	13 N.J.R. 845(d)
10:81-7.26	PAM: Veterans' funeral expenses	14 N.J.R. 374(a)	R.1982 d.228	14 N.J.R. 836(b)
10:81-7.26, 8.4	PAM: RSDI lump sum benefits	13 N.J.R. 925(a)	R.1982 d.90	14 N.J.R. 344(a)
10:82	ASH: Federal Omnibus Reconciliation Act of 1981	Emergency	R.1981 d.396	13 N.J.R. 763(a)
10:82	ASH: Readopted Federal requirements	13 N.J.R. 763(a)	R.1981 d.519	14 N.J.R. 102(d)
10:82-2.9	Correction: Stepparent's income in AFDC-C	13 N.J.R. 763(a)	R.1981 d.519	14 N.J.R. 281(a)
10:82-2.14	ASH: Established monthly earnings	13 N.J.R. 16(a)	R.1981 d.47	13 N.J.R. 147(b)
10:82-2.14	AFDC: New or changed income	13 N.J.R. 300(a)	R.1981 d.262	13 N.J.R. 432(b)
10:82-3.2	ASH: HUD community development block grant	13 N.J.R. 96(a)	R.1981 d.96	13 N.J.R. 227(b)
10:82-3.2,4.5	Exempt resources and disregard of earned income	13 N.J.R. 224(b)	R.1981 d.282	13 N.J.R. 499(a)
10:82-3.13	Correction: Federal requirement for ASH	13 N.J.R. 763(a)	R.1981 d.519	14 N.J.R. 837(a)
10:82-4.9	ASH: Foster care rates	14 N.J.R. 374(b)	R.1982 d.208	14 N.J.R. 709(c)
10:82-4.15	Irregular and nonrecurring income in AFDC	13 N.J.R. 224(c)	R.1981 d.287	13 N.J.R. 499(b)
10:82-5.3	ASH: Day care rates	13 N.J.R. 134(c)	R.1981 d.243	13 N.J.R. 432(c)
10:82-5.3	ASH: Care for unwed mothers	13 N.J.R. 134(c)	R.1982 d.43	14 N.J.R. 235(c)
10:82-5.10	ASH: Emergency assistance	12 N.J.R. 584(a)	R.1980 d.552	13 N.J.R. 101(a)
10:82-5.10	ASH: Emergency house furnishings allowance	14 N.J.R. 375(a)	R.1982 d.207	14 N.J.R. 709(d)
10:85-1.2, 1.5, 2.2	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R.1982 d.61	14 N.J.R. 281(b)
10:85-2.2	GAM: Temporary director of municipal welfare	12 N.J.R. 584(b)	R.1980 d.505	13 N.J.R. 17(c)
10:85-2.2	GAM: Local assistance board	13 N.J.R. 96(b)	R.1981 d.98	13 N.J.R. 228(b)
10:85-3.1	GAM: Common living quarters	13 N.J.R. 927(a)	R.1982 d.102	14 N.J.R. 344(b)
10:85-3.1, 3.2	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R.1981 d.160	13 N.J.R. 363(b)
10:85-3.2	General Assistance application process	12 N.J.R. 584(c)	R.1980 d.514	13 N.J.R. 18(a)
10:85-3.2	GAM: Clarification of "unemployable"	13 N.J.R. 927(b)	R.1982 d.103	14 N.J.R. 344(c)
10:85-3.2	GAM: Workfare compliance	13 N.J.R. 929(a)	R.1982 d.104	14 N.J.R. 344(d)
10:85-3.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R.1980 d.547	13 N.J.R. 100(a)
10:85-3.3	GAM: Financial eligibility	12 N.J.R. 16(b)	R.1981 d.46	13 N.J.R. 147(a)
10:85-3.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R.1981 d.263	13 N.J.R. 433(a)
10:85-3.3	GAM: Boarding rate for residential care	13 N.J.R. 879(a)	R.1982 d.53	14 N.J.R. 235(d)
10:85-3.3	GAM: Hospital shelter time	13 N.J.R. 930(a)	R.1982 d.98	14 N.J.R. 345(a)
10:85-3.3	GAM: Cash Contributions	14 N.J.R. 270(a)	R.1982 d.185	14 N.J.R. 659(b)
10:85-3.4	GAM: Income and alien sponsorship	14 N.J.R. 122(b)	R.1982 d.134	14 N.J.R. 428(a)
10:85-4.6	GAM: Emergency grants	12 N.J.R. 585(a)	R.1980 d.538	13 N.J.R. 18(d)
10:85-4.6	GAM: Emergency grants	14 N.J.R. 124(a)	R.1982 d.135	14 N.J.R. 428(b)
10:85-5.2	GAM: Diagnostic-Related Group payments	12 N.J.R. 585(b)	R.1980 d.515	13 N.J.R. 18(b)
10:85-5.2	GAM-Payments for inpatients hospital care	13 N.J.R. 433(b)	R.1981 d.394	13 N.J.R. 768(a)
10:85-5.3	Submission of Form GA-18	12 N.J.R. 586(a)	R.1980 d.531	13 N.J.R. 18(c)
10:85-5.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R.1980 d.547	13 N.J.R. 100(a)
10:85-5.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R.1981 d.263	13 N.J.R. 433(a)
10:85-5.4	GAM: Procedure for payments of medical bills	13 N.J.R. 499(c)	R.1981 d.417	13 N.J.R. 768(b)
10:85-6.5	GAM: Repayment by SSI recipients	12 N.J.R. 586(b)	R.1980 d.551	13 N.J.R. 100(d)
10:85-6.6	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R.1981 d.263	13 N.J.R. 433(a)
10:85-7.2	GAM: Receipt of assistance	12 N.J.R. 535(b)	R.1981 d.53	13 N.J.R. 147(d)
10:85-7.3	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R.1982 d.61	14 N.J.R. 281(b)
10:85-8.2	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R.1981 d.263	13 N.J.R. 433(a)
10:85-8.3	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R.1981 d.160	13 N.J.R. 363(b)
10:85-10.3, 10.6, 10.8	GAM: Workfare compliance	13 N.J.R. 929(a)	R.1982 d.104	14 N.J.R. 344(d)
10:87	Emergency amend Food Stamp Manual	Emergency	R.1981 d.64	13 N.J.R. 226(b)
10:87	Student participation in Food Stamps	13 N.J.R. 96(c)	R.1981 d.97	13 N.J.R. 228(a)
10:87	Food Stamp Manual	13 N.J.R. 364(a)	R.1981 d.316	13 N.J.R. 581(a)
10:87	FSM: Federal Omnibus Reconciliation Act of 1981	Emergency	R.1981 d.398	13 N.J.R. 769(a)
10:87	FSM: Readopted Federal requirements	13 N.J.R. 769(a)	R.1981 d.517	14 N.J.R. 103(a)
10:87	Correction: FSM-Federal requirements	13 N.J.R. 769(a)	R.1981 d.517	14 N.J.R. 208(b)
10:87-12.1, 12.2	Emergency amend Food Stamp Manual	Emergency	R.1980 d.558	13 N.J.R. 100(e)
10:87-12.1, 12.3, 12.4, 12.6	FSM: Mandated Federal adjustments	Emergency	R.1982 d.217	14 N.J.R. 757(d)
10:87-12.3	Food Stamp Program maximum net income levels	13 N.J.R. 500(a)	R.1981 d.400	13 N.J.R. 772(a)
10:87-12.3,12.4	Emergency adoption: Food Stamp income levels	Emergency	R.1981 d.278	13 N.J.R. 500(a)
10:87-12.4	Emergency amend Food Stamp Manual	Emergency	R.1980 d.558	13 N.J.R. 100(e)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:89	Home energy assistance (emergency adoption)	Emergency	R.1981 d.466	13 N.J.R. 888(a)
10:89	Readopted Home Energy Assistance rules	13 N.J.R. 888(a)	R.1982 d.62	14 N.J.R. 281(c)
10:89-3.6	Emergency rule on Home Energy Assistance	Emergency	R.1980 d.548	13 N.J.R. 100(b)
10:94-4,-5	Medicaid Only: Income and resource eligibility	12 N.J.R. 663(a)	R.1981 d.177	13 N.J.R. 364(b)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R.1981 d.276	13 N.J.R. 501(a)
10:94-5.4, 5.5, 5.6	Readopt Medicaid Only computation amounts	13 N.J.R. 501(a)	R.1981 d.385	13 N.J.R. 773(a)
10:94-5.4, 5.5, 5.6	Correction: Medicaid Only computation amounts	13 N.J.R. 501(a)	R.1981 d.385	13 N.J.R. 846(a)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R.1982 d.216	14 N.J.R. 758(a)
10:94-8	Medicaid Only	12 N.J.R. 663(a)	R.1981 d.177	13 N.J.R. 364(b)
10:100-1.23	Emergency amend SSI payment levels	Emergency	R.1981 d.277	13 N.J.R. 502(a)
10:100-1.23	Readopt SSI payment levels	13 N.J.R. 502(a)	R.1981 d.386	13 N.J.R. 773(b)
10:100-1.23	SSI payment levels	Emergency	R.1982 d.215	14 N.J.R. 760(a)
10:109-1	Ruling 11	13 N.J.R. 581(b)	R.1981 d.445	13 N.J.R. 846(b)
10:109-1.4	Ruling 11: Tuition Aid	14 N.J.R. 375(b)	R.1982 d.227	14 N.J.R. 837(b)
10:109-3.2, 3.4	Ruling 11-Sick leave and leave without pay	13 N.J.R. 515(a)	R.1981 d.395	13 N.J.R. 774(a)
10:109-App.1.II	Ruling 11: Salary increases for CWA employees	13 N.J.R. 741(a)	R.1981 d.498	14 N.J.R. 46(b)
10:121-5.1	Medical information form	12 N.J.R. 703(c)	R.1981 d.63	13 N.J.R. 226(a)
10:121A	Adoption agency practices	13 N.J.R. 99(a)	R.1981 d.298	13 N.J.R. 516(a)
10:122-4.2, 7.1-7.7	Standards for child care centers	14 N.J.R. 82(a)	R.1982 d.136	14 N.J.R. 428(c)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R.1981 d.423	13 N.J.R. 774(b)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R.1981 d.423	14 N.J.R. 287(a)
10:124	Children's shelter facilities and homes	14 N.J.R. 125(a)	R.1982 d.222	14 N.J.R. 761(a)
10:130	Shelters for victims of domestic violence	14 N.J.R. 197(a)	R.1982 d.138	14 N.J.R. 429(a)
10:130	Repealed: Children's shelters manual	14 N.J.R. 125(a)	R.1982 d.222	14 N.J.R. 761(a)
10:132	Court actions and proceedings	13 N.J.R. 595(b)	R.1981 d.434	13 N.J.R. 846(c)

(Title 10, Transmittal 15 dated November 10, 1980)

CORRECTIONS-TITLE 10A

10A:31-4	County jails emergency rule	Emergency	R.1981 d.270	13 N.J.R. 467(a)
10A:31-4	Readopt remission of time from sentence	13 N.J.R. 434(b)	R.1981 d.358	13 N.J.R. 596(a)
10A:31-5	State enforcement in adult county facilities	14 N.J.R. 227(a)	R.1982 d.149	14 N.J.R. 474(a)
10A:71	Parole Board rules	13 N.J.R. 436(a)	R.1981 d.322	13 N.J.R. 597(a)
10A:71-3.3	Parole Board rules	12 N.J.R. 664(e)	R.1980 d.554	13 N.J.R. 101(c)
10A:71-3.19	Parole Board rules	13 N.J.R. 228(c)	R.1981 d.179	13 N.J.R. 364(c)
10A:71-6.9	Discharge from parole supervision	13 N.J.R. 440(a)	R.1981 d.324	13 N.J.R. 598(a)
10A:71-7.7	Notice for preliminary hearings	13 N.J.R. 101(b)	R.1981 d.106	13 N.J.R. 302(a)

(Title 10A, Transmittal 6 dated November 10, 1980)

INSURANCE-TITLE 11

11:1-13	Sale of auto club service contracts	13 N.J.R. 879(b)	R.1982 d.177	14 N.J.R. 579(a)
11:2-1.6	Independent testing service	13 N.J.R. 364(d)	R.1981 d.433	13 N.J.R. 846(d)
11:2-17	Unfair claims-settlement practices	12 N.J.R. 600(f)	R.1981 d.407	13 N.J.R. 774(c)
11:2-17	Correction: Operative date for settlement practices	13 N.J.R. 774(c)	R.1981 d.407	13 N.J.R. 894(a)
11:3-7.3, 7.7	Additional personal injury protection	14 N.J.R. 543(b)	R.1982 d.246	14 N.J.R. 917(d)
11:4-2	Replacement of existing life insurance	13 N.J.R. 18(e)	R.1982 d.16	14 N.J.R. 158(d)
11:4-11.5, 11.6	Life insurance solicitation	13 N.J.R. 36(a)	R.1982 d.17	14 N.J.R. 159(a)
11:5-1.2, 1.3	Real Estate Commission rules	13 N.J.R. 306(a)	R.1981 d.261	13 N.J.R. 440(c)
11:5-1.8, 1.14	Real Estate Commission Rules	13 N.J.R. 302(b)	R.1982 d.101	14 N.J.R. 345(b)
11:5-1.33-1.35	Real Estate Commission rules	13 N.J.R. 306(a)	R.1981 d.261	13 N.J.R. 440(c)
11:5-1.36	Real Estate Guaranty Fund	13 N.J.R. 306(a)	R.1981 d.252	13 N.J.R. 441(a)
11:12	Legal services insurance	13 N.J.R. 601(a)	R.1981 d.422	13 N.J.R. 776(a)

(Title 11, Transmittal 16 dated January 14, 1981)

LABOR AND INDUSTRY-TITLE 12

12:15-1.3	Maximum weekly benefit rates	13 N.J.R. 602(b)	R.1981 d.419	13 N.J.R. 777(a)
12:15-1.3	Correction: Operative date	13 N.J.R. 602(b)	R.1981 d.419	13 N.J.R. 894(b)
12:15-1.4	Taxable wage base for unemployment compensation	13 N.J.R. 602(c)	R.1981 d.421	13 N.J.R. 777(b)
12:15-1.4	Correction: Operative date	13 N.J.R. 602(c)	R.1981 d.421	13 N.J.R. 894(b)
12:15-1.5	Unemployment compensation contribution rates	13 N.J.R. 603(a)	R.1981 d.418	13 N.J.R. 777(c)
12:51	Vocational rehabilitation facilities	13 N.J.R. 230(a)	R.1981 d.289	13 N.J.R. 517(a)
12:57	Wage orders for minors	13 N.J.R. 307(a)	R.1981 d.226	13 N.J.R. 441(c)
12:190	Safety standards for explosives	13 N.J.R. 517(b)	R.1982 d.229	14 N.J.R. 837(c)
12:191	Repealed	13 N.J.R. 517(b)	R.1982 d.229	14 N.J.R. 837(c)
12:192	Repealed	13 N.J.R. 517(b)	R.1982 d.229	14 N.J.R. 837(c)
12:193	Repealed	13 N.J.R. 517(b)	R.1982 d.229	14 N.J.R. 837(c)
12:235-1.5	Workers' compensation benefit rates	13 N.J.R. 604(a)	R.1981 d.420	13 N.J.R. 777(d)

(Title 12, Transmittal 14 dated January 14, 1981)

LAW AND PUBLIC SAFETY—TITLE 13

13:2-7.10	ABC rules	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.1, 24.4	ABC rules	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.4	Correction: ABC debt regulation	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 846(e)
13:2-24.4	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:2-38.1, 39.3	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:2-41	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:19-5.1	Convulsive seizures	12 N.J.R. 606(a)	R. 1981 d.18	13 N.J.R. 150(b)
13:19-6	Repealed: Delaware motor vehicle reciprocity rule	14 N.J.R. 87(a)	R. 1982 d.94	14 N.J.R. 346(a)
13:20-7.3, 7.4	Motor vehicle inspection	Emergency	R. 1982 d.335	14 N.J.R. 918(a)
13:20-25.2	Approval of safety glazing material	12 N.J.R. 606(b)	R. 1981 d.15	13 N.J.R. 149(d)
13:20-33.53	Motorcycle handlebars and grips	12 N.J.R. 606(c)	R. 1981 d.16	13 N.J.R. 149(e)
13:20-33.72	Repeal handhold devices	12 N.J.R. 607(a)	R. 1981 d.17	13 N.J.R. 150(a)
13:20-36	Special National Guard plates	12 N.J.R. 427(a)	R. 1981 d.31	13 N.J.R. 150(e)
13:21-3	Repeal rules on dealer's temporary certificates	12 N.J.R. 607(b)	R. 1981 d.14	13 N.J.R. 149(c)
13:21-7.2	Student permits	12 N.J.R. 490(a)	R. 1981 d.66	13 N.J.R. 237(d)
13:21-8.17	Waiver of driving test	12 N.J.R. 666(f)	R. 1981 d.65	13 N.J.R. 237(c)
13:21-8.18	Repealed: Nonresident driver legend	14 N.J.R. 88(a)	R. 1982 d.95	14 N.J.R. 346(b)
13:26-1.2, 3.11	Transportation of bulk commodities	12 N.J.R. 724(f)	R. 1981 d.61	13 N.J.R. 237(b)
13:27-6	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:28-1.3	Toilet facilities in beauty shops	13 N.J.R. 102(b)	R. 1981 d.109	13 N.J.R. 308(a)
13:28-2.10, 2.14-2.16	Credit for Saturday beauty classes	13 N.J.R. 931(a)	R. 1982 d.70	14 N.J.R. 283(a)
13:28-2.24	Beauty schools: "Seniors" and clinical work	13 N.J.R. 930(b)	R. 1982 d.69	14 N.J.R. 283(b)
13:29-2.2	Examination for registered municipal accountant	13 N.J.R. 39(a)	R. 1981 d.67	13 N.J.R. 238(a)
13:30-2.5, 2.10-2.17	Dental hygienists and assistants	13 N.J.R. 231(b)	R. 1981 d.264	13 N.J.R. 442(a)
13:30-2.18	Application fees for dental hygienists	13 N.J.R. 518(b)	R. 1981 d.378	13 N.J.R. 707(c)
13:30-8.12	Dental insurance forms and professional misconduct	13 N.J.R. 102(c)	R. 1981 d.175	13 N.J.R. 366(a)
13:31-1.3	Examinations	13 N.J.R. 664(a)	R. 1981 d.491	13 N.J.R. 946(c)
13:31-1.8	Inspections of electrical work	13 N.J.R. 607(b)	R. 1982 d.92	14 N.J.R. 346(c)
13:31-2.1	Repeal: Uniform penalty letter (electrical)	13 N.J.R. 442(b)	R. 1981 d.372	13 N.J.R. 707(d)
13:33-1.41	Fee schedules	12 N.J.R. 546(a)	R. 1981 d.148	13 N.J.R. 366(b)
13:35-1.5	Military service in lieu of internship (podiatry)	13 N.J.R. 366(c)	R. 1981 d.346	13 N.J.R. 608(a)
13:35-2.7	Military service in lieu of internship	13 N.J.R. 367(a)	R. 1981 d.348	13 N.J.R. 608(b)
13:35-6.2	Guidelines for externship programs	13 N.J.R. 148(a)	R. 1981 d.149	13 N.J.R. 367(b)
13:35-6.5	Responsibility for pronouncement of death	14 N.J.R. 90(a)	R. 1982 d.214	14 N.J.R. 767(a)
13:35-6.5	Correction: Responsibility for pronouncement of death	14 N.J.R. 767(a)	R. 1982 d.214	14 N.J.R. 918(b)
13:35-6.19, 6.20	Excessive fees for professional services	13 N.J.R. 232(b)	R. 1981 d.237	13 N.J.R. 443(a)
13:35-9.3	Emergency amend certified nurse/midwife	Emergency	R. 1981 d.21	13 N.J.R. 150(c)
13:35-9.3(c)	Operative date on certified nurse/midwife standards	Emergency	R. 1981 d.24	13 N.J.R. 150(d)
13:36-1.6	Mortuary board fees	13 N.J.R. 367(c)	R. 1982 d.105	14 N.J.R. 346(d)
13:36-5.12	Advertising of funeral services	13 N.J.R. 368(a)	R. 1981 d.349	13 N.J.R. 609(a)
13:36-9.1	Uniform penalty letter	13 N.J.R. 452(c)	R. 1981 d.347	13 N.J.R. 609(b)
13:37-1.26	Board of Nursing rule	13 N.J.R. 149(a)	R. 1981 d.174	13 N.J.R. 370(a)
13:38-1.9, 1.10	Optometric advertising	13 N.J.R. 233	R. 1981 d.295	13 N.J.R. 519(a)
13:39-9.12	Outdated or sample drugs	13 N.J.R. 235(a)	R. 1981 d.350	13 N.J.R. 609(c)
13:39-9.17	Advertising and sale of prescription drugs	13 N.J.R. 445(a)	R. 1981 d.377	13 N.J.R. 708(a)
13:40-6.1	Engineer and surveyor test fees	13 N.J.R. 446(a)	R. 1982 d.142	14 N.J.R. 429(c)
13:40-7	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:41-4	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:44-2.1	Veterinary prescriptions	13 N.J.R. 519(b)	R. 1981 d.451	13 N.J.R. 847(a)
13:44-2.12	Patient records	13 N.J.R. 520(a)	R. 1981 d.450	13 N.J.R. 847(b)
13:44-3.1	Repeal: Uniform penalty letter (veterinary)	13 N.J.R. 371(a)	R. 1981 d.371	13 N.J.R. 708(b)
13:44B	Compensation for State board members	13 N.J.R. 932(a)	R. 1982 d.144	14 N.J.R. 429(d)
13:45A-15.1-15.4	Posting of retail refund policies	13 N.J.R. 665(a)	R. 1982 d.29	14 N.J.R. 160(a)
13:45A-17	Sale of advertising in quasi-official journals	13 N.J.R. 235(b)	R. 1981 d.294	13 N.J.R. 520(b)
13:45A-18.1	Fee for consumer contract review	14 N.J.R. 464(a)	R. 1982 d.221	14 N.J.R. 767(b)
13:46-18.12, 18.18	Repealed	14 N.J.R. 635(b)	R. 1982 d.271	14 N.J.R. 919(a)
13:46-18.15	Same day boxing programs	14 N.J.R. 635(b)	R. 1982 d.271	14 N.J.R. 919(a)
13:47A-5.2	Broker-dealer registration	14 N.J.R. 551(a)	R. 1982 d.265	14 N.J.R. 919(b)
13:47A-9.13	Repealed exemption restriction for private offering to sophisticated investors	14 N.J.R. 552(a)	R. 1982 d.266	14 N.J.R. 919(c)
13:47C-5	Repealed: Rules on precious metal sales	13 N.J.R. 818(a)	R. 1982 d.96	14 N.J.R. 346(e)
13:47C-6	Bonding of transient buyers	13 N.J.R. 819(a)	R. 1982 d.93	14 N.J.R. 346(f)
13:51	Certification for chemical breath testing	14 N.J.R. 376(a)	R. 1982 d.187	14 N.J.R. 660(a)
13:70	Thoroughbred racing rules	14 N.J.R. 91(a)	R. 1982 d.183	14 N.J.R. 661(a)
13:70-6.16	Racing: Eligibility of maidens	13 N.J.R. 520(c)	R. 1981 d.489	13 N.J.R. 946(d)
13:70-29.48	Emergency amend daily double pool	Emergency	R. 1981 d.32	13 N.J.R. 150(f)
13:70-29.48	Racing: Entries and daily double	13 N.J.R. 521(a)	R. 1981 d.490	13 N.J.R. 947(a)

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13:71	Harness racing regulation	13 N.J.R. 820(a)	R.1982 d.109	14 N.J.R. 347(a)
13:75-1.7	Violent crimes funeral compensation	13 N.J.R. 743(a)	R.1982 d.37	14 N.J.R. 208(c)
	(Title 13, Transmittal 17 dated January 14, 1981)			
PUBLIC UTILITIES--TITLE 14				
14:11-2.2	Auto bus specifications	13 N.J.R. 834(a)	R.1982 d.30	14 N.J.R. 160(b)
	(Title 14, Transmittal 15 dated January 14, 1981)			
ENERGY--TITLE 14A				
14A:2-5	State set-aside for energy emergency	13 N.J.R. 609(d)	R.1981 d.492	14 N.J.R. 46(c)
14A:3-4.4	Thermal efficiency in new and renovated buildings	13 N.J.R. 835(a)	R.1981 d.514	14 N.J.R. 104(a)
14A:3-5	Seven-day, day-night thermostats in public buildings	13 N.J.R. 680(a)	R.1981 d.468	13 N.J.R. 895(a)
14A:3-11.3, 11.5	Designation of used oil collection sites	13 N.J.R. 681(a)	R.1982 d.262	14 N.J.R. 919(d)
14A:3-15	Recycling of municipal solid waste (joint adoption, see 7:26-15)	13 N.J.R. 865(a)	R.1982 d.32	14 N.J.R. 206(b)
14A:11-4	Reporting of energy information (retail dealers)	13 N.J.R. 151(a)	R.1981 d.379	13 N.J.R. 708(c)
14A:11-5	Reporting of energy information (retail merchants)	13 N.J.R. 152(a)	R.1981 d.380	13 N.J.R. 708(d)
14A:13	Energy Conservation Bond Program	13 N.J.R. 43(a)	R.1981 d.390	13 N.J.R. 778(a)
14A:21-14.3	Home Energy Savings Program	13 N.J.R. 238(c)	R.1981 d.254	13 N.J.R. 450(a)
	(Title 14A, Transmittal 7 dated January 14, 1981)			
STATE--TITLE 15				
	(Title 15, Transmittal 13 dated March 19, 1981)			
PUBLIC ADVOCATE--TITLE 15A				
	(Title 15A, Transmittal 1 dated March 20, 1978)			
TRANSPORTATION--TITLE 16				
16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	14 N.J.R. 97(a)	R.1982 d.68	14 N.J.R. 284(a)
16:26-1.1	Traffic signal information	13 N.J.R. 152(b)	R.1981 d.164	13 N.J.R. 372(a)
16:27-1.4	Repeal traffic and parking on NJDOT property	13 N.J.R. 153(a)	R.1981 d.165	13 N.J.R. 372(b)
16:28-1.2	Speed limit on Route I-80	13 N.J.R. 153(b)	R.1981 d.150	13 N.J.R. 372(c)
16:28-1.15	Speed limits along Route 13	13 N.J.R. 239(a)	R.1981 d.152	13 N.J.R. 372(d)
16:28-1.16	Speed rates on I-195	14 N.J.R. 323(a)	R.1982 d.172	14 N.J.R. 580(a)
16:28-1.17	Speed limits on Route 147	13 N.J.R. 155(a)	R.1981 d.196	13 N.J.R. 451(a)
16:28-1.23	Speed limits along Route 18	13 N.J.R. 744(b)	R.1981 d.484	13 N.J.R. 947(d)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	13 N.J.R. 838(a)	R.1982 d.11	14 N.J.R. 160(c)
16:28-1.49	Speed limits on Route 35	13 N.J.R. 451(b)	R.1981 d.333	13 N.J.R. 612(a)
16:28-1.56	Speed rates on US 40 and 322	14 N.J.R. 323(a)	R.1982 d.172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US 130	14 N.J.R. 323(a)	R.1982 d.172	14 N.J.R. 580(a)
16:28-1.72	Speed limits on US 206 and 130 in Bordertown	14 N.J.R. 324(a)	R.1982 d.168	14 N.J.R. 580(b)
16:28-1.111	Speed limits for Route 87	13 N.J.R. 452(a)	R.1981 d.334	13 N.J.R. 613(a)
16:28A-1.2	Parking on Routes 1 and 9	13 N.J.R. 239(b)	R.1981 d.195	13 N.J.R. 452(b)
16:28A-1.3, 1.5	Parking on Routes 3 and 5	14 N.J.R. 552(b)	R.1982 d.247	14 N.J.R. 919(e)
16:28A-1.6	Restricted parking along Route 7	13 N.J.R. 522(a)	R.1981 d.383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	13 N.J.R. 745(a)	R.1981 d.483	13 N.J.R. 947(b)
16:28A-1.6	Parking on Route 7	14 N.J.R. 424(a)	R.1982 d.203	14 N.J.R. 710(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 154(a)	R.1981 d.151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 157(b)	R.1981 d.156	13 N.J.R. 373(b)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R.1981 d.195	13 N.J.R. 453(a)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R.1981 d.191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 452(c)	R.1981 d.335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	13 N.J.R. 745(b)	R.1981 d.487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R.1982 d.44	14 N.J.R. 236(a)
16:28A-1.7	Parking on US9	14 N.J.R. 199(a)	R.1982 d.116	14 N.J.R. 391(b)
16:28A-1.8	Parking and bus stops on Route 10	14 N.J.R. 464(b)	R.1982 d.223	14 N.J.R. 838(a)
16:28A-1.9	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R.1982 d.45	14 N.J.R. 236(b)
16:28A-1.9	Parking on Rt. 17 in Mahwah	Emergency	R.1982 d.132	14 N.J.R. 429(e)
16:28A-1.9	Readopted: Route 17 parking in Mahwah	14 N.J.R. 429(e)	R.1982 d.201	14 N.J.R. 710(b)
16:28A-1.13	Parking on US22	14 N.J.R. 199(a)	R.1982 d.116	14 N.J.R. 391(b)
16:28A-1.13	Route US 22	13 N.J.R. 154(a)	R.1981 d.151	13 N.J.R. 373(a)
16:28A-1.14	Restricted parking along Route US 22 alternate	13 N.J.R. 453(b)	R.1981 d.336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	13 N.J.R. 154(a)	R.1981 d.151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	13 N.J.R. 241(a)	R.1981 d.192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	13 N.J.R. 454(a)	R.1981 d.337	13 N.J.R. 613(d)
16:28A-1.16	Restricted parking along Route 24	13 N.J.R. 455(a)	R.1981 d.338	13 N.J.R. 613(e)
16:28A-1.16	Route 24 parking	14 N.J.R. 553(a)	R.1982 d.248	14 N.J.R. 919(f)
16:28A-1.18	Restricted parking along Route 27	13 N.J.R. 373(c)	R.1981 d.312	13 N.J.R. 613(f)

**N.J.A.C.
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**PROPOSAL NOTICE
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16:28A-1.18	Route 27 bus stops in Edison	13 N.J.R. 934(a)	R. 1982 d.46	14 N.J.R. 236(c)
16:28A-1.18	Parking on Route 27	14 N.J.R. 554(a)	R. 1982 d.249	14 N.J.R. 920(a)
16:28A-1.19	Route 28 parking	13 N.J.R. 155(b)	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 157(b)	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 242(a)	R. 1981 d.193	13 N.J.R. 455(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 240(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.19	Route 28 parking in Roselle Park	14 N.J.R. 138(a)	R. 1982 d.111	14 N.J.R. 391(c)
16:28A-1.20, 1.21	Parking on Routes 29 and US 30	14 N.J.R. 554(b)	R. 1982 d.250	14 N.J.R. 920(b)
16:28A-1.22	Parking on Route 31	14 N.J.R. 555(a)	R. 1982 d.251	14 N.J.R. 920(c)
16:28A-1.23	Route 33 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	13 N.J.R. 156(a)	R. 1981 d.154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	13 N.J.R. 838(b)	R. 1982 d.12	14 N.J.R. 161(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	13 N.J.R. 746(a)	R. 1981 d.482	13 N.J.R. 947(c)
16:28A-1.25	Route 35 parking	13 N.J.R. 157(a)	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d.60	14 N.J.R. 284(b)
16:28A-1.25	Parking on Route 35	14 N.J.R. 324(b)	R. 1982 d.173	14 N.J.R. 580(c)
16:28A-1.26	Parking on Route 36	13 N.J.R. 453(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.27	Parking on Route 38	14 N.J.R. 424(a)	R. 1982 d.203	14 N.J.R. 710(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	13 N.J.R. 747(a)	R. 1981 d.481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 241(a)	R. 1981 d.192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 242(b)	R. 1981 d.194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	13 N.J.R. 522(b)	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	13 N.J.R. 747(b)	R. 1981 d.480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d.47	14 N.J.R. 236(d)
16:28A-1.34	Parking on Route 49	14 N.J.R. 554(a)	R. 1982 d.249	14 N.J.R. 920(a)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	13 N.J.R. 242(b)	R. 1981 d.194	13 N.J.R. 455(c)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 456(a)	R. 1981 d.339	13 N.J.R. 614(a)
16:28A-1.38	Parking on Route 71 in Belmar	14 N.J.R. 325(a)	R. 1982 d.174	14 N.J.R. 580(d)
16:28A-1.41	Parking on Route 77	14 N.J.R. 324(b)	R. 1982 d.173	14 N.J.R. 580(c)
16:28A-1.43	Restricted parking along Route 82	13 N.J.R. 522(b)	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.44	Route 88 parking	13 N.J.R. 155(b)	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.46	Parking on US 130	13 N.J.R. 746(a)	R. 1981 d.482	13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d.45	14 N.J.R. 236(b)
16:28A-1.51	Restricted parking along Route 168	13 N.J.R. 522(b)	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d.47	14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	13 N.J.R. 455(a)	R. 1981 d.338	13 N.J.R. 613(e)
16:28A-1.56, 1.63	Parking on US 202-206 and 202-31	14 N.J.R. 556(a)	R. 1982 d.252	14 N.J.R. 920(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 155(b)	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 156(a)	R. 1981 d.154	13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	13 N.J.R. 453(b)	R. 1981 d.336	13 N.J.R. 613(c)
16:28A-1.57	US206 parking in Hamilton Township	14 N.J.R. 139(a)	R. 1982 d.112	14 N.J.R. 391(d)
16:28A-1.60	Restricted parking on Route US 322-47	13 N.J.R. 523(a)	R. 1981 d.382	13 N.J.R. 779(b)
16:28A-1.61	Bus stops on US9W in Fort Lee	14 N.J.R. 139(b)	R. 1982 d.113	14 N.J.R. 391(e)
16:28A-1.61	Bustops and parking on US 9W	14 N.J.R. 465(a)	R. 1982 d.224	14 N.J.R. 838(b)
16:28A-1.64	Route 41 parking	13 N.J.R. 157(a)	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.64	Parking on Route 41	14 N.J.R. 425(a)	R. 1982 d.202	14 N.J.R. 710(c)
16:28A-1.65	Route 15 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.65	Parking on Route 15	14 N.J.R. 466(a)	R. 1982 d.226	14 N.J.R. 838(c)
16:28A-1.66	Parking on Route 18	13 N.J.R. 239(b)	R. 1981 d.195	13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	13 N.J.R. 157(a)	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.68	Route 93 parking	13 N.J.R. 155(b)	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.68	Parking on Route 93	14 N.J.R. 199(a)	R. 1982 d.116	14 N.J.R. 391(b)
16:28A-1.69	Parking on Route 124	13 N.J.R. 240(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d.60	14 N.J.R. 284(b)
16:28A-1.71	Bus stops on Route 67 in Fort Lee	14 N.J.R. 139(b)	R. 1982 d.113	14 N.J.R. 391(e)
16:28A-1.72, 1.73	Parking on Routes 31-57 and 32	14 N.J.R. 555(a)	R. 1982 d.251	14 N.J.R. 920(c)
16:30-3.4	US 9 bus and HOV lane in Middlesex County	Emergency	R. 1982 d.200	14 N.J.R. 661(b)
16:30-3.6	Readopt HOV lanes along Route 444	13 N.J.R. 456(b)	R. 1981 d.323	14 N.J.R. 614(b)
16:30-3.6	Repeal HOV lanes on Parkway	Emergency	R. 1982 d.196	14 N.J.R. 662(a)
16:31-1.10	Turns along Route US 30	13 N.J.R. 457(a)	R. 1981 d.340	13 N.J.R. 614(c)
16:31-1.16	No left turn along Route 79	13 N.J.R. 614(d)	R. 1981 d.460	13 N.J.R. 895(b)
16:31-1.17	Left turns on Route 73, Winslow Twp.	14 N.J.R. 466(b)	R. 1982 d.225	14 N.J.R. 838(d)
16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	13 N.J.R. 935(b)	R. 1982 d.48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	13 N.J.R. 936(a)	R. 1982 d.49	14 N.J.R. 237(a)
16:31A-1.67	Route I-280 right-on-red prohibition in Orange	13 N.J.R. 937(a)	R. 1982 d.50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	13 N.J.R. 937(b)	R. 1982 d.51	14 N.J.R. 237(c)

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16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	13 N.J.R. 615(a)	R.1981 d.497	14 N.J.R. 46(d)
16:41A-7.1	Outdoor Advertising Tax Act	13 N.J.R. 616(a)	R.1981 d.496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:53-2	Autobus specifications	13 N.J.R. 834(a)	R.1982 d.30	14 N.J.R. 160(b)
16:54	Licensing of aeronautical facilities	12 N.J.R. 289(a)	R.1981 d.141	13 N.J.R. 374(c)
16:54-1.3	"Commercial purposes" and balloon operations	14 N.J.R. 326(a)	R.1982 d.175	14 N.J.R. 580(e)
16:56-3	Repeal aircraft registry logs	13 N.J.R. 457(b)	R.1981 d.341	13 N.J.R. 616(b)
16:65-9	Corporate reorganization of contractors	13 N.J.R. 524(a)	R.1981 d.399	13 N.J.R. 779(c)
16:72	N.J. Transit procurement policies and procedures	13 N.J.R. 158(a)	R.1981 d.176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)

(Title 16, Transmittal 15 dated March 19, 1981)

TREASURY-GENERAL-TITLE 17

17:1-1.1	Administration and receipt of checks	13 N.J.R. 616(c)	R.1981 d.427	13 N.J.R. 779(d)
17:1-1.3	Pension reporting	12 N.J.R. 351(a)	R.1980 d.301	12 N.J.R. 497(c)
17:1-1.15	Administration	13 N.J.R. 109(a)	R.1981 d.85	13 N.J.R. 247(c)
17:1-1.15	Credit unions and direct deposit agreements	13 N.J.R. 883(a)	R.1982 d.20	14 N.J.R. 161(b)
17:1-1.24	Pensioners' Health Plan: Coverage and termination	14 N.J.R. 35(b)	R.1982 d.59	14 N.J.R. 237(d)
17:1-2.2	Alternate Benefit Program	13 N.J.R. 308(b)	R.1981 d.239	13 N.J.R. 458(a)
17:1-2.6	Amend administration	13 N.J.R. 109(a)	R.1981 d.85	13 N.J.R. 247(c)
17:1-2.18	Alternate Benefit Program	13 N.J.R. 309(a)	R.1981 d.240	13 N.J.R. 458(b)
17:1-2.34	Alternate Benefit Program	13 N.J.R. 244(e)	R.1981 d.213	13 N.J.R. 458(c)
17:1-2.35	Alternate Benefit Program	13 N.J.R. 309(b)	R.1981 d.241	13 N.J.R. 458(d)
17:1-4.2	Administration	13 N.J.R. 109(a)	R.1981 d.85	13 N.J.R. 247(c)
17:1-4.11	Purchase terms and employee liability	13 N.J.R. 459(a)	R.1981 d.343	13 N.J.R. 617(a)
17:1-4.22	Availability of medical records	13 N.J.R. 110(a)	R.1981 d.86	13 N.J.R. 247(d)
17:1-4.32	Administration	13 N.J.R. 109(a)	R.1981 d.85	13 N.J.R. 247(c)
17:1-4.33	Leaves of absence for maternity	13 N.J.R. 617(b)	R.1981 d.428	13 N.J.R. 779(e)
17:1-7.3	Administrative fees and investment earnings	13 N.J.R. 374(e)	R.1981 d.291	13 N.J.R. 525(a)
17:1-8.1	Repeal responsibility of director for Social Security	12 N.J.R. 727(e)	R.1981 d.1	13 N.J.R. 111(c)
17:1-8.3	Emergency rule on Social Security referendum	Emergency	R.1980 d.467	12 N.J.R. 728(b)
17:1-8.13, 8.14	Administration	13 N.J.R. 109(a)	R.1981 d.85	13 N.J.R. 247(c)
17:1-11.9	Repeal dental insurance for covered dependents	12 N.J.R. 614(a)	R.1980 d.487	12 N.J.R. 729(a)
17:2-2.1, 2.3	Public Employees' Retirement System: Enrollment	12 N.J.R. 554(b)	R.1981 d.58	13 N.J.R. 247(b)
17:1-8.13, 8.14	Administration	13 N.J.R. 109(a)	R.1981 d.85	13 N.J.R. 247(c)
17:1-11.9	Repeal dental insurance for covered dependents	12 N.J.R. 614(a)	R.1980 d.487	12 N.J.R. 729(a)
17:2-2.1, 2.3	Public Employees' Retirement System: Enrollment	12 N.J.R. 554(b)	R.1981 d.58	13 N.J.R. 247(b)
17:2-5.1, 6.2	PERS-retirement and purchases	13 N.J.R. 244(f)	R.1981 d.274	13 N.J.R. 525(b)
17:2-6.4	PERS loan repayments	13 N.J.R. 375(a)	R.1981 d.303	13 N.J.R. 618(a)
17:2-6.6	PERS revisions	13 N.J.R. 244(f)	R.1981 d.274	13 N.J.R. 525(b)
17:2-6.26	PERS: Critical disability claims	13 N.J.R. 748(a)	R.1981 d.515	14 N.J.R. 105(a)
17:3-1.4	Teachers' pension member-trustee election	12 N.J.R. 435(b)	R.1980 d.405	12 N.J.R. 678(a)
17:3-4.1	Creditable salary	12 N.J.R. 675(d)	R.1981 d.30	13 N.J.R. 162(a)
17:3-5	Teachers' Pension: Purchase and eligible service	13 N.J.R. 618(b)	R.1981 d.510	14 N.J.R. 105(b)
17:3-6.4	Loan repayments to teachers' fund	13 N.J.R. 748(b)	R.1982 d.14	14 N.J.R. 161(c)
17:3-6.6	Teachers' Pension: Retirement credit	13 N.J.R. 159(c)	R.1981 d.140	13 N.J.R. 376(a)
17:3-6.15	Teachers' Pension: Compulsory retirement	13 N.J.R. 620(a)	R.1981 d.509	14 N.J.R. 105(c)
17:3-6.25	Teacher's fund: Critical disability claims	13 N.J.R. 749(a)	R.1982 d.15	14 N.J.R. 161(d)
17:4-1.1	Police and firemen's pension board meetings	13 N.J.R. 938(a)	R.1982 d.64	14 N.J.R. 284(c)
17:4-2.6	Enrollment dates	12 N.J.R. 728(a)	R.1981 d.57	13 N.J.R. 247(a)
17:4-3.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R.1981 d.292	13 N.J.R. 525(c)
17:4-5	Police and firemen's purchases and eligible service	13 N.J.R. 682(a)	R.1982 d.4	14 N.J.R. 161(e)
17:4-5.1, 6.2, 6.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R.1982 d.292	13 N.J.R. 525(c)
17:4-6.13	Police and firemen's critical disability claims	13 N.J.R. 684(a)	R.1982 d.5	14 N.J.R. 162(a)
17:4-6.14	Insurance purchases and retirement	13 N.J.R. 310(b)	R.1982 d.292	13 N.J.R. 525(c)
17:5	Administration, insurance and death benefits, purchases, retirement and transfers	13 N.J.R. 459(b)	R.1981 d.361	13 N.J.R. 708(e)
17:5-2.5	State Police pension coverage and unpaid leaves	13 N.J.R. 938(b)	R.1982 d.65	14 N.J.R. 284(d)
17:5-4.1, 4.2, 4.3	State Police pension purchases and eligible service	13 N.J.R. 939(a)	R.1982 d.66	14 N.J.R. 284(e)
17:5-5.2, 5.6, 5.12	Effective dates, retirement credits, disability retirants	13 N.J.R. 461(a)	R.1981 d.360	13 N.J.R. 708(f)
17:5-5.15	State Police: Critical disability claims	13 N.J.R. 939(a)	R.1982 d.67	14 N.J.R. 285(a)
17:6-3.2, 3.6	Police-Firemen's Pension Fund	13 N.J.R. 245(a)	R.1981 d.201	13 N.J.R. 462(a)
17:7-3.2	Prison Officers' Pension Fund	13 N.J.R. 245(b)	R.1981 d.302	13 N.J.R. 620(b)
17:7-3.10	Prison officers' fund: Disability claims	13 N.J.R. 750(a)	R.1982 d.89	14 N.J.R. 347(c)
17:8-1.6	Variable benefit account and withdrawals	12 N.J.R. 675(e)	R.1980 d.530	13 N.J.R. 47(b)
17:8-2.10, 2.11	Repeal Supplemental Annuity reports and remittances	12 N.J.R. 496(e)	R.1980 d.419	12 N.J.R. 678(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
17:8-3.3	Variable benefit account and withdrawals	12 N.J.R. 675(e)	R. 1980 d. 530	13 N.J.R. 47(b)
17:9-2.16	Policy provisions for State Health Benefits Program	13 N.J.R. 110(b)	R. 1981 d. 138	13 N.J.R. 376(b)
17:9-5.8	Medicare refunds	13 N.J.R. 110(c)	R. 1981 d. 139	13 N.J.R. 376(c)
17:10-5.3	Judicial Retirement System	13 N.J.R. 331(a)	R. 1981 d. 244	13 N.J.R. 462(b)
17:16-5.5	Classification of funds: Temporary reserve group	13 N.J.R. 620(c)	R. 1982 d. 188	14 N.J.R. 663(a)
17:16-11.3, 12.2, 12.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d. 192	14 N.J.R. 663(b)
17:16-27.1	Collateralized Certificates of deposit	13 N.J.R. 528(a)	R. 1982 d. 191	14 N.J.R. 663(c)
17:16-28.3, 28.4, 29.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d. 192	14 N.J.R. 663(b)
17:16-31.9, 40.1	Administrative expenses; collateralized securities	13 N.J.R. 528(a)	R. 1982 d. 191	14 N.J.R. 663(c)
17:16-41	Cash Management Fund	Procedural	R. 1980 d. 443	12 N.J.R. 679(a)
17:16-42.2, 42.4	Covered call options: Expanded trading	13 N.J.R. 750(b)	R. 1982 d. 193	14 N.J.R. 663(d)
17:16-42.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d. 192	14 N.J.R. 663(b)
17:20-5.10	Emergency amend agent's compensation	Emergency	R. 1980 d. 460	12 N.J.R. 681(a)
17:21-8.1	Emergency amend unclaimed prize money	Emergency	R. 1980 d. 459	12 N.J.R. 680(b)
17:21-11	Emergency rules on 10th Anniversary instant lottery	Emergency	R. 1981 d. 11	13 N.J.R. 112(a)
17:21-11	Emergency adoption: Baseball instant lottery	Emergency	R. 1981 d. 136	13 N.J.R. 312(a)
17:21-11	Readopt "Baseball" instant lottery game	13 N.J.R. 312(a)	R. 1981 d. 269	13 N.J.R. 529(a)
17:21-11	"Super Bingo" lottery	13 N.J.R. 376(d)	R. 1981 d. 286	13 N.J.R. 529(b)
17:21-11	Emergency Adoption: "Super Bingo" lottery	Emergency	R. 1981 d. 171	13 N.J.R. 376(d)
17:21-12.1, 13.1	Emergency amend Pick-It and Pick-4 Lotteries	Emergency	R. 1980 d. 458	12 N.J.R. 680(a)
17:21-15	Emergency amend Pick-6 (Lotto) lottery	Emergency	R. 1980 d. 496	12 N.J.R. 730(a)
17:21-16	Emergency rules on Jersey Jackpot Lottery	Emergency	R. 1980 d. 507	13 N.J.R. 45(a)
17:26-2	Spill compensation tax and Federal Superfund	14 N.J.R. 36(b)	R. 1982 d. 79	14 N.J.R. 285(b)

(Title 17, Transmittal 15 dated September 18, 1980)

TREASURY-TAXATION-TITLE 18

18:3-1.2, 2.1	New Jersey wines	13 N.J.R. 839(a)	R. 1982 d. 181	14 N.J.R. 664(a)
18:5-12.5	Penalty for smuggling unstamped cigarettes	14 N.J.R. 331(a)	R. 1982 d. 256	14 N.J.R. 920(e)
18:7-1.15	Investment company defined	13 N.J.R. 684(b)	R. 1982 d. 34	14 N.J.R. 209(b)
18:7-3	Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 105(d)
18:7-11.12	Emergency extension for filing corporate return	Emergency	R. 1981 d. 163	13 N.J.R. 377(a)
18:7-11.12, 13.6, 14.2	Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 105(d)
18:12-6A.8	Multiple dwelling exemptions and tax list designations (joint adoption, see 5:22-2.6)	14 N.J.R. 72(b)	R. 1982 d. 78	14 N.J.R. 278(b)
18:12-7.12	Emergency adoption: Extension of time to file homestead rebate claim	Emergency	R. 1981 d. 474	13 N.J.R. 948(b)
18:12-7.12	Readopted: Homestead rebate filing extension	13 N.J.R. 948(b)	R. 1982 d. 41	14 N.J.R. 212(a)
18:12-9	Mobile homes tax moratorium (local property)	13 N.J.R. 162(b)	R. 1981 d. 207	13 N.J.R. 462(c)
18:12A-1.6	Appeals to county tax boards	14 N.J.R. 231(a)	R. 1982 d. 176	14 N.J.R. 580(f)
18:12A-1.12	Local property tax	13 N.J.R. 621(a)	R. 1981 d. 478	13 N.J.R. 948(c)
18:12A-1.20	County boards of taxation	13 N.J.R. 44(d)	R. 1981 d. 44	13 N.J.R. 165(a)
18:14-1.1, 2.2, 2.3, 2.4, 2.7, 2.8, 2.10, 3.4, 3.6, 3.9, 3.10	Local property tax senior citizens deduction	13 N.J.R. 462(d)	R. 1981 d. 426	13 N.J.R. 779(f)
18:18-3.6	Distributors and gas jobbers bond ceiling	14 N.J.R. 202(a)	R. 1982 d. 140	14 N.J.R. 430(a)
18:19-1.1, 2.1, 2.2, 2.6, 2.10, 3.1, 3.3	Gallon and liter pricing of motor fuels	13 N.J.R. 855(a)	R. 1982 d. 77	14 N.J.R. 285(c)
18:19-2.2	Retail gasoline prices display	14 N.J.R. 331(b)	R. 1982 d. 257	14 N.J.R. 921(a)
18:24-2.3	Sales and Use Tax Act	13 N.J.R. 163(a)	R. 1981 d. 209	13 N.J.R. 465(a)
18:24-2.15	Sales tax recordkeeping standards	13 N.J.R. 751(a)	R. 1982 d. 36	14 N.J.R. 212(b)
18:24-5.7	Capital improvement installations and sales tax	14 N.J.R. 140(b)	R. 1982 d. 141	14 N.J.R. 430(b)
18:24-7.19	Sales and Use Tax Act	13 N.J.R. 163(b)	R. 1981 d. 206	13 N.J.R. 465(b)
18:24-12.4	Sales Tax exemptions	13 N.J.R. 111(a)	R. 1981 d. 210	13 N.J.R. 465(c)
18:24-24.2	Underground gas tanks as real property	13 N.J.R. 883(b)	R. 1982 d. 85	14 N.J.R. 348(a)
18:24-27.1, 27.2	Sales and Use Tax Act	13 N.J.R. 164(a)	R. 1981 d. 208	13 N.J.R. 465(d)
18:24-28	Taxation of purchase or use of race horses	13 N.J.R. 622(a)	R. 1981 d. 436	13 N.J.R. 847(c)
18:26-2.12, 5.9, 5.17, 5.19, 6.16, 6.17, 8.6, 8.12	Transfer Inheritance Tax	13 N.J.R. 623(a)	R. 1981 d. 477	13 N.J.R. 948(d)
18:35-1.15	Exclusions from taxable gross income	14 N.J.R. 271(a)	R. 1982 d. 164	14 N.J.R. 581(a)
18:35-1.16	All-savers interest exclusion	14 N.J.R. 332(a)	R. 1982 d. 258	14 N.J.R. 921(b)
18:35-2	Debt liability and tax refunds and rebates	13 N.J.R. 940(a)	R. 1982 d. 161	14 N.J.R. 474(b)

(Title 18, Transmittal 16 dated January 14, 1981)

TITLE 19 SUBTITLES A-L-OTHER AGENCIES (Except Casino Control Commission)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
19:1-5	Home improvement loan program	13 N.J.R. 312(b)	R. 1981 d.268	13 N.J.R. 529(c)
19:4-3.2	Meadowlands zoning exemptions	14 N.J.R. 231(b)	R. 1982 d.163	14 N.J.R. 581(b)
19:4-4.142	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d.446	13 N.J.R. 847(d)
19:4-5.17	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d.1	14 N.J.R. 162(b)
19:4-6.25	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d.446	13 N.J.R. 847(d)
19:4-6.26	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d.1	14 N.J.R. 162(b)
19:4-6.28	District zoning; change in zoning map	13 N.J.R. 624(a)	R. 1981 d.467	13 N.J.R. 895(c)
19:8-1.9	Autobus length allowable on Parkway	14 N.J.R. 333(a)	R. 1982 d.116	14 N.J.R. 581(c)
19:8-2.11	Garden State Arts Center	13 N.J.R. 247(e)	R. 1981 d.169	13 N.J.R. 378(a)
19:8-2.12	Emergency service	13 N.J.R. 165(b)	R. 1981 d.115	13 N.J.R. 315(a)
19:8-3.1	Tolls on Garden State Parkway	13 N.J.R. 248(a)	R. 1981 d.170	13 N.J.R. 378(b)
19:8-7.3	State Police motor vehicle accident reports	13 N.J.R. 531(a)	R. 1981 d.387	13 N.J.R. 780(a)
19:9-1.9	Out-of-service school buses	13 N.J.R. 751(b)	R. 1981 d.520	14 N.J.R. 106(a)
19:9-3.1	Towing rates	13 N.J.R. 49(b)	R. 1981 d.37	13 N.J.R. 165(c)
19:12	PERC: Negotiations and impasse procedures	Organizational	R. 1981 d.357	13 N.J.R. 625(a)
19:16	Firemen and Police: Negotiations	Organizational	R. 1981 d.357	13 N.J.R. 625(a)
19:25-8	Financial disclosure by legislative agents	13 N.J.R. 695(a)	R. 1981 d.471	13 N.J.R. 895(d)
19:25-8	Interpretive statement on disclosure	13 N.J.R. 695(a)	R. 1981 d.471	14 N.J.R. 392(a)
19:25-15	Public Financing of General Election for Governor	13 N.J.R. 49(a)	R. 1981 d.54	13 N.J.R. 248(b)
19:30-2.1-2.3	Economic Development Authority fees	13 N.J.R. 248(c)	R. 1981 d.245	13 N.J.R. 465(e)
19:30-4.2	Targeting of authority assistance	13 N.J.R. 625(b)	R. 1981 d.457	13 N.J.R. 898(a)
19:30-4.4	EDA: Targeting of Authority assistance	13 N.J.R. 165(d)	R. 1981 d.168	13 N.J.R. 378(c)
19:30-5	Debarment of applicants and contractors	12 N.J.R. 356(a)	R. 1981 d.167	13 N.J.R. 378(d)

(Title 19, Transmittal 16 dated January 14, 1981)

TITLE 19 SUBTITLE K-CASINO CONTROL COMMISSION

19:40-1.3	Conflicting terms and conditions	14 N.J.R. 558(b)	R. 1982 d.254	14 N.J.R. 841(a)
19:41-4.3	Employee residency qualifications	14 N.J.R. 37(a)	R. 1982 d.63	14 N.J.R. 285(d)
19:41-7.14	Personal History Disclosure Form 2A	14 N.J.R. 380(b)	R. 1982 d.190	14 N.J.R. 664(b)
19:41-9.1, 9.4	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:41-9.12, 9.13, 9.14, 9.16	Fixed fees and employee licensing	14 N.J.R. 38(a)	R. 1982 d.57	14 N.J.R. 237(e)
19:41-9.15	Hotel employee registration fee	14 N.J.R. 232(a)	R. 1982 d.162	14 N.J.R. 581(d)
19:41-9.19	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:41-11.1, 11.2, 11.3	Casino licensee agreements	13 N.J.R. 626(a)	R. 1981 d.439	13 N.J.R. 847(e)
19:41-12.5	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:43-1.1, 1.2	Casino licensing requirements	13 N.J.R. 627(a)	R. 1981 d.440	13 N.J.R. 848(a)
19:43-1.8	Casino service industry licenses	12 N.J.R. 447(a)	R. 1981 d.273	13 N.J.R. 534(a)
19:44-17.10	Gaming school exterior advertising	13 N.J.R. 841(a)	R. 1982 d.21	14 N.J.R. 162(c)
19:45	Accounting and internal controls	13 N.J.R. 534(b)	R. 1981 d.437	13 N.J.R. 848(b)
19:45-1.3, 1.7	Correction: Annual audit	13 N.J.R. 47(c)	R. 1981 d.272	13 N.J.R. 628(a)
19:45-1.3, 1.8, 1.24, 1.44	Casino accounting and internal controls	13 N.J.R. 47(c)	R. 1981 d.272	13 N.J.R. 541(a)
19:45-1.3, 1.24	Internal control; patrons' cash deposits	14 N.J.R. 381(a)	R. 1982 d.189	14 N.J.R. 664(c)
19:45-1.12	Internal and gaming controls	13 N.J.R. 534(b)	R. 1982 d.206	14 N.J.R. 710(d)
19:45-1.15, 1.34	Gaming control	13 N.J.R. 534(b)	R. 1982 d.171	14 N.J.R. 582(a)
19:45-1.46	Patron coupon redemption programs	14 N.J.R. 203(a)	R. 1982 d.170	14 N.J.R. 582(b)
19:46-1.3	Gaming chips	13 N.J.R. 534(b)	R. 1981 d.408	13 N.J.R. 780(b)
19:46-1.11, 1.26	Craps table and slot machine rules	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-1.2, 1.4	Craps wagering	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-1.6	"Double odds" option in craps	14 N.J.R. 382(a)	R. 1982 d.230	14 N.J.R. 838(e)
19:47-2	Blackjack play and wagering	14 N.J.R. 559(b)	R. 1982 d.255	14 N.J.R. 841(b)
19:47-2.6, 2.8	Emergency Blackjack surrender revisions	Emergency	R. 1981 d.301	13 N.J.R. 629(a)
19:47-2.6, 2.8	Readopt Blackjack wagering changes	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-2.12	Blackjack play	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-2.13	Emergency Blackjack wagering	Emergency	R. 1981 d.301	13 N.J.R. 629(a)
19:47-2.13	Readopt Blackjack wagering	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-5.2	Roulette payout odds	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-5.7	Minimum and maximum wagering	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-5.7	Blackjack wagering	14 N.J.R. 559(b)	R. 1982 d.255	14 N.J.R. 841(b)
19:50-1.6	Alcoholic beverage control	13 N.J.R. 541(b)	R. 1981 d.438	13 N.J.R. 849(a)
19:51-1.1-1.4	Advertising	13 N.J.R. 542(a)	R. 1981 d.409	13 N.J.R. 780(d)
19:52-1.3	Nightly entertainment	13 N.J.R. 543(a)	R. 1981 d.369	13 N.J.R. 709(c)

(Title 19 Subtitle K, Transmittal 3 dated January 14, 1981)