

CHAPTER 68

STATE LIBRARY ASSISTANCE PROGRAMS

Authority

N.J.S.A. 18A:1-1, 18A:4-15, 18A:74-3.3,
18A:74-6, 18A:74-10, 18A:74-14.

Source and Effective Date

R.1990 d.179, effective February 26, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Chapter Expiration Date

Pursuant to Executive Order No. 22(1994), Chapter 68, State Library Assistance Programs, expires on August 26, 1996. See: 26 N.J.R. 3783(a) and 3942(a).

Chapter Historical Note

All provisions of this chapter were filed and became effective prior to September 1, 1969. Subchapter 2 became effective October 21, 1970 as R.1970 d.127. See: 2 N.J.R. 71(b), 2 N.J.R. 90(a). Subchapter 3 became effective September 22, 1972 as R.1972 d.186. See: 4 N.J.R. 155(a), 4 N.J.R. 262(b). Revisions became effective April 7, 1973 as R.1973 d.99. See: 5 N.J.R. 79(b), 5 N.J.R. 139(b). Subchapter 4 became effective July 1, 1974 as R.1974 d.175. See: 6 N.J.R. 223(a), 6 N.J.R. 302(a). Revisions became effective September 18, 1975 as R.1975 d.275. See: 7 N.J.R. 356(a), 7 N.J.R. 460(a). Further revisions became effective April 7, 1978 as R.1978 d.121. See: 10 N.J.R. 95(a), 10 N.J.R. 183(b). Further amendments became effective May 15, 1980 as R.1980 d.224. See: 12 N.J.R. 175(a), 12 N.J.R. 307(b). Amendments became effective June 6, 1983 as R.1983 d.198. See: 15 N.J.R. 196(a), 15 N.J.R. 890(c). Subchapter 2 was readopted effective April 12, 1985 with amendments effective May 6, 1985 as R.1985 d.207. See: 17 N.J.R. 346(a), 17 N.J.R. 1078(a). Subchapter 5 became effective July 21, 1986 as R.1986 d.278. See: 18 N.J.R. 595(b), 18 N.J.R. 1459(a). Subchapter 7 became effective April 20, 1987 as R.1987 d.183. See: 19 N.J.R. 6(a), 19 N.J.R. 634(a). Subchapter 8 became effective April 20, 1987 as R.1987 d.182. See: 19 N.J.R. 7(a), 19 N.J.R. 635(a). Subchapter 9 became effective April 20, 1987 as R.1987 d.181. See: 19 N.J.R. 8(a), 19 N.J.R. 635(b). Chapter 68, State Library Assistance Programs, was readopted as R.1990 d.179, effective February 26, 1990. The readoption included the adoption, effective March 19, 1990, of new Subchapters 1, General Provisions; 3, Incentive Grant Program; 7, Institutional Library Services and 8, Municipal Branch Library Services. Subchapter 1 was recodified as Subchapter 2, State Library Aid, with amendments. Subchapter 3 was recodified as 4, Emergency Aid, with amendments. Subchapter 4 was recodified as 5, Library Construction Incentive Program, with amendments. Subchapter 5 was recodified as 6, Audio-Visual Public Library Services, with amendments. Subchapter 8 was recodified as Subchapter 9, Collection Evaluation and Development, with amendments. Subchapter 9 was recodified as Subchapter 10, Maintenance of Library Collections, effective March 19, 1990. Subchapters 2, 6 and 7 were repealed and replaced, effective March 19, 1990. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

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SUBCHAPTER 1. GENERAL PROVISIONS

6:68-1.1 Purpose

The purpose of this chapter is to describe the library grant programs available from State funds and to establish general rules for the application process and for the awarding of these funds to libraries. These general rules will govern the State Library grant process unless different procedures are given in the rules relating to a specific grant program.

6:68-1.2 Definitions

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

“Academic library” means a library within a publicly or privately supported institution of higher education.

“Associate librarian” means a person who holds an associate educational media specialist certificate in accordance with N.J.A.C. 6:11-12.22.

“Association library” means a library established pursuant to N.J.S.A. 15A:1-1 et seq. and receiving public funds pursuant to N.J.S.A. 40:54-35.

“Audio-visual” means communications resources which rely on a device for transmission, reproduction, or enlargement to be effectively utilized or understood. Also included are non-print resources such as art works and objects.

“Audio-visual materials” means materials in audio and visual formats which convey information primarily by sound and image rather than by text and which rely on a device for transmission, reproduction or enlargement to be effectively utilized or understood. Excluded are print and print substitutes such as microform, but included are computer software, art works and objects.

“Audio-visual public library services” means provision of access to audio-visual materials to clientele of a public library.

“Branch library” means an auxiliary public library (county or municipal) which has all of the following, but which is administered from a central unit:

1. Separate quarters from the central unit;
2. A permanent basic collection of library materials;
3. A permanent paid staff; and
4. A regular schedule for opening to the public.

“Central library” means the main library building of a municipality, county or other type of public library or those facilities which house the administrative headquarters of a public library system, including system-wide services provided from a single location.

“Collection development” means activities relating to the development of a library collection, including but not limited to the determination and coordination of selection policies, assessment of needs of users and potential users, collection use studies, collection evaluation, identification of collection needs, selection of materials, planning for resource sharing, collection maintenance and weeding, and purchase of library materials in any format.

“Collection evaluation” means the process of assessing a library collection in terms of specific objectives or in terms of the needs of the patrons of the particular collection.

“Collection maintenance” means activities to preserve the materials in a collection, including care and handling, binding, mending, repairing, marking and shelving.

“Collection of historical or special interest” means all or part of a group of materials with permanent significance to New Jersey’s documentary heritage or with general research value and uniqueness.

“Collection” means library materials in any format.

“Coordinated collection development plan” means an agreement extended by a group of libraries to take responsibility for building and maintaining collections in specific subject areas to increase the resource sharing capabilities of the libraries.

"County library" means a public library established pursuant to N.J.S.A. 40:33-1 to 13 and 40:33-15 to 23.

"Evening hours" means any two hours the library is open after 6:00 P.M.

"Expanded programs of library services" means new services, changes in or expansion of services already offered.

"Extended long-term loan" means a loan of 12 months or more.

"In kind" means the current and recurring costs of the operation of the library and its programs/services that were present before the development and implementation of the grant program.

"Institution" means an adult or juvenile health, mental health, mental retardation, veterans, residential, correctional and other similar facility other than a public school, which is operated by or under contract to the State or to county or municipal governments to carry out health, welfare, educational and correctional programs. Excluded are general hospitals, nursing homes and boarding homes.

"Institutional library" means any library within an institution directly serving the institutional client group.

"Interlibrary loan" means a transaction between libraries, a form of resource sharing by which one library's collection is utilized by another library in response to a mediated request for a specific item on behalf of its users. The original or a copy of the item may be provided.

"Joint library" means a library established pursuant to N.J.S.A. 40:54-29.3 to 29.26.

"Librarian" means a professional librarian, an educational media specialist or an associate educational media specialist who holds, or is eligible to hold, a certificate in accordance with N.J.A.C. 6:11-12.7 Professional librarian; N.J.A.C. 6:11-12.21, Educational media specialist; or N.J.A.C. 6:11-12.22, Associate educational media specialist.

"Library" means an organized collection of accessible print and/or non-print materials with appropriate staff to maintain such materials and to provide reference, research and other services to the public.

"Library clerk" means a person employed in a library who performs clerical or support functions.

"Library materials" means print, non-print items and electronic software.

"Library-related agency" means a county audio-visual aids commission established under N.J.S.A. 18A:51; a learning resource center; a regional curriculum services unit; or any other nonprofit organization meeting the criteria for mem-

bership in a regional library cooperative in accordance with N.J.A.C. 6:70-1.5(b).

"Library services" means all activities rendered by the library to its users.

"Municipal library" means a library established pursuant to N.J.S.A. 40:54-1 to 29.2.

"Overhead" means current or recurring expenses such as rent, insurance, lighting, heating, accounting or office expenses.

"Part-time employee" means an employee whose regular hours of duty are less than the normal work week for that class or agency in accordance with Civil Service Rule N.J.A.C. 4:1-2.1.

"Periodical" means a serial publication which is issued in a continuous series under the same title, usually published at regular intervals, more frequently than annually, over an indefinite period, individual issues in the series being numbered consecutively or each issue being dated.

"Periodical indexes" means subject indexes to a newspaper or to a group of periodicals which are provided for patron and staff use whether in print, micro or electronic format.

"Privately supported library" means a library whose parent agency receives less than 50 percent of its annual funding support from governmental sources.

"Public library" means a municipal, county, association or joint library, which receives public funding.

"Publicly supported library" means a library whose agency receives 50 percent or more of its regular annual funding support from governmental sources.

"Regional library" means a library established pursuant to N.J.S.A. 40:33-13.3 et seq.

"School library" means a library/media center within any publicly or privately supported elementary or secondary school, or in any post-secondary vocational or technical school.

"Special census" means a census conducted by the United States Secretary of Commerce pursuant to 13 U.S.C. 196.

"Special library" means a library/information center of a business, a professional, scientific, or trade association, a government, hospital or other for-profit or nonprofit institution or organization which provides that organization with information, library materials, and technical bibliographic and research services.

"Subject collection" means a collection of materials on a subject covering a specific topic, specific period of time or pertaining to a specific geographic area.

"User studies" means a method of determining the information needs of current library patrons or potential library patrons.

6:68-1.3 Grant application procedures

(a) The State Library requires the use of a standard application for the grant programs unless otherwise specified. Application forms, unless otherwise specified, may be obtained from:

New Jersey State Library

Grant Applications

185 West State Street

CN 520

Trenton, New Jersey 08625-0520.

(b) Applications must conform to the requirements for completion and the deadline dates as specified by the State Librarian in the annual program announcement and its supplement.

6:68-1.4 Criteria for approval

(a) Evaluation of the applications may be based on, but not necessarily be limited to, the following criteria:

1. A statement of the applicant's need as it relates to the Request for Proposal's stated purpose;
2. A rationale providing a description of the potential project and the basis for the selection of a particular solution or method for the project;
3. Goals and objectives describing the outcomes or results expected from the project;
4. An action plan describing the activities and resources needed to reach the stated objectives of the project;
5. An evaluation plan describing the applicant's proposed method to evaluate the progress and outcomes of the project; and
6. A budget listing how requested funds will be used to support the action plan. Appropriate budget forms are supplied with application forms.

(b) Each application will contain specific, expanded definitions of these criteria to assist applicants to develop appropriate information for the grant application.

6:68-1.5 Reports and audits

Grant recipients shall be required to submit reports and financial audits as specified by the State Librarian in the grant announcement.

6:68-1.6 Notification of applicants

Applicants will be informed of the State Librarian's recommendations of approval or rejection within 90 days of application deadline.

6:68-1.7 Appeal procedures

(a) If a recipient agency requests the results of a denied proposal, the State Librarian will provide a written explanation of the denial.

(b) Applicants whose projects have been rejected may submit a written request for an informal fair hearing before the State Librarian. A hearing will be held only if it is alleged that the State Library has violated a statutory or regulatory provision in the awarding of a grant. An appeal will not be heard based upon a challenge to the final evaluation score of a grant proposal.

(c) In the event of an adverse decision after such informal hearing, applicants may request a formal hearing pursuant to N.J.S.A. 18A:6-9 et seq. The hearing shall be governed by the provisions of the Administrative Procedure Act (see N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., as implemented by the Uniform Administrative Procedure Rules, N.J.A.C. 1:1).

SUBCHAPTER 2. STATE LIBRARY AID

6:68-2.1 Purpose

The purpose of this program is to provide per capita library aid to public libraries according to N.J.S.A. 18A:74-1 et seq.

New Rule: R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-2.2 Governance

(a) Any municipal library which has been established pursuant to N.J.S.A. 40:54-1 et seq. or pursuant to any special Act shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-1 et seq. or any special Act.

(b) Association libraries receiving local tax support under N.J.S.A. 40:54-35 shall be governed by a board of trustees and shall be incorporated as a non-profit corporation pursuant to N.J.S.A. 15A:1-1 et seq.

(c) Any joint library which has been established pursuant to N.J.S.A. 40:54-29.3 et seq. shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-12, 40:54-29.10, 40:54-29.12 and 40:54-29.13.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Added statutory cites.

6:68-2.3 Certification

In order to receive any State library aid, all public libraries serving populations of 10,000 or above shall employ certified librarians in professional positions as required in N.J.S.A. 45:8A.

6:68-2.4 Employees

(a) All public libraries (municipal, joint, association and county) shall meet the following minimum requirements based on the population of the area from which the library receives tax support:

1. Number of employees: All libraries shall employ a minimum of one full-time staff member. In addition, one full-time employee or the equivalent thereof in part-time paid employment for the initial 4,000 population and each succeeding 4,000 population shall be employed as set forth in Chart A below. All of the above are exclusive of security, janitorial or custodial employees.

Chart A

Full-Time Paid Employees

Population	Total Number of Full-Time Paid Employees
0- 3,999	1
4,000- 7,999	2
8,000-11,999	3
12,000-15,999	4
16,000-19,999	5
20,000-23,999	6
24,000-27,999	7
28,000-31,999	8
32,000-35,999	9
36,000-39,999	10
40,000-43,999	11
44,000-47,999	12
48,000-51,999	13
52,000 and over	14 plus one additional full-time paid employee for each additional 4,000 population.

i. Full-time means a minimum of 30 hours per week except that for municipalities of under 5,000 population, full-time may be defined as two part-time persons. At no time shall either part-time employee work less than 10 hours per week.

2. Professional staff:

i. All libraries serving populations of 10,000 or more must employ as library director a full-time professional librarian who holds a professional librarian certificate.

ii. Libraries serving 10,000 to 50,000 population must employ a minimum of one full-time professional librarian or the full-time equivalent for each 10,000

population as set forth in Chart B annexed hereto and made a part thereof.

iii. Libraries serving a population over 50,000 must employ a minimum of one full-time professional librarian or the full-time equivalent for every 10,000 population up to 50,000 and one additional full-time professional librarian or the full-time equivalent for each 20,000 population over 50,000 as set forth in Chart B below.

Chart B

Population	Number of Full-Time Professionals
0- 9,999	0
10,000- 19,999	1
20,000- 29,999	2
30,000- 39,999	3
40,000- 49,999	4
50,000- 69,999	5
70,000- 89,999	6
90,000-109,999	7
110,000-129,999	8
130,000 and over	9 plus one additional full-time professional for each additional 20,000 population.

Amended by R.1987 d.398, effective October 5, 1987.

See: 19 N.J.R. 1128(a), 19 N.J.R. 1796(a).

(a)2iii population changed from 10,000 to 20,000.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 1.4 and added new (a)1i.

Administrative Correction to (a)2iii: changed 129,000 to 129,999.
See: 22 N.J.R. 2359(a).

6:68-2.5 Library materials

(a) A minimum collection of 8,000 volumes or one volume per capita, whichever is greater, shall be available in all libraries established pursuant to the provisions of N.J.S.A. 40:54-1 et seq., N.J.S.A. 40:54-29.3 et seq. and N.J.S.A. 40:33-1 et seq.

(b) A minimum of $\frac{1}{10}$ of volume per capita shall be purchased annually. Audio-visual materials, computer software and electronic reference services may be equated to volumes purchased. To equate audio-visual materials, computer software and electronic reference services with print purchases:

1. Divide total materials budget, excluding expenditure for periodicals, by the average price per volume as computed in New Jersey Library Statistics for the preceding calendar year; or

2. Divide total expenditure for audio visual materials, computer software and electronic reference services by average price per volume as computed in New Jersey Library Statistics for the preceding calendar year. Add resulting figure to number of volumes purchased. The total of the two figures should be equal to or exceed the minimum requirement of $\frac{1}{10}$ volume.

(c) Periodical holdings and subscriptions shall be provided as set forth in Chart C annexed hereto and made a part thereof.

Chart C

Periodical Holdings

Population	Number of Periodicals	Number of Periodicals Listed in Indexes	Number Retained for 3 Years
Under- 5,000	25	15	8
5,000- 9,999	50	30	17
10,000-24,999	75	45	25
25,000-49,999	100	60	33
50,000-and over	150	90	50

1. In addition, each library shall purchase the index or indexes which are necessary to provide access to information contained within the periodicals.

(d) Those libraries which are in municipalities providing tax support for a county library may count the materials provided by the county library to the local library toward meeting the requirements of (a), (b) and (c) above. The materials provided can be used to satisfy the requirements for volumes purchased, minimum collection, and periodical subscriptions and holdings by the exact number provided by the county library in each category.

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-2.6 Hours of service

(a) The following minimum hours of service are required:

Population Served	Hours Open Per Week
Under-10,000	30
10,000-24,999	45
25,000-49,999	50
50,000-and over	60

(b) Minimum hours open to the public must be scheduled to provide some service five days per week with a minimum of three evenings and some weekend hours every week. Seasonal (summer or other special) variations are permitted for three months per year. The State Librarian may authorize other variations to accommodate local conditions.

(c) Libraries serving communities of under 10,000 population must meet the minimum requirement of 30 hours per week. However, the 30 hours may be scheduled to provide only two instead of three evenings per week.

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Added State Librarian Authorization to make local hour variations.

6:68-2.7 Loss of aid for failure to meet minimum requirements

Failure to meet the requirements of N.J.A.C. 6:68-2.2 through 6:68-2.6 will result in the loss of all per capita State Aid.

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).
Deleted (b).

6:68-2.8 Use of per capita aid; decision by public library board of trustees or county library officials

(a) Upon receipt of State Aid checks pursuant to N.J.S.A. 18A:74-3, municipal and county treasurers shall make these funds immediately available to public library trustees, county library commissioners or, in counties which have reorganized the administrative structure of county government according to N.J.S.A. 40:41A-1 et seq., the board of chosen freeholders as the case may be. Decisions on the use and expenditures of per capita State Aid rest with the board of trustees of municipal, joint and association libraries and with the county library commission of the county libraries or the county board of chosen freeholders. The State Librarian may require a certified audit if he or she deems necessary.

(b) State Aid funds must be expended within two years of the date of receipt of the funds. If not expended, the board of trustees, the county library commission or the board of chosen freeholders must submit to the State Librarian a plan for the use of the unspent balances at least 60 days before the deadline for expenditure. Failure to submit such a plan, or disapproval of the plan by the State Librarian, shall result in the withholding of State Aid payments.

(c) In reviewing the plan, the State Librarian will give consideration to the following:

1. Priority for the use of balances for expenditures which enable the library to comply with the provisions of this chapter;
2. Demonstration that expenditures contribute to the provision of efficient and effective library services, including capital needs and facilities;
3. Inclusion of realistic, attainable, time-bounded objectives.

As amended, R.1978 d.121, effective April 7, 1978.
See: 10 N.J.R. 95(a), 10 N.J.R. 183(b).

Amended by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Board of Chosen Freeholders added and 60 days before deadline for expenditure in (b) added.

6:68-2.9 Application of special census

An application for the use of a special census for the receipt of aid pursuant to N.J.S.A. 18A:74-3 shall be submitted in writing to the State Librarian for transmittal to the State Commissioner of Education on or before October 15 of the year preceding that in which the special census would be used as a basis for the payment of per capita aid. The application must include the new census figure to be used, and written verification from the United States Bureau of the Census.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted reference to area library grants.

6:68-2.10 Library buildings; submission of program

Any library planning to use State Aid moneys for new construction, an addition or structural changes to the present building shall submit its building program and preliminary building plans to the State Librarian for review and approval.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted "extensive renovations"; added "structural changes".

6:68-2.11 Revision of criteria

The State Librarian shall review all State Library Aid rules and regulations periodically, and at least every five years the Advisory Council of the Division of the State Library shall recommend appropriate revision to the State Board of Education to ensure that libraries throughout the State move toward the achievement of national standards and develop appropriate systems of library service.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted reference to Archives and History.

6:68-2.12 State Library Aid application

(a) An application form is available at the following address:

New Jersey State Library

Per Capita State Aid

185 West State Street CN520

Trenton, New Jersey 08625-0520

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Corrected address.

6:68-2.13 Appeals procedure

Appeals arising from any action of the State Librarian in administering the rules of this subchapter may be requested, and an opportunity given for an informal fair hearing before the State Librarian. In the event of an adverse decision after such an informal hearing, appellants may request a formal hearing pursuant to N.J.S.A. 18A:6-9, 18A:6-24, and 18A:6-27. Such hearings shall be governed by the provisions of the Administrative Procedure Act (see N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., as implemented by N.J.A.C. 1:1).

New Rule: R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

SUBCHAPTER 3. INCENTIVE GRANT PROGRAM

Subchapter Historical Note

Subchapter 3, Incentive Grant Program, was originally codified as Subchapter 2. Subchapter 2 was repealed as part of readoption R.1990 d.179, effective March 19, 1990. See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-3.1 Purpose

(a) The intention of the incentive grant program is to encourage the establishment of expanded or enhanced forms of service through the development of larger units of library service. It is designed to maximize the use of established library services and to encourage the dissolution of small, inefficient units of service.

(b) There are two separate incentive grant categories:

1. Program A—Municipal library assistance aid for planning and development of joint libraries; and
2. Program B—County library assistance aid for planning and development for expanded county library service.

(c) The priority for grant categories and percentage of funds allocated to each category shall be established each year by the State Librarian.

6:68-3.2 Definitions

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

"Expand" means to add services or to extend existing services to previously unserved clienteles.

"Larger units of library service" means the creation of a new entity encompassing a broad geographic area or population base for the delivery of library services. This may include the creation of an entity where none exists or the combining of existing entities through appropriate legal steps to serve a broader area or population base. Examples of larger units of service include but are not limited to:

1. Formation of a joint library by an existing municipal library or existing association library and a municipality which is not currently supporting library services;
2. Formation of a joint library by two or more existing municipal libraries or two or more existing association libraries;
3. Formation of a joint library by an existing association library and an existing municipal library;
4. Development of a new branch library for a county library system;

5. Reorganization of county library services through the county library reorganization law (N.J.S.A. 40:33-13.2d et seq.);

6. Expansion of county library services to new populations; and

7. Enhancement/strengthening of county library services.

"Operating expense" means the current and recurrent costs necessary to the provision of library service, such as personnel, library materials, binding, supplies, repair or replacement of existing furnishings and equipment, and costs incurred in the operation and maintenance of the physical facility.

6:68-3.3 Program A—Municipal library assistance for planning and development of joint libraries

(a) There are two phases to Program A: Phase 1—Planning for joint libraries and Phase 2—Aid for development and implementation of joint libraries.

(b) Phase 1 provides municipal library assistance aid for planning.

1. Municipal library assistance aid for planning will make funds available to develop a master plan on the feasibility of uniting two or more contiguous municipalities in a larger unit of service through the formation of a joint library. This program will be in effect only in counties where a county library has not been established.

2. The result of the municipal planning assistance aid will be a written master plan documenting the feasibility of establishing and maintaining a larger unit of library service through a joint library. The master plan must contain the following elements:

- i. The goal of the master plan;
- ii. Objectives of the master plan;
- iii. A report on the demographic characteristics of the communities;
- iv. A report on library resources, if applicable;
- v. A report on library services, if applicable;
- vi. A report on estimated cost of the project;
- vii. A recommendation on feasibility of the project;
- viii. A recommendation on a possible site for the joint library; and
- ix. A projected three year timetable for implementation.

3. All costs directly associated with the development of a master plan are eligible for funding, except for overhead expenses and in-kind costs. Eligible costs include, but are not limited to, the employment of a library consultant to conduct the study; costs associated with administering and conducting any surveys related to the plan, such as a community survey or patron survey; and any support costs directly associated with the project including data processing costs and mailing costs.

4. Applications will be evaluated on the basis of the following criteria:

i. One of the municipal or association libraries must, at the time of application, meet in full the quantitative State Aid rules for libraries servicing its population (N.J.A.C. 6:68-2).

ii. First priority in funding shall be given to the project anticipated to serve the largest number of individuals.

iii. Applications will also be evaluated against the "Criteria for approval" in N.J.A.C. 6:68-1.4.

5. A grant not to exceed \$30,000 will be made for the development of a master plan for library service for a population up to 50,000.

6. A grant not to exceed \$50,000 will be made for the development of a master plan for library service for a population up to 100,000.

7. The boards of trustees of any association, joint or municipal libraries investigating the possibility of entering into a joint library agreement must file a joint application. If there is currently no library service in a municipality, the local governing body would be eligible to apply as a joint applicant.

(c) Phase 2 provides municipal library assistance aid for development.

1. Grant funds will be available to assist in the development and initial financing of a joint municipal library. Any library entering Phase 2 must have a master plan for joint library service approved by the State Librarian. The municipalities entering into the joint library agreement must meet the following criteria:

i. Serve a combined population base of not less than 15,000;

ii. Serve contiguous municipalities; and

iii. In order to participate in the municipal library assistance aid program for development, participating municipalities must pass a resolution stating that no less money would be generated for library services in the municipalities than was generated in the year prior to the formation of the joint library.

2. Upon establishment of a joint free public library pursuant to N.J.S.A. 40:54-29.3 et seq., a library shall be eligible for a minimum grant of \$50,000 for initial operating costs associated with the establishment of a new library. Additional funding may be available for this purpose.

i. Examples of eligible costs that can be included are personnel, books and materials, equipment, data processing equipment and furnishings.

ii. These grant funds may not be used for construction or renovation projects costing in excess of \$10,000.

3. The board of trustees of the newly created joint library shall be eligible for funding under this program.

4. During the initial year of operation of the joint library, grant funds will be awarded to the municipalities which created the library. These funds will be awarded on a per capita basis. This per capita grant shall be used by the municipalities to fund additional library services. It may not be used to reduce local required support of library service.

5. The governing officials of municipalities who disestablish their existing local public libraries shall be eligible for funding under this program.

6:68-3.4 Program B—County library assistance aid for planning and development for expanded county library service

(a) There are two phases to Program B: Phase 1—Assistance aid for planning and Phase 2—Development and implementation of expanded county library services.

(b) In Program B, Phase I, county library assistance aid for planning will be available to fund or update a master plan to study the feasibility of developing options for expanded county library service. There are three possible options: development of new branch libraries; expansion of county library service to new populations; and enhancement or strengthening of county library branch service.

1. The product of county library assistance aid will be a written or updated master plan documenting the feasibility of developing any of the options listed above. The master plan shall contain the following elements, which may be further defined in the annual Request for Proposal for this program:

- i. The goal of the master plan;
- ii. Objectives of the master plan;
- iii. A report on the demographic characteristics of the county;
- iv. A report on library resources;
- v. A report on library services;
- vi. A report of estimated cost for options;

vii. The feasibility of options; and

viii. A projected timetable for implementation of the options.

2. All costs directly related to the development of a master plan are eligible for funding except overhead expenses and in-kind costs. Eligible costs include, but are not limited to, the employment of a library consultant to conduct the study; costs associated with administering and conducting any surveys related to the plan, such as community survey and patron survey; and any support costs directly associated with the project, including data processing costs and mailing costs.

3. Additional criteria for approval are as follows:

i. The county library must, at the time of the application, meet in full the quantitative State Aid rules for library service to its population (N.J.A.C. 6:68-2).

ii. All initial applications shall be ranked in terms of the counties' ability to pay with priority given to applicants demonstrating the least financial resources. The criterion used to determine financial ability shall be the ratio of equalized valuation of the year preceding the date of application to the population estimate of the county for the same year. (Equalized valuations shall be as listed in the Table of Equalized Valuation published by the New Jersey Division of Taxation and population shall be based upon estimates of the Department of Labor.)

4. The county library commission shall be eligible to receive funding under this program. In counties which have reorganized the administrative structure of county government according to N.J.S.A. 40:41A-1 et seq., the board of chosen freeholders shall be eligible to receive funding. In either case, the awards of grant funds shall be made payable to the treasurer of the county.

5. A grant not to exceed \$20,000 will be available for the development of a master plan for library service for a population up to 50,000. A grant not to exceed \$30,000 will be available for the development of a master plan for library service for a population up to 100,000. A grant not to exceed \$40,000 will be available for the development of a master plan for library service for a population over 100,000.

(c) In Program B, Phase 2 a library applying for funding must have a master plan for county library services which contains the same elements required under Program A of this subchapter, and it must be approved by the State Librarian. There are three options in Program B, Phase 2. Each option has several stages of funding. The three options are: county library branches; expansion of county library services to populations; and strengthening/enhancing county library services.

1. Option 1 will fund grants to assist in the development and initial operation of county library branches.

There are four stages under this option. Applications for these stages must be made sequentially. In order to be eligible for the next stage, applicants must meet requirements for the preceding stage(s).

i. In Stage 1, a grant up to \$20,000 will be provided to fund additional planning and preparation costs associated with the establishment of a county library branch. This planning must ensure that the county library branch meets the following qualifications:

(1) A county branch must be established as part of an overall master plan for county-wide library service;

(2) It must be under the full-time supervision of a paid certified librarian;

(3) It must have a population service base of not less than 15,000 nor more than one quarter of the entire population serviced by the county library system; and

(4) It must have a library building adequate to house the collection, a separate meeting room, and at least three readers' seats for every 1,000 population in the branch service area. The building may be owned by either a municipality or the county, or it may be rented.

ii. In order to be eligible for Stage 2, the county library making the application must meet all applicable State Library Aid criteria (N.J.A.C. 6:68-2) as well as the requirements listed in Stage 1.

(1) The newly established branch must be established in accordance with the provisions of the county master plan and must also meet the four basic qualifications of a county branch enumerated in N.J.A.C. 6:68-3.4(c)1i.

(2) An exception may be granted to the quantitative State Aid criteria (N.J.A.C. 6:68-2) if it can be shown that the criteria will be met by the end of the year.

(3) Exceptions may be granted for N.J.A.C. 6:68-3.4(c)1i, if the exception requested can be justified by the county master plan and is approved by the State Librarian.

(4) A county library having newly established and contracted for a branch meeting the above minimum criteria or having been granted by the State Librarian one or more exceptions to those criteria shall be eligible in the first year of the branch's operation for an incentive grant of 25 percent of the branch's budget, not to exceed \$50,000.

iii. In order to be eligible for Stage 3, during the second year of operation under this program, the newly established branch must meet all of the quantitative State Aid criteria (N.J.A.C. 6:68-2) as well as the four basic qualifications of a county branch library and all the requirements listed in Stage 2.

(1) Where the branch to be funded meets these criteria, the county library shall be eligible for an incentive grant of 20 percent of the amount of the branch library's operating budget, not to exceed \$50,000.

iv. In Stage 4, during the third year of the operation under this program, the branch must continue to meet all of the State Aid criteria as well as the four basic qualifications of a county branch library and all the requirements listed in Stage 3. The county library will be eligible for an incentive grant of 15 percent of the amount of the branch's operating expenditure, not to exceed \$30,000.

v. The county library commission shall be eligible to receive funding under this program. In counties which have reorganized the administrative structure of county government, the board of chosen freeholders shall be eligible to receive funding. In either case, the award of grant funds shall be made payable to the treasurer of the county.

2. Option 2 will provide funding to assist a county library to expand library service to a community which had previously maintained a municipal free public library. Before funding will be awarded under this option, the municipal library must be disestablished through appropriate legal methods.

i. The county library and the local municipality applying for this grant shall jointly share the funding received. Under this option, the county library commission shall be eligible to receive one-half of the grant funding of this project on behalf of the county library. In counties which have reorganized the administrative structure of county government, the board of chosen freeholders shall be eligible to receive this funding for the county library. In either case the award of grant funds shall be made payable to the treasurer of the county.

ii. The governing officials of the local municipality shall be eligible to receive one-half of the grant funding for this project.

iii. Under this option, the county library shall use its portion of the per capita grant for any operating expense. The millage rate for county library service shall not be reduced as a result of this program.

iv. The municipality shall use its portion of the grant award to offset the local residents' portion of the county dedicated tax for library service.

v. This grant option shall be phased in over a three year grant cycle. A per capita grant shall be awarded during the first year of funding under this option. The award shall be shared equally by the county library and the local municipality. A per capita grant equal to 75 percent of the first year grant shall be shared during the second year of this option. A per capita grant equal to 50 percent of the first year grant shall be shared during the third year of this option.

3. Option 3 will provide funds to expand or enhance county library services by providing additional hours or services at county branch facilities. Methods for expanded/enhanced library service include, but are not limited to:

- i. Expansion of branch library hours to include evenings or Saturday or Sunday hours,
- ii. Expansion of branch library services to include adult or children's programming,
- iii. Enhancement of branch library service through increased telecommunication with main library, and
- iv. Enhancement of branch library service through increased access to technology, such as commercial bibliographic utilities, electronic database reference services, and telefacsimile.

(1) The county library commission shall be eligible to receive funding under this program. In counties which have reorganized the administrative structure of county government, the board of chosen freeholders shall be eligible to receive funding. In either case, the award of grant funds shall be made payable to the treasurer of the county.

(2) In general, all costs directly associated with the project will be eligible for funding. These include personnel, books and other library materials, equipment and overhead costs such as electricity or heat.

(3) Under this option, grant funding must be matched by an expenditure of local county funds which is equal to 50 percent of the total cost of the project. In kind services, such as release time for staff, are not eligible to be considered matching funds.

(4) Grant funding shall not exceed \$20,000 for this option.

(5) A county library may receive only one grant under this option per year. Libraries may apply to have projects continued for up to an additional two years after the first grant. These continuation applications will be evaluated, as are first year applications, on the criteria found in N.J.A.C. 6:68-1.4.

6:68-3.5 (Reserved)

SUBCHAPTER 4. EMERGENCY AID

6:68-4.1 Purpose

The purpose of this emergency aid grant program is to help alleviate unforeseeable, emergency conditions in any municipal or county library.

New Rule: by R.1990 d.179, effective March 19, 1990.
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-4.2 Definitions

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

"Adequate insurance" means insurance covering, at a minimum, losses of 80 percent of replacement value, resulting from fire, floods, lightning, aircraft, earthquake, vehicles, explosions, riots, civil commotion, vandalism or malicious mischief.

"Emergency" means any damage or loss suffered by a public library in excess of \$50,000 or 10 percent of that library's current operating budget, whichever is less, and which directly affects the accessibility to the library and its collections to the public. Damages or losses caused by normal wear and tear, deterioration, defect, mechanical breakdown or neglect are not considered emergencies.

"Reimbursable loss" means such damage or loss which is not indemnified elsewhere such as through insurance or similar payments.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 3.1 and added "adequate insurance".

6:68-4.3 Emergency aid grants

(a) Emergency aid grants up to 100 percent of reimbursable losses may be made as funds permit.

(b) In general, no more than 50 per cent of the sum allocated annually for emergency aid and incentive grants will be expended as emergency aid grants.

6:68-4.4 Method of application

(a) A letter of application for emergency aid under N.J.S.A. 18A:74-6 must be sent by certified mail to the State Librarian. This letter of application, made by an authorized representative of the library's board of trustees, shall include:

1. The amount of grant requested;
2. The date the emergency occurred;
3. The cause of damage or loss;
4. A detailed description of the damage or loss and the cost of replacement;
5. Sources and amounts of indemnification (such as insurance payments), if any;
6. Proposed steps to be taken by the library to correct the condition which caused the emergency;
7. The library's maintenance budget for the preceding five years;
8. An assurance that the library holds adequate insurance; and

9. Any additional reports or information the State Librarian may request.

(b) An intent to file request for emergency aid must be received by the State Librarian within 30 days of damage or loss.

(c) Actual application for emergency aid must be received by the State Librarian within 90 days of damage or loss.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

At (a) "letter of" application added; new 7. and 8. added and new (b) and (c) added.

6:68-4.5 Eligibility

(a) In order to be eligible for assistance, the library must demonstrate that:

1. Adequate insurance was in effect for 12 months prior to the emergency;
2. Preventive maintenance was budgeted for and performed during each of five years prior to the emergency; and
3. Reasonable effort has been made to correct the condition that caused the emergency. Written documentation, such as copies of bills, requests for quotations, work orders, must be submitted.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

New (a)1.-3. added.

6:68-4.6 through 6:68-4.8 (Reserved)

6:68-4.9 (Reserved)

Amended by R.1983 d.198, effective June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Added last sentence.

SUBCHAPTER 5. LIBRARY CONSTRUCTION INCENTIVE PROGRAM

6:68-5.1 Purpose

Under the provisions of the New Jersey Library Construction Incentive Act, N.J.S.A. 18A:74-14, the State Librarian, as the designated representative of the Commissioner of Education of the State of New Jersey, is authorized to supervise and administer State funds to assist in the construction, expansion, renovation or acquisition of a public library building. The following are minimum requirements for participation in the grant program.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Section title changed from "Introduction" to "Scope and purpose". Also, added "rehabilitation or acquisition" of library buildings.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Administrative Correction: changed 18A:174-14 to 18A:74-14.

See: 22 N.J.R. 2359(a).

6:68-5.2 Definitions

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

"Library Construction Advisory Board" means a Board appointed by the State Librarian whose members have had extensive experience in the planning and construction of at least two public library buildings. The Board shall review and recommend projects for approval to the State Librarian.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Deleted definition of "Area library", amended definition of "Branch library"; amended statutory cites for "County library" and "Regional library".

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted library definitions and added "library construction advisory board".

6:68-5.3 Eligible projects

(a) The following types of construction are eligible for a grant:

1. Construction of a new building;
2. Acquisition of an existing building adaptable for use as a public library;
3. Addition to an existing building; or
4. Renovation of an existing building.

(b) If the project is an addition to an existing building, the new construction for the addition must result in total floor space which, when added to the floor space of the existing structure, shall meet the minimum size criteria in N.J.A.C. 6:68-5.5(f).

(c) The acquisition or the substantial renovation of an existing structure may be an eligible project. In order to be eligible, the acquisition or the renovation must be extensive and comprehensive as distinguished from routine maintenance and repair projects. In no case may costs for furnishings and equipment in excess of 30 percent of the total acquisition or renovation costs of the project be considered eligible for matching.

(d) An application may be submitted which combines renovation and construction of an addition. An acquisition or renovation application must result in total floor space which, when added to the floor space of the existing structure, shall meet the minimum size criteria in N.J.A.C. 6:68-5.5(f). An acquisition or renovation analysis and program must be prepared by a registered architect and shall be part of the application. The architect shall also certify that the proposed acquired or renovated structure and all its component parts shall have a life expectancy of 20 years or more. Studies made by the architect regarding the following shall be submitted in substantiation of the suitability and practicality of the acquisition or renovation:

1. The building shall be examined to determine that it is structurally sound;

2. All interior and exterior finishes, general construction, safety factors, ceiling lights, and ventilation shall be examined to determine if the existing structure is suitable for acquisition or renovation and upon completion will require no more than normal, annual maintenance;

3. Careful analysis of the space requirements and allocation of space shall be made to determine if the structure, as acquired or renovated, will meet modern concepts of library services to the community it serves;

4. All mechanical aspects of construction shall be carefully analyzed to determine the need for replacement or improvement.

(e) Minimum size for any new construction project shall be 3,500 square feet of floor space.

(f) Preliminary applications may be accepted for review which, while being innovative or providing a unique service fail to meet the criteria outlined in this section. Exceptions may be considered where the public library building program demonstrates initiative and seeks to solve local problems in an original or cost-effective manner.

(g) The signing of construction contracts before full approval by the State Librarian shall make the project ineligible for participation in the grant program.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Deleted ineligibility of school libraries and public-school library combinations to receive construction grants. Renumbered old (d)-(g) as new (d)-(f).

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-5.4 Eligible project costs

(a) Eligible project costs are enumerated under Section 7 of N.J.S.A. 18A:74-14.

(b) In order to promote the construction of projects in an economical manner, a ceiling periodically shall be set by the State Librarian describing a maximum per square foot project cost beyond which project costs will not be eligible in the computation of the State share of funding.

(c) Should some portion of the proposed construction be intended for use for other than library purposes, such as municipal offices or a general municipal meeting room, this space may not be included in the computation of available square feet of space. Construction costs relating to these nonpublic-library-use areas are not eligible to be used for matching purposes. The application must clearly designate the nonpublic-library-use areas and their related costs. Reimbursable costs must be reduced by the amount of those related costs. The cost of any shared-space submitted for reimbursable purposes must be prorated on the basis of the percentage of library use, for example a meeting room that will be used 50 percent of the time by the public library is eligible to be reimbursed only 50 percent of those costs.

(d) Costs for renovation of an existing structure to be included together with costs of an addition will be computed separately and not averaged to determine amount of grant.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added new (d).

6:68-5.5 Project criteria

(a) All applications must meet the requirements and criteria of these regulations. Those interested in applying for possible exceptions must request an interview with the Library Construction Advisory Board. Exceptions to the requirements and criteria may be allowed.

(b) During the calendar year prior to submission of application, a municipal, joint or association library shall have received tax support at the level equal to at least 1/3 of a mill on every dollar of assessable property within such municipality based on the equalized valuation of such property as certified by the Director of Taxation in the Department of the Treasury. A county or regional library, during the calendar year prior to submission of application, shall have received tax support at the level equal to at least 1/15 of a mill on every dollar of the apportionment valuation.

(c) During the calendar year prior to submission of application, the library shall have met the minimum criteria for receipt of State Library Aid (N.J.A.C. 6:68-2) or submit a plan detailing steps to meet all the criteria which is acceptable to the Library Construction Advisory Board.

(d) The applicant must be in possession of a fee simple title or such other estate or interest in the site, including access thereto, as is sufficient to assure undisturbed use and possession of the facilities for not less than 20 years. Ownership of site by the applicant includes ownership of the land by the municipality(ies) of the applicant or the county(ies) in the case of a county or regional library application, provided that such land has been formally dedicated to library use. In the case of an association library, title to the land and building shall be in the name of the municipality in which the library is located.

(e) The applicant must have local matching funds for the project (the difference between project costs and the potential grant award) before final approval can be given. Within three months following notification of eligibility for a grant award, evidence must be submitted that funds have been appropriated for financing of the project. Such evidence shall include copies of the ordinance of appropriation passed on final reading and approved.

(f) Floor space is meant to include total square footage of space available for public library purposes including outer walls. This shall include areas provided for mechanical equipment and maintenance requirements. In calculating square footage, only those areas shall be included that have heat, light and ventilation adequate for public and staff usage, excepting that those areas designated for mechanical, maintenance and storage purposes have heat, light and ventilation and square footage commensurate with their purposes.

1. The estimated population 10 years after the year in which application is made shall be used to determine the population base of the area served by the applicant library. For areas experiencing a population decline, the population estimate of the New Jersey Department of Labor for one year prior to the fiscal year in which the grant application is made shall be used as the population base.

2. For new construction, the population base as determined above shall be used to compute the minimum project size required to qualify as an applicant for a grant as specified in Table A.

Table A

Population to be Served by the Project	Minimum Square Feet of Floor Space
Under 10,000	3,500 sq. ft. + .7 sq. ft. per capita over 5,000 pop.
10,000-25,000	7,000 sq. ft. + .6 sq. ft. per capita over 10,000 pop.
25,000-50,000	16,000 sq. ft. + .45 sq. ft. per capita over 25,000 pop.
50,000-100,000	27,250 sq. ft. + .35 sq. ft. per capita over 50,000 pop.
100,000-200,000	44,750 sq. ft. + .25 sq. ft. per capita over 100,000 pop.
200,000-500,000	69,750 sq. ft. + .2 sq. ft. per capita over 200,000 pop.
500,000 +	129,750 sq. ft. + .15 sq. ft. per capita over 500,000 pop.

3. If the project is an addition to an existing building, the new construction for the addition must result in total floor space, which when added to the floor space of the existing structure, shall meet the minimum size criteria as shown in Table A.

4. The percentages in Table B below may be used to reduce the floor space requirements in Table A above for the construction, acquisition or renovation of a central library.

Table B

Population Served by Central Library	Percent of Allowable Reduction
Under 39,999	25
40,000-49,999	26
50,000-59,999	27
60,000-69,999	28
70,000-79,999	29
80,000-89,999	30
90,000-99,999	31
100,000-109,999	32
110,000-119,999	34
120,000-129,999	36
130,000-139,999	38
140,000-149,999	40
150,000-159,999	42
160,000-169,999	44
170,000-179,999	46
180,000-189,999	48
190,000-199,999	50
200,000-209,999	52
210,000-219,999	54
Over 219,999	55

(g) Library buildings and facilities shall be designed in accordance with the minimum standards contained in the "Buildings and Facilities for Providing Access and Usability for Physically Handicapped People," ANSI A117.1-1986. The 1986 edition of this publication with all subsequent amendments and supplements is hereby incorporated by reference and adopted as a rule.

1. This document is available for review at the Division of the State Library, Department of Education, 185 West State Street, CN 520, Trenton, New Jersey 08625-0520.

2. This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

3. The applicant shall also comply with N.J.A.C. 5:23-7, Barrier-Free Subcode pursuant to N.J.S.A. 52:32-4 through 12.

(h) All New Jersey labor laws and regulations must be adhered to when applicable.

(i) All contracts shall be awarded to the lowest qualified bidder on the basis of open competitive bidding as specified in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

(j) In developing plans for public library facilities, the local and State codes with regard to fire and safety will be observed. In situations where local fire and safety codes do not apply, recognized State codes shall be observed.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

In (g), 1980 publication adopted by reference and added new 1.-2. In (i), equipment procurement contracts increased from \$2,500 to \$4,500.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-5.6 Priorities for the receipt of construction grants

(a) General provisions for priorities for the receipt of construction grants shall include the following:

1. Those applications properly submitted and found to be in an approvable form shall first be assigned to one of two priority groupings as described in this section. All applications of the first priority fulfilling the criteria of these rules shall be awarded grants before applications of the second priority are funded. Availability of funds and number of applications within each priority grouping shall, within any one fiscal year, determine the projects to be funded.

2. Within each of the two priority groupings, all applications shall be ranked in terms of ability to pay by the municipalities and counties. The ratio of the average equalized valuation* of the three years preceding the date of the application to the population estimate of the municipality(ies) or county(ies) by the New Jersey Department of Labor for the year preceding the date of application shall be used as the criterion determining this financial ability. The first grant within each priority grouping shall be awarded that applicant demonstrating the least financial resources through the lowest ratio of equalized valuation to population. Each succeeding grant shall be awarded to the remaining applicant whose ability to pay is lowest.

i. First priority in award of grant shall be given to applications for construction of, acquisition of a building adaptable to, an addition to or renovation of a central or branch building of a municipal, joint or county library.

ii. Second priority in award of grant shall be given to applications for construction of, acquisition of a building adaptable to, an addition to or renovation of a central or branch building of an association library.

(b) Any governmental jurisdiction, board of trustees or library commission which has previously received a construction grant shall be placed automatically in the second priority and be ranked last in the priority for two fiscal years succeeding the fiscal year in which the grant was awarded, after which time it shall resume its normal status.

* Equalized Valuation as listed in the "Certification of Table of Equalized Valuations" promulgated annually on October 1, by the Division of Taxation, New Jersey Department of Treasury.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Deleted old (b); old (c) renumbered new (b).

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-5.7 Amount of grant and method of allocation

(a) Generally, the minimum State share of eligible project costs of any project eligible for a grant shall be no less than 25 percent.

(b) Should funds be insufficient to allow all projects eligible for a grant to receive at least 25 percent of eligible project costs, funds shall be distributed according to priority ranking (see N.J.A.C. 6:68-5.6) until the funds are depleted.

(c) Should funds be sufficient to allow all approved projects to receive more than 25 percent of eligible project costs, the 25 percent grants shall be considered as base grants and remaining funds shall be distributed to approved applicants on the basis of the ratio of each project's square footage to the total square footage of all approved projects. The maximum grant will not exceed 50 percent of eligible project costs or \$500,000, whichever is less.

(d) Final grants shall be based on actual contract costs. When original estimated costs exceed contract costs on which basis the grant award was made, a grant may be reduced proportionately.

(e) There shall be no grant for a specific building within five fiscal years from the fiscal year in which a library construction grant previously was awarded.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

In (c), maximum grant increased from 40 to 50 percent and \$300,000 increased to \$500,000.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

6:68-5.8 Review and approval procedures

(a) Application for a grant must be in the completed official form NJLCIA-2, "Application for Construction Grant."

(b) The application shall be made by the body charged with the responsibility for the establishment and maintenance of the library (board of trustees or county library commission, or county board of chosen freeholders as appropriate). The governing body of the municipality in which the library is located, or of the county(ies) in the case of a county library, shall be cosignator of the application.

(c) If a library facility is to be constructed by a municipality with the provision that it be equipped or stocked or staffed or supported by a library not an agency of that municipality (for example, a municipally constructed building which will be operated by a county library as a branch library), the application shall be in the names of both or all parties concerned.

(d) The person authorized to submit the application shall be an officer of the body named as applicant, preferably, the president or chairperson of this body. A statement to be signed and completed by the responsible officer of the applicant, for example, secretary of a board of trustees, shall certify this authorization. If the application is jointly submitted, an individual from each body shall be authorized and certified. The signature of each authorized person is required on the application.

(e) The State Librarian shall appoint a Library Construction Advisory Board which is composed of no fewer than three persons who each have had experience in public library services and the construction of at least two public library buildings. The responsibilities of the Library Construction Advisory Board shall include the evaluation of the applicant's building plans, building site and program of service. It shall recommend to the State Librarian for approval those applicants whose projects will result in efficient and effective library buildings.

(f) Applicants seeking an exception to the provisions and criteria enumerated in these rules must request an interview with the Library Construction Advisory Board. Requests for exceptions must be directed to the State Librarian.

(g) In addition, the Board shall advise the State Librarian on the development and formulation of rules and criteria for the construction grant program.

(h) The application process shall consist of two phases. In Phase I, a notice of intent shall be submitted by each applicant. Upon acceptance of this document, the State Librarian shall assign a member of the Library Construction Advisory Board to work with each applicant to assist in the preparation of Phase II required documents. In Phase II, a community survey, a building program and schematic plans, including outline specifications, shall be submitted for re-

view by the Library Construction Advisory Board. Applicants may be required to appear before the Board to present the plans. Upon successful completion of Phase I and Phase II, applicants shall receive notification of eligibility for a grant award. Documents required for Phase II must be submitted to the Library Construction Advisory Board within six months of the acceptance of the Phase I document.

(i) Building plans shall be prepared by an architect licensed by the State of New Jersey.

(j) Any changes or revisions affecting the application, including any structural changes in the building plans, shall be submitted on appropriate forms for approval. The State Librarian shall have the power to revoke approval of any application or grant for failure to submit and receive approval of substantial changes in the application.

(k) Full approval of the proposed construction project must be given by the State Librarian before construction contracts are signed.

(l) Architectural or engineering supervision and inspection will be provided by the applicant at the construction site to ensure that the completed work conforms to the approved plans and specifications. For the purpose of inspection, representatives of the State Librarian will have access at all reasonable times to all construction work being done under the New Jersey Library Construction Incentive Act, N.J.S.A. 18A:74-14 et seq. The owner and contractor will be required to facilitate such access and inspection.

(m) Construction must be initiated and completed in a reasonable period of time. Time limit for completion shall be measured from the date of application approval. In general, construction must be completed according to the following schedule:

Total Eligible Project Cost	Maximum Construction Period
Under \$500,000	One Year
\$500,000-\$1,000,000	One and One-Half Years
Over \$1,000,000	Two Years

(n) In general, the grant shall be paid to the applicant in three installments as shown below, but only upon receipt of satisfactory evidence of completion of each phase. Architect's certification and on-site inspection shall be considered satisfactory evidence.

1. Forty percent upon approval of the award of construction contract(s);
2. Fifty percent when construction is 50 percent complete; and
3. Ten percent upon submission and acceptance of audit of expenditure, subject to adjustment to reflect the actual cost.

(o) Accounts and supporting documents of the local agency shall be adequate to permit an accurate and expeditious audit. All expenditures claimed for State financial participation shall be audited either by an independent certified public accountant or an independent registered municipal accountant licensed by the State of New Jersey. Such audits shall be in accordance with generally accepted auditing standards and shall comply with guidelines established by the State Librarian.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

In (d), "chairman" changed to "chairperson".

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Administrative Correction to (a): Deleted text.

See: 22 N.J.R. 2359(a).

SUBCHAPTER 6. AUDIO-VISUAL PUBLIC LIBRARY SERVICES

6:68-6.1 Purpose

The rules in this subchapter provide for the development and expansion of audio-visual public library services to the residents of New Jersey, pursuant to the provisions of the Library Development Aid Law, (Chapter 297, Laws of 1985), N.J.S.A. 18A:74-3.3.

6:68-6.2 Eligibility

Any library or organization providing audio-visual public library services is eligible to participate in this program.

6:68-6.3 Categories in award of grants

(a) Each approvable application shall be assigned to one of the three categories as follows:

1. Regional audio-visual public library services;
2. Statewide audio-visual public library services;
3. Local audio-visual public library services.

(b) The priority of categories and the percentage of funds allocated to each category shall be established each year by the State Librarian.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Editorial change.

SUBCHAPTER 7. INSTITUTIONAL LIBRARY SERVICES

6:68-7.1 Purpose

(a) The rules in this subchapter provide for the development of library services in State, county and municipal institutions, pursuant to the provisions of the Library Development Aid Law, (P.L. 1985, c.297), N.J.S.A. 18A:74-3.2 through 3.4.

(b) Three separate institutional grant categories have been developed:

1. Institutional Library Services per capita State aid grants provide funds to institutions whose library services meet minimum standards and maintain a level of expenditure for library service equal or above the level of the preceding calendar year.
2. Institutional Library Services Developmental Grants provide funds to assist institutions in meeting minimum standards for library services.
3. Institutional Library Services Incentive Grants provide funds to institutions whose library services meet minimum standards, for the purpose of expanding or developing library services.

(c) To be eligible for any of the three programs, institutions must establish a library advisory committee. Membership on the committee will include one person from each of the following: the institutional library staff, representatives of the administration, the departments of the institution, client population, and the community. The primary model for institutional library services is that of public library services.

6:68-7.2 Definitions

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

"Access" means the on-site use of the library facility and its resources and services or the ability to use library materials and services from remote locations; in institutions, access includes open hours of the library facility and service hours to rooms, cells or wards unduplicated by library facility hours. Limitations on access include permissions required and restrictions imposed on client use of services.

"Client groups" means mentally disabled, mentally retarded, and physically handicapped persons; also adults and juveniles in correctional and related programs. Excluded are residents of general hospitals, nursing homes and boarding homes.

"Institution" means an adult or juvenile health, mental health, mental retardation, veterans, residential, correctional and other similar facility other than a public school, which is operated by or under contract to the State or to county or municipal governments to carry out health, welfare, educational and correctional programs. Excluded are general hospitals, nursing homes and boarding homes.

"Institutional library" means any library, within an institution, directly serving the institutional client group.

"Institutional library services developmental grants" means funds made available to institutions to bring library services up to the minimum standards.

"Institutional library services incentive grants" means funds made available to institutions already meeting minimum standards to expand or develop programs of library services.

"Institutional library services per capita State aid grants" means funds made available to institutions whose library services meet minimum standards and maintain a level of library expenditures for library services equal or above to the level in the preceding calendar year.

"Library advisory committee" is a group within the institution which will assist in the development of a plan for library services.

"Library facility" means a space devoted solely or primarily to library services and materials and may include circulation desk, reading and study area, group program area, book stacks and other shelving for materials, office space for library staff, work room or space for cataloging and other related functions, and storage for materials and equipment.

"Library materials" means print, non-print items and electronic software accessible through a library and its services. Library materials do not include texts or curriculum materials; they do include a range of recreational, cultural, and informational items.

"Library service" is a general term for all of the activities performed and programs offered by libraries in meeting the need of their target groups. As such, it can encompass a range of services, such as information services or circulation services, which are determined in a particular library by its roles and goals. The primary model for institutional library services is the public library services model.

"Plan of library service" is a written plan for all of the activities to be performed and programs to be offered by a library in order to meet the needs of its target group(s). Such a plan is based on the mission and roles adopted by a library and generally includes goals, objectives and activities to be implemented.

"Room/cell/ward library service" means those activities performed and programs offered by an institutional library in meeting the information needs of those groups unable to avail themselves of the library facility within an institution due to limitations on mobility.

"Titles" are unique monographs (books) or distinctly titled materials held; this is not the same as volumes or items, which includes all multiple copies of a single title. This definition applies to books, to audio-visual materials, and to computer software.

6:68-7.3 Minimum standards for institutional library services

(a) The following minimum standards shall apply to institutional library services:

1. Staff shall be assigned by the institution in accordance with the chart set forth below:

Average Annual Resident Population	Minimum Number of Paid Staff
Less than 100	One staff member part-time.
100 to 300	Associate librarian full-time. One library clerk, part-time.
301 to 999	One librarian full-time. Two library clerks, one of whom must be full-time.
1,000 or more	One librarian full-time. Three library clerks, two of whom must be full-time.

2. Materials to meet the informational, educational and recreational needs of the population shall be provided as follows:

i. A minimum of five titles per client. Titles can include print and non-print materials; and

ii. Equipment to support library materials.

3. Access shall be provided to client groups as follows:

i. A library with only part-time staff shall provide library services at least 20 hours per week; and

ii. A library with full-time staff shall provide library services at least 30 hours per week.

4. Facilities and furnishings will be adequate to support the library and its services and will be determined in accordance with guidelines established by the State Librarian.

6:68-7.4 Institutional library services per capita State aid grants

(a) Per capita State aid grants will provide funds to institutions which meet minimum standards for library services.

(b) Institutions which meet minimum standards and maintain a level of library expenditures for library services equal to or above the level in the preceding calendar year will be eligible, annually, for a grant of \$1,000 per institution plus a minimum of \$7.50 per capita.

(c) The sum payable as State aid, as finally determined by the Commissioner, shall be payable on October 1. Payment shall be made payable to the governing body of each institution qualifying for aid under this chapter.

6:68-7.5 Institutional library services developmental grants

Developmental grants will provide funds to assist institutions in bringing their library services to minimum standards.

6:68-7.6 Institutional library services incentive grants

Incentive grants will provide funds to institutions to develop or expand programs of library services. Institutional library services must meet minimum standards prior to an application for this grant. Library services may be provided through cooperation with other institutions or with other libraries.

6:68-7.7 Priorities and funding among grant categories

The priorities among the three institutional grant categories and the percentage of funds allocated in each program shall be established annually by the State Librarian.

6:68-7.8 Use of funds

Funds received pursuant to these rules shall not be applied to any purpose other than institutional library services. Institutional library services budgets shall not be reduced due to receipt of institutional State library aid.

6:68-7.9 Reports and audits

(a) On or before March 1 in each year, each institutional library receiving institutional library services per capita State aid grants according to this subchapter shall prepare and transmit a report to the State Librarian of such information, as the State Librarian shall require, based upon the records and statistics of the preceding calendar year.

(b) On or before August 1 in each year, each institutional library receiving institutional library services developmental or institutional library services incentive State aid according to this subchapter shall prepare and transmit a report to the State Librarian of such information, as the State Librarian shall require, based upon the records and statistics of the preceding fiscal year.

(c) Grant recipients shall be required to submit other reports and financial audits as specified by the State Librarian in the grant announcement.

SUBCHAPTER 8. MUNICIPAL BRANCH LIBRARY SERVICES

6:68-8.1 Purpose

(a) The rules in the subchapter provide funds to any municipal library which receives State aid pursuant to N.J.S.A. 52:27D-178 et seq. and maintains one or more branch libraries to assist in maintaining, operating and improving branch libraries, pursuant to the provisions of the Library Development Aid Law (P.L. 1985, c. 297, N.J.S.A. 18A:74-3.2 through 3.4).

(b) There are two separate grant programs which are eligible for funding: Program A—Municipal branch library assistance aid for planning, and Program B—Municipal branch library assistance aid for operations and improvements.

6:68-8.2 Program A—Municipal branch library assistance for planning

(a) Municipal branch library assistance aid for planning will be available to fund or update a master plan for municipal branch library service.

(b) The master plan which results from this planning process shall contain the following elements, which may be further defined in the grant application issued annually by the State Library:

1. Goal of the master plan;
2. Objectives of the master plan;
3. Report on the demographic characteristics of each branch library or proposed branch library;
4. Report on library resources of the municipal branch library system;
5. A report on other existing library and information resources in the community;
6. Report on library services of the municipal branch library system;
7. Options for library service through the municipal branch library system;
8. Report on estimated costs for these options;
9. Feasibility of options; and
10. Projected timetable for implementation of the options.

(c) All costs directly associated with the development of a master plan for a municipal branch library system are eligible for funding, except overhead expenses and in kind costs.

1. Examples of costs that can be included are the employment of a library consultant to conduct the study; costs associated with administering and conducting any surveys related to the plan, such as a community survey or a patron survey; and any support costs directly related to the project including data processing and mailing costs.

(d) The amount of award will fall into the following categories:

1. A grant not to exceed \$20,000 will be available for the development of a master plan for library service for a population up to 50,000.

2. A grant not to exceed \$30,000 will be available for the development of a master plan for library service for a population up to 100,000.

3. A grant not to exceed \$40,000 will be available for the development of a master plan for library service for a population over 100,000.

(e) Additional criteria for approval are as follows:

1. All initial applications shall be ranked in terms of the municipalities' ability to pay with priority given to applicants demonstrating the least financial resources. The criterion to be used in determining financial ability shall be the ratio of equalized valuation (as listed in the "Certification of Table of Equalized Valuations", promulgated annually on October 1st by the New Jersey Division of Taxation) of the year preceding the date of application of the population estimate (as promulgated by the New Jersey Department of Labor) of the municipality for the year preceding the date of application.

2. The municipal library must at the time of the application meet in full the quantitative State Aid rules for library service to its population, N.J.A.C. 6:68-2.

(f) The boards of trustees of municipal libraries located in municipalities which receive State Aid pursuant to N.J.S.A. 52:27D et seq. and maintain one or more branch libraries are eligible applicants.

6:68-8.3 Program B—Municipal branch library assistance for operations and improvements

(a) Any library applying for funding under this program must have a plan for municipal branch library service which has been approved by the State Librarian. This master plan may have been developed under a planning grant provided by Program A of this subchapter or a master plan which contains the same elements required for a master plan funded under Program A and was completed within and approved the five years preceding the application for this program.

(b) Options for municipal branch library service include but are not limited to:

1. Expansion of branch library hours to include evenings or weekend hours;
2. Expansion of branch library services through additions of staff, materials or equipment;
3. Expansion of branch library service to include adult or children's programming;
4. Expansion of branch library service through programs targeted for special populations;
5. Expansion of branch library services through employment of a coordinator for specialized services; and
6. Expansion of branch library services through cooperation with other types of libraries.

(c) Projects funded under this program may involve one branch of the system or several branches of the system.

(d) In general, any operating expense directly associated with the project will be eligible for funding. These include personnel, books and other library materials, equipment and overhead costs such as electricity or heat. Grant funds may not be used for construction or renovation projects costing in excess of \$10,000.

(e) Under this program grant funding shall not exceed \$50,000 per library.

1. Under this program, a municipal library may apply annually for only one branch library grant.
2. The application may be for either a new project or for a continuation of a previously funded grant.
3. Grants may be funded for a total of three years, the initial grant and two continuation grants.
4. Initial and continuation applications will be evaluated by the criteria found in N.J.A.C. 6:68-1.4.

(f) Additional criteria for approval are as follows:

1. All initial applications shall be ranked in terms of the municipalities' ability to pay with priority given to applicants demonstrating the least financial resources. The criterion to be used in determining financial ability shall be the ratio of equalized valuation (as listed in the "Certification of Table of Equalized Valuations", promulgated annually on October 1st by the New Jersey Division of Taxation) of the year preceding the date of application of the population estimate (as promulgated by the New Jersey Department of Labor) of the municipality for the year preceding the date of application.

2. The municipal library must at the time of the application meet in full the quantitative State Aid rules for library service to its population N.J.A.C. 6:68-2.

(g) The boards of trustees of municipal libraries located in municipalities which receive State aid pursuant to N.J.S.A. 52:27D et seq. and maintain one or more branch libraries are eligible applicants.

SUBCHAPTER 9. COLLECTION EVALUATION AND DEVELOPMENT

6:68-9.1 Purpose

The rules in this subchapter provide for assistance to any public library for the evaluation and development of collections, pursuant to the Library Development Aid Law, (Chapter 292, Laws of 1985), N.J.S.A. 18A:74-3.2.

6:68-9.2 Eligible projects

(a) Grants will be available for the following activities which may be provided locally, regionally or statewide:

1. Collection evaluation and/or user studies;
2. Development of a written coordinated collection development plan among a group of public libraries.

(b) Grants will be available to a group of public libraries to purchase materials for their collections in accordance with their written coordinated collection development plan. The implementation of the coordinated collection development plan must increase the resource sharing capabilities of the libraries involved.

(c) Subject specialty development grants will be available to a public library(ies) to develop and/or to strengthen specific subject collections through the purchase of materials.

6:68-9.3 Funding allocation

The State Librarian shall determine annually percentages of the total funding to be assigned to each eligible project area.

SUBCHAPTER 10. MAINTENANCE OF LIBRARY COLLECTIONS

6:68-10.1 Purpose

The rules in this subchapter provide for assistance to libraries to be used for housing, protection, preservation, repair, restoration and maintenance of collections of historical or special interest, pursuant to the provisions of the Library Development Aid Law (Chapter 297, Laws of 1985), N.J.S.A. 18A:74-3.2(c).

6:68-10.2 Definitions

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

"Accessibility" means availability of materials for borrowing, consultation, in-house use or reproduction, depending on the nature and condition of the materials and the collections.

"Comprehensive preservation program" means the organization and operation of all activities associated with maintaining library materials for use.

"Comprehensive preservation program development" means the initial steps taken by a library in planning for the establishment of a comprehensive program for preservation of its materials, including consultant visits, reports, and self-studies.

"Condition survey" means a systematic study of a library collection to ascertain its physical state.

"Conservation treatment" means the direct use of chemical and physical procedures to ensure the preservation of library materials.

"Cooperative preservation planning and programs" means planning or programs carried out by a group of libraries concerned with the care, protection and salvage of their collections.

"Disaster recovery" means supplies, equipment and services needed to restore a disaster-damaged collection to usefulness.

"Emergency planning" means the development of written instructions on how to deal effectively with emergency situations which can jeopardize the existence of a collection.

"Housing" means the provision of equipment, products, supplies and appropriate environmental conditions or their creation and maintenance for the long term storage and maintenance of a collection.

"Identification/inventory" means a descriptive list of items in a collection, giving as a minimum the title, dates, quantity, arrangement, description of significant subject content and estimate of uniqueness, in a format meeting appropriate bibliographic standards.

"Materials" means physical entities of any substance that serve as carriers of information.

"Materials conversion" means the process of converting library materials from one format to another for the purpose of preservation.

"Organization" means the systematic arrangement of the collection to facilitate access.

"Preservation" means the activities and organization associated with maintaining library and archival materials for use, either in their original physical form or in some other usable way.

"Protection" means any of the various activities, containers and materials which shield library materials from the harmful effects of storage, environmental conditions and use.

"Repair" means the partial rehabilitation of a worn item using high quality, long lasting materials and supplies and accepted, conservationally sound methods.

"Restoration" means any of various processes whereby a deteriorated book or paper document or other library material is returned as nearly as possible to its original condition.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted definitions for "collection maintenance", "collection of historical or special interest", "library", "maintenance", "privately and publicly supported libraries."

Administrative Correction: Added "used" to introduction.

See: 22 N.J.R. 2359(a).

6:68-10.3 Eligible projects

(a) Grants will be made to libraries to increase accessibility to historical or special interest collections through projects including identification/inventory, organization and preservation, condition survey, collection maintenance, comprehensive preservation program development, emergency planning, disaster recovery, protection, collection maintenance, housing, materials conversion, repair, conservation treatment and restoration.

(b) Grants will be available for cooperative preservation planning and programs.

(c) The State Librarian may establish annual priorities for the awarding of funds.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added new (c).

6:68-10.4 Funding allocation

(a) No less than 75 percent of program funding will be used each year for grant awards to publicly supported libraries.

(b) No more than 25 percent of program funding will be used each year for grant awards to privately supported libraries.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted (c).