

# NEW JERSEY REGISTER



The State's Official Rules Publication

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(a)

OFFICIAL NOTICE

## CHIEF EXECUTIVE THE GOVERNOR

### Executive Order Concerning the Reorganization Plan of the Division of Local Government Services

On May 3, 1976, Governor Brendan T. Byrne, pursuant to authority of N.J.S.A. 52:14C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, issued an Executive Order concerning the reorganization plan for the Bureau of Financial Regulation and Assistance in the Division of Local Government Services in the Department of Community Affairs.

Full text of the Executive Order follows:

#### REORGANIZATION PLAN OF THE DIVISION OF LOCAL GOVERNMENT SERVICES

The Bureau of Financial Regulation and Assistance in the Division of Local Government Services in the Department of Community Affairs, together with all its functions, powers and duties, is hereby transferred to the Department of the Treasury. All powers exercised by the Commissioner of Community Affairs and the Director of the Division of Local Government Services in direct supervision of the Bureau of Financial Regulation and Assistance are hereby transferred to the Department of the Treasury and shall be exercised by officials in the Department of the Treasury.

The Bureau of Financial Regulation and Assistance, as presently organized, reviews and certifies all municipal budgets, is responsible for post-audit review of municipal and county government and provides financial guidance to local governments.

Placing these local budgeting and financing functions in the Department of the Treasury will assure more effective oversight of municipal and county finance. The problems of local finance have changed to such a degree that a new organization of State oversight and advisory functions is necessary. The transfer proposed by the reorganization plan will enable the State to coordinate better its own financings with the borrowing schedules of local governments. Also a transfer of these governmental budgeting and financing functions to the Department of the Treasury will promote a greater sharing of expertise of the officials of State Government concerned with State and local finance. In addition, this proposed transfer enables the Bureau of Financial Regulation and Assistance to work more effectively with the Division of Investment to improve local investment and debt management practices.

In accordance with the provisions of the Executive Reorganization Act of 1969, P.L. 1969, c. 203 (C. 52:14C-2), I

## RULES ADOPTIONS NOW TO BE REPORTED WEEKLY

As a service to subscribers to whom the adoption date of a proposed administrative rule is of timely importance, the New Jersey Register is instituting a weekly report of such adoptions.

Since the monthly deadline of the Register does not allow such timeliness, this publication has arranged with the New Jersey Law Journal, the approved publication for reprinting the Register and for printing of court notices and orders, to list each week in their publication all administrative rules approved during the preceding calendar week.

All adopted rules will be officially printed, as proposed or amended, in the following monthly issue of the Register and also included in the cumulative Administrative Code Index in the center pages of each issue.

The weekly reports in the Law Journal will begin as of June 10.

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find and declare that this transfer and reorganization is necessary:

(1) To promote the more effective management of the Executive Branch;

(2) To reduce expenditures and promote economy to the fullest extent practicable;

(3) To increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;

(4) To group, coordinate and consolidate agencies and functions of the Executive Branch, as nearly as practicable, according to major purposes;

(5) To eliminate overlapping and duplication of effort.

All Acts and parts of Acts inconsistent with any of the provisions of this reorganization plan are superseded to the extent of such inconsistencies. All transfers directed by this reorganization plan shall be effective pursuant to the "State Agency Transfer Act", P.L. 1971, c. 375 (C. 52:14D-1 et seq.).

Any provisions of this plan which conflict with Federal law are null and void.

This plan shall be effective July 1, 1976.

A copy of this Executive Order proposing an executive reorganization was filed May 3, 1976 with the Secretary of State and is published herein as R.1976 d.112 and R.1976 d.135 (Exempt, Exempt Agency) pursuant to N.J.S.A. 52:14C-4(c) and will become effective July 1, 1976 unless

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## NEW JERSEY REGISTER

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

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disapproved by the Legislature. Take notice that this Executive Order if not disapproved has the force of law and will be printed and published in the annual edition of the public laws by the Secretary of State and will not be codified in the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## AGRICULTURE

### DIVISION OF REGULATORY SERVICES

#### Proposed Rule on Feed Ingredients and Feed Terms

The State Board of Agriculture, pursuant to authority of N.J.S.A. 4:9-10, proposes to adopt a new rule concerning feed ingredients and feed terms to reflect the current edition of the official publication of the Association of American Feed Control Officials.

Full text of the proposed new rule follows:

#### 2:68-1.7 Other rules and regulations

In addition to the definitions of feed ingredients and feed terms previously adopted, the Department of Agriculture adopts the official pet food regulations, the statements of uniform interpretation and policy, and lists of new animal drugs, certifiable antibiotics and warning statements associated therewith, the permitted analytical variations and the pet food protocols and affidavits as contained in the current edition of the official publication of the Association of American Feed Control Officials.

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

Delmar K. Myers  
Director, Division of Regulatory Services  
Department of Agriculture  
P.O. Box 1888  
Trenton, N.J. 08625

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

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(b)

## AGRICULTURE

### DIVISION OF REGULATORY SERVICES

#### Proposed Rule on Inspection Fees

The State Board of Agriculture, pursuant to authority of N.J.S.A. 4:9-21.11, proposes to adopt a new rule concerning inspection fees to be paid once for agricultural liming materials.

Full text of the proposed rule follows:

#### 2:70-1.7 Inspection fee

(a) In assessing the inspection fee for any licensee pursuant to N.J.S.A. 4:9-21.8, the Department shall collect payment only from the producer for any liming material sold for use in New Jersey.

(b) Producers of any liming material who pay the inspection fee should advise purchasers and inform the Department of Agriculture to avoid double assessment.

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

Delmar K. Myers  
Director, Division of Regulatory Services  
Department of Agriculture  
P.O. Box 1888  
Trenton, N.J. 08625

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

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(c)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Notice of Hearing on Milk Handling

Take notice that, pursuant to N.J.S.A. 4:12A-1, et seq. and particularly N.J.S.A. 4:12A-25, the Division of Dairy Industry conducted a public hearing jointly and concurrently with the United States Department of Agriculture on May 20, 1976, at the Friendship International Hotel, Baltimore-Washington International Airport, Maryland, beginning at 10:00 A.M. with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Middle Atlantic marketing area, said order being a joint order of the United States Department of Agriculture and the Division of Dairy Industry, New Jersey Department of Agriculture.

The purpose of the hearing was to consider evidence on a proposal to increase the rate of deduction under the advertising and promotion program from five cents per hundredweight to seven cents per hundredweight as proposed by Inter-State Milk Producers Cooperative Association, et al.

Notice of the hearing was published Friday, May 7, 1976, in Volume 41 of the Federal Register at page 18862. Copies of this notice and of the notice of the United States Department of Agriculture may be reviewed at the office of the Division of Dairy Industry, New Jersey Department of Agriculture, John Fitch Plaza, Trenton or will be supplied upon request.

This Notice is published as a matter of public information and is not subject to codification and therefore will not appear in Title 2 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## AGRICULTURE

### THE SECRETARY

#### Rule Releasing Hog Cholera Quarantine In Camden and Gloucester Counties

On May 3, 1976, Philip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule which releases the hog cholera quarantine previously adopted for Camden and Gloucester Counties.

Full text of the adopted rule follows:

2:5-1.15(g) Take notice that the Department of Agriculture, pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16, has entered quarantine to abate the spread of hog cholera in this State:

1. Take further notice that the remedial efforts have taken place and it is hereby determined that the problem is corrected.

2. Be it therefore ordered that the counties of Camden and Gloucester are hereby released from quarantine.

3. This order is effective May 4, 1976.

An order adopting this rule was filed and became effective on May 4, 1976, as R.1976 d.132 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### STATE BOARD OF AGRICULTURE

#### Rule on Fees for Copies of Information

On April 27, 1976, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, 47:1A-2 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a procedural rule that establishes fees to be charged for all copies of information relative to the conduct of meetings of the Board.

Full text of the adopted rule follows:

2:1-3.11 Records of Board meetings, copies; fees

(a) All records of all public meetings of the State Board of Agriculture are available for reasonable inspection during regular working hours at the main offices of the Department of Agriculture, John Fitch Plaza, Trenton, New Jersey in Room 304.

(b) Any person may obtain copies of all such records by written request therefore upon payment of a fee as follows:

1. First page to tenth page: \$0.50 per page;
2. Eleventh page to twentieth page: \$0.25 per page;
3. All pages over twenty: \$0.10 per page.

(c) Payment may be made by cash or check payable to the Department of Agriculture.

An order adopting this rule was filed on May 7, 1976, as

R.1976 d.143 (Exempt, Procedure Rule) to become effective on May 25, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## BANKING

### THE COMMISSIONER

#### Notice of Advisory Opinion On Savings Banks and Covered Call Options

Take notice that Richard F. Schaub, Commissioner of Banking, has issued advisory opinion 1-1976 concerning savings banks and covered call options.

Full text of the advisory opinion follows:

Savings banks, pursuant to Article 25, Section 180.5 of the Banking Act of 1948, as amended, N.J.S.A. 17:9A-180.5, may invest in certain preferred or common stocks. It is the opinion of the Department that a savings bank may write covered call option contracts on securities held under the aforementioned statute, provided:

(1) Such transactions are with one of the designated national securities exchanges whose plans regulating such transactions have been declared effective by the Securities and Exchange Commission, and

(2) The underlying securities are held by a bank qualified to issue option exchange escrow receipts.

The only purchase transaction that a savings bank may enter into is a designated closing purchase transaction to terminate its writer's obligation. Such a closing transaction must be recognized and accepted by the clearing corporation as a closing purchase transaction.

Nothing herein is intended to change, alter, rescind or modify the powers and limitations conferred or imposed on savings banks pursuant to Sections 180.5 through 180.9 of the Banking Act of 1948. Therefore, the investment in the underlying securities held for covered call options will be included for determining the investment limitations prescribed in the aforementioned Sections. Any institution exercising the noted powers does so at its own risk. The position taken by the Department will not prevent its examiners from criticizing the administration of such accounts by an individual institution nor will it prevent appropriate classifications if indicated by our review.

This advisory opinion is not subject to codification and will not appear in Title 3 of the New Jersey Administrative Code. This Notice is published as a matter of public information.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## BANKING

### THE COMMISSIONER

#### Repeal of Rule on Banking Offices Protection

On May 13, 1976, Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-8.1 and in

accordance with applicable provisions of the Administrative Procedure Act, repealed in its entirety the current text of N.J.A.C. 3:6-7.1 concerning banking offices protection. This rule is being repealed since it is contrary to an Attorney General's opinion.

Full text of the rule repealed follows (deletions indicated in brackets [thus]):

**3:6-7.1 [Banking offices protection] Reserved**

[(a) A branch office of a bank or savings bank shall be deemed to be "located" in a municipality from the time when such office is first opened for transaction of business with the public.

(b) A bank or savings bank shall be deemed to "maintain" its principal office in a municipality from the time when such office is first opened for the transaction of business with the public.]

—  
An order adopting this repeal was filed and became effective on May 13, 1976, as R.1976 d.146 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(a)**

## **CIVIL SERVICE**

### **CIVIL SERVICE COMMISSION**

#### **Proposed Revisions in Definitions Of Demotion, Reduction and Jurisdiction**

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 et seq., proposes to revise the definition of demotion or reduction and adopt a new definition of jurisdiction in N.J.A.C. 4:1-2.1. The remaining terms defined in that Section are not to be changed at this time.

Full text of the terms proposed to be revised are (additions indicated in boldface thus; deletions indicated in brackets [thus]):

**4:1-2.1 Words and phrases defined**

"Demotion or reduction" means a lowering in rank [, rate or range] or scale of compensation.

"Jurisdiction" means any county, municipality, school district or other autonomous political subdivision.

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

Joseph Lavery  
Chief, Hearings and Regulations  
Department of Civil Service  
201 East State St.  
Trenton, N.J. 08625

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

Ralph P. Shaw  
Chief Examiner  
Department of Civil Service

**(b)**

## **CIVIL SERVICE**

### **CIVIL SERVICE COMMISSION**

#### **Revisions to State Service Personnel Manual Concerning Holiday Pay Practice**

On May 12, 1976, the Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Subpart 18-3.103, Holiday Pay Practice, of the Civil Service Personnel Manual (State Service).

Full text of the revised rules follows:

#### **Subpart 18-3.103 Holiday Pay Practice**

##### **18-3.103a Subject**

This Subpart provides for conditions under which employees in the classified service shall receive pay credit for holidays.

##### **18-3.103b Procedure**

If an employee in the classified service is in pay status the working day immediately preceding a holiday, he/she shall receive pay credit for the holiday.

All temporary, provisional and permanent part-time employees in the State classified service who regularly work a constant percentage of the regular and normal work week in a class or for an agency, and who are paid a percentage of an annual salary for the title in which such employees work or are paid at an hourly rate, shall receive pay credit for the holiday on a proportionate basis provided their work schedule would have included work time on that holiday.

##### **18-3.103c Exceptions**

(1) In those cases where an employee reverts to pay status from a leave without pay the working day immediately preceding the holiday, credit shall not be given except when the return is final.

(2) When an employee retires or is otherwise separated from the State service on the working day immediately preceding the holiday, he/she shall not receive credit for that holiday; that is, if an employee's last day of pay status occurs on the working day immediately preceding the holiday, he/she cannot have his separation date designated on that holiday.

(3) Casual or special services employees are not entitled to holiday pay credit.

—  
An order adopting these revisions was filed May 17, 1976, as R.1976 d.147 (Exempt, Procedure Rule). These revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(c)**

## **CIVIL SERVICE**

### **CIVIL SERVICE COMMISSION**

#### **Revised Index and Table of Contents In Local Jurisdictions Personnel Manual**

On May 12, 1976, the Civil Service Commission, pursuant

to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a revised table of contents and index for the Civil Service Personnel Manual (Local Jurisdictions).

Copies of the full text of 14 pages of the revised table of contents and index may be obtained from or made available for review by contacting:

Department of Civil Service  
201 East State Street  
Trenton, New Jersey 08625

An order adopting these revisions was filed May 17, 1976, as R.1976 d.148 (Exempt, Procedure Rule). Take notice that these revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Rescission of Subparts 16-2.101 In State Service and Local Jurisdictions Personnel Manuals

On May 12, 1976, the Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, rescinded Subparts 16-2.101 in both the Civil Service Personnel Manuals (State Service and Local Jurisdictions).

An order rescinding the Subpart in the Local Jurisdictions Manual was filed May 17, 1976, as R.1976 d.149 (Exempt, Procedure Rule). An order rescinding the Subpart in the State Service Manual was filed May 17, 1976, as R.1976 d.150 (Exempt, Procedure Rule).

Take notice that these rescissions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Revisions for Retirement Community Full Disclosure Requirements

On April 22, 1976, David S. Davies, Director of the Division of Housing and Urban Renewal in the Department of Community Affairs, pursuant to authority of N.J.S.A. 45:22A-11(a) and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to portions of the rules concerning retirement community full disclosure requirements.

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

5:17-1.3 Application for temporary letter of exemption  
[Any developer who is engaged in developing any sub-

division or community which is or may be affected by the Act and by these Sections as of June 1, 1970, may file with the Division a written application for a temporary letter of exemption. Such application shall be filed with the Division on or before June 19, 1970. It shall include a statement by such developer certifying his intention to submit an application for registration pursuant to this Chapter on or before July 31, 1970. It shall also include a statement by such developer certifying that all advertising used by such developer on or after June 1, 1970, shall comply with the spirit and intention of Subchapter 5 (Advertising) of this Chapter. Nothing contained in this Subchapter shall be construed to reduce or restrict any rights or remedies of any purchaser against any developer for the use of false or misleading advertising.]

Any developer who has been exempted from the provisions of the Act and such exemption is subsequently removed because of a decision of a court of this State, an amendment to the Act, or an amendment to this Chapter may file with the Division a written application for a temporary letter of exemption. Such application shall be filed with the Division within 15 days of the effective date of this amendment or of the date the exemption is removed whichever is later. It shall include a statement by such developer certifying his intention to submit an application for registration pursuant to this Chapter within 30 days. It shall also include a statement by such developer certifying that all advertising used by such developer on or after the date of the application for a temporary letter of exemption shall comply with the spirit and intention of Subchapter 5 of this Chapter. Nothing contained in this Subchapter shall be construed to reduce or restrict any rights or remedies of any purchaser against any developer for the use of false or misleading advertising.

Editor's Note: The current text of N.J.A.C. 5:17-1.4 through 5:17-1.7 is deleted entirely and the text in boldface below represents new text for N.J.A.C. 5:17-1.4 through 5:17-1.7.

#### 5:17-1.4 Issuance of temporary letter of exemption

A temporary letter of exemption shall be issued by the Division within five business days of receipt of an application therefor, unless the Director shall determine that such developer intends to mislead or defraud purchasers. Such temporary letter of exemption, while in effect, shall exempt such developer, and such subdivision or community, from the provisions of the Act and of this Chapter; however, such letter may be revoked at any time by the Director for the protection of purchasers upon 24 hours' notice to the developer.

#### 5:17-1.5 Extension of temporary letter of exemption

A temporary letter of exemption shall automatically be extended by the Division upon the issuance of a notice of filing to such developer pursuant to this Chapter. Such extension shall terminate upon the registration of such subdivision or community, or upon the issuance of an order of rejection, whichever occurs first.

#### 5:17-1.6 Interim rule for public offering statements

(a) Any developer who has received a temporary letter of exemption pursuant to this Subchapter shall deliver to each person who purchases a lot or unit in such subdivision or community on or after the date of the application for a temporary letter of exemption, a notice in writing, at the time the contract or lease is signed, informing the purchaser that a public offering statement is being prepared in accordance with the Act and with this Chapter, and that a copy of such public offering statement shall be provided to each such purchaser when it has been approved by the Division. Such notice shall contain a statement that upon receipt of the approved public offering statement

the purchaser shall have three days right of rescission.

(b) Any developer who has received a temporary letter of exemption pursuant to this Subchapter shall, within five days of receipt of the temporary letter of exemption, deliver to each person who has purchased a lot or unit in such subdivision or community between the date the exemption from the provisions of the Act was removed and the date of the application for a temporary letter of exemption, a notice in writing informing the purchaser that a public offering statement is being prepared in accordance with the Act and with this Chapter, and that a copy of such public offering statement shall be provided to each such purchaser when it has been approved by the Division. Such notice shall contain a statement that upon receipt of the approved public offering statement the purchaser shall have three days right of rescission.

(c) Such developer shall deliver a copy of the approved public offering statement to each such purchaser within ten days after approval thereof by the Division.

(d) Such developer shall obtain and file a receipt of delivery of such public offering statement as required by this Chapter.

(e) Compliance with the provisions of this Section shall be deemed to comply with the requirements of the Act regarding the delivery of a public offering statement to purchasers.

(f) Upon the registration of such subdivision or community by the Division, such developer shall be required to deliver a copy of the public offering statement to all purchasers and prospective purchasers as required by Subchapter 4 (Public Offering Statement) of this Chapter.

#### 5:17-1.7 Interim rule for advertising

(a) Any advertising material used or intended to be used by the developer after the date of application for a temporary letter of exemption shall be submitted to the Division for review to determine if such advertising material substantially conforms with the spirit and intention of Subchapter 5 (Advertising) of this Chapter.

(b) If it is determined that such conformity exists such advertising material may be used until the application for registration is approved by the Division.

(c) After approval of the application for registration all advertising material shall comply with all requirements of Subchapter 5.

#### 5:17-1.8 Definitions

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

"Act" means the Retirement Community Full Disclosure Act, N.J.S.A. 45:22A-1 et seq. as amended.

"Unit" means any apartment or structure intended primarily as a residence and consisting of one or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories, including a single residence dwelling[,] and a share or membership interest of a cooperative housing corporation or association which entitles the holder thereof to possess and occupy for dwelling purposes a house, apartment or other structure owned or leased by said corporation or association; or to lease or purchase a dwelling constructed or to be constructed by said corporation or association.

5:17-2.2(a) [4. An offer or disposition or other transaction involving securities registered with the State Attorney General, or with the Bureau of Securities in the Department of Law and Public Safety;]

5:17-2.2(a) 4. An offer or disposition of evidence of indebtedness secured by a mortgage or deed of trust of real estate;

#### 5:17-2.11 Registration in other states or with the Bureau of Securities in the Division of Consumer Affairs or the Department of Law and Public Safety

Any person who desires to register a subdivision or community which has been registered in any other state having registration requirements substantially similar to those imposed in this Chapter or with the Bureau of Securities in the Division of Consumer Affairs or the Department of Law and Public Safety, may submit, in lieu of a proposed statement of record, a certified copy of the approved application for registration in such other state or such bureau of securities, and a certified copy of the letter of approval or other written approval thereof. The Director shall review such application, and if he finds that it substantially conforms to the standards and requirements imposed by the Act and by this Chapter, he may register such subdivision or community; however, prior to such registration the Director may require submission of such supplemental documents and information as he may deem necessary.

An order adopting these revisions was filed and became effective on April 22, 1976, as R.1976 d.126 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## COMMUNITY AFFAIRS

### LOCAL FINANCE BOARD

#### Revisions Concerning Realized Revenue

On April 28, 1976, the Local Finance Board in the Department of Community Affairs, pursuant to authority of N.J.S.A. 52:27BB-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to the rules concerning realized revenue which delete the current text of N.J.A.C. 5:30-1.11 and adopt new text therein.

Full text of the revised rules follows:

#### 5:30-1.11 Realized revenue

(a) Commencing June 15, 1976 and every month thereafter each municipality shall file a statement containing a "Realized Revenues Analysis" on a form prescribed by the Local Finance Board.

(b) Each municipal government shall take whatever steps are necessary to assure a full and accurate compilation and transcription of the required information:

1. The budget amount or levy column of the realized revenues analysis form should reflect the budgeted revenue amount or compilation of amounts for each specific revenue item or the property tax levy.

2. The property tax levy item in the budget amount or levy column should reflect an amount for that item based on a January 1 to June 30 levy, that is, half of the amount levied in the prior year and a July 1 to December 31 levy which is the balance of the property tax levy to meet the total amount to be raised by taxation for that year.

(c) Each county government shall take whatever steps are necessary to assure a full and accurate compilation and transcription of the required data on a form prescribed by the Local Finance Board.

(d) The statement filed on each 15th of the month shall be for the prior full calendar month.

(e) The first statement filed will include all information from January 1.

(f) The statement shall be certified by the chief financial officer.

(g) The budget amount or levy column of the realized revenues analysis form should reflect the budgeted revenue amount or compilation of amounts for each specific revenue item and the amount to be raised by taxation.

An order adopting these revisions was filed on April 30, 1976, as R.1976 d.130 (Exempt, Emergency Rule) to become effective on June 15, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## COMMUNITY AFFAIRS

### THE COMMISSIONER

#### Revisions on Construction and Maintenance Of Hotels and Multiple Dwellings

On May 25, 1976, Patricia Q. Sheehan, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 13:1B-7, 52:27C-54, 52:27D-21 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Chapter 10 in Title 5 of the New Jersey Administrative Code concerning the construction and maintenance of hotels and multiple dwellings, substantially as proposed in the Notice published January 8, 1976, at 8 N.J.R. 9(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Community Affairs.

The full text of approximately 22 pages may be obtained from or made available for review by contacting:

Bureau of Housing Inspections  
Division of Housing and Urban Renewal  
Department of Community Affairs  
363 West State Street  
Trenton, New Jersey 08625

An order adopting these revisions was filed on May 26, 1976, as R.1976 d.160 to become effective on July 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions in Certification By Examination or College Credit

The State Board of Education, pursuant to authority of N.J.S.A. 18A:50-12, proposes to revise the title of N.J.A.C. 6:44-6.4 as well as the text of N.J.A.C. 6:44-6.4(c) concerning certification by examination or college credit.

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

#### 6:44-6.4 Certification by examination or college credit

(c) Persons completing the equivalent of one full year of college may apply for a high school [equivalency] equivalent diploma by presenting an official transcript of such work. Each applicant must have completed at least 24 credits at an accredited institution of higher education [, and must be fully matriculated]. Each official transcript will be evaluated to assure that the applicant has achieved the equivalent of a high school education.

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

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

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

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

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions to Rules On Thorough and Efficient System

The State Board of Education, pursuant to authority of N.J.S.A. 18A et seq., as supplemented and amended by Chapter 212, Laws of 1975, proposes to revise N.J.A.C. 6:8-1.1 and 6:8-3.8 concerning the definition of State compensatory education pupil and pupil minimum proficiency levels and preventive and remedial programs as part of the thorough and efficient system in the free public schools.

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

6:8-1.1 Words and phrases defined  
(Insert after the definition of "Standards")

"State compensatory education pupil" means a pupil who is enrolled in preventive and remedial programs, approved by the State board, supplemental to the regular programs and designed to assist pupils who have academic, social, economic or environmental needs that prevent them from succeeding in regular school programs.

6:8-3.8 Pupil minimum proficiency levels and preventive and remedial programs

[(c) Remedial programs shall be established to assist pupils performing below the established minimum levels of pupil proficiency in the basic areas of communication and computational skills. These programs shall include:]

(c) Preventive and remedial programs, supplemental to the regular program, shall be established. These programs shall include:

1. Programs to assist those pupils (defined as a "State compensatory education pupil") performing below the established minimum levels of pupil proficiency in the basic areas of communication and computational skills;

2. Procedures for the screening of currently and newly enrolled pupils in order to determine whether or not they should be enrolled in preventive and remedial programs. These procedures should include those diagnostic measures which could be used to predict the relevant learning difficulties and needs;

3. [1.] Instruction and services to meet pupil needs;

4. [2.] On-going communication between teaching staff members and parents or guardians of compensatory pupils participating in preventive and remedial educational programs;

5. [3.] Evaluation procedures which measure compensatory pupil achievement related to preventive and remedial educational program objectives and standards;

6. [4.] Evaluation of the effectiveness of preventive and remedial educational programs.

(d) As part of the annual district and school classification procedure, the Department of Education shall monitor the district board of education's pupil minimum proficiency levels and the rate of pupil growth in achievement with particular attention to services and preventive and remedial educational programs for the basic communication and computational skills.

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

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

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

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

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions Concerning Student Personnel Services Certificate

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to adopt revisions to N.J.A.C. 6:11-12.13 concerning student personnel service certificates.

Take notice that these revisions were previously proposed and published in the May 6, 1976, issue of the New Jersey Register at 8 N.J.R. 217(b). The State Board of Education originally intended to allow the public two full months to comment on these proposed revisions but, due to a typing error, it was indicated that comments would be accepted only until May 26, 1976. This date should have read June 30, 1976, as indicated below.

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

6:11-12.13 [Student personnel services] School counselor certificates

(a) This certificate is required for any person assigned to perform [student] pupil personnel services such as study and assessment of individual pupils with respect to their status, abilities, interest and needs; counseling with teach-

ers, [students] pupils and parents regarding personal, social, educational and vocational plans and programs; and developing cooperative relationships with community agencies in assisting children and families.

(b) The requirements are:

1. A bachelor's [or higher] degree from an accredited institution.

2. A standard New Jersey teacher's certificate, or college transcript[s] indicating completion of the professional coursework required for such a certificate.

3. A minimum of [one] three years of successful teaching experience [;] in a school setting.

[4. In addition to the preparation required for paragraph 2 of this subsection, successful completion of one of the following:

i. A graduate curriculum approved by the State Department of Education as a basis for issuing this certificate; or

ii. A program of college studies including 30 semester-hour credits of post-baccalaureate work in the five areas listed below, including study in each starred(\*) field. This work must be in addition to that required in II above, work must be in addition to that required in paragraph 2 of this subsection, and may be in separate or integrated courses. Minimum quantitative requirements are indicated for each of the first four areas:

(1) Guidance counseling—minimum six semester hours: guidance;

(A)\* Theory and procedures in individual and group guidance.

(B)\* Counseling and interviewing techniques;

(C)\* Vocational guidance, occupational and educational information and placement.

(2) Testing and evaluation — minimum three semester hours;

(3) Psychology—minimum six semester hours. Child and adolescent development, psychology of exceptional children, psychology of learning, child and youth study;

(4) Psychological foundations — minimum six semester hours:

(A) Community agencies, organization and resources;

(B) Educational sociology;

(C) Social problems, juvenile delinquency, law, the family;

(D) Urban sociology.

(5) Electives in such areas as curriculum development, program planning, guidance, psychology, measurement, vocational education, learning disabilities, human relations, group process theory and procedures, labor and industrial relations, and research techniques and interpretation.]

4. A master's degree in an approved school counseling curriculum, including:

i. Guidance and counseling;

ii. Testing and evaluation;

iii. Psychology;

iv. Sociology;

v. Career education;

vi. Human relations;

vii. Electives in such areas as curriculum development, learning disabilities, counseling theory and ethnic cultures; and

viii. Successful completion of a college supervised intern experience of a minimum of 60-clock hours and demonstrated competencies during this internship, to be evaluated by a team approach of cooperating counselors, professors and supervisors. Successful evaluation shall be in terms of:

(1) Individual counseling and group counseling and team counseling;

(2) Assistance to counselee in arriving at personal, educational and career planning;

(3) Identification, interpretation and utilization of re-

sources, agencies, business and industries, to assist counselor to assist counselee;

(4) Consultations and participation with instructional, pupil personnel and administrative staff, in curriculum development;

(5) Providing assistance to parents, guardians and other interested persons.

5. For those persons presently holding a student personnel services certificate who do not meet requirements proposed herein, a waiver of subsection (b) 3. teaching experience, and subsection (b) 4. viii. of this Section, supervised intern experience is effected. All other deficiencies must be met by September 1, 1979, in order to maintain the effectiveness of this certificate.

6. Effective date is September 1, 1978.

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

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

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

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

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions in Learning Disabilities Teacher-Consultant Certificates

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to revise N.J.A.C. 6:11-12.15 concerning learning disabilities teacher-consultant certificates.

Take notice that these revisions were previously proposed and published in the May 6, 1976, issue of the New Jersey Register at 8 N.J.R. 218(a). The State Board of Education originally intended to allow the public two full months to comment on these proposed revisions but, due to a typing error, it was indicated that comments would be accepted only until May 26, 1976. This date should have read June 30, 1976, as indicated below.

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

6:11-12.15 Learning [disabilities teacher-] consultant

(a) This endorsement is required [for] to perform those services [as a] attributed to the learning [disabilities teacher-] consultant in the Administrative Code (Title 6, Chapter 28 - Special Education) of the State Board of Education at the elementary and secondary [schools] level and to conduct in-service education of teachers.

(b) The learning consultant is an educational specialist who has the professional preparation and experience to:

1. Make an assessment and analysis of a pupil's learning characteristics;
2. Plan and prepare instructional strategies;

3. Participate on a child study team in the planning of educational programs;

4. Serve as a consultant to classroom teachers; and

5. Provide in-service education for the instructional staff. [(b)](c) The requirements are:

1. A standard New Jersey teacher's certificate or equivalent;

2. Three years of successful classroom teaching experience;

3. A master's degree from an accredited college;

4. Successful completion of [a graduate certificate] an approved program or 60 graduate hours for the preparation of learning [disabilities teacher-] consultants approved by the New Jersey State Department of Education as meeting the requirements for this [certificate] endorsement and a statement signed by the authorized certification officer of the college as the basis for issuing this endorsement;

5. Bases for issuance are:

i. Completion of a New Jersey approved program of studies as outlined in this subsection;

[i.] ii. When candidates have completed their preparation for this endorsement in an out-of-State college or university, [a master's degree in learning disabilities] with 60 graduate hours or from a program accredited by the [National Council for Accreditation of Teacher Education (NCATE)] National Association of State Directors of Teacher Education and Certification (NASDTEC), this will be accepted as meeting the requirements;

[ii. When candidates have developed a background of graduate study in psychology, education, and related areas that they consider to be equivalent to the completion of an approved graduate program in Learning Disabilities, they may submit their credentials for review. A learning disabilities certification review committee will recommend to the Secretary of the State Board of Examiners the additional study, if any, that the applicant should be requested to complete;

iii. Persons who have been employed with full approvals of the State Department of Education as learning disabilities teacher-consultants in local school districts or in the State Department of Education under section 8:28 of the rules of the State Board of Education prior to January 6, 1971, will be eligible for a regular learning disabilities certificate. Persons previously employed with interim approval may qualify for a regular certificate by fulfilling the requirements specified at the time the interim approval was granted.]

iii. For those persons presently holding a learning disabilities teacher-consultant certificate who do not meet requirements proposed herein, a waiver of subsection (c) 2. teaching experience; subsection (d)4. clinical practice; and subsection (d)5. college approved field experience is effected. Persons who are deficient in any other areas of study as indicated herein must meet these requirements by September 1, 1980, in order to continue effectiveness of their present certificate;

iv. Effective date September 1, 1978.

[(c)] (d) The standards for the approval of graduate [teacher education] programs in learning [disabilities] consultant are, (all starred courses or their equivalents shall be required):

[1. Candidates must have a master's degree including 24 semester hours of credit outlined in paragraph 2. below.

2. The approved certificate program must include provision for the areas of study listed below. Qualified teachers who have already earned a master's degree, or completed graduate studies in education, reading, speech correction, psychology, education in specific areas of the handicapped or similar fields, should be given credit by the college for as much of their completed programs as is appropriate:

i. Work in the following areas of study must be required as part of the program, not necessarily as separate courses; education of the handicapped; learning theory; physiological bases of learning; orientation in psychological testing; remediation of basic skills; diagnosis and correction of learning disabilities. Course descriptions should make it clear that the program for all students will include study in each of these areas;

ii. The program should also include opportunities to study, perhaps on an elective basis, in areas closely related to learning disabilities, such as group dynamics; methods and materials for teaching the emotionally and socially maladjusted; curriculum development in the teaching of the handicapped; teaching of reading; interviewing and counseling; educational psychology; and community resources;

iii. The program must include a college supervised practicum in diagnosis and remediation of learning disabilities in school and clinical situations. The definition and nature of this practicum, and the courses in which it will be provided, should be clear in the program description. The practicum should provide for a minimum of 90 clock hours of college supervised experience;

iv. Prior to completion of the certificate program, the student must hold a regular New Jersey teacher certificate and submit evidence of three years of successful teaching experience.]

1. **Basic professional education (minimum of nine credits):**

i. \*Principles of curriculum development and construction;

ii. \*Human growth and development;

iii. \*Orientation in educational and psychological testing and measurement;

iv. Overview of pupil personnel services;

v. Educational research and statistics;

vi. Laboratory training in human relations;

vii. Social or organizational psychology;

viii. Educational psychology;

ix. Behavior deviations common to children and youth.

2. **Specialization (minimum of 27 credits):**

i. \*Education and psychology of exceptional students;

ii. \*Learning theory and application in the classroom;

iii. \*Physiological basis of learning and behavior;

iv. \*Foundations of learning disabilities;

v. \*Principles and procedures of consultation;

vi. \*Assessment techniques;

vii. \*Corrective techniques;

viii. \*Reading development;

ix. \*Speech and language development;

x. Change strategies in the public schools;

xi. Remediation of basic skills;

xii. Methods and materials for the exceptional child;

xiii. Education of the gifted and talented.

3. **Related areas (minimum nine credits)**

Additional study in any of the preceding basic professional or specialization areas and/or areas such as:

i. \*Group dynamics: theory and application;

ii. \*Problems and issues of minority and ethnic groups;

iii. \*Classroom management of behavior;

iv. Crucial issues in education;

v. Behavior modification;

vi. History and philosophy of education;

vii. Self-awareness techniques;

viii. Community resources for exceptional students;

ix. School law;

x. Sociology of education.

4. \*Clinical practica (minimum of 90-clock hours in the assessment and correction of learning problems):

i. This experience may be in an appropriate setting determined by the college. These practica should provide experiences for the acquisition of application skills related to the following areas:

(1) **Assessment:**

(A) **Observation;**

(B) **Record review;**

(C) **Testing (formal and informal).**

(2) **Correction:**

(A) **Writing reports (organized analysis of assessment data);**

(B) **Designing programs (educational intervention strategies/techniques);**

(C) **Diagnostic/clinical teaching.**

5. \*College approved field experience (minimum of 360-clock hours):

i. This experience must be in a public school setting under the supervision of the college program and focus on the communication, interaction, and staff development skills related to each of the areas listed under definition in subsection (b) of this Section. The requirement may be fulfilled under the direct supervision of a college supervisor and a certified learning consultant.

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

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

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

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

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions to Bylaws and Appeals

On May 5, 1976, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:4-3 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Chapter 1, Bylaws, and Chapter 2, Appeals, in Title 6 of the New Jersey Administrative Code, substantially as proposed in the Notice published April 8, 1976, at 8 N.J.R. 171(c), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Education.

Take notice that, in the Notice of Proposal, the text of the Chapter 2 heading, the Chapter 2 foreword and the heading of Subchapter 1 in Chapter 2 were omitted in error. These omitted items plus the text of the specific Sections affected by the substantive changes follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

#### 6:1-2.2 Regular meetings

Regular meetings of the Board shall be held at such time, place and on such dates as established by the Board,

in accordance with N.J.S.A. 10:4-6 et seq., Open Public Meetings Act. Notice of such regular meetings shall be made in a manner consistent with the provisions of N.J.S.A. 10:4-6 et seq.

6:1-2.6 Order of business at regular meetings

(a) The normal order of business at all regular meetings shall be:

1. Approval or amendment of minutes of the previous meeting;
2. [3.] Reports of standing committees;
3. [4.] Reports of special committees;
4. [5.] Unfinished business;
5. [6.] New business;
6. [2.] Report of Commissioner of Education.

(b) The order of business may be rearranged at any regular meeting for the purpose of expediting and facilitating the functions of the Board. When the normal order of business is to be changed at a regular meeting, an announcement of such change shall be made during such meeting by the President, or, in the absence of the President, by the chairperson, and will be duly noted in the minutes.

## CHAPTER 2. APPEALS

### FOREWORD

The following rules prescribed and approved by the State Board of Education pursuant to N.J.S.A. 18A:6-27; 18A:6-28 and 18A:6-29 govern the hearing of appeals by the State Board of Education from decisions of the Commissioner of Education in the adjudication of controversies and disputes arising under school laws.

### SUBCHAPTER 1. RULES AND REGULATIONS

6:2-1.5 Decision of [the] State Board

[Unless otherwise ordered by the State Board of Education, there shall be no oral argument on an appeal to the State Board.]

(a) Oral argument, either before the legal committee or the Board, will be granted at the discretion of the committee or the Board only if the respective body is convinced that a party has sufficient reason or additional information not contained in the record to justify that this procedure is necessary for a fair determination of the case. Such reasons must be presented in writing by the party requesting oral argument. Even when reasons are proffered by a party, the committee and/or the Board can exercise its discretion to deny oral argument when not convinced of the necessity for this procedure to make a fair determination of the case.

(b) If oral argument is heard by the legal committee, a written report and recommendations shall be submitted to all Board members, and to all parties, and the parties may, concurrently within ten days of such delivery or mailing, file written exceptions, objections or replies thereto with the Board.

(c) Extensions of time for filing by the parties of points of appeal, answering points, and objections or exceptions to a report will not be granted unless acceptable reasons are presented by the parties to justify such a request.

(d) The entire [State] Board [of Education] shall make a final determination with respect to each controversy by resolution in open meeting.

An order adopting these revisions was filed and became effective on May 25, 1976, as R.1976 d.158.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Rules on Substitution of Alternative Educational Background and/or Experience

On May 5, 1976, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 6:11-3.31, concerning the substitution of alternative educational background and/or experience, as proposed in the Notice published April 8, 1976, as 8 N.J.R. 173(a).

An order adopting these rules was filed and became effective on May 25, 1976, as R.1976 d.159.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Revisions to Surface Water Quality Standards

David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and in accordance with the provisions of Section 303(c) of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500), proposes to adopt revisions to the New Jersey Surface Water Quality Standards and to submit same to the Federal Environmental Protection Agency for review pursuant to Section 303(c) of P.L. 92-500. The standards proposed for revision were adopted at 6 N.J.R. 470(c) and previously amended at 7 N.J.R. 261(a) and 7 N.J.R. 306(c). A public hearing was held on August 13-14, 1975, to consider various suggested revisions to these standards. Such proposed revisions are known within the Department of Environmental Protection as Docket No. DEP 013-76-05.

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

N.J.A.C. 7:9-4.6 (b), (c), (d), (e), (f), (g), (h) 2.i; 7:9-4.7 (a), (b), (c), (d), (e), (f) 2.i.; and 7:9-4.9(a) 2.i. are proposed to be revised to read as follows:

**Floating, suspended, colloidal and settleable solids; color; petroleum hydrocarbons and other oils and greases:**

1. None noticeable in the water or deposited along the shore or on the aquatic substrata in quantities detrimental to the natural biota. None which would render the waters unsuitable for the designated uses.

2. For "petroleum hydrocarbons" the goal is none detectable utilizing the Federal EPA - Environmental Monitoring and Support Laboratory Method (Freon extraction, silica gel adsorption, infrared measurement); the present criteria, however, are those of paragraph 1. above.

Turbidity: No change from existing criteria [See N.J.A.C. 7:9-4.6 (b), (c), (d), (e), (f), (g), (h) 2i(2); 7:9-4.7 (a), (b), (c), (d), (e), (f) 2i(2); and 7:9-4.9(a) 2i(2)].

These modifications establish separate criteria for "petroleum hydrocarbons". The reasons for these modifications are spelled out in a hearing report, copies of which may be secured from:

Director, Division of Water Resources  
Department of Environmental Protection  
P.O. Box 2809  
Trenton, N.J. 08625

Commissioner Bardin has also directed the Division of Water Resources to implement the following program to reduce petroleum hydrocarbons in New Jersey waters:

1. Modify affected certifications issued pursuant to Section 401 of P.L. 92-500 to: delete the 1 ppm effluent limitation of "oil, grease", and add a requirement for effluent monitoring of "petroleum hydrocarbons" using the Federal EPA - Environmental Monitoring and Support Laboratory Method Freon extraction, silica gel adsorption, infrared measurement);

2. Participate in a coordinated compliance monitoring effort with the Federal EPA. This will require the application of Best Practicable Technology (BPT as defined by the Federal EPA) by 1977 and the application of Best Available Treatment by 1983;

3. Develop a monitoring program to determine ambient levels of "petroleum hydrocarbons" in State waters. Information generated will identify problem areas, aid in assessing reductions in petroleum hydrocarbon levels due to application of BPT, and ambient concentrations in the future;

4. Periodically review the results of 1, 2 and 3 to determine what further strategies may be necessary to achieve the "none detectable" goal.

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

Department of Environmental Protection  
P.O. Box 2809  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Rules on Determining Stream Encroachment Lines

David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and 58:1-1 et seq., proposes to adopt new rules, known within the Department of Environmental Protection as Docket No. DEP 011-76-04, on the standard method of determining stream encroachment lines.

Full text of the proposed rules follows:

## SUBCHAPTER 2. STREAM ENCROACHMENT

### 7:13-2.1 Determining stream encroachment lines

(a) Hydrology rules are:

1. Design discharges for ungaged streams shall be computed using the method embodied in "Magnitude and Frequency of Floods in New Jersey with Effects of Urbanization" by Dr. Stephen J. Stankowski of the United States Department of the Interior, Geological Survey, Water Resources Division. The Stankowski report is hereafter cited as Report No. 38.

2. When long-term (20 years of record or more) stream flow gaging records are available, correlation between the method in Report No. 38 and the Log-Pierson Type III statistical method of analysis shall be made and weighted average discharges computed in accordance with the following:

$$\log \bar{Q} = \frac{N \log Q_{100} + 8 \log Q_{100}^{\Lambda}}{N + 8}$$

Where:

$Q_{100}$  = weighted average peak discharge for 100-year recurrence interval, in cubic feet per second.

$Q_{100}$  = peak discharge for 100-year recurrence interval as estimated from engaging station records, in cubic feet per second.

$Q_{100}^{\Lambda}$  = peak discharge for 100-year recurrence interval estimated by regional equation, in cubic feet per second.

$N$  = weighting factor for  $\log Q_{100}$  defined as the number of annual peaks used to estimate  $Q_{100}$  in years.

3. Drainage areas (A), main channel slopes (S), and surface storage (St) shall be computed from U.S.G.S. quadrangle maps as described in Report No. 38.

4. The design discharge shall have a 100-year recurrence interval.

5. A discharge 25 per cent greater than the 100-year design discharge shall be used to determine a flood area which might approximate the flood hazard area when delineation studies are undertaken.

6. Present municipal population data published by the New Jersey Department of Labor and Industry, Office of Business Economics, shall be used to determine population density before increases for development. Other data and methods may be used at the discretion of the Department.

7. Impervious cover for population density at full development based on existing conditions with increases for full development proposed by the applicant; development or construction in progress; and development present under consideration by municipal planning boards within drainage areas or anticipated within five years.

8. In addition to the method set forth above, population density shall be calculated as follows:

$$D = D_f + d_e A_u - 0.3 \text{ Where:}$$

A = upstream drainage basin in square miles or 100, whichever is less.

D = existing basin population density in persons per square mile.

d = increase in population density, in persons per square mile, that could occur if entire basin were to be developed on the basis of existing zoning and land use planning.

D\_f = basin population density in persons per square mile, for the purpose of establishing possible future flood discharge.

i. If D as so determined is greater than the population density determined under Section 7 above, then it shall be used.

(b) Hydraulics rules are:

1. Water surface profiles shall be computed using the Step-Backwater method of analysis.

2. Computations shall begin at a suitable control point at least 500 feet downstream from a project.

3. Normal depth computed using Manning Equation may be used as the starting elevation if the channel is of uniform cross section and slope, and it can be demonstrated that flow is not affected by backwater caused by downstream obstructions.

4. Water surface profiles shall be computed based upon existing topography, proposed structures and changes of topography proposed by the applicant for approval by the Department.

5. Encroachment lines shall be either the actual limit of inundation of the design flood, or based upon the principle that the area chosen within the encroachment lines be designed to carry the waters of the design flood without increasing the water surface elevation of this flood more than 0.2 of one foot (0.2 feet) at any point computed on the basis of equal conveyance reduction from each side of the flood plain.

6. Lowest floor elevations shall be a minimum of one foot above the elevation of the water surface profile created by a discharge 25 per cent greater than the design discharge.

(c) The Commissioner may, upon notice to all parties, in the public interest, relax the application of these rules or make changes as deemed necessary and advisable.

(d) Copies of the Stankowski Report, known as Report No. 38, are available from the Bureau of Geology, 1474 Prospect Street, P.O. 2809, Trenton, New Jersey 08625 at \$3.00 per copy.

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

Dirk C. Hofman, Chief  
Bureau of Flood Plain Management  
P.O. Box 2809  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions Concerning Depressants

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-1 et seq., proposes to delete the current text of Section E., Depressants, in Schedule IV of the listing of Controlled Dangerous Substances in N.J.A.C. 8:65-10.1(a)4. and adopt new text therein.

Full text of the proposed new Section E follows:

8:65-10.1(a)4. E. DEPRESSANTS

Any material, compound, mixture or preparation which contains any quantity of the following substances having a

potential for abuse associated with a depressant effect on the central nervous system:

Generic/Established or Chemical Name	CDS Code
Barbital	2145
Chloral betaine	2460
Chloral hydrate	2465
Ethchlorvynol	2540
Ethinamate	2545
Meprobamate	2820
Methohexital	2264
Methylphenobarbital	2250
Paraldehyde	2585
Petrichloral	2591
Phenobarbital	2285

Note 1: The Commissioner of Health raises no objection to a depressant amendatory statement and the placement of Mebutamate in Schedule IV of the Federal Controlled Substance Act of 1970. A final order containing the amendatory statement and placing Mebutamate in Schedule IV was published in the Federal Register, Vol. 40, No. 21, dated January 30, 1975.

Now, therefore, the Commissioner of Health adopts the amendatory statement and orders that Mebutamate, CDS #2800, be placed in Schedule IV and be subject to the provisions of N.J.S.A. 24:21-1 et seq. Said order to be effective 30 days from January 30, 1975, the date the Federal order was published in the Federal Register.

#### E. DEPRESSANTS

Any material, compound, mixture or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers and salt of isomers is possible within the specific chemical designation:

Generic/Established or Chemical Name	CDS Code
Barbital	2145
Chloral betaine	2460
Chloral hydrate	2465
Ethchlorvynol	2540
Ethinamate	2545
Mebutamate	2800
Meprobamate	2820
Methohexital	2264
Methylphenobarbital	2250
Paraldehyde	2585
Petrichloral	2591
Phenobarbital	2285

Note 2: The Commissioner of Health raises no objection to the placement of:

Chlordiazepoxide  
Clonazepam  
Clorazepate  
Diazepam  
Flurazepam  
Oxazepam

in Schedule IV of the Federal Controlled Substance Act of 1970. A final order placing these substances in Schedule IV was published in the Federal Register, Vol. 40, No. 108, date June 4, 1975.

Now, therefore, the Commissioner of Health orders that:

Chlordiazepoxide	CDS 2744
Clonazepam	CDS 2737
Clorazepate	CDS 2768
Diazepam	CDS 2765
Flurazepam	CDS 2767
Oxazepam	CDS 2835

be placed in Schedule IV as Depressants in Section E and be subject to the provisions of N.J.S.A. 24:21-1 et seq. Said order to be effective 30 days from June 4, 1975, the date the final order was published in the Federal Register.

The above order, issued by the United States Drug Enforcement Agency concerning Chlordiazepoxide was amended, by publication in the Federal Register Vol. 40, No. 123, dated June 25, 1975, an order to reserve controls on Librax and Menrium as excepted compounds pending final disposition of a petition to grant exemption from control to Librax and Menrium.

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

Donald J. Foley  
Chief, Drug Devices and Cosmetics  
Department of Health  
1911 Princeton Ave.  
Trenton, N.J. 08648

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions Concerning Occupancy Limits in Campgrounds

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-7, proposes to revise N.J.A.C. 8:22-1.13(b) and (c) concerning occupancy limits in campgrounds.

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

8:22-1.13(b) [Occupancy of any campsite in a particular campground by the same person or persons shall not be permitted for more than 15 consecutive days in any month during the period from November 1 to April 1.]

From November 1 to April 1, the occupancy of any one campsite shall be restricted to a period not to exceed 15 days during any one month.

8:22-1.13 [(c) Except during May, June, July, August, September and October, unoccupied camping units and equipment shall not be permitted to remain on any campsite. During the months of November through April said camping units or equipment may be stored at a designated storage area on the campground.]

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

Herbert W. Roeschke  
Coordinator, General Sanitation Program  
State Department of Health  
1911 Princeton Ave.  
Trenton, N.J. 08648

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions Concerning Buildings

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise the rule on buildings in the manual of standards for nursing homes. The proposed revisions concern the deletion of the current text of N.J.A.C. 8:30-12.1 and the adoption of new text therein.

Full text of the proposed new rules follows:

#### 8:30-12.1 Building

(a) Standards for design and construction shall conform to those promulgated by the United States Public Health Service and the New Jersey supplementary standards for construction of long-term care facilities. These standards shall apply to new buildings, additions, major renovations or major alterations to existing buildings.

(b) Prior to any new construction, renovations, alterations or additions to existing facilities, the plans and specifications as required shall be submitted to the Department of Health for approval. Construction shall not be initiated until written approval and authorization to begin construction is received from the Department.

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

Joseph A. Di Cara  
Chief, Health Facilities Construction  
and Monitoring  
Department of Health  
John Fitch Plaza  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(c)

## HEALTH

### THE COMMISSIONER

#### Proposed Amendments to 1976 Hospital Rate-Setting Program Guidelines

Dr. Joanne E. Finley, Commissioner of Health, pursuant

to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to amend a portion of the rules concerning the 1976 hospital rate setting program guidelines.

Full text of the proposed amendments follows:

8:31-21.4(d) For those hospitals in New Jersey for which the 1976 proposed administrative rate is above the 1975 payment rate, the proposed administrative rate shall be paid upon final publication of this revision in the New Jersey Register. This payment will be implemented without any loss of the right to the appeals included in N.J.A.C. 8:31-21.15.

8:31-21.5(a)3.xiv. The hospital's proposed administrative rate is to be implemented upon final publication of this revision in the New Jersey Register and the hospital may request a detailed review of costs that have not been

8:31-21.5(a)3.xv. A hospital's final administrative payment rate will be issued subsequent to the hospital's acceptance of the administrative rate or after completion of the hearing examiner.

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

John B. Reiss  
Assistant Commissioner for Health  
Planning and Resources Development  
P.O. Box 1540  
Room 603  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions Concerning Fire Protection and Safety

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise N.J.A.C. 8:30-12.2(a) in the manual of standards for nursing homes concerning fire protection and safety. The proposed revisions concern the deletion of the current text of N.J.A.C. 8:30-12.2(a) and the adoption of new text therein.

Full text of the proposed new rule follows:

8:30-12.2(a) For existing facilities, fire protective measures provided throughout the facility shall be in compliance with applicable sections of NFPA Standard No. 101, Life Safety Code, 1967 Edition. Effective June 1, 1976, all new facilities and existing facilities which undergo major renovations, major alterations or additions shall comply with NFPA Standard No. 101, Life Safety Code, 1973 Edition.

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before June 30, 1976, to:

Joseph A. Di Cara  
Chief, Health Facilities Construction and Monitoring  
Department of Health  
John Fitch Plaza

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

Trenton, N. J. 08625

these revisions substantially as proposed without further notice.

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions to Youth Camp Safety Act Standards

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:12-1 et seq., proposes to revise several of the Youth Camp Safety Act standards.

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

8:25-3.2(a) A camper or staff member at the time of admission to a day camp shall submit a written health history which specifies all known physical and mental conditions. Campers and staff at the time of admission to a [day or] resident camp shall submit a written report of a physical examination performed by a qualified physician within the preceding 12 months[.] and written health history records which specifies all known physical and mental conditions. [He] All campers shall also have protection against diphtheria, tetanus, polimyelitis, measles and rubella, or a statement from a physician that immunization is in progress. If there is a religious objection to physical examination or immunization, a child shall submit a written statement signed by the parents or legal guardians to the effect that the child is in good health and they assume the health responsibility for the child while in camp with the understanding they will be notified immediately if anything unforeseen occurs.

8:25-5.2(f) Swimming pools having a maximum depth of 36 inches and having a maximum swimming area of 500 square feet shall be supervised by one aquatics guard with the assistance of two adult leaders for 20 or fewer campers in the water. One additional aquatics guard and one additional adult leader shall be on duty for each additional 20 campers or fraction thereof.

8:25-5.4(a) Watercraft activities shall be conducted during daylight hours and supervised by the aquatics supervisor. [A type I personal flotation device shall be provided for each occupant of a watercraft.] A Type I or II foam-filled personal flotation device (PFD) shall be provided for and worn by each occupant of a watercraft. A nonswimmer shall [wear a Type I PFD and] not be permitted in a sailboat unless accompanied by [a certified senior lifesaver] an aquatics guard. [A camper or staff member shall wear a Type I PFD while in white water or on a lake when the water is rough, or while waterskiing.]

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before June 30, 1976, to:

Herbert W. Roeschke  
Coordinator, General Sanitation  
Department of Health  
1911 Princeton Ave.  
Trenton, N.J. 08648

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Rules on Mobile Intensive Care Paramedics

The State Department of Health, pursuant to authority of N.J.S.A. 26:2K-1 et seq., proposes to adopt new rules concerning the performance of medical services by mobile intensive care paramedics.

Full text of the proposed rules follows:

#### SUBCHAPTER 25. MOBILE INTENSIVE CARE PARAMEDICS

##### 8:31-25.1 Performance of medical services

(a) Dr. Joanne E. Finley, Commissioner of Health, hereby authorizes the administration of the following generic therapeutic agents by mobile intensive care paramedics:

1. Aminophylline;
2. Atropine;
3. Calcium chloride;
4. Diazepam;
5. Diphenhydramine;
6. Dextrose;
7. Epinephrine;
8. Furosemide;
9. Isoproterenol;
10. Lacerated Ringer's injection;
11. Lidocaine;
12. Metaraminol;
13. Methylprednisolone;
14. Morphine;
15. Naloxone;
16. Nitroglycerine;
17. Oxygen;
18. Sodium bicarbonate;
19. Sodium succinate.

(b) As an extension of the hospital, the mobile intensive care units shall be subject to the following Administrative Code regulations except that the certified paramedic rather than the licensed nurse will be the responsible person:

1. N.J.A.C. 8:30-4.1 (a): telephone orders;
2. N.J.A.C. 8:30-5.3(b) 1.: medications;
3. N.J.A.C. 8:30-7.4 (a) 3.: Key for medication locker;
4. N.J.A.C. 8:30-7.4 (b), (c), (f): Controlled dangerous substance;
5. N.J.A.C. 8:30-7.5: General provisions of New Jersey Controlled Dangerous Substances Act.

(c) All voice or telemetered orders between the hospital and mobile intensive care units shall be monitored by recording tape and retained by the hospital for a period of at least two years.

(d) Records on the administration of any therapeutic agent shall be maintained by the paramedic on a written log setting forth the date, time, drugs or therapeutic agents administered, directions for administering and quantity and strength to be indicated where appropriate.

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

William J. Harris  
Director, Emergency Medical Services  
Department of Health  
John Fitch Plaza  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Revisions Concerning Health Maintenance Organizations

On May 26, 1976, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2J-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to various Sections in Chapter 38 of Title 8 in the New Jersey Administrative Code concerning Health Maintenance Organizations, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 115(a), with only inconsequential structural or language changes, in the opinion of the Department of Health.

An order adopting these revisions was filed and became effective on May 26, 1976, as R.1976 d.162.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## HEALTH

### THE COMMISSIONER

#### Standards for Licensure of Residential and Inpatient Drug Treatment Facilities

On May 26, 1976, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., with the approval of Health Care Administration Board and in accordance with applicable provisions of the Administrative Procedure Act, adopted standards, to be cited as N.J.A.C. 8:42-2.1 et seq., for the licensure of residential and inpatient drug treatment facilities, substantially as proposed in the Notice published April 8, 1976, at 8 N.J.R. 181(b) (but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Health).

Further information concerning the substantive changes made in the adopted standards may be obtained from:

Mrs. Wanda Schorn, Coordinator  
Licensing, Certification and Standards  
Department of Health  
John Fitch Plaza  
Trenton, New Jersey 08625

An order adopting these standards were filed and became effective on May 26, 1976, as R.1976 d.163.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## HEALTH

### THE COMMISSIONER

#### Standards for Licensure Of Home Health Agencies

On May 26, 1976, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., with the approval of the Health Care Administration Board and in accordance with applicable provisions of the Administrative Procedure Act, adopted new standards, to be cited as N.J.A.C. 8:42-1.1 et seq., for licensure of home health agencies, substantially as proposed in the Notice published April 8, 1976, at 8 N.J.R. 182(c), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Health.

Further information concerning the substantive changes made in the adopted standards may be obtained from:

Mrs. Wanda Schorn, Coordinator  
Licensing, Certification and Standards  
Department of Health  
John Fitch Plaza  
Trenton, New Jersey 08625

An order adopting these standards was filed and became effective on May 26, 1976, as R.1976 d.164.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HEALTH

### THE COMMISSIONER

#### Standards for Licensure Of Ambulatory Care Facilities

On May 26, 1976, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., with the approval of the Health Care Administration Board and in accordance with applicable provisions of the Administrative Procedure Act, adopted new standards for licensure of ambulatory care facilities, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 117(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Health. Such standards will be cited as N.J.A.C. 8:43A-1.1 et seq.

Further information concerning the substantive changes made in the adopted standards may be obtained from:

Mrs. Wanda Schorn, Coordinator  
Licensing, Certification and Standards  
Department of Health  
John Fitch Plaza  
Trenton, New Jersey 08625

An order adopting these standards was filed and became effective on May 26, 1976, as R.1976 d.165.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## HIGHER EDUCATION

### BOARD OF HIGHER EDUCATION

#### Rules to Implement Chapter 163 Of Laws of 1973 Concerning State Colleges

On April 28, 1976, Ralph A. Dungan, Chancellor of Higher Education and Secretary of the Board of Higher Education, pursuant to authority of N.J.S.A. 18A:60-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new guidelines and rules for State colleges concerning the implementation of Chapter 163 of the Laws of 1973 as proposed in the Notice published March 4, 1976, at 8 N.J.R. 119(a).

Such rules may be cited as N.J.A.C. 9:6-1.1 et seq.

An order adopting these rules was filed and became effective on May 4, 1976, as R.1976 d.131.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## HIGHER EDUCATION

### BOARD OF HIGHER EDUCATION

#### Revised Rules for Institutions of Higher Education

On May 5, 1976, Ralph A. Dungan, Chancellor of Higher Education and Secretary of the Board of Higher Education, pursuant to authority of N.J.S.A. 18A:3-14 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule which deleted the current text of N.J.A.C. 9:1-1.1 through 9:1-1.51 and adopted new text therein, concerning regulations and standards for New Jersey institutions of higher education.

The revised rules concern an introduction, definitions of terms, statement of purpose, organization and administration, finances, educational program, summer, evening and extension work, faculty, library, students and student services, physical facilities, official publications and out-of-State extensions.

Copies of the 40 pages of the full text of these revised rules may be obtained from or made available for review by writing to:

Department of Higher Education  
225 West State Street  
Post Office Box 1293  
Trenton, New Jersey 08625

An order adopting these revised rules was filed and became effective on May 6, 1976, as R.1976 d.139 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Rule on Reimbursement Of Medicaid-Approved General Hospitals

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a new rule concerning Medicaid approved acute care general hospitals.

Full text of the proposed rule follows:

10:49-1.29 Medicaid approved acute care general hospitals (a) In order to assist certain categories of acute care general hospital facilities in meeting cash flow problems, the Health Services Program (Title XIX, Medicaid) will, beginning July 1, 1976, consider reimbursement to a Medicaid-approved hospital for audited and finalized cost settlements up to 80 per cent of the amount of the settlement due. Such Medicaid reimbursement will be limited to participating hospitals in the State which:

1. Do not have the ability to borrow from a commercial lending institution;
2. Do not have an endowment fund; and
3. Do not have available working capital to meet immediate cash flow needs.

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

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions to Three Manuals Concerning Methadone

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise various sections in the Pharmacy Services, Dental Services and Podiatry Services Manuals concerning methadone.

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

10:51-1.7(a) 5. Methadone:

- i. Exception: Not reimbursable for use in drug detoxification or for addiction.

10:51-1.8(a) 11. [Methadone or any prescription containing Methadone, i.e., tablets, capsules, liquid, injectables or powder.] Methadone when used for drug detoxification or addiction;

10:56-1.38(a) 4. Methadone:

- i. Exception: Not reimbursable for use in drug detoxification or for addiction.

10:56-1.39(a) 12. [Methadone policy: The Health Services Program will not reimburse pharmacies for prescriptions for Methadone. This policy applies to all uses of the drug and is not limited to its uses in persons who are addicts.] Methadone when used for drug detoxification or addiction.

10:57-1.17(b) 4. Methadone:

- i. Exception: Not reimbursable for use in drug detoxification or for addiction.

10:57-1.20(a) 9. [Methadone policy: The Health Services Program will not reimburse pharmacies for prescriptions for Methadone. This policy applies to all uses of the drug and is not limited to its uses in persons who are addicts.] Methadone when used for drug detoxification or addiction.

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

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions to Definition of Qualified Physical Therapist in State Manuals

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise the definition of a qualified physical therapist in the appropriate sections of the Hospital, Special Hospital, Home Health, Intermediate Care Facilities, Independent Clinic and Chiropractors' Manuals.

The specific Sections in the New Jersey Administrative Code affected by these proposed revisions are N.J.A.C. 10:52-1.1, 10:53-1.1, 10:60-1.1, 10:65-1.1, 10:66-1.4 and 10:68-1.1, respectively.

Full text of the proposed, revised definitions follows:

"Qualified physical therapist", for program payment purposes, means an individual who is licensed as a physical therapist by the state in which practicing and meets one of the following requirements:

1. Has graduated from a physical therapy curriculum approved by the American Physical Therapy Association,

or by the Council on Medical Education and Hospitals of the American Medical Association, or jointly by the Council on Medical Education of the American Medical Association and the American Physical Therapy Association; or

2. Prior to January 1, 1966, was admitted to membership by the American Physical Therapy Association, or was admitted to registration by the American Registry of Physical Therapists, or has graduated from a physical therapy curriculum in a four-year college or university approved by a state department of education; or

3. Has two years of appropriate experience as a physical therapist and has achieved a satisfactory grade on a proficiency examination approved by the secretary except that such determination of proficiency will not apply with respect to persons initially licensed by a state as a physical therapist after December 31, 1977, or seeking qualification as a physical therapist after that date; or

4. Was licensed or registered prior to January 1, 1966 and prior to January 1, 1970 had 15 years of full-time experience in the treatment of illness or injury through the practice of physical therapy in which services were rendered under the order and direction of attending and referring physicians; or

5. If trained outside the United States, graduated since 1928 from a physical therapy curriculum approved in the country in which the curriculum was located and in which there is a member organization of the World Confederation for Physical Therapy; meets the requirements for membership in a member organization of the World Confederation for Physical Therapy; has one year of experience under the supervision of an active member of the American Physical Therapy Association; and has successfully completed a qualifying examination as prescribed by the American Physical Therapy Association.

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

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revised General Assistance Manual

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:8-111, proposes to adopt a new, revised General Assistance Manual which, if adopted, will replace the current text of Chapter 85 in Title 10 of the New Jersey Administrative Code.

The proposed new manual concerns general provisions, administrative responsibilities, application, eligibility and budgeting, general assistance payments, medical care, fiscal procedures, notices and hearings, referral to other agency programs, legally responsible relatives and legal settlement.

Copies of the full text of approximately 190 pages of the proposed new manual may be obtained from or made available for review by contacting:

Division of Public Welfare  
Post Office Box 1627  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 30, 1976, to the Division of Public Welfare at the above address.

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions to Ruling 11 On Educational Leave

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, proposes to revise portions of the rules on Ruling 11 concerning educational leave. Such revisions will be included in Chapter 109 of Title 10 in the New Jersey Administrative Code.

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

#### IV. DEFINITIONS OF TYPES OF LEAVE AND RELATED POLICY

##### D. Special Educational Leave

Any special educational program must have prior approval of the Director of the Division of Public Welfare. Special educational leave may be granted to specified staff members who have permanent Civil Service status if he/she is approved by the county welfare board to attend a special program offered by an accredited institution.

Direct payments may be made to employees on special educational leave in an amount not to exceed salary, plus such additional costs as tuition, fees and travel expense.

Employees granted special educational leave will be required to sign educational leave agreement (PA-310 CWB) through which the employee agrees to remain an employee of the granting agency one and one half months for each month, or part thereof, for which tuition is being paid and/or for which "work time off" is being allowed.

[D] E. In-Service Training

[E] F. Work-Time Allowance

#### V. STATUS WHILE ON EDUCATIONAL LEAVE

##### B. Vacation and Sick Leave

Vacation and sick leave are not accumulated or deducted while an employee is on full-time educational leave. The student is allowed the holidays and semester breaks scheduled by the school, unless the break and/or vacation period totals 20 consecutive work days or more; in such event, the student must either return to the agency for employment or request "leave without pay" with adequate justification. Assignment during this period is made by the director of the county welfare board.

If an employee returns to work during a scheduled

semester break, vacation time will be earned and accumulated for that period of time. Work assignment during that period is made by the director of the county welfare board.

[Any unused sick or vacation leave, which the person has accumulated prior to educational leave, is retained and credited to the person when he returns to the agency]

[A student who is forced to drop out of school because of serious illness will be returned to employment and will then be entitled to use his accumulated sick leave]

Vacation leave may be granted only when the employee is in work status. Earned vacation leave must be used in accordance with existing regulations. Under no circumstances will employees be allowed to carry over vacation days from the previous calendar year in such a manner that it is extended beyond the current calendar year.

Any unused sick leave which the person has accumulated prior to educational leave is retained and credited to the person when he returns to the agency. Sick leave will continue to accumulate and/or be deducted as required during full time educational leave without pay.

A student who is forced to drop out of school because of serious illness will be returned to employment and will then be entitled to use his accumulated sick leave.

Administrative leave will be credited and may be granted to the employee when he/she is only in work status. Administrative leave will not be allowed to carry over beyond the calendar year in which it is earned.

No leave is credited or accumulated while an employee is on educational leave without pay.

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

Division of Public Welfare  
P.O. Box 1627  
Trenton, N.J. 08625

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES DIVISION OF PUBLIC WELFARE

### Proposed Revisions to Food Stamp Manual

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2, proposes to revise portions of the Food Stamp Manual.

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

10:87-3.18(a) 7. Applicants currently registered under other programs: [Any person who is currently registered for work with WIN (that is, certain AFDC and AFWP recipients), although not exempt from the work registration requirement, shall be exempt from registration on Form FNS-284. (See Item 352.2)] **Persons who are receiving public assistance through the AFDC or AFWP program, whether certified as a member of a PA or NPA household, shall be exempt from registration on Form FNS-284, as**

eligibility for such programs is dependent either upon unemployability or prior registration.

Note: This does not include persons whose needs have been deleted in the determination of the assistance payment for refusal to cooperate in a work requirement. Such persons must comply with the provisions of this Section.

10:87-5.6(a) 11. Volunteer reimbursements are payments made to a household member for expenses incurred while providing a gratuitous service for a nonhousehold member. Reimbursements only up to the actual amount expended by the household member shall be exempt; reimbursements in excess of the amount expended shall be considered as income to the household.

10:87-5.8(g) 4 i. 2. Accelerated mortgage payments: Mortgage payments paid in excess of the amount required shall be deducted.

10:87-5.8(h) 2. iv. Down payments for purchase of property: Down payments made for the purpose of purchasing real property shall not be deductible.

10:87-6.13(a) 2. i. Changes in household circumstances: A change in household circumstances, such as, but not limited to, a change in the composition of the household, [a new address], the acquisition of a lump-sum payment or any other previously unreported asset, or a change in the work registration status of any member of the household, must be reported.

10:87-6.13(a) 2. iv. Change of address: Any change of address must be reported.

(1) Undeliverable ATP's: In the event that an ATP is returned as undeliverable during the course of the certification period, the county welfare board shall assume that it no longer has sufficient information to determine eligibility on the basis of county residency and the case shall be closed with all due regard to notification requirements applicable to adverse action.

10:87-7.10(a) To the maximum extent possible the State agency shall schedule a hearing no later than seven working days after receipt of notification by the CWB of the appellant's request. The hearing shall be held no later than 21 days after the date of the appellant's request.

10:87-7.10(a) 1. iii. Notify appellant regarding continuation of benefits: [No later than two working days after notification, by the CWB, of the appellant's request,] The State agency shall send the appellant a written communication, informing him/her whether he/she is to continue to receive benefits at an unreduced level pending the outcome of the fair hearing. The State agency shall also forward a copy of this communication to the CWB.

10:87-7.11 Participation during appeal

If a household requests a hearing within [10] 15 calendar days of the date of the adverse action notice, participation shall be continued consistent with the benefit level authorized immediately prior to the notice of adverse action.

10:87-7.12(a) [1. Delayed request (with good cause): If the household demonstrates that its failure to request a hearing during the ten-day advance notice period had good cause, then the State agency shall mandate the reinstatement of benefits on the level authorized immediately prior to the notice of adverse action.

i. Good cause defined: For the purposes of Item 731.1, "good cause" shall be defined as any factor which is in accordance with the provisions of Section III, Item 356.2.]

10:87-7.12(a) [2] 1. Reduction or termination resulting from a mass change . . .

10:87-7.12(a) [3] 2. Expiration of certification period: If the household requests a hearing as a result of the normal expiration of the certification period, benefits shall not be reinstated [unless the household's failure to be recertified was directly attributable to the CWB].

[4] 3. Adjournment of a fair hearing: . . . .

10:87-7.13(a) 3. Notification of reduction or termination of benefits: The [CWB] hearing officer shall notify the appellant in writing, [and] not later than the date of change, if benefits are reduced or terminated pending a final hearing decision.

10:87-7.19(a) 6. Elements to be considered during a hearing: The fair hearing shall include consideration of [the following elements:]

i. County welfare board actions: any county welfare board action with regard to eligibility, basis of issuance, denial, suspension or discontinuance of program benefits; or any undue delay on the part of the county welfare board, regarding a determination of eligibility, or an adjustment in benefits;

ii. Policy fairness: The reasonableness and fairness of the policies promulgated under the law, if the claimant is regarding a determination of eligibility or an adjustment

10:87-7.28(a) [1. Retroactive adjustments: An adjustment necessitated by a fair hearing decision shall be retroactive to the date of implementation as cited in the notice of adverse action.]

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

Division of Public Welfare  
P.O. Box 1627  
Trenton, N.J. 08625

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

#### Amendments to State Plan for Vocational Rehabilitation of Blind Persons

On April 29, 1976, Joseph Kohn, Executive Director of the State Commission for the Blind and Visually Impaired in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:6-11 and in accordance with applicable provisions of the Administrative Procedures Act, adopted amendments to the State Plan of Vocational Rehabilitation of Blind Persons, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 183(c).

Such amendments will be included in Chapter 97 of Title 10 in the New Jersey Administrative Code.

An order adopting these amendments was filed on April 29, 1976, as R.1976 d.128 to become effective on July 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### THE COMMISSIONER

#### Revisions in State Aid Under Community Mental Health Services Act

On April 30, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:9A-10 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 10:37-6.3 and 10:37-7.3 concerning State aid under the Community Mental Health Services Act, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 119(b).

An order adopting these revisions was filed and became effective on May 4, 1976, as R.1976 d.133.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Revisions on Opportunity for Fair Hearing

On April 29, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 10:49-5.3 concerning the opportunity for fair hearing, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 183(d).

An order adopting these revisions was filed May 6, 1976, as R.1976 d.136 to become effective on May 25, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Amendments on Offenses to be Reported to Federal Authorities

On May 6, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:81-7.46(b) in the Public Assistance Manual concerning offenses to be reported to the Federal authorities, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 194(b).

Such amendments may be cited as N.J.A.C. 10:81-7.46 (b)2.

An order adopting these amendments was filed on May 6, 1976, as R.1976 d.137 to become effective on June 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions on Lost or Stolen Assistance Checks

On May 6, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 10:81-7.18 concerning lost or stolen assistance checks, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 195(a).

An order adopting these revisions was filed on May 6, 1976, as R.1976 d.138 to become effective on June 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Rules on Emergency Fair Hearings

On May 6, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted rules, to be cited as N.J.A.C. 10:81-6.17, concerning emergency fair hearings, substantially as proposed in the Notice published January 8, 1976, at 8 N.J.R. 36(a), with only inconsequential structural or language changes, in the opinion of the Department of Institutions and Agencies.

An order adopting these rules was filed on May 11, 1976, as R.1976 d.144 to become effective on June 15, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Revisions to Medicaid Manuals on Out-of-State Medical Care and Services

On May 19, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 10:49-1.8 concerning Medicaid Manuals on out-of-State medical care and services, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 194(a).

An order adopting these revisions was filed on May 19, 1976, as R.1976 d.151 to become effective on June 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Adopt New Medicaid Only Manual

On May 24, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted the new Medicaid Only Manual, to be cited as N.J.A.C. 10:94-1.1 et seq., substantially as proposed in the Notice published October 9, 1975, at 7 N.J.R. 464(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

The proposed rules on resource maximum for institutionalized individuals is still being considered and is not adopted with this filing.

Copies of the 94 pages of the adopted Manual may be obtained from or made available for review by contacting the Division of Public Welfare, Department of Institutions and Agencies, Box 1627, Trenton, New Jersey 08625.

An order adopting this Manual was filed on May 24, 1976, as R.1976 d.157 to become effective on July 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(e)

## INSURANCE

### THE COMMISSIONER

#### Proposed Rules on Corporate Licensee Dissolutions to Avoid Debts

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), 17:22-6.16 and 17B:22-27, proposes to adopt new rules concerning corporate licensee dissolutions to avoid debts.

Full text of the proposed rules follows:

#### SUBCHAPTER 11. CONDUCT CONSTITUTING VIOLATIONS BY BROKERS AND AGENTS

##### 11:1-11.1 Scope

This rule does not purport to describe all conduct within the proscription of the statute. Such other conduct found by the Commissioner to constitute violation prior to this rule remains as a reason for sanctions under the statute. Nor is it possible to describe herein all forms of conduct which may in future be found to fall under the prohibition of the statutes.

##### 11:1-11.2 Unworthiness and bad faith under N.J.S.A. 17:22-6.16 (h) and 17B:22-27 (12)

(a) Any licensed agent or broker who is a shareholder or who is serving as an officer of record of a corporate licensee which declares insolvency or dissolves primarily to avoid payment of debts to insolvent insurers, other insurance licensees or insureds is engaging in conduct demonstrating unworthiness and bad faith.

(b) Any licensee engaging in the above conduct shall be subject to the usual penalties and may be prohibited from

(Continued on page 35)

# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

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

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

which a mailing of update pages has been completed.

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

## RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Adoption Notice (N.J.R. Citation)</u>
<b>AGRICULTURE — TITLE 2</b>			
2:1-3.11	Fees for copies of State Board meeting information	R.1976 d.143	8 N.J.R. 268(b)
2:2-2.3(a)2.	Revisions on vaccination of female bovine animals	R.1975 d.233	7 N.J.R. 399(a)
2:3-2.3	Revisions on negative reaction of cattle and goats to tuberculosis and brucellosis tests	R.1976 d.98	8 N.J.R. 215(a)
2:5-1.15	Hog cholera quarantine; swine movement in New Jersey	R.1976 d.61	8 N.J.R. 162(a)
2:5-1.15(d)	Lift swine movement stop order; impose for certain counties	R.1976 d.82	8 N.J.R. 162(b)
2:5-1.15(e)	Amend Salem County hog cholera quarantine	R.1976 d.101	8 N.J.R. 215(b)
2:5-1.15(f)	Revisions on quarantine for movement of swine from Burlington County	R.1976 d.110	8 N.J.R. 215(c)
2:5-1.15(g)	Release hog cholera quarantine for Camden and Gloucester Counties	R.1976 d.132	8 N.J.R. 268(a)
2:17-16.1	Tomato transplants moved into New Jersey	R.1976 d.30	8 N.J.R. 95(c)
2:20-3.2	Red Pine quarantine in parts of Bergen and Passaic Counties	R.1976 d.16	8 N.J.R. 54(c)
2:49-1.1 et seq.	Revised rules on minimum prices for milk	R.1975 d.232	7 N.J.R. 399(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.272	7 N.J.R. 454(a)
2:49-1.1(b)	Revised minimum milk price	R.1975 d.303	7 N.J.R. 494(c)
2:49-1.1(b)	Revise minimum milk prices	R.1975 d.340	7 N.J.R. 539(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.361	8 N.J.R. 5(b)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.9	8 N.J.R. 54(b)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.45	8 N.J.R. 96(a)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.85	8 N.J.R. 162(c)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.114	8 N.J.R. 215(d)
2:54-3.7	Handling of milk in New York-New Jersey milk marketing area	R.1976 d.90	8 N.J.R. 163(a)
2:71-1.23 et seq.	Revisions on shell eggs	R.1975 d.358	8 N.J.R. 3(a)
2:71-5.5	Revisions on potato labeling	R.1975 d.381	8 N.J.R. 54(a)
2:73-2.5(f)	Revisions on use of Seal of Quality	R.1975 d.356	8 N.J.R. 2(b)
2:73-2.7	Revised license fees	R.1975 d.356	8 N.J.R. 2(b)
2:90-1.1 et seq.	Rules of State Soil Conservation Committee	R.1975 d.360	8 N.J.R. 3(b)
2:90-1.12	Municipal ordinances for soil erosion and sedimentation control	R.1975 d.366	8 N.J.R. 5(a)
<b>BANKING — TITLE 3</b>			
3:1-2.1 et seq.	Adopt procedural rules	R.1976 d.83	8 N.J.R. 164(a)
3:1-2.27	Officially recognized data sources	R.1975 d.155	7 N.J.R. 292(a)
3:1-7.1 et seq.	Miscellaneous fees	R.1975 d.120	7 N.J.R. 247(c)
3:1-8.1	Required information for loan applications	R.1975 d.146	7 N.J.R. 291(b)
3:6-7.1	Repeal rule on bank offices protection	R.1976 d.146	8 N.J.R. 268(d)
3:7-4.1 et seq.	Rules on notice of maturity on long-term time deposits	R.1975 d.165	7 N.J.R. 292(b)
3:7-5.1 et seq.	Rules on statements of interest	R.1975 d.185	7 N.J.R. 293(c)
3:8-3.1	Revisions in required reserve	R.1975 d.325	7 N.J.R. 539(c)
3:8-3.1(a)3.	Revisions on required reserves	R.1976 d.15	8 N.J.R. 55(a)
3:11-2.1	Revisions on exclusion from liabilities of controlling corporation	R.1975 d.226	7 N.J.R. 400(b)
3:17-6.1 et seq.	Revisions to small loan law regulations	R.1975 d.147	7 N.J.R. 291(c)
3:19-1.6	License number	R.1975 d.148	7 N.J.R. 291(d)
3:27-5.3	Revisions on excludable loans	R.1975 d.249	7 N.J.R. 400(c)
3:30-1.3	Notice of maturity of fixed-term savings accounts	R.1975 d.169	7 N.J.R. 293(a)
3:30-1.3	Revised effective date of savings account rule	R.1975 d.265	7 N.J.R. 454(b)
3:32-1.1 et seq.	Conversion of mutual association to capital stock association	R.1975 d.352	8 N.J.R. 9(c)
3:40-1.1 et seq.	Rules of State Cemetery Board	R.1975 d.184	7 N.J.R. 293(b)
<b>CIVIL SERVICE — TITLE 4</b>			
4:1-8.6	Revisions on promotional examinations	R.1976 d.51	8 N.J.R. 101(a)
4:1-8.8	Qualifications of applicants for open competitive examinations	R.1976 d.52	8 N.J.R. 101(b)
4:1-8.21	Make-up examinations	R.1976 d.53	8 N.J.R. 101(c)
4:1-9.6	Tie scores on examinations	R.1976 d.52	8 N.J.R. 101(b)
4:1-9.13	Additions to eligible lists	R.1976 d.53	8 N.J.R. 101(c)
4:1-10.2(c)	Revisions on appointments based on examinations in noncompetitive and labor divisions	R.1976 d.53	8 N.J.R. 101(c)
4:1-17.11	Amount of vacation leave	R.1976 d.52	8 N.J.R. 101(b)
4:1-17.24(k)	Unused sick leave payments to nonclassified employees	R.1975 d.218	7 N.J.R. 401(b)

**COMMUNITY AFFAIRS — TITLE 5**

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

**EDUCATION — TITLE 6**

6:1-1.1 et seq.	Revised bylaws	R.1976 d.158	8 N.J.R. 275(a)
6:1-2.2	Delete rule on regular meetings	R.1976 d.34	8 N.J.R. 106(a)
6:1-2.3	Revisions on special meetings	R.1976 d.34	8 N.J.R. 106(a)
6:2-1.1 et seq.	Revised rules on appeals	R.1976 d.158	8 N.J.R. 275(a)
6:3-1.19	Evaluation of nontenured teaching staff	R.1976 d.13	8 N.J.R. 62(a)
6:3-1.20	Procedure for appearance before local board of education	R.1976 d.13	8 N.J.R. 62(a)
6:11-3.31	Repeat rule on certification appeals	R.1976 d.14	8 N.J.R. 62(b)
6:11-3.31	Substitutions of alternative educational background and/or experience	R.1976 d.159	8 N.J.R. 276(a)
6:11-6.2(c)	Amendment on endorsement of instructional certificate	R.1976 d.33	8 N.J.R. 107(a)
6:11-8.2(a)8.	Reading requirements for teacher education programs	R.1976 d.84	8 N.J.R. 174(a)
6:11-8.3(e)	Amendment on instructional supplement to standards	R.1976 d.33	8 N.J.R. 107(a)
6:28-1.9 et seq.	Revisions on special education	R.1976 d.88	8 N.J.R. 174(b)
6:28-1.9 et seq.	Ratification of adopted rules on special education	R.1976 d.120	8 N.J.R. 220(a)

**ENVIRONMENTAL PROTECTION — TITLE 7**

7:1C-1.1 et seq.	Rules on 90-day construction permits	R.1975 d.347	7 N.J.R. 548(a)
7:1C-1.5(a)4.	Revisions on stream encroachment	R.1976 d.76	8 N.J.R. 180(a)
7:2-2.13	Revised charges at State parks	R.1975 d.75	7 N.J.R. 151(b)
7:2-14.1 et seq.	Revised rules on Round Valley and Spruce Run Reservoirs	R.1975 d.134	7 N.J.R. 261(c)
7:2-15.1 et seq.	Delete entire current text and mark Subchapter as Reserved	R.1975 d.134	7 N.J.R. 261(c)
7:2-16.1 et seq.	Revised rules on Island Beach State Park	R.1976 d.111	8 N.J.R. 222(b)
7:6-1.1 et seq.	Revised rules on power vessels	R.1976 d.32	8 N.J.R. 107(d)
7:7A-1.1(a)14.	Extend wetland order to portions of Salem County	R.1974 d.188	6 N.J.R. 306(a)
7:7A-1.1(a)15.	Extend Wetlands Order to parts of Cumberland County	R.1975 d.32	7 N.J.R. 103(a)
7:7A-1.1(a)16.	Extend wetlands order to parts of Atlantic County	R.1975 d.216	7 N.J.R. 413(b)
7:7D-1.1 et seq.	Appeals procedures: Coastal Area Review Board	R.1975 d.345	7 N.J.R. 551(a)
7:7D-1.5 et seq.	Revisions on CARB appeals procedures	R.1976 d.60	8 N.J.R. 178(a)
7:9-4.1 et seq.	Revise surface water quality standards	R.1974 d.310	6 N.J.R. 470(c)
7:9-4.2	Revised rules on construction and practice where rules do not govern	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.3	Delete current text and mark this Section as Reserved	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.8(d)6iv.	Delete text on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-4.9	New rules on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-5.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-6.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-7.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-8.38 et seq.	Transfer treatment rules formerly cited 7:9-7.29 - .34	R.1974 d.310	6 N.J.R. 470(c)
7:9-13.1 et seq.	Rules on sewerage connection bans	R.1975 d.302	7 N.J.R. 499(e)
7:11-2.1 et seq.	Revised general rate schedule for Delaware and Raritan Canal water	R.1974 d.362	7 N.J.R. 49(a)
7:11-3.1 et seq.	Revised rules on use of water from Delaware and Raritan canal	R.1974 d.363	7 N.J.R. 50(a)
7:12-1.1 et seq.	Revisions on shellfish-growing water classification	R.1976 d.54	8 N.J.R. 108(a)
7:12-1.1	Revised rules on shellfish beds	R.1975 d.116	7 N.J.R. 260(a)
7:12-1.2(a)39.	Condemn shellfish beds in portion of Atlantic Ocean	R.1974 d.336	7 N.J.R. 6(b)
7:12-1.2(a)40.	Condemnation of certain shellfish beds	R.1975 d.51	7 N.J.R. 152(a)
7:12-1.2(a)39.	Revised condemnations of shellfish beds in Atlantic Ocean	R.1975 d.18	7 N.J.R. 102(a)
7:12-1.3	Opening of certain shellfish beds	R.1975 d.27	7 N.J.R. 102(c)
7:12-1.3(a)5.ii.	Revisions condemning certain shellfish beds	R.1975 d.341	7 N.J.R. 547(b)
7:13-1.1 et seq.	Land use rules applicable to all delineated floodways	R.1975 d.105	7 N.J.R. 206(b)
7:13-1.11(c)21	Main stem of Delaware River delineated	R.1975 d.376	8 N.J.R. 15(a)
7:15-1.1 et seq.	Guidelines under N.J. Industrial Pollution Control Financing Law	R.1974 d.288	6 N.J.R. 394(b)
7:20-6.1	Criteria for floodway and flood hazard area delineation	R.1975 d.104	7 N.J.R. 207(a)
7:25-2.1 et seq.	Revisions for public shooting and fishing grounds	R.1975 d.292	7 N.J.R. 499(c)
7:25-2.14	Field trial activities	R.1975 d.291	7 N.J.R. 499(b)

7:25-2.15	Revisions on controlled hunting	R.1975 d.281	7 N.J.R. 464(b)
7:25-5.1 et seq.	1975-76 Game Code	R.1975 d.178	7 N.J.R. 310(c)
7:25-5.26	Special pheasant and quail stamp required	R.1975 d.277	7 N.J.R. 464(a)
7:25-5.27	Use of conibear traps	R.1975 d.290	7 N.J.R. 499(a)
7:25-6.1 et seq.	1975 Fish Code	R.1974 d.253	6 N.J.R. 394(a)
7:25-6.1 et seq.	1976 Fish Code	R.1975 d.301	7 N.J.R. 499(d)
7:25-7.10	Oyster seed beds for 1975 season	R.1975 d.74	7 N.J.R. 151(a)
7:25-7.11	Rules on mussels	R.1975 d.133	7 N.J.R. 261(b)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:25-12.1	Revisions on preservation of sea clam resource	R.1976 d.65	8 N.J.R. 179(a)
7:25-9.3	Hard Clams	R.1975 d.367	8 N.J.R. 14(b)
7:25-9.4	Designation of scallop season	R.1975 d.365	8 N.J.R. 14(a)
7:25-11.1	List of endangered species	R.1974 d.348	7 N.J.R. 6(c)
7:25-11.1	List of endangered species	R.1975 d.164	7 N.J.R. 311(a)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:26-2.5 et seq.	Revisions in rules of Bureau of Solid Waste Management	R.1974 d.234	6 N.J.R. 343(c)
7:26-2.5	Amend effective date of rule	R.1975 d.190	7 N.J.R. 360(b)
7:26-2.6(d)4.	Revised effective date for solid waste facilities	R.1975 d.66	7 N.J.R. 149(b)
7:26-2.6(d)4	Revised effective date of solid waste rule	R.1975 d.271	7 N.J.R. 463(b)
7:26-4.1 et seq.	Revised fee schedule	R.1975 d.136	7 N.J.R. 259(a)
7:27-2.1 et seq.	Revised rules on control of open burning	R.1975 d.326	7 N.J.R. 547(c)
7:27-8.1 et seq.	Revisions concerning air pollution control rules on permits and certificates	R.1976 d.96	8 N.J.R. 221(c)
7:27-9.5	Temporary variances	R.1976 d.81	8 N.J.R. 181(a)
7:27-9.5(c)	Amend rules on temporary variances	R.1976 d.100	8 N.J.R. 222(a)
7:27-15.4(b)	Postponement of Phase II of auto emission inspection standards	R.1975 d.22	7 N.J.R. 102(b)
7:27-15.4(b)	Revisions on control of air pollution from light-duty motor vehicles	R.1976 d.12	8 N.J.R. 62(c)
7:27-16.1 et seq.	Volatile organic substances	R.1975 d.377	8 N.J.R. 15(b)
7:27B-1.1 et seq.	Sampling and analytical procedures	R.1974 d.360	7 N.J.R. 48(a)
7:27B-1.1 et seq.	Emissions from particles from manufacturing processes	R.1975 d.136	7 N.J.R. 261(d)
7:27B-1.1 et seq.	Revised rules on sampling and analytical procedures; manufacturing processes and combustion of fuels	R.1976 d.121	8 N.J.R. 223(a)
7:27B-2.1 et seq.	Procedures for visual determination of emissions from sources	R.1975 d.76	7 N.J.R. 144(a)
7:27B-2.1 et seq.	Revised rules on visual determination of opacity on emissions from sources	R.1976 d.121	8 N.J.R. 223(a)
7:27B-3.1 et seq.	Emissions of solid particle from combustion of fuel	R.1975 d.135	7 N.J.R. 261(d)
7:35-1.1 et seq.	Rules on tax exemption on real property of nonprofit corporations	R.1975 d.179	7 N.J.R. 310(b)

## HEALTH — TITLE 8

8:2-1.1	Revisions on birth certificates	R.1975 d.194	7 N.J.R. 362(c)
8:7-1.4	Board of Examiners licensure of persons for public health positions	R.1976 d.1	8 N.J.R. 65(a)
8:8-1.2 et seq.	Revisions for processing, storage and distribution of blood	R.1974 d.334	7 N.J.R. 7(a)
8:13-1.1 et seq.	Sanitation, handling, shipping and shucking of shellfish	R.1974 d.185	6 N.J.R. 310(b)
8:21-1.24	Labeling of feminine deodorant sprays	R.1976 d.19	8 N.J.R. 65(b)
8:21-1.25	Cosmetic product warning statements	R.1976 d.50	8 N.J.R. 118(b)
8:21-1.26	Drugs in dispensers pressurized by gaseous propellants for over-the-counter sale	R.1976 d.123	8 N.J.R. 227(b)
8:21-2.38	Bacteriological standards for potentially hazardous foods	R.1974 d.204	6 N.J.R. 311(a)
8:21-4.1 et seq.	Delete text of Subchapter 4	R.1975 d.320	7 N.J.R. 503(b)
8:21-4.44	Amend rule on expiration dates for fluid milk products	R.1974 d.361	7 N.J.R. 56(b)
8:21-5.1 et seq.	Revise acidified milk and fluid milk products rules	R.1975 d.320	7 N.J.R. 503(b)
8:21-9.3(a)	Delete exemption for wholesale handling of raw shellfish	R.1974 d.184	6 N.J.R. 310(a)
8:21-9.5	Revised wholesale licensing fees	R.1975 d.299	7 N.J.R. 501(a)
8:21-10.11	Acidified milk and acidified milk products	R.1975 d.320	7 N.J.R. 503(b)
8:31-5.1 et seq.	Delete entire Subchapter 5	R.1975 d.315	7 N.J.R. 503(a)
8:31-10.1	Licensing of drug-related facilities	R.1974 d.193	6 N.J.R. 310(c)
8:31-11.1	Voluntary discontinuance of regular service in any health care facility	R.1974 d.195	6 N.J.R. 310(e)
8:31-12.1	Long-term care facilities	R.1975 d.368	8 N.J.R. 16(a)
8:31-14.1 et seq.	1975 hospital rate review	R.1975 d.54	7 N.J.R. 152(b)
8:31-14.1	1975 hospital rate review program guidelines	R.1975 d.240	7 N.J.R. 414(a)
8:31-16.1	Hospital long range plans	R.1975 d.201	7 N.J.R. 362(d)
8:31-14.9	Revisions on hospital rate review appeals board	R.1975 d.321	7 N.J.R. 503(c)
8:31-17.1 et seq.	Standard hospital accounting and rate evaluation system (SHARE)	R.1975 d.239	7 N.J.R. 415(b)
8:31-18.1 et seq.	Rules for experimental medical reporting systems	R.1975 d.271	7 N.J.R. 463(b)
8:31-19.1 et seq.	Methods of determining final 1974 hospital rates	R.1975 d.245	7 N.J.R. 416(a)
8:31-20.1 et seq.	1977 hospital rate review rules	R.1975 d.244	7 N.J.R. 414(b)
8:31-21.1 et seq.	Guidelines for 1976 hospital rate review program	R.1975 d.312	7 N.J.R. 501(b)
8:31-22.1 et seq.	Doctors' office owned and/or sponsored by health care facilities	R.1975 d.314	7 N.J.R. 502(b)
		R.1976 d.20	8 N.J.R. 65(c)

8:31-23.1 et seq.	Parking garages owned and/or sponsored by health care facilities	R.1976 d.25	8 N.J.R. 66(e)
8:31-24.1 et seq.	Design and construction of interns, residents and nurses housing facilities	R.1976 d.21	8 N.J.R. 66(a)
8:32-1.1 et seq.	1974-75 State Plan for hospitals and related health care services	R.1974 d.196	6 N.J.R. 310(f)
8:32-1.1 et seq.	1975 State Plan for hospitals and related health care services	R.1975 d.183	7 N.J.R. 314(a)
8:32-1.18	Definition of rehabilitation services	R.1975 d.77	7 N.J.R. 164(f)
8:32-3.1	Procedures for adjustment of State Plan for hospitals	R.1974 d.260	6 N.J.R. 397(b)
8:32-3.1	Revisions for adjustment of State Plan	R.1974 d.318	6 N.J.R. 472(d)
8:31-21.1 et seq.	Guidelines for submission of certificate of need applications	R.1975 d.315	7 N.J.R. 503(a)
8:33-1.11	Continuation of mixing skilled nursing facilities levels A and B	R.1974 d.315	6 N.J.R. 472(a)
8:33-1.11	Revised policy on skilled nursing and intermediate care beds	R.1974 d.317	6 N.J.R. 472(c)
8:33-1.11(b)	Revisions on extension of program of multiple levels of care	R.1975 d.61	7 N.J.R. 164(e)
8:33-1.12	Processing of certificate of need applications	R.1974 d.269	6 N.J.R. 397(d)
8:33-1.12	Scheduling and completing hearings for certificate of need applicants	R.1974 d.194	6 N.J.R. 310(d)
8:34-1.2	Define responsible administrative positions	R.1975 d.313	7 N.J.R. 502(a)
8:34-1.18(a)3	Delete part of rule on refusal of licenses	R.1975 d.193	7 N.J.R. 362(b)
8:35-1.1 et seq.	Revised criteria on mixed obstetric and gynecologic floors	R.1975 d.60	7 N.J.R. 164(c)
8:38-1.1 et seq.	Rules concerning HMOs	R.1974 d.320	6 N.J.R. 473(a)
8:38-1.1 et seq.	Revisions concerning health maintenance organizations	R.1976 d.162	8 N.J.R. 281(b)
8:40-4.1 et seq.	Interim regulations for abortion facilities with temporary license	R.1974 d.215	6 N.J.R. 345(c)
8:40-5.1	Reporting abortions performed in hospitals	R.1974 d.316	6 N.J.R. 472(b)
8:42-1.1 et seq.	Standards for licensure of home health agencies	R.1976 d.164	8 N.J.R. 282(a)
8:42-2.1 et seq.	Standards for licensure of residential and inpatient drug treatment facilities	R.1976 d.163	8 N.J.R. 281(c)
8:43-1.1 et seq.	Boarding home for sheltered care	R.1974 d.319	6 N.J.R. 472(e)
8:43A-1.1 et seq.	Standards for licensure of ambulatory care facilities	R.1976 d.165	8 N.J.R. 282(b)
8:43B-1.1 et seq.	Interim rules on construction and licensure of various health facilities	R.1975 d.256	7 N.J.R. 416(b)
8:43B-3.1(d)	Amend building standards	R.1976 d.23	8 N.J.R. 66(c)
8:43B-10.2	Revisions to manual of standards for hospital facilities	R.1976 d.22	8 N.J.R. 66(b)
8:43B-13.3(d)	Delete rule on long-term care units in general acute hospitals	R.1976 d.24	8 N.J.R. 66(d)
8:43D-1.1 et seq.	Bylaws of Health Care Administration Board	R.1975 d.372	8 N.J.R. 16(b)
8:43D-1.4(a)4.	Amend bylaw on abstention and quorum vote	R.1976 d.89	8 N.J.R. 183(b)
8:49-5.10(b)	Training of homemaker-home health aides	R.1976 d.122	8 N.J.R. 227(a)
8:57-4.1 et seq.	Immunization of pupils in school	R.1975 d.121	7 N.J.R. 264(a)
8:64-3.1	Definition of soap	R.1975 d.103	7 N.J.R. 211(b)
8:65-2.4(c)	Revisions concerning other security controls for nonpractitioners	R.1974 d.261	6 N.J.R. 397(c)
8:65-6.8(a)4.	Amendment on persons entitled to fill order forms	R.1975 d.56	7 N.J.R. 164(a)
8:65-7.3(c)	Amendment on persons entitled to issue prescriptions	R.1975 d.58	7 N.J.R. 164(b)
8:65-7.6	Revisions on persons entitled to fill prescriptions	R.1975 d.55	7 N.J.R. 155(a)
8:65-7.8(e)	Amend rule on requirements of schedule II prescriptions	R.1975 d.349	7 N.J.R. 556(a)
8:65-10.1 et seq.	Revised schedules of controlled dangerous substances	R.1975 d.209	7 N.J.R. 363(a)
8:65-11.1 et seq.	Narcotic treatment program	R.1975 d.59	7 N.J.R. 164(c)

## HIGHER EDUCATION — TITLE 9

9:1-1.1 et seq.	Revised rules and standards for institutions of higher education	R.1976 d.139	8 N.J.R. 282(d)
9:2-2.27	Revise salary rate for adjunct faculty at State colleges	R.1975 d.257	7 N.J.R. 464(c)
9:6-1.1 et seq.	Rules implementing L.1973, c.163	R.1976 d.131	8 N.J.R. 282(c)
9:9-1.9	Delete rule on married students	R.1976 d.108	8 N.J.R. 228(b)
9:9-1.31	Revisions on late charges	R.1976 d.17	8 N.J.R. 66(f)
9:9-1.33(d)	Revised procedure for filing claims	R.1976 d.17	8 N.J.R. 66(f)
9:9-4.1 et seq.	Policy governing direct public loans	R.1975 d.217	7 N.J.R. 416(c)
9:9-5.1 et seq.	Policy governing graduate insured loans	R.1975 d.217	7 N.J.R. 416(c)

## INSTITUTIONS AND AGENCIES — TITLE 10

10:34-1.1 et seq.	Minimum standards for county correctional facilities	R.1975 d.300	7 N.J.R. 506(c)
10:35-1.1 et seq.	Revised standards	R.1975 d.108	7 N.J.R. 272(a)
10:35-7.4(b) et seq.	Revised standards	R.1974 d.273	6 N.J.R. 432(b)
10:35-18.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-19.12	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-28.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.3(b)	Revised fee schedules	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.5	Waiver of payment by court order	R.1974 d.356	7 N.J.R. 59(b)
10:35-63.1 et seq.	Inmate responsibility for personal property of substantial value	R.1974 d.273	6 N.J.R. 432(b)
10:35-64.1 et seq.	Inmate marriages	R.1974 d.273	6 N.J.R. 432(b)
10:35-65.1 et seq.	Volunteers in parole program	R.1974 d.356	7 N.J.R. 59(b)
10:35-66.1 et seq.	Probable cause hearing	R.1974 d.356	7 N.J.R. 59(b)
10:35-67.1 et seq.	Distribution of money and personal belongings of deceased inmates	R.1974 d.356	7 N.J.R. 59(b)
10:35-68.1 et seq.	Inmates' personal savings accounts	R.1974 d.356	7 N.J.R. 59(b)
10:35-69.1 et seq.	Revised rules on administrative segregation	R.1975 d.108	7 N.J.R. 272(a)

10:37-6.3	Revised definition of transitional services	R.1976 d.133	8 N.J.R. 286(b)
10:37-7.3	Revisions on system of per capita allocation	R.1976 d.133	8 N.J.R. 286(b)
10:46-4.3	Application for admission; delinquent minor	R.1975 d.158	7 N.J.R. 328(b)
10:47-1.1 et seq.	Manual of standards for private mentally retarded institutions	R.1975 d.203	7 N.J.R. 364(a)
10:49-1.8	Revisions to Medicaid Manuals on out-of-State medical care and services	R.1976 d.151	8 N.J.R. 287(c)
10:49-1.17	Claim submittal time limits	R.1975 d.151	7 N.J.R. 329(c)
10:49-1.17(c)	Amendment concerning noninstitutional providers	R.1975 d.150	7 N.J.R. 328(d)
10:49-1.25	Temporary fee reduction concerning Medicaid	R.1975 d.225	7 N.J.R. 421(a)
10:49-1.26	Reduction in reimbursement for laboratory services	R.1975 d.206	7 N.J.R. 365(a)
10:49-1.28	Medicaid payments to hospitals	R.1975 d.383	8 N.J.R. 70(b)
10:49-1.29	Eliminate certain Medicaid program services	R.1975 d.380	8 N.J.R. 70(a)
10:49-1.29	Repeal elimination of certain Medicaid services	R.1976 d.78	8 N.J.R. 196(a)
10:49-5.3	Revisions on opportunity for fair hearing	R.1976 d.136	8 N.J.R. 286(c)
10:51-1.1 et seq.	Repeal elimination of certain Medicaid services	R.1976 d.78	8 N.J.R. 196(a)
10:51-1.1 et seq.	Revisions to pharmacy manual	R.1975 d.182	7 N.J.R. 333(b)
10:51-1.2	Definition of eligible pharmacies in New Jersey	R.1974 d.297	6 N.J.R. 477(c)
10:51-1.8	Revised pharmaceutical services not eligible for payment	R.1975 d.317	7 N.J.R. 507(b)
10:51-1.10	Revisions concerning pharmacy providers	R.1974 d.312	6 N.J.R. 478(c)
10:51-1.10(d)	Revised dispensing fee	R.1975 d.223	7 N.J.R. 419(d)
10:51-1.10(g)	Revisions on legend drugs	R.1975 d.163	7 N.J.R. 329(b)
10:51-1.11(a)3	Revisions on institutional pharmacies	R.1975 d.156	7 N.J.R. 328(a)
10:52-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.206	7 N.J.R. 364(c)
10:52-1.1 et seq.	Revised portions of hospital manual	R.1974 d.201	6 N.J.R. 313(a)
10:52-1.1 et seq.	Revisions on physicians services	R.1975 d.229	7 N.J.R. 431(a)
10:52-1.2(a)18.	Revisions on hospital services	R.1974 d.296	6 N.J.R. 478(a)
10:52-1.2(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:52-1.4	Revisions in special provisions for general hospitals	R.1974 d.339	7 N.J.R. 8(a)
10:52-1.7(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:52-1.15	Reimbursement of third-party claims	R.1975 d.204	7 N.J.R. 364(b)
10:52-2.11	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:52-3.1 et seq.	Rules on teleprocessing	R.1975 d.230	7 N.J.R. 431(b)
10:53-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:53-1.2(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:53-1.6(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:54-1.1	Define office visits	R.1975 d.86	7 N.J.R. 226(d)
10:54-1.1 et seq.	Revisions to the Physicians Manual	R.1975 d.227	7 N.J.R. 430(a)
10:54-1.2(f)	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:54-1.13 et seq.	Revisions on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:54-1.19	Revisions concerning specialist recognition	R.1974 d.201	6 N.J.R. 313(a)
10:54-1.19	Revisions concerning specialists	R.1974 d.311	6 N.J.R. 478(b)
10:54-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:54-1.20(b)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:54-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:54-4.1 et seq.	Revised physicians fee schedule	R.1975 d.231	7 N.J.R. 431(c)
10:55-1.2	Revisions concerning eligible providers; prosthetic, orthotic manual	R.1974 d.187	6 N.J.R. 312(e)
10:56-1.16	Revisions on dental services	R.1975 d.262	7 N.J.R. 466(a)
10:56-1.36 et seq.	Revision on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:56-1.48	Recovery of payments correctly made	R.1974 d.202	6 N.J.R. 313(b)
10:56-2.1(d)	Dental providers	R.1974 d.203	6 N.J.R. 313(c)
10:57-1.4	Revisions on noncovered services	R.1975 d.162	7 N.J.R. 329(a)
10:57-1.14 et seq.	Revision on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:57-2.1 et seq.	Revisions on billing procedures	R.1974 d.222	6 N.J.R. 351(c)
10:59-1.7(a)6.	Revised prior authorization and medical supply services	R.1975 d.31	7 N.J.R. 105(b)
10:60-1.1 et seq.	Revisions on home health care services	R.1975 d.354	8 N.J.R. 37(b)
10:60-1.16	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:61-1.1 et seq.	Revised rules on independent laboratory services	R.1975 d.224	7 N.J.R. 420(a)
10:61-1.5	Revisions on reimbursements in independent laboratory services manual	R.1976 d.67	8 N.J.R. 195(d)
10:61-2.5	Revisions on report of services in independent laboratory services manual	R.1976 d.67	8 N.J.R. 195(d)
10:62-1.1 et seq.	Revisions to vision care manual	R.1974 d.181	6 N.J.R. 312(c)
10:62-2.2(a)2	Revisions on reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:62-2.3(j)	Curtailement of reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:63-1.10(a)5.	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:63-1.13	Plans of correction of deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:63-1.14	Skilled nursing and intermediate care services	R.1975 d.87	7 N.J.R. 227(a)
10:63-1.15	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:63-3.1 et seq.	Revised 1976 costs study and instructions for long term care facilities	R.1976 d.113	8 N.J.R. 232(d)
10:63-3.1 et seq.	1975 cost study and instructions long-term care facilities	R.1975 d.149	7 N.J.R. 328(c)

10:64-1.2 et seq.	Revisions to hearing aid manual	R.1975 d.14	7 N.J.R. 58(b)
10:65-1.2	Plans of correction for deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:66-1.3	Out-of-State clinics	R.1974 d.295	6 N.J.R. 477(b)
10:66-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:66-1.20(b)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:66-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:67-2.1 et seq.	Revised procedure for Administrative Code numbers	R.1974 d.245	6 N.J.R. 399(b)
10:69-1.1 et seq.	Reimbursement to pharmaceutical consultants in long-term care facilities	R.1976 d.6	8 N.J.R. 70(c)
10:69A-1.1 et seq.	Pharmaceutical Assistance to the Aged Manual	R.1976 d.102	8 N.J.R. 232(b)
10:81			
Appendix D	Revise effective date to August 1, 1975	R.1975 d.208	7 N.J.R. 365(b)
10:81-1.1 et seq.	New Public Assistance Manual	R.1975 d.29	7 N.J.R. 105(c)
10:81-1.1 et seq.	Revisions to public assistance manual	R.1976 d.63	8 N.J.R. 195(b)
10:81-3.3(i)	Revisions on noncontributory persons in a household	R.1975 d.64	7 N.J.R. 167(b)
10:81-6.13(a)	Revisions on fair hearings	R.1975 d.280	7 N.J.R. 467(a)
10:81-6.13(a)	Revisions of fair hearing	R.1975 d.280	7 N.J.R. 467(a)
10:81-6.17	Emergency fair hearings	R.1976 d.144	8 N.J.R. 287(b)
10:81-7.18	Revisions on lost or stolen assistance checks	R.1976 d.138	8 N.J.R. 237(a)
10:81-7.46(b)2.	Amendment on offenses to be reported to Federal authorities	R.1976 d.137	8 N.J.R. 286(d)
10:81-8.18	Delete current text and mark Section Reserved	R.1976 d.97	8 N.J.R. 231(a)
10:81-8.22	Persons eligible for medical assistance	R.1976 d.97	8 N.J.R. 231(a)
10:81-8.23	Extension of Medicaid benefits	R.1976 d.97	8 N.J.R. 231(a)
10:81-8.24	Determination of eligibility	R.1976 d.97	8 N.J.R. 231(a)
10:81-28.3	Recoupment of overpayments	R.1974 d.287	6 N.J.R. 435(b)
10:81-28.4	Periodic notice to client	R.1974 d.287	6 N.J.R. 435(b)
10:81	Rules on child support and paternity program	R.1975 d.180	7 N.J.R. 329(d)
Appendix D			
10:82-1.1 et seq.	Assistance Standards Handbook	R.1975 d.93	7 N.J.R. 227(b)
10:82-1.3(a)	Amendment on designation of stepparents as essential parents	R.1976 d.27	8 N.J.R. 124(a)
10:82-3.2	AFDC program	R.1974 d.205	6 N.J.R. 312(b)
10:82-10.1	Overpayments, underpayments	R.1974 d.287	6 N.J.R. 435(b)
10:82-11.14	Revisions concerning expenses of employment in AFDC	R.1974 d.285	6 N.J.R. 434(a)
10:82-11.16(d)	Revisions concerning disregard of earned income	R.1974 d.286	6 N.J.R. 435(a)
10:84-1.1 et seq.	Delete entire Chapter and mark it Reserved	R.1975 d.29	7 N.J.R. 105(c)
10:85-11.6(a)	Revisions in payments to hospitals	R.1974 d.288	6 N.J.R. 436(a)
10:87-1.1 et seq.	New food stamp manual	R.1975 d.350	7 N.J.R. 567(d)
10:94-1.1 et seq.	Adopt new Medicaid only manual	R.1976 d.157	8 N.J.R. 287(d)
10:97-1.1 et seq.	Amend State plan for vocational rehabilitation of blind	R.1976 d.128	8 N.J.R. 286(a)
10:98-1.1 et seq.	Revised State Plan for Vocational Rehabilitation of blind persons	R.1976 d.106	8 N.J.R. 232(c)
10:109 Appendix I	Revisions on Ruling 11, Part I, classification and compensation plan	R.1976 d.66	8 N.J.R. 195(c)
10:109-1.1 et seq.	Revisions concerning public assistance staff development program	R.1974 d.179	6 N.J.R. 312(e)
10:109-1.6(a)	Revisions concerning educational leave stipends	R.1974 d.248	6 N.J.R. 399(a)
10:109-2.1 et seq.	Ruling Number 11; classification and compensation plan	R.1974 d.211	6 N.J.R. 351(a)
10:109-2.1 et seq.	Revisions to classification and compensation plan	R.1975 d.336	7 N.J.R. 567(b)
10:109-3.1 et seq.	Revision to time and leave regulations	R.1975 d.336	7 N.J.R. 567(b)
10:120-1.1 et seq.	Revisions on administrative hearings in contested cases	R.1976 d.99	8 N.J.R. 232(a)
10:120-2.1	Purchase of services; hard-to-place children	R.1976 d.31	8 N.J.R. 123(a)
10:121-3.1 et seq.	Adoption complaint investigation fees	R.1975 d.15	8 N.J.R. 58(c)
10:122-2.1 et seq.	AFDC foster care plan	R.1975 d.99	7 N.J.R. 227(c)
10:123-1.1 et seq.	Revised State Plan for services to families and children	R.1974 d.232	6 N.J.R. 351(b)
10:123-1.1 et seq.	Revised State Plan for families and children	R.1974 d.355	7 N.J.R. 59(a)
10:123-1.1 et seq.	Revised State Plan for individuals and families	R.1975 d.283	7 N.J.R. 467(c)
10:123-1.14	Establishing paternity and securing support for AFDC children	R.1975 d.35	7 N.J.R. 105(a)
10:123-4.1	Amendment concerning community planning	R.1975 d.57	7 N.J.R. 166(b)
10:123-5.3(a)4	Revise maximum income level eligibility	R.1975 d.181	7 N.J.R. 333(a)
10:124-1.1 et seq.	Revised standards for juvenile shelters awaiting disposition	R.1975 d.219	7 N.J.R. 419(b)
10:125-1.1 et seq.	Comprehensive social services plan	R.1975 d.220	7 N.J.R. 467(b)
10:125-1.2(d)	Revise portion of comprehensive social services plan	R.1976 d.49	8 N.J.R. 124(b)
10:126-1.1 et seq.	State training plan under Title XX of Social Security Act	R.1975 d.298	7 N.J.R. 506(b)
10:127-1.1 et seq.	Manual of standards for residential child care facilities	R.1976 d.77	8 N.J.R. 195(e)
10:140-1.1 et seq.	1976 State Plan annual revision	R.1975 d.282	7 N.J.R. 419(c)

## INSURANCE — TITLE 11

11:1-2.1 et seq.	Amend rules on filings regarding property liability insurance	R.1975 d.34	7 N.J.R. 115(a)
11:1-4.2	Sex and/or marital status discrimination	R.1975 d.128	7 N.J.R. 276(b)
11:1-4.3	Complications of pregnancy	R.1976 d.161	8 N.J.R. 300(b)
11:1-5.1	Deduction of exhaustion of Motor Vehicle Liability Security Fund	R.1974 d.237	6 N.J.R. 351(d)
11:1-5.2	New Jersey Special Joint Underwriting Association	R.1974 d.259	6 N.J.R. 407(a)
11:1-5.2(e)	Establishing means of providing coverage and eligibility for protection	R.1974 d.274	6 N.J.R. 436(b)

11:1-5.3	Special Joint Underwriting Association charge	R.1975 d.210	7 N.J.R. 369(b)
11:1-5.3(a)	Revisions on remitting surcharge collections	R.1976 d.134	8 N.J.R. 300(a)
11:1-6.1	Property-Liability Insurance Guaranty Association charge	R.1975 d.170	7 N.J.R. 334(b)
11:1-6.1	Property-Liability Insurance Guaranty Association charge	R.1975 d.319	7 N.J.R. 507(d)
11:1-6.1(a)	Revision on remitting surcharges	R.1976 d.134	8 N.J.R. 300(a)
11:1-10.1 et seq.	Rules on insurance licensing of financial institutions	R.1976 d.166	8 N.J.R. 300(c)
11:2-1.3(f)	Ticket-selling insurance agents' education requirements	R.1974 d.327	7 N.J.R. 10(a)
11:2-1.4	Property-casualty license fees for disabled veterans	R.1975 d.344	7 N.J.R. 569(a)
11:2-12.1 et seq.	Mass marketing of property and liability insurance	R.1974 d.271	6 N.J.R. 408(a)
11:2-13.1 et seq.	Group coverage discontinuance and replacement	R.1974 d.274	6 N.J.R. 409(a)
11:2-13.1 et seq.	Revisions on life and accident and health insurance policies	R.1975 d.109	7 N.J.R. 276(a)
11:2-13.1	Revisions on certain insurance policies and contracts	R.1975 d.129	7 N.J.R. 276(c)
11:2-15.1	Cancellation of property and liability policies; insolvent insurers	R.1974 d.190	6 N.J.R. 323(a)
11:2-16.1	Guaranteed arrest bond certificates of automobile club undertaking	R.1974 d.282	6 N.J.R. 437(a)
11:3-6.3(b)5.iv.	Revisions concerning temporary identification cards	R.1974 d.208	6 N.J.R. 322(b)
11:3-9.2	Private automobile rating class; revoked or suspended	R.1975 d.130	7 N.J.R. 276(d)
11:3-10.1 et seq.	Rules on standards for prompt, fair and equitable settlement of motor vehicle physical damage claims	R.1976 d.46, R.1976 d.47	8 N.J.R. 136(b)
11:4-8.1 et seq.	Rules on charitable annuities	R.1974 d.258	6 N.J.R. 399(c)
11:4-10.1	Reporting of expense experience	R.1975 d.211	7 N.J.R. 370(a)
11:5-1.2	Amendment concerning salesmen applications	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.3	Amendment concerning broker applications	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.10(b)	Payment of commissions to terminated salesmen	R.1975 d.260	7 N.J.R. 469(c)
11:5-1.23(c)	Revision on prompt delivery of instruments	R.1976 d.10	8 N.J.R. 70(e)
11:5-1.23(e)	Transmittal of offers	R.1975 d.260	7 N.J.R. 469(c)
11:5-1.25	Revisions on sale of interstate properties	R.1976 d.129	8 N.J.R. 301(a)
11:5-1.27	Amendment concerning educational requirements	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.29(a)	Revisions on fingerprinting	R.1976 d.10	8 N.J.R. 70(e)
11:7-1.1 et seq.	Rules on insurance of municipal bonds	R.1975 d.212	7 N.J.R. 370(b)
11:10-1.1 et seq.	1975 hospital rate review program guidelines	R.1975 d.240	7 N.J.R. 414(a)

#### LABOR AND INDUSTRY — TITLE 12

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

#### LAW AND PUBLIC SAFETY — TITLE 13

13:1-3.4(a)4	Amendment on firearms instruction	R.1976 d.35	8 N.J.R. 137(a)
13:1-4.1(a)3	Revisions on police officer certification—basic training	R.1975 d.370	8 N.J.R. 48(a)
13:1B-1.1 et seq.	Revised rules implementing the Emergency Services Act of 1972	R.1976 d.109	8 N.J.R. 251(b)
13:2-1.16	Advertising notice of application for State license	R.1976 d.72	8 N.J.R. 203(c)
13:2-2.14	Advertising notice of application for municipal license	R.1976 d.72	8 N.J.R. 203(c)
13:2-13.3 et seq.	Revisions on licensees	R.1975 d.237	7 N.J.R. 436(b)
13:2-31.3 et seq.	Revisions to retail and wholesale prices and extension of credit	R.1975 d.238	7 N.J.R. 436(c)
13:2-34.8	Revisions on wholesale prices	R.1975 d.263	7 N.J.R. 482(c)
13:2-34.14(d)	Amendment on wholesale prices of alcoholic beverages and returns	R.1975 d.353	8 N.J.R. 47(c)
13:2-34.14(d)1.	Ratify prior emergency rule on wholesale prices of alcoholic beverages and returns	R.1976 d.71	8 N.J.R. 203(b)
13:4-8.3(a)	Delete text on interrogatory default procedure	R.1975 d.346	7 N.J.R. 571(b)
13:18-8.1	Rule on overhang standards	R.1975 d.285	7 N.J.R. 483(a)
13:18-9.1	Security deposits for uninsured motorists	R.1976 d.75	8 N.J.R. 204(a)
13:20-7.1	Revisions on automobile inspection adjustments	R.1975 d.335	7 N.J.R. 571(a)
13:20-28.6	Revisions on new car decals	R.1975 d.174	7 N.J.R. 343(b)
13:20-28.8	Revisions on new car evidence of compliance	R.1975 d.174	7 N.J.R. 343(b)
13:20-32.1 et seq.	Rules on licensing of motor vehicle reinspection centers	R.1975 d.333	7 N.J.R. 570(c)
13:20-33.1 et seq.	Standards and procedures used by licensed reinspection centers	R.1975 d.334	7 N.J.R. 570(d)
13:21-15.4	Revisions for rejection, suspension or revocation of motor vehicle dealer license	R.1976 d.4	8 N.J.R. 83(b)

13:21-18.1 et seq.	Rules on snowmobile registration	R.1975 d.289	7 N.J.R. 508(b)
13:27-3.13	Board of architects revised fee schedule	R.1975 d.171	7 N.J.R. 342(a)
13:27-3.13	Revised fees for architects	R.1975 d.171	7 N.J.R. 342(a)
13:29-1.2	Public school accountant's license	R.1976 d.87	8 N.J.R. 204(b)
13:29-2.1 et seq.	Revisions on registered municipal accountants	R.1976 d.87	8 N.J.R. 204(b)
13:30-8.1	Fee schedules	R.1975 d.259	7 N.J.R. 482(b)
13:30-8.1	Revised fee schedules for dentists	R.1976 d.11	8 N.J.R. 84(a)
13:35-3.2	Endorsement; Federation Licensing Examination	R.1976 d.48	8 N.J.R. 137(b)
13:35-3.6	Board of Medical Examiners fee schedule	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.6	Revised fees for medical examiners	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.7	Encorsement; first two parts of National Board of Medical Examiners or Osteopathic Examiners and third part of FLEX	R.1976 d.48	8 N.J.R. 137(b)
13:35-3.8	Examination; third part of FLEX and first two parts of National Boards of Medical Examiners and Osteopathic Examiners	R.1976 d.48	8 N.J.R. 137(b)
13:36-3.6	Examination review procedure	R.1975 d.309	7 N.J.R. 509(a)
13:38-3.11	Revisions on written examinations for applicants for optometry licenses	R.1976 d.105	8 N.J.R. 251(a)
13:42-1.1	Examination review procedure	R.1975 d.310	7 N.J.R. 510(a)
13:44-4.1	Revised fees for veterinarians	R.1975 d.173	7 N.J.R. 342(b)
13:44-4.1	Veterinary medical examiners fee schedule	R.1975 d.173	7 N.J.R. 342(b)
13:45A-12.1 et seq.	Rules on sale of animals	R.1975 d.351	7 N.J.R. 571(c)
13:70-1.26 et seq.	Revisions to thoroughbred racing rules	R.1976 d.125	8 N.J.R. 308(a)
13:71-1.25 et seq.	Revisions to harness racing rules	R.1976 d.125	8 N.J.R. 308(a)

#### PUBLIC UTILITIES — TITLE 14

14:1-6.20	Revisions of transcript expenses	R.1976 d.26	8 N.J.R. 137(c)
14:1-10.11	Rule on hearing procedures	R.1974 d.313	6 N.J.R. 487(b)
14:3-3.1 et seq.	Revision on home insulation program	R.1975 d.305	7 N.J.R. 510(b)
14:5-1.2(b)	Revisions on separation and protection of conductors buried in earth	R.1975 d.215	7 N.J.R. 437(a)
14:5-4.1 et seq.	Revised rules on residential electrical underground extensions	R.1975 d.243	7 N.J.R. 437(b)
14:5-7.1 et seq.	Revisions on electrical inspection authorities	R.1975 d.12	7 N.J.R. 62(b)
14:10-4.1 et seq.	Revised rules on residential telephone underground extensions	R.1975 d.243	7 N.J.R. 437(b)
14:11-5.4	Revisions on accident reporting	R.1975 d.8	7 N.J.R. 62(a)
14:18-11.9 et seq.	Applications for municipal consent to operate CATV system	R.1976 d.18	8 N.J.R. 84(b)

#### STATE — TITLE 15

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

#### TRANSPORTATION — TITLE 16

16:3-1.1 et seq.	Uniform patent policy	R.1975 d.160	7 N.J.R. 345(b)
16:26-3.1 et seq.	Revisions on highway safety lighting	R.1975 d.288	7 N.J.R. 521(b)
16:27-1.6	Limitations on use of Parkway	R.1975 d.342	7 N.J.R. 577(b)
16:28-1.10	Revised speed limits on parts of U.S. 46	R.1975 d.95	7 N.J.R. 237(b)
16:28-1.14	Revised rules on rates of speed on Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.16	Revised rates of speed on parts of Route 35	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.19	Revised rates of speed on parts of Route 5	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.25 et seq.	Revised rules on rates of speed along certain State highways	R.1974 d.197	6 N.J.R. 325(a)
16:28-1.26	Revised speed limits on parts of Route U.S. 206	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.35	Revised speed limits on portions of Route 18	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.36	Revised speed limits on parts of Route 24	R.1975 d.17	7 N.J.R. 118(a)
16:28-1.44	Revised speed limits on parts of Route 27	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.51	Revised speed limits on parts of Route 55	R.1975 d.167	7 N.J.R. 346(a)
16:28-1.51	Revised speed limits for parts of Route 55	R.1975 d.254	7 N.J.R. 439(b)
16:28-1.61	Rates of speed on parts of Route 22 Freeway	R.1975 d.241	7 N.J.R. 439(a)
16:28-1.63	Revised rates of speed on Route U.S. 22	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.67	Revisions to rates of speed on parts of U.S. 202	R.1974 d.325	7 N.J.R. 32(b)
16:28-1.68	Revised rates of speed on parts of Route 17	R.1975 d.153	7 N.J.R. 344(d)
16:28-1.70 et seq.	Revised speed rates on certain State highways	R.1976 d.379	8 N.J.R. 85(b)
16:28-1.76	Revised speed limits on parts of Route 15	R.1974 d.354	7 N.J.R. 73(c)
16:28-1.77	Revised rates of speed on parts of Route 29	R.1975 d.144	7 N.J.R. 344(c)
16:28-1.90	Revised rates of speed on parts of Route 166	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.96	Revised rates of speed on Route N.J. 45	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.100	Revised speed limits on Route 439	R.1975 d.50	7 N.J.R. 178(c)
16:28-1.106	Revised speed limits on parts of Route 31	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.107	Revised speed limits on parts of Route 48	R.1975 d.294	7 N.J.R. 521(c)
16:28-1.111	Speed limits on Route 179 in Hunterdon County	R.1974 d.249	6 N.J.R. 414(a)

16:28-1.114	Revised rates of speed on parts of Route 440	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.120	Revised rates of speed on parts of Route 38	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.121	Revised speed limits on parts of Route 93	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.122	Revisions to rates of speeds on U.S. 1, 9 and 46	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.123	Revise speed limits on parts of Route 88	R.1975 d.329	7 N.J.R. 576(c)
16:28-1.148	Revised speed limits on Route I-295	R.1975 d.24	7 N.J.R. 118(c)
16:28-1.157	Rates of speeds on Route 173	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.158	Speed limits on Route 87 in Atlantic City	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.159	Rates of speed on parts of Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.160	Speed limits on portions of Route I-78	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.162	Speed limits on Route 33 Freeway	R.1975 d.274	7 N.J.R. 488(a)
16:28-2.1	Weight limit along Route 152 in Egg Harbor Township	R.1975 d.63	7 N.J.R. 178(d)
16:28-3.18	Restricted parking on parts of Route 47	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.77	Rules on restricted parking along certain State highways	R.1974 d.216	6 N.J.R. 359(b)
16:28-3.20 et seq.	Restricted parking on Routes 70, 73, U.S. 22 and U.S. 130	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.24	Route number U.S. 40	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.25	Route number 47	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.26	No parking; Route 35	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.27	No parking; Route 27	R.1974 d.359	7 N.J.R. 74(a)
16:28-3.28	Restricted parking rules on various State highways		
through 16:28-3.41		R.1975 d.16	7 N.J.R. 117(a)
16:28-3.42	Restricted parking along certain State highways		
through 16:28-3.50		R.1975 d.49	7 N.J.R. 178(b)
16:28-3.51	Rules on restricted parking on various State highways		
through 16:28-3.62		R.1975 d.143	7 N.J.R. 344(b)
16:28-3.63	Rules on restricted parking on various State highways		
through 16:28-3.67		R.1975 d.154	7 N.J.R. 345(a)
16:28-3.68	Rules on restricted parking on various State highways		
through 16:28-3.71		R.1975 d.202	7 N.J.R. 387(c)
16:28-3.72	Rules on restricted parking on certain State highways		
through 16:28-3.76			
16:28-3.77	Rules on restricted parking along certain State highways	R.1975 d.269	7 N.J.R. 487(c)
through 16:28-3.83			
16:28-3.81	Restricted parking on parts of Route 31	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.84 through	Revised rules on no-parking zones along various State highways	R.1975 d.295	7 N.J.R. 522(a)
16:28-3.89			
16:28-3.85	Revised no parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 0000
16:28-3.90	No-parking zones on portions of Route 31	R.1975 d.338	7 N.J.R. 577(a)
16:28-3.91	Restricted parking on parts of Route 79	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.91	Restricted parking on parts of Routes 70, 79 and U.S. 206	R.1975 d.378	8 N.J.R. 85(a)
through 16:28-3.93			
16:28-3.94	Restricted parking along portions of various State highways	R.1976 d.42	8 N.J.R. 139(d)
through 16:28-3.100			
16:28-3.101	No parking zones on parts of Route 38	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.102	No parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.103	No parking zones on parts of Route 49	R.1976 d.80	8 N.J.R. 207(d)
16:28-3.104	Restricted parking on parts of Route 49	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.105	Restricted parking on parts of Route 10	R.1976 d.141	8 N.J.R. 312(b)
16:28-4.1 et seq.	One-way street regulations	R.1974 d.225	6 N.J.R. 359(c)
16:28-4.3	One-way traffic along Route 79	R.1974 d.293	6 N.J.R. 493(c)
16:28-4.4	One-way traffic on parts of Route U.S. 202	R.1975 d.255	7 N.J.R. 439(c)
16:28-4.5	One-way traffic along parts of Route 29 in Lambertville	R.1976 d.118	8 N.J.R. 258(a)
16:28-5.1	Designation of stop intersections	R.1974 d.250	6 N.J.R. 414(b)
16:28-5.2	Stop intersections on parts of Route 440	R.1976 d.44	8 N.J.R. 140(a)
16:28-6.1	No left turn rules on parts of Route U.S. 206	R.1974 d.324	7 N.J.R. 32(a)
16:28-6.1	Revisions on left turns on Route U.S. 206 in Bedminster Township	R.1975 d.48	7 N.J.R. 178(a)
16:28-6.2	Restricted left turns on portions of Route 24	R.1975 d.337	7 N.J.R. 576(d)
through 16:28-6.3			
16:28-6.4	No-left turns along parts of Route 35	R.1976 d.41	8 N.J.R. 139(c)
16:28-6.5	No-left turns along parts of Route U.S. 40	R.1976 d.41	8 N.J.R. 139(c)
16:28-6.6	No left turns on portions of Routes 88, 23, 31 and 47	R.1976 d.142	8 N.J.R. 312(c)
through 16:28-6.9			
16:28-7.1	Lane usage on Route 35	R.1975 d.375	8 N.J.R. 50(b)
16:28-8.1	Yield intersection on Route 71	R.1976 d.39	8 N.J.R. 139(a)
16:28-9.1	Emergency stopping only on parts of Route 55	R.1976 d.40	8 N.J.R. 139(b)
16:28-10.1	Rules on through streets	R.1976 d.55	8 N.J.R. 207(a)
16:41-1.1 et seq.	Revised fees for highway access permits	R.1975 d.13	7 N.J.R. 73(b)
16:41-2.3 et seq.	Revised fee schedules	R.1975 d.207	7 N.J.R. 387(d)
16:50-2.6	Rule on emergency hearings	R.1975 d.199	7 N.J.R. 387(b)
16:51-4.1 et seq.	Delegation of powers for seniors half-fare bus program	R.1975 d.113	7 N.J.R. 280(b)

16:52-1.1 et seq.	Federal grant program to provide transportation services to elderly and/or handicapped people	R.1976 d.117	8 N.J.R. 259(a)
16:54-6.1 et seq.	Take-off or landing by balloons	R.1974 d.308	6 N.J.R. 494(a)
16:54-6.1 et seq.	Revised rules on ballooning	R.1975 d.131	7 N.J.R. 281(a)
16:65-2.1 et seq.	Revisions on distribution of standard specifications	R.1975 d.195	7 N.J.R. 387(a)

**TREASURY-GENERAL — TITLE 17**

17:1-1.8 et seq.	Revisions on general administration	R.1975 d.235	7 N.J.R. 446(a)
17:1-1.15	Revisions on endorsements	R.1975 d.385	8 N.J.R. 88(a)
17:1-1.15(b)	Revisions on endorsements	R.1976 d.95	8 N.J.R. 262(a)
17:1-1.15(e)	Compliance with endorsement requirements	R.1974 d.219	6 N.J.R. 360(a)
17:1-1.17	Revisions on administrative expenses and their proration	R.1975 d.30	7 N.J.R. 122(a)
17:1-2.20	Base or contractual salary	R.1976 d.36	8 N.J.R. 140(d)
17:2-1.13 et seq.	Revisions on Public Employees' Retirement System	R.1974 d.230	6 N.J.R. 361(a)
17:3-1.4 et seq.	Revise rules of teachers' pension and annuity fund	R.1975 d.140	7 N.J.R. 349(a)
17:4-1.4 et seq.	Revisions to rules of Police and Firemen's Retirement System	R.1975 d.191	7 N.J.R. 393(a)
17:5-2.2	Revisions on survivor benefits	R.1976 d.104	8 N.J.R. 262(c)
17:5-4.1	Revision on previous State service or former membership and interfund transfers	R.1976 d.104	8 N.J.R. 262(c)
17:5-5.15	Revisions on medical examinations	R.1976 d.104	8 N.J.R. 262(c)
17:5-6.1	Revisions on interfund transfers and other State systems	R.1976 d.104	8 N.J.R. 262(c)
17:6-3.3	Revisions on survivor benefits	R.1976 d.103	8 N.J.R. 262(b)
17:6-3.9	Revisions on medical examinations	R.1976 d.103	8 N.J.R. 262(b)
17:7-1.9 et seq.	Revise parts of Prison Officers' Pension Fund rules	R.1975 d.213	7 N.J.R. 442(a)
17:8-1.1	Revise foreword to rules of supplemental annuity collective trust	R.1974 d.231	6 N.J.R. 361(b)
17:9-1.5	Revisions on voluntary termination of employer; notice	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.3	Revisions on annual enrollment period	R.1974 d.228	6 N.J.R. 360(c)
17:9-2.3	Revisions on annual enrollment period	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.9	Revisions on transferees	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.10	HMO election; same employer	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.15	Major medical; separate plans	R.1975 d.68	7 N.J.R. 181(a)
17:9-4.2	Revised definition of State; full time	R.1975 d.68	7 N.J.R. 181(a)
17:9-5.4	Revisions on local employer payment of dependent charges	R.1974 d.229	6 N.J.R. 360(d)
17:9-5.5	Revisions concerning local employer resolution	R.1975 d.65	7 N.J.R. 180(c)
17:9-5.6	Health maintenance organization premiums	R.1974 d.228	6 N.J.R. 360(c)
17:9-5.10	Retroactive premiums; payment due	R.1975 d.159	7 N.J.R. 349(b)
17:9-6.3	Amend retired coverage limitations	R.1975 d.159	7 N.J.R. 349(b)
17:10-3.1	Revised computation of benefits	R.1974 d.335	7 N.J.R. 34(a)
17:10-5.7	Revised employer disability application; employee notice	R.1974 d.335	7 N.J.R. 34(a)
17:16-5.3(a)5.	Revision to static group	R.1976 d.115	8 N.J.R. 262(d)
17:16-5.4	Revised demand group	R.1975 d.11	7 N.J.R. 76(b)
17:16-5.5	Revised temporary reserve group	R.1975 d.362	8 N.J.R. 51(a)
17:16-5.5	Revised temporary reserve group	R.1975 d.278	7 N.J.R. 490(a)
17:16-5.5(a)14.	Delete from temporary reserve group housing development	R.1974 d.192	6 N.J.R. 328(c)
17:16-5.5	Revised temporary reserve group	R.1976 d.29	8 N.J.R. 140(c)
17:16-5.6(a)3.	Revisions to trust group	R.1976 d.115	8 N.J.R. 262(d)
17:16-6.1(a)8.	Add Federal Financing Bank to approved list	R.1974 d.323	6 N.J.R. 496(a)
17:16-6.1	Revised rules on U.S. Treasury and government agency obligations	R.1975 d.97	7 N.J.R. 241(a)
17:16-7.1	Amendments on permissible investments; corporate obligations	R.1976 d.152	8 N.J.R. 313(a)
17:16-7.3	Delete from revolving housing development grant fund	R.1974 d.191	6 N.J.R. 328(b)
17:16-8.1	Revisions on corporate securities industrial obligations	R.1976 d.156	8 N.J.R. 314(c)
17:16-8.1(a)5.	Amendment on corporate securities - industrial obligations	R.1976 d.116	8 N.J.R. 232(e)
17:16-8.1(a)6.	Amend permissible investment rules concerning corporate securities	R.1974 d.321	6 N.J.R. 495(b)
17:16-9.1(a)5.	Revision concerning finance companies—senior debt	R.1974 d.322	6 N.J.R. 495(c)
17:16-9.1(a)6.	Amendment on finance companies senior debt	R.1976 d.153	8 N.J.R. 313(b)
17:16-11.1	Revisions on applicable funds	R.1975 d.363	8 N.J.R. 51(b)
17:16-13.5	Revisions on legal papers; commercial paper	R.1974 d.218	6 N.J.R. 361(c)
17:16-13.5	Revisions on legal papers	R.1975 d.236	7 N.J.R. 442(b)
17:16-21.1(a)6.	Amendments on bank debentures; pension and annuity group	R.1976 d.154	8 N.J.R. 314(a)
17:16-23.3(c)	Amendments on Canadian obligations limitations	R.1976 d.155	8 N.J.R. 314(b)
17:16-29.1	Revised definition for FHA mortgages	R.1975 d.364	8 N.J.R. 51(c)
17:16-36.7 et seq.	Revisions concerning Common Pension Fund B	R.1974 d.265	6 N.J.R. 416(b)
17:16-37.1(a)6.	Addition of Federal Financing Bank to approved list	R.1974 d.264	6 N.J.R. 416(a)
17:16-38.1 et seq.	Common Pension Fund C	R.1974 d.266	6 N.J.R. 416(c)
17:16-39.1 et seq.	Rules on bankers' acceptances	R.1974 d.263	6 N.J.R. 415(b)
17:16-39.1 et seq.	Collateralized notes and mortgages	R.1975 d.67	7 N.J.R. 180(d)
17:18-1.1 et seq.	Revised rules on tax appeals administration	R.1976 d.145	8 N.J.R. 312(e)
17:20-5.10	Revise agent's compensation rule	R.1974 d.329	7 N.J.R. 33(b)
17:21-1.4(b)	Revisions on special lotteries	R.1974 d.224	6 N.J.R. 360(b)

17:21-2.3 et seq.	Revised rules concerning weekly lottery	R.1974 d.329	7 N.J.R. 33(b)
17:21-6.1	Delete rules on daily lottery	R.1975 d.374	8 N.J.R. 52(a)
through 17:21-6.6			
17:21-6.9	Final drawings for daily lottery	R.1975 d.374	8 N.J.R. 52(a)
17:21-11.1 et seq.	1776 Instant Lottery rules	R.1975 d.318	7 N.J.R. 525(a)
17:21-11.5 et seq.	Revised rules on 1776 Instant Lottery	R.1975 d.330	7 N.J.R. 578(b)

## TREASURY-TAXATION — TITLE 18

18:2-1.1	Reproduction of forms	R.1974 d.182	6 N.J.R. 328(a)
18:2-2.1 et seq.	Rules on imposition of penalties and interest	R.1975 d.284	7 N.J.R. 490(b)
18:2-2.4 et seq.	Revisions on imposition of tax penalties and interest	R.1976 d.94	8 N.J.R. 261(c)
18:5-3.10(d)	Revised rule on decalcomania revenue stamps on cigarettes	R.1975 d.28	7 N.J.R. 122(b)
18:6-1.1	Revised definition of cost of doing business	R.1974 d.243	6 N.J.R. 414(d)
18:12A-1.6 et seq.	Revisions concerning County Boards of Taxation	R.1975 d.46	7 N.J.R. 180(b)
18:12A-1.16	Electronic Data processing and tax assessment lists	R.1974 d.242	6 N.J.R. 414(c)
18:16-1.1 et seq.	Revisions in realty transfer fee law	R.1975 d.84	7 N.J.R. 240(b)
18:16-1.1 et seq.	Revisions on realty transfer fees	R.1975 d.242	7 N.J.R. 443(a)
18:16-2.2(b) et seq.	Revisions of realty transfer fee law rules	R.1975 d.286	7 N.J.R. 490(c)
18:22-7.6	Gross receipts from transactions; municipal electric supplies	R.1975 d.45	7 N.J.R. 180(a)
18:24-1.14	Effective date of exemption organization permit	R.1975 d.187	7 N.J.R. 350(b)
18:24-5.16(f)	Revisions on use of certificate of capital improvement for sales tax	R.1975 d.246	7 N.J.R. 446(b)
18:24-10.2	Amendments concerning exempt certificates requirements	R.1976 d.62	8 N.J.R. 209(a)
18:24-10.4	Acceptance in good faith	R.1974 d.244	6 N.J.R. 414(e)
18:24-10.5	Disclosure of proper exemption basis	R.1974 d.244	6 N.J.R. 414(e)
18:24-11.2	Filing of monthly and quarterly returns	R.1975 d.4	7 N.J.R. 77(a)
18:24-24.1 et seq.	Sale and installation of gasoline service station equipment	R.1974 d.252	6 N.J.R. 415(a)
18:26	Revised list of district supervisors and investigators	R.1975 d.270	7 N.J.R. 489(b)
Appendix A			
18:26-6.16	No fault insurance rules	R.1975 d.186	7 N.J.R. 350(a)
18:26-8.7	Preaudit payment of inheritance tax	R.1975 d.85	7 N.J.R. 240(c)
18:26-8.7	Revisions on preaudit payment of inheritance tax	R.1975 d.348	7 N.J.R. 578(c)
18:26-8.25	Certificates of deposits, savings certificates and special savings	R.1975 d.177	7 N.J.R. 349(c)
18:26-11.20	Revisions on release of safe deposit box contents	R.1975 d.247	7 N.J.R. 447(a)
18:26-11.21	Revised conditions for opening safe deposit box	R.1975 d.247	7 N.J.R. 447(a)
18:26-11.26	Revisions on box rented by corporation	R.1975 d.247	7 N.J.R. 447(a)
18:30-1.1 et seq.	Rules on capital gains and other unearned income tax	R.1976 d.93	8 N.J.R. 261(b)

## OTHER AGENCIES — TITLE 19

19:1-1.1 et seq.	Revisions pertaining to making loans to mortgage lenders	R.1974 d.233	6 N.J.R. 370(b)
19:1-1.1 et seq.	Revised rules of Mortgage Finance Agency	R.1975 d.311	7 N.J.R. 528(a)
19:1-1.3	Revised definition of Mortgage Finance Agency collateral	R.1974 d.251	6 N.J.R. 418(b)
19:1-1.4 et seq.	Revisions on requests for loans and allocation and award of loans	R.1975 d.324	7 N.J.R. 579(c)
19:3A-2.1	Required land use and control meadows; flood insurance	R.1974 d.213	6 N.J.R. 369(b)
19:3A-2.2	Securing coverage under National Flood Insurance Program	R.1974 d.212	6 N.J.R. 361(d)
19:4-6.25	Revisions on Hackensack Meadowland appeals	R.1975 d.355	8 N.J.R. 52(c)
19:7-1.1(a)1.	Revisions on permitted sites and sanitary landfills	R.1974 d.214	6 N.J.R. 369(a)
19:8-1.1	Garden State Arts Center defined	R.1975 d.145	7 N.J.R. 350(d)
19:8-1.1 et seq.	Revision on motorcycles on Parkway	R.1975 d.332	7 N.J.R. 579(b)
19:8-1.13	Traffic control on Garden State Parkway	R.1975 d.222	7 N.J.R. 447(b)
19:8-2.11	Rules on Garden State Arts Center	R.1975 d.145	7 N.J.R. 350(d)
19:8-2.12	Emergency service on Parkway	R.1975 d.331	7 N.J.R. 579(a)
19:8-3.1(b)	Revised toll schedule for new Union County interchange	R.1974 d.290	6 N.J.R. 496(c)
19:8-3.1(c)	Rule on automatic toll collection machines on Parkway	R.1976 d.127	8 N.J.R. 315(b)
19:8-5.1 et seq.	Central purchasing	R.1976 d.92	8 N.J.R. 315(a)
19:8-6.1 et seq.	Sales of surplus personal property	R.1976 d.92	8 N.J.R. 315(a)
19:9-1.1	Revised Turnpike definitions	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9	Revised limitations on use of Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9(a)26.	Delete rule 19:9-1.9 (a) 26.	R.1975 d.41	7 N.J.R. 185(a)
19:9-1.18	Noise limits on Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.18(e) and (f)	Revised citations for noise limit rules	R.1975 d.25	7 N.J.R. 122(d)
19:9-3.1	Schedule of towing charges for Turnpike	R.1975 d.221	7 N.J.R. 447(c)
19:11-1.6	Revisions in number of copies to be filed	R.1974 d.347	7 N.J.R. 36(a)
19:11-1.13	Revisions concerning intervention	R.1974 d.346	7 N.J.R. 35(d)
19:11-2.7	Rule on election eligibility lists	R.1974 d.344	7 N.J.R. 35(b)
19:12-1.1	Revisions in filing of notice of impasse	R.1974 d.347	7 N.J.R. 36(a)
19:12-1.1 et seq.	Negotiations and impasse procedures	R.1975 d.10	7 N.J.R. 78(a)

(Continued from page 23)

licensing of or association with any other incorporated licensee.

(c) A showing that the licensee has placed ten per cent or more of the book of business of the moribund corporate licensee into a new corporation controlled by one or more persons associated with the prior corporation shall raise a presumption of violative conduct.

Interested persons may present statements of arguments in writing relevant to the proposed action on or before July 5, 1976, to:

Naomi LaBastille  
Hearing Officer  
Department of Insurance  
201 E. State Street  
Trenton, New Jersey 08625

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

James J. Sheeran  
Commissioner  
Department of Insurance

(a)

## INSURANCE

### REAL ESTATE COMMISSION

#### Proposed Rule on Rental Location Operations

The Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-1 et seq., proposes to adopt a new rule concerning rental location operations.

Full text of the proposed rule follows:

#### 11:5-1.32 Rental location operations

(a) Every licensee involved in the business of referring prospective tenants to possible rental units or locations shall enter into a written contract with the prospective tenant and give such person a copy of the contract. The licensee must disclose the manner in which the listings or units have been obtained. Any fee charged in excess of \$10.00 shall be repaid or refunded to the prospective tenant if the prospective tenant, after bona fide effort, does not obtain a rental conforming to his specifications through the listings furnished by the licensee. All contracts must contain a provision to this effect. If the information concerning rentals furnished by the licensee is not current or accurate in regard to the type of rental desired, the full fee shall be repaid or refunded to the prospective tenant upon demand.

(b) No licensee shall refer a prospective tenant to:

1. A nonexistent address;
2. Property which was not for lease or rent.

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

Real Estate Commission  
Department of Insurance  
201 East State St.  
Trenton, N.J. 08625

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

W. P. Comerford  
Assistant Director  
Real Estate Commission  
Department of Insurance

(b)

## INSURANCE

### THE COMMISSIONER

#### Notice of Exportables List

Take notice that, James J. Sheeran, Commissioner of Insurance, pursuant to authority delegated to him at N.J.S.A. 17:22-6.43 after a hearing on December 18, 1975, finds no reasonable or adequate market among authorized insurers for the following 38 classes of insurance coverage or risk and declares them eligible for export effective June 1, 1976.

1. Amusement devices for adults and kiddies.
2. Amusement parks and carnivals liability.
3. Animal mortality, horses only.
4. Armored cars.
5. Automobile - race tracks liability.
6. Auto races.
7. Aviation, crop dusters.
8. Bowling alleys.
9. Burglarly and robbery, check cashing and money exchange only.
10. Business interruption - valued per diem form only.
11. Cleaners' and dyers' bailee coverage in municipalities over 100,000 population.
12. Contact lens floater.
13. Differences in conditions (parasol).
14. Excess loss and excess aggregate for self-insurers public liability and workmen's compensation.
15. False arrest and other personal injury liability classes.
16. Fine arts dealers.

19:12-2.1	Revisions in invocation of fact-finding	R.1974 d.347	7 N.J.R. 36(a)
19:12-3.1	Revisions concerning arbitration	R.1974 d.345	7 N.J.R. 35(c)
19:13-1.1 et seq.	Scope of negotiations proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.1 et seq.	Unfair practice proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14A-1.1 et seq.	Hearings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.5 et seq.	Revisions concerning processing of unfair practice cases	R.1975 d.89	7 N.J.R. 243(a)
19:14-9.1 et seq.	Interim relief	R.1975 d.90	7 N.J.R. 242(a)
19:25-1.1 et seq.	Initial rules of Election Law Enforcement Commission	R.1974 d.267	6 N.J.R. 418(a)
19:25-7.8	Revision on use of funds by political committees	R.1975 d.359	8 N.J.R. 52(b)
19:25-12.2	Revisions on political testimonial affairs	R.1975 d.359	8 N.J.R. 52(b)
19:30-1.1 et seq.	Administrative rules of Economic Development Authority	R.1974 d.332	7 N.J.R. 34(c)
19:30-2.1	Revised application fees	R.1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Delete text on fees	R.1975 d.26	7 N.J.R. 122(c)
19:35-1.1	Rules on FM noncommercial radio stations	R.1975 d.118	7 N.J.R. 285(a)

17. Fire and allied lines on buildings occupied as auction markets, farmers markets and contents of such buildings.
18. Fireworks display.
19. Golf driving range.
20. Hole-in-one.
21. House movers and building demolition.
22. International movers insurance plan.
23. Kidnapping insurance - individual and family.
24. Manufacturers and contractors liability for floor waxers, building maintenance people, window washers and exterminators.
25. Personal articles floaters only, if the applicant is currently insured through the FAIR plan.
26. Picnics/excursions.
27. Pony rides/riding academies.
28. Products liability only (for manufacturers of cosmetics, drugs and chemicals).
29. Professional liability (malpractice) policies for podiatrists, osteopaths, chiropractors, physicians, hospitals, blood banks, clinical laboratories, Psychologists, outpatient clinics, veterinarians and massage and reducing salons.
30. Rain insurance.
31. Retrospective penalty indemnity.
32. Short-term (not over 30 days) drive-away auto insurance with \$15,000/\$30,000 bodily injury and \$15,000 property damage limits on vehicles owned and operated by military personnel.
33. Short-term entertainment events, rock festivals, short-term association meetings and conventions.
34. Skating rinks, roller and ice.
35. Sporting events (casual).
36. Swim clubs/swim pools.
37. Warehouseman's legal liability.
38. Vacant buildings - fire, extended coverage and vandalism.

This Notice is published as a matter of public information and is not subject to codification and thus will not appear in Title 11 of the New Jersey Administrative Code.

G. Duncan Fletcher  
 Director of Administrative Procedure  
 Department of State

(a)

## INSURANCE

### THE COMMISSIONER

#### Revisions in Remitting Collections of Surcharges

On May 4, 1976, John G. Foley, Deputy Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e) and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 11:1-5.3(a) and 11:1-6.1(a), substantially as proposed in the Notice published April 8, 1976, at 8 N.J.R. 197(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Insurance.

The substantive changes involve the deletion of the current text of N.J.A.C. 11:1-6.1(a)10. concerning the segregation of surcharges in trust accounts.

An order adopting these revisions was filed and became effective on May 5, 1976, as R.1976 d.134.

G. Duncan Fletcher  
 Director of Administrative Procedure  
 Department of State

(b)

## INSURANCE

### THE COMMISSIONER

#### Rules on Complications of Pregnancy

On May 25, 1976, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17B:30-1, 17:1C-6(e) and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules concerning complications of pregnancy, substantially as proposed in the Notice published April 8, 1976, at 8 N.J.R. 196(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Insurance.

Full text of the adopted rules follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):  
 11:1-4.3 Complications of pregnancy

(a) This regulation is applicable to all persons engaged in the business of life and health insurance in the State of New Jersey.

(b) "Complications of pregnancy" shall mean:

1. Conditions [requiring hospital stays,] (when the pregnancy is not terminated) whose diagnosis are distinct from pregnancy but are adversely affected by pregnancy or caused by pregnancy, such as acute nephritis, nephrosis, cardiac decompensation, missed abortion and similar medical and surgical conditions of comparable severity, but shall not include false labor, occasional spotting, physician - prescribed rest during the period of pregnancy, morning sickness, hyperemesis gravidarum, pre-eclampsia and similar conditions associated with the management of a difficult pregnancy not constituting a nosologically distinct complication of pregnancy; and

2. Nonelective caesarean section, ectopic pregnancy which is terminated and spontaneous termination of pregnancy, which occurs during a period of gestation in which a viable birth is not possible.

(c) General provisions include the following:

1. No person engaged in the business of life and health insurance in this State shall treat complications of pregnancy [differently from] more restrictively than any other sickness or illness under any contract of insurance[.] issued for delivery in New Jersey.

2. A contravention of the preceding subsection shall be deemed evidence of an unfair trade practice in the conduct of business of insurance in this State in violation of N.J.S.A. 17B:30-1 et seq.

An order adopting these rules was filed on May 26, 1976, as R.1976 d.161 to become effective on September 1, 1976.

G. Duncan Fletcher  
 Director of Administrative Procedure  
 Department of State

(c)

## INSURANCE

### THE COMMISSIONER

#### Rules on Insurance Licensing Of Financial Institutions

On May 26, 1976, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1,

17:17-12, 17:22-6.1, 17B:17-3, 17B:22-8 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules on insurance licensing of financial institutions, substantially as proposed in the Notice published May 6, 1976, at 8 N.J.R. 233(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Insurance.

Full text of the adopted rules follows:

#### SUBCHAPTER 10. INSURANCE LICENSING OF FINANCIAL INSTITUTIONS

##### 11:1-10.1 Definitions

"Credit life insurance" means insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transactions of ten years or less duration other than an isolated transaction on the part of the insurer not related to an agreement or plan for insuring debtors of the creditor.

"Credit health insurance" means insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction of ten years or less duration other than an isolated transaction on the part of the insurer not related to an agreement or plan for insuring debtors of the creditor, while the debtor is disabled as defined in the policy.

"Financial institution" means any banking institution or savings and loan association which regularly accepts deposits from New Jersey residents not regularly employed by said lending institutions or its affiliates or bank holding company; finance company (except any finance company affiliated with an insurance company); mortgage loan company; credit union; or any other lending institution whose principal business is the lending of money; or any parent company, subsidiary, affiliate, service corporation or member bank of the foregoing institutions.

"Group mortgage cancellation life insurance" means group insurance on the life of a mortgagor pursuant to, in connection with and limited by a mortgage loan transaction not exceeding the sum of \$30,000 issued to creditors on a term plan.

"Group mortgage cancellation health insurance" means group insurance or disability benefit coverage on group credit life insurance policies on the life or health of a mortgagor issued to creditors on a term plan pursuant to, in connection with, and limited by, a mortgage loan transaction not exceeding the sum of \$30,000.

##### 11:1-10.2 Limitation of authority

No individual, partnership or corporation or other entity shall act as an insurance agent, broker or solicitor without first procuring a license in conformance with N.J.S.A. 17B:22-1, et seq. All insurance agents' and brokers' licenses not limited to credit life insurance, credit health insurance, group mortgage cancellation life insurance or group mortgage health insurance presently held by any financial institution as defined herein shall be surrendered to the Commissioner in accordance with a plan of withdrawal approved by the Department.

An order adopting these rules was filed and became effective on May 27, 1976, as R.1976 d.166.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSURANCE

### REAL ESTATE COMMISSION

#### Revisions on Sale of Interstate Properties

On April 28, 1976, William P. Comerford, assistant director of the Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-6, 45:15-10, 45:15-17 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 11:5-1.25 concerning the sale of interstate properties, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 124(c).

An order adopting these revisions was filed and became effective on April 30, 1976, as R.1976 d.129.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## LABOR AND INDUSTRY

### THE COMMISSIONER

#### Proposed Rules on Debarment, Suspension And Disqualification from State Contracting

Joseph A. Hoffman, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:1A-3(e) and Executive Order Number 34, proposes to adopt new rules concerning the debarment, suspension and disqualification from State contracting with the Department of Labor and Industry or any agency within the control or jurisdiction of the Department of Labor and Industry.

Full text of the proposed rules follows:

#### CHAPTER 3. CONTRACTS

##### SUBCHAPTER 1. DEBARMENT, SUSPENSION AND DISQUALIFICATION FROM STATE CONTRACTING

###### 12:3-1.1 General provisions

For the purposes of these rules, Executive Order No. 34 of the Governor of New Jersey, dated March 29, 1976, and filed with the New Jersey Secretary of State on March 29, 1976 is incorporated herein by reference, and all words and terms used herein shall have such meaning and definitions as are contained in Executive Order No. 34.

###### 12:3-1.2 Debarment and causes therefor

(a) The Commissioner of Labor and Industry may debar a person from State contracting with the Department of Labor and Industry or any agency within the control or jurisdiction of the Department for a definitely stated period of time which shall not exceed five years for any of the following causes:

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

2. Violation of the Federal Organized Crime Control Act of 1970, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, per-

jury, false swearing, receiving stolen property, obstruction of justice or any other offense indicating a lack of business integrity or honesty;

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

4. Violations of any of the laws governing the conduct of elections of the State of New Jersey or of its political subdivisions;

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

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

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

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

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

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

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

12. Debarment by some other Department or agency in the executive branch.

#### 12:3-1.3 Conditions for debarment

(a) Debarment from State contracting shall be made only by the Commissioner of Labor and Industry, except as otherwise provided by law.

(b) The existence of any of the causes set forth in Section 2 of this Subchapter shall not necessarily require that a person be debarred. In each instance, the decision to debar shall be made within the discretion of the Commissioner unless otherwise provided by law, and shall be rendered in the best interests of the State.

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

(d) The existence of a cause set forth in subsections (a), (b), (c), (d), (e), (f) and (g) of Section 2 of this Subchapter shall be established upon the rendering of a final judgment or conviction by a court of competent jurisdiction or by an administrative agency empowered to render such judgment. In the event an appeal taken from such judgment or conviction results in reversal thereof, the debarment shall be removed upon the request of the debarred person unless other cause for debarment exists.

(e) The existence of a cause set forth in subsections (h), (i), (j) and (k) of Section 2 of this Subchapter shall be established by evidence that is clear and convincing in nature.

(f) Debarment for the cause set forth in N.J.A.C. 12:3-1.2(a)12. shall be proper providing that one of the causes set forth in N.J.A.C. 12:3-1.2(a)1. through 11. was the basis for debarment by the original debarring agency. Such debarment may be based entirely on the record of facts obtained by the original debarring agency, or upon a combination of such facts and additional facts.

#### 12:3-1.4 Procedures, period and scope of debarment

(a) When the Department of Labor and Industry, or any agency within its control or jurisdiction, seeks to debar a person or his affiliates, the person or persons shall be furnished with a written notice stating that:

1. Debarment is being considered;

2. The reasons for the proposed debarment; and

3. An opportunity will be afforded to such person or persons for a hearing if the hearing is requested within seven days from the date of personal delivery or the date of mailing of such notice.

(b) All such hearings shall be conducted in accordance with the provisions of the Administrative Procedure Act (C. 54:14B-1 et seq.). Where any State Department or agency has already imposed debarment upon a party, the Commissioner of Labor and Industry may also impose a similar debarment without affording an opportunity for a hearing, provided the Commissioner furnishes notice of the proposed similar debarment to that party, and affords that party an opportunity to present information in his behalf to explain why the proposed similar debarment should not be imposed in whole or in part.

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

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

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

#### 12:3-1.5 Suspension and causes therefor

The Commissioner of Labor and Industry may suspend a person from State contracting with the Department of Labor and Industry or any agency within the control or jurisdiction of the Department of Labor and Industry for any cause specified in N.J.A.C. 12:3-1.2 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) or upon a reasonable suspicion that such cause exists.

#### 12:3-1.6 Conditions for suspension

(a) Suspension from State contracting shall be made only by the Commissioner of Labor and Industry with the approval of the Attorney General, except as otherwise provided by law.

(b) The existence of any cause for suspension shall not require that a suspension be imposed, and a decision to suspend shall be made at the discretion of the Commissioner with the approval of the Attorney General, if in the best interests of the State.

(c) Suspension shall not be based upon unsupported accusation, but upon adequate evidence that cause exists or upon evidence adequate to create a reasonable suspicion that cause exists.

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

(e) Reasonable suspicion of the existence of a cause described in N.J.A.C. 12:3-1.2 (a), (b), (c), (d), (e), (f) and (g) may be established by the rendering of a final judgment or conviction by a court or administrative agency of competent jurisdiction, by grand jury indictment, or by evidence that such violations of civil or criminal law did in fact occur.

(f) A suspension invoked by another Department or agency in the executive branch for any of the causes described in N.J.A.C. 12:3-1.2 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) may be the basis for the imposition of a concurrent suspension by the Commissioner without the necessity of an approval therefor by the Attorney General.

#### 12:3-1.7 Procedures, period and scope of suspension

(a) When the Commissioner of Labor and Industry suspends a person or his affiliates from State contracting, the person or persons suspended shall be furnished with a written notice that within ten days after the effective date of the suspension stating that:

1. A suspension has been imposed and its effective date;
  2. The reasons for the suspension to the extent that the Attorney General determines that such reasons may be properly disclosed;
  3. The suspension is for a temporary period pending the completion of an investigation and such legal proceedings as may ensue; and
  4. If such legal proceedings are not commenced or the suspension removed within 60 days of the date of such notice, the party will be given either a statement of the reasons for the suspension and an opportunity for a hearing if he so requests, or a statement declining to give such reasons and setting forth the position of the Commissioner regarding the continuation of the suspension.
5. Where a suspension by another Department or agency in the executive branch has been the basis for suspension by the Commissioner, he shall note that fact as a reason for his suspension.

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

(c) A suspension may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case by case basis after giving due regard to all relevant facts and circumstances. The offense, failure or inadequacy of performance of an indi-

vidual may be imputed to a person with whom he is affiliated, where such conduct was accomplished within the course of his official duty or was effectuated by him with the knowledge or approval of such person.

#### 12:3-1.8 Applicability

The rules contained herein governing debarment or suspension shall be applicable to existing practices and procedures of the Department of Labor and Industry, and all agencies within the control or jurisdiction of the Department, under laws that concern prequalification for State contracting to the extent that such practices and procedures may concern the disqualification of any person from State contracting.

#### 12:3-1.9 Exclusions

Any exclusion from State contracting under these rules by virtue of debarment, suspension or disqualification shall extend to all State contracting and subcontracting within the control or jurisdiction of the Department of Labor and Industry; provided, however, if the Commissioner of Labor and Industry determines that it is essential to the public interest and files a finding thereof with the Attorney General, the Commissioner may grant an exception from total exclusion with respect to a particular State contract.

#### 12:3-1.10 Notice

Insofar as practicable, prior notice shall be given by the Commissioner of Labor and Industry to the Attorney General and the Treasurer of any proposed debarment or suspension under these rules.

#### 12:3-1.11 Lists

The Department of Labor and Industry shall provide the State Treasurer with the names of all persons suspended or debarred and the effective date and term thereof, if any.

#### 12:3-1.12 Discretion

Nothing required by these rules shall be construed to limit the authority of the Commissioner of Labor and Industry, or any agency within the control or jurisdiction of the Department of Labor and Industry, to refrain from contracting within the discretion allowed by law.

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

Commissioner of Labor and Industry  
John Fitch Plaza  
Trenton, New Jersey 08625

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

Joseph A. Hoffman  
Commissioner  
Department of Labor and Industry

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### Proposed Rules on Unit Pricing of Consumer Commodities in Retail Establishments

Virginia Long, Director of the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 56:8-21 through 56:8-25, proposes to adopt new rules concerning unit pricing of certain consumer commodities offered or exposed for sale by retail establishments.

Full text of the proposed rules follows:

#### SUBCHAPTER 14. UNIT PRICING OF CONSUMER COMMODITIES IN RETAIL ESTABLISHMENTS

##### 13:45A-14.1 General provisions

These regulations implement the Unit Price Disclosure Act, P.L. 1975, c.242 (N.J.S.A. 56:8-21 to 56:8-25) and provide for the disclosure of information necessary to enable consumers to compare easily and effectively the retail prices of certain consumer commodities regardless of package size or quantity.

##### 13:45A-14.2 Definitions

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

"Person" means any natural person, partnership, corporation or other organization engaged in the sale, display or offering for sale of consumer commodities at retail from one or more retail establishments whose combined total floor area exceeds 4,000 square feet or whose combined total annual gross receipts from the sale of consumer commodities in the preceding year exceeded \$2 million.

"Consumer commodity" means any merchandise, wares, article, product, comestible or commodity of any kind or class produced, distributed or offered for retail sale for consumption by individuals other than at the retail establishment, or for use by individuals for purposes of personal care or in the performance of services rendered within the household, and which is consumed or expended in the course of such use.

"Director" means the Director of the Division of Consumer Affairs in the Department of Law and Public Safety.

"Retail price" means the total retail price of a consumer commodity, excluding sales tax.

"Regulated consumer commodity" means those consumer commodities listed in Section 5 of this Subchapter.

"Approved unit of measure" means the unit of weight, standard of measure or standard of count designated for each regulated consumer commodity in Section 5 of this Subchapter.

"Unit price" means the retail sales price of a consumer commodity expressed in terms of the approved unit of measure.

"Retail establishment" means any place of business where consumer commodities are exposed or offered for sale at retail.

##### 13:45A-14.3 Persons exempted from complying with Unit Price Disclosure Act

(a) The following persons or entities shall be exempt from complying with these regulations and the terms of the Unit Price Disclosure Act:

1. Any person owning and operating a single retail establishment with annual gross receipts from the sale of consumer commodities in the preceding year of not more than \$2 million.

2. Any person owning and operating a single retail establishment or a series of retail establishments, each having a total floor space of 4,000 square feet or less regardless of the annual gross receipts from the sale of consumer commodities.

3. Any person owning and operating a retail establishment or series of retail establishments, wherein the combined annual gross receipts from the sale of food products, nonprescription drugs, personal care products and household service products is less than 30 per cent of the total annual gross receipts of such retail establishment when calculated on an individual store basis or an aggregate basis combining all retail establishments.

##### 13:45A-14.4 Regulated consumer commodities and their approved units of measure

(a) The following consumer commodities shall be considered regulated consumer commodities. Whenever such commodities are exposed or offered for sale at retail, the unit price information required to be displayed shall be calculated on the basis of the unit measure listed adjacent to the regulated consumer commodity as hereinafter set forth. Dry units of measure shall be used for commodities sold according to net weight. Liquid units of measure shall be used for commodities sold according to net contents or fluid ounces. The same unit of measure shall be used for all sizes of the same commodity or all similar commodities.

COMMODITY	APPROVED UNIT OF MEASURE
1. Air fresheners, air deodorizers:	pint, pound;
2. Aluminum foils and plastic wraps:	100 ft. or 50 ft.;
3. Aspirins:	100 count;
4. Baby food:	pint, quart, pound;
5. Baking mixes and supplies, pancake mixes:	pound;
6. Bread and pastry products:	pound;
7. Bottled beverages, carbonated and noncarbonated:	quart, gallon;
8. Canned beverages, carbonated:	gallon;
9. Butter and oleomargarine:	pound;
10. Candy (excluding five ounces or less):	pound;
11. Canned poultry, fish and meat products:	pound;
12. Cocoa:	pound;
13. Coffees (instant and ground):	pound;
14. Cereals:	pound;
15. Cold cuts prepackaged at retail:	pound;
16. Convenience dinners (one-pan meals):	pound;
17. Cookies and crackers:	pound;
18. Chinese foods:	pound;
19. Cocktail mixes, liquid:	quart;
20. Dietetic supplements (Metrecal):	quart;
21. Dairy products — milk, eggnog, cream, sour cream, yogurt, cheese and cheese products:	pound, gallon;
22. Deodorants, dry and spray:	pound, pint;
23. Detergents and soap; dry bulk; liquid:	pint, quart, pound, gallon;
24. Fresh meat and poultry and fish products:	pound;
25. Flour:	pound;
26. Fruits and vegetables —frozen, jars, cans, boxes:	pound;

COMMODITY	APPROVED UNIT OF MEASURE
27. Frozen foods (not otherwise listed):	pound;
28. Frozen dairy products:	quart;
29. Grains and beans:	pound;
30. Instant breakfast foods:	pound;
31. Insecticides, spray:	quart, pound;
32. Jellies, jams, preserved and sandwich spreads:	pound;
33. Hair conditioners, rinses:	pint, quart, gallon, pound;
34. Household cleaners, waxes, deodorizers, starches, bleaches:	pound, gallon;
35. Juices, fresh or frozen:	quart, pound;
36. Ketchups, mustards, sauces and condiments (including pickles, relishes, olives, and so forth):	pint, quart, pound;
37. Mayonnaise:	quart;
38. Milk (evaporated):	gallon;
39. Molasses:	quart, pound;
40. Mouthwash:	quart;
41. Oil (cooking):	pint, quart;
42. Peanut butter:	pound;
43. Pet food (canned, dried; kitty litter):	pound;
44. Plastic bags:	100 count;
45. Powdered mixes; drink mixes:	pound;
46. Salad dressings:	pint, pound, quart;
47. Salt:	pound;
48. Sanitary paper products, including but not limited to napkins, paper towels and tissues:	100 count; 100 sq. ft. ply if any;
49. Seasonings and spices, flavor extracts, imitation flavorings over five ozs.:	pound, pint;
50. Shampoos:	quart, pint;
51. Snack foods:	pound;
52. Soups (if sold by weight):	pound;
53. Spaghetti, macaroni, noodles and pasta:	pound;
54. Sauces (A-1, and so forth):	pint, gallon, quart;
55. Tomato, spaghetti or meat sauce:	pint, pound;
56. Solid shortenings:	pound, quart;
57. Shaving cream:	pound;
58. Sugar:	pound;
59. Syrups:	pound;
60. Tea, bags, bulk, instant:	100 count, pound;
61. Toothpaste:	pound;
62. Water conditioners:	gallon.

#### 13:45A-14.5 Exempt consumer commodities

(a) The following consumer commodities shall be deemed exempt consumer commodities and may be exposed or offered for sale at retail without complying with the provisions of this regulation:

1. Medicines sold by prescription only;
2. Vitamins;
3. Beverages subject to or complying with packaging or labeling requirements imposed under the Federal Alcoholic Administration;
4. Consumer commodities required to be marked individually with the cost per unit of weight pursuant to N.J. A.C. 13:47D-4.1 et seq.;
5. Any consumer commodity offered for sale at a net quantity equal to the approved unit of measure for such commodity provided that the retail price of the commodity is plainly marked on the commodity;
6. Any consumer commodity comingled with other consumer commodities for purposes of a one-price sale;

7. Snack foods such as cakes, candy, nuts, gum, chips and pretzels sold in packages weighing five ounces or less;

8. Spices, flavor extracts, imitation flavorings and bouillon cubes sold in packages of five ounces or less in weight or fluid ounces.

(b) Any and all consumer commodities not specifically included in those regulated consumer commodities set forth in Section 4 of this Subchapter shall be deemed to be exempt from the provisions of L. 1975, c. 242, §3 as though specifically listed as an exempt consumer commodity under Section 4.

#### 13:45A-14.6 Calculation of the numerical unit price of a regulated consumer commodity

(a) The unit price shall be calculated to the nearest cent for all regulated consumer commodities when the retail price per approved unit of measure is \$1.00 or more.

(b) The unit price shall be calculated to the nearest one-tenth of one cent for all regulated consumer commodities when the retail price per approved unit of measure is less than \$1.00.

(c) For the purpose of determining the nearest cent or one-tenth of one cent, any calculation of the price per unit resulting in .05 cents or .005 cents per unit shall be rounded up to the next higher cent or one-tenth of one cent. Any such calculation resulting in less than .05 cents or .005 cents per unit shall be rounded down to the next lower cent or one-tenth cent. For example:

1. \$1.005 per unit shall be marked \$1.01 per unit.
2. \$1.004 per unit shall be marked \$1.00 per unit.
3. 50.05c per unit shall be marked 50.1c per unit.
4. 50.04c per unit shall be marked 50.0c per unit.

(d) If the numerical unit price is \$1.00 or more, the unit price shall appear on the unit price label, sign, list or tag, expressed as dollars per unit. If the numerical unit price is less than \$1.00, the numerical unit price shall be expressed as cents per unit.

#### 13:45A-14.7 Unit price labels approved for display

(a) Whenever these regulations require that a unit price label be displayed in conjunction with the exposing or offering for sale at retail of a regulated consumer commodity, a sample format of the label shall be submitted to the Director for approval prior to the display of the label.

(b) In determining whether to approve the label, the Director shall be guided by the following standards:

1. The label shall be divided by a vertical line so as to create a left and right side of substantially identical size.
2. The left side shall be known as the unit price side and shall contain the following information:
  - i. The term "Unit Price";
  - ii. The numerical unit price in bold figures;
  - iii. The approved unit of measure including, if appropriate, the "ply" count or thickness of the regulated commodity.
3. The right side shall be known as the retail price side and shall contain the following information:
  - i. The term "Retail Price", "You Pay" or some similar term;
  - ii. The numerical retail price;
  - iii. The quantity or size of the commodity expressed in terms of the approved unit of measure.
4. A description of the commodity being sold shall appear on the unit price label.
5. Additional stock or code information may appear on the unit price label.
6. The size of the figures used to give the numerical unit price and the numerical retail price shall be the same.
7. The size of the letters used in the term Unit Price, Retail Price, You Pay or similar term shall be the same.

8. All letters or numbers shall be in bold figures and shall be clear, conspicuous and legible. White letters and numbers shall be the same for each side. The color of the letters and numbers shall be the same for each side.

9. The background color of the left side of the label shall conspicuously contrast with the background color of the right side of the label. A white background is permitted; black is prohibited.

10. The overall design of the label shall convey all the information in a clear, readable and conspicuous fashion. Any stock or code information shall not obscure or de-emphasize the consumer information appearing on the unit price label.

#### 13:45A-14.8 Unit price signs and unit price lists

(a) Whenever these regulations permit a person to display a sign or list in conjunction with the exposing or offering for sale at retail of a regulated consumer commodity, a sample format of the sign or list shall be submitted to the Director for approval prior to the display of the sign or list.

(b) In determining whether to approve the sign or list, the Director shall be guided by the following standards:

1. The sign or list shall be divided by a vertical line so as to create a left and right side of substantially identical size.

2. The left side of a sign or list shall be known as the unit price side and shall contain the following information:

- i. The term "Unit Price";
- ii. The numerical unit price;
- iii. The approved unit of measure;
- iv. If appropriate, the "ply" count or thickness of the consumer commodity.

3. The right side shall be known as the retail price side and shall contain the following information:

- i. The term "Retail Price" or "You Pay" or similar term;
- ii. The numerical retail price;
- iii. The quantity or size of the consumer commodity expressed in terms of the approved unit of measure.

4. A description of the commodity to be sold shall appear on the sign or list.

5. Additional stock or code information may appear on the unit price sign or list.

6. The background colors of the unit price side and the retail price side or segment shall be the same as the colors used on the retail establishment's unit price label.

7. The color of the lettering or numerical figure shall be the same as the color used on the retail establishment's unit price label.

8. The overall design of the sign or label shall convey the consumer information in a clear, readable and conspicuous fashion. Any stock or code information shall not obscure or deemphasize the consumer information.

#### 13:45A-14.9 Unit price tags

Whenever these regulations require a unit price tag to be attached directly to the consumer commodity, a sample format of the tag shall be submitted to the Director for approval prior to the display of the tag. In reviewing submitted price tags, the Director shall apply those standards set forth in Section 8 of this Subchapter governing the format for unit price labels.

#### 13:45A-14.10 Means of disclosing unit price information

(a) Whenever a regulated consumer commodity is exposed or offered for sale at retail, the unit price and retail price shall be disclosed in the following manner:

1. If the commodity is displayed upon a shelf, the unit price label shall appear directly below the commodity, or alternatively, a unit price tag shall be attached to the commodity. If the use of a unit price label or unit price

tag is impossible or impractical, a unit price sign or list may be used provided such sign or list is conspicuously located at or near the commodity.

2. If the commodity is displayed in a special fashion such as in an end display, portable rack or large bin, the unit price tag shall be attached to the commodity, or alternatively, a unit price sign or list shall be conspicuously placed at or near the point where the commodity is displayed.

3. If a commodity is refrigerated and not displayed on a shelf, the unit price label shall be affixed to the case or a unit price tag shall be attached to the commodity. In the event such attachments are not possible, then a unit price sign or list may be used if the sign or list is displayed.

#### 13:45A-14.11 Placement of unit price information on consumer commodities by nonretailers

Nothing in these rules shall prohibit a manufacturer, supplier or wholesaler from affixing to a consumer commodity the unit price information required by these regulations.

#### 13:45A-14.12 Educational efforts

The Director shall develop plans to educate the public on unit pricing. The Director finds that every retail establishment and person subject to these regulations has an affirmative obligation to engage in efforts to educate the public regarding the operation and benefits of unit pricing. To that end, persons and retail establishments subject to these regulations shall submit, within 30 days of the date of adoption of these regulations, a proposed plan to educate the public regarding unit pricing. The Director shall appoint a unit price education task force to coordinate the efforts of business and consumer groups in educating the public.

#### 13:45A-14.13 Extension of time to comply with these regulations

On timely written application made within 90 days after final adoption of these regulations, the Director may grant additional time in which to comply with the regulations, providing good cause is shown for such an extension. In no event, however, shall such an extension exceed 60 days.

#### 13:45A-14.14 Penalties

Any violation of these regulations shall be deemed a violation of the Consumer Fraud Act, N.J.S.A. 56:8-2, subjecting a violator to those sanctions established pursuant to said Act.

#### 13:45A-14.15 Effective date

These regulations shall be effective 90 days from the date they are filed with the office of the Secretary of State.

Interested persons may present statements or arguments relevant to the proposed regulations at a public hearing to be held on July 12, 1976 at 1100 Raymond Boulevard, Newark, New Jersey. Written statements or comments may also be submitted to: Virginia Long, Director, Division of Consumer Affairs, 1100 Raymond Boulevard, Newark, New Jersey 07102, on or before the stated hearing date.

Persons wishing to appear in person at the July 12 hearing are requested to inform the Director in writing as soon as possible, so that scheduling can be arranged.

Thereafter, the Director, upon her own motion or at the instance of any interested party, may adopt these rules substantially as proposed without further notice.

Virginia Long  
Director, Division of Consumer Affairs  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF PHARMACY

##### Proposed Revisions Concerning Pharmacist Preceptor and Internships

Sidney Grodman, President of the Board of Pharmacy in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J. S.A. 45:14-7, proposes to adopt revisions to the rules concerning pharmacist preceptors and internships.

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

13:39-4.2 [Application for preceptor certification]  
Preceptor certification; application,  
procedures, responsibilities

13:39-4.2(e) 3. Providing the pharmacy intern with [a reasonable familiarity with the operation of a pharmacy] Instruction and guidance in:

- i. Procedure for opening and closing pharmacy;
- ii. General pharmacy operation;
- iii. Ordering drugs and checking of drug orders;
- iv. OTC preparations;
- v. D.E.A. inventory and preparation of D.E.A. order;
- vi. Sale of D.E.A. schedule V preparations and sale of poisons;
- vii. Third-party prescription programs;
- viii. Telephone procedure with physicians and patients;
- ix. Assisting physicians and consulting patients;
- x. Usage of reference books in pharmacy and reference material from other sources;
- xi. Arrange for one interview with a physician for your intern;
- xii. Prepare intern in any other area of pharmacy, important to good management and professional practice.

13:39-4.4 Practical experience

(a) The minimum accredited practical experience requirement shall be [40 weeks (1,920 hours) with not less than 40 hours of actual service per week] the equivalent of 1,500 hours as follows:

1. Five hundred hours for completion of an accredited pharmacy college clinical pharmacy program of no less than 12 weeks under the supervision of a registered pharmacist; and

2. One thousand hours for completion of a structured post-graduate internship of no less than 24 weeks supervised by a certified preceptor;

3. In lieu of paragraph 1. of this subsection, an applicant graduated with a degree in pharmacy recognized by the Board from a college without an accredited clinical pharmacy program may obtain 500 hours for completion of a structured post-graduate internship of no less than 12 weeks supervised by a certified preceptor.

[Proportionate credit may be granted for that portion of the internship served subsequent to graduation from pharmacy school, if a fewer number of hours is worked per week, however, no credit will be granted for any time worked in excess of 40 hours per week.]

(b) [Prior to graduation from an accredited college of pharmacy, a pharmacy intern may obtain 12 weeks

(480 hours) of this experience in an approved training pharmacy directly after his third year (first professional year) in college. Twelve additional weeks (480 hours) of practical experience may be obtained by a pharmacy intern in an approved training pharmacy directly after the completion of his fourth year (second professional year) at an accredited college of pharmacy.] Each week of practical experience, creditable under N.J.A.C. 13:39-4.4(a)2 and 3 shall consist of no less than 35 hours and no more than 45 hours of actual service per week.

(c) [No credit will be given for experience obtained in either of the 12-week periods as provided in this Section prior to graduation if less than the full 480 hours is completed during that period, provided, however, that the Board shall have discretion in exceptional cases to grant partial credit where the pharmacy intern has obtained no less than 400 of the 480 hours required during the 12 week period, where the Board is satisfied that the pharmacy intern has obtained a substantially equivalent training course during that period and where not to do so would cause undue hardship on the applicant.] An accredited pharmacy college clinical pharmacy program shall include no less than 24 hours of actual clinical service per week and no less than six hours per week of coursework, lectures, seminars or other academic instruction and guidance directly related to the development and improvement of practical skills, methods and procedures.

(d) [At least 24 weeks (960 hours) of the accredited practical experience shall be obtained subsequent to graduation from an accredited college of pharmacy.] It shall be the responsibility of both the pharmacy college and the student pharmacy intern to keep accurate records of the time spent and credit earned toward the requirement of N.J.A.C. 13:39-4.4(a)1. The Board shall provide appropriate forms to be submitted to the Board for approval of clinical pharmacy program credit.

(e) It shall be res responsibility of both the pharmacy intern preceptor and the pharmacy intern to keep accurate records of the time spent by the pharmacy intern [in acquiring accredited practical experience] for credit toward the requirements of N.J.A.C. 13:39-4.4(a)2. and 3. The Board shall provide appropriate forms to be submitted to the Board for approval of post-graduate practical experience.

13:39-4.6 Committee on pharmacy internship

A [tripartite] committee which shall consist of [representation from the ] a member or members of the Board of Pharmacy, [the college of pharmacy], faculty and student representatives of the college or colleges of pharmacy from which the Board receives its most significant number of applicants for registration, a representative selected by the New Jersey Pharmaceutical Association, and a certified pharmacist preceptor, all of whom shall be [selected] approved by [the members of] the Board of Pharmacy, [and under the chairmanship of a Board representative, shall] is established to advise and assist the Board in all matters relating to the pharmacy internship program. All meetings of this committee shall be held in a public place and shall be open to attendance by members of the public. The President of the Board shall designate the chairman of this committee who shall be a member of the Board.

13:39-4.7 Pharmacist intern log

(a) Pharmacist interns shall maintain a log for the first 900 hours of the post-graduation internship period.

1. The log shall consist of an 8 inches x 11 inches loose leaf notebook.

2. The log shall be entered weekly and contain:

i. The total number of prescriptions filled in the pharmacy and the number filled by the intern.

ii. A brief summary of all new prescription drug products (new generic entities only), such as physical-chemical characteristics, dosage forms, usage.

iii. One example of the most noteworthy of each of the following professional responsibilities:

(1) Usage of profile record card requiring contact with patient, physician or hospital to resolve potential problems;

(2) Consulting with patient, or nurse if in a hospital concerning method of taking or special instructions concerning use of prescription;

(3) Assistance to patient in area of OTC sales (if applicable).

(b) The log shall be submitted to the Board of Pharmacy in conjunction with 300- and 600-hour post-graduation report forms. The final 300 hours of the log shall be presented at the time of the practical examination.

Interested persons may present statements or arguments in writing, orally, in person or by telephone relevant to the proposed amendments on or before June 30, 1976, to:

Board of Pharmacy  
1100 Raymond Boulevard, Room 325  
Newark, New Jersey 07102  
Telephone: (201) 648-2433

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

Sidney Grodman, President  
Board of Pharmacy  
Division of Consumer Affairs  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### RACING COMMISSION

#### Revisions to Rules on Horse Racing

On March 29, 1976, John J. Reilly, Executive Director of the Racing Commission in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 5:5-22 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the Commission's rules on horse racing, substantially as proposed in the Notice published January 8, 1976, at 8 N.J.R. 47(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Law and Public Safety.

The Racing Commission did not adopt the proposed revisions to N.J.A.C. 13:70-1.25, 13:70-4.21, 13:70-12.35, 13:70-16.34, 13:70-20.13, 13:71-1.24, 13:71-7.36, 13:71-7.37 and 13:71-14.29. These proposed revisions are still being considered by the Racing Commission.

Text of the rules mainly affected by the substantive changes follows (additions to the proposed rules indicated in boldface thus; deletions to the proposed rules indicated in brackets [thus]):

13:70-3.46(b) All thoroughbred track associations shall be required to invest in either New Jersey business savings

accounts, bank certificates of deposit or United States Treasury notes, . . . .

#### 13:70-3.47 Coggins test requirement

No horse, pony or equine mascot may enter upon a track licensed by this Commission after April 1 of any year without evidence of a negative coggins test. The original of such negative coggins test must be attached to the foal certificate and/or eligibility certificate and filed with the racing secretary or the appropriate designated official. No certificate will be accepted without the copy of the negative coggins test. In the case of a pony or equine mascot, evidence of a negative coggins test, together with a picture of the animal involved, must be filed with the horse identifier.

13:70-4.20(a)2. Members of the working press (all media) and veterinarians shall be required to have in their possession a Racing Commission certificate of identification.

13:70-6.53(c) To be considered a New Jersey stallion, it is required that the stallion be in the State of New Jersey for at least one full breeding season, commonly understood to be the period from February 1 through July 1 of any year, or, if the stallion is brought in subsequent to the start of the breeding season, he must be approved as a New Jersey stallion by the Racing Commission upon the recommendation of the board of trustees of the Thoroughbred Breeders' Association of New Jersey and the appropriate annual fee paid to that Association.

13:70-29.53(f)1. If there is a failure to select, in order, the first three horses, payoff shall be made on trifecta tickets selecting the first two horses, in order [;] with all others; failure to select the first two horses, payoff to trifecta tickets selecting the winner [to win; failure to select the horse finishing second, payoff shall be made to the winner] and third place horse with any and all other horses [finishing second;] failure to select any of the foregoing orders of finish, payoff shall be made to trifecta tickets selecting the winner to win with all other horses; failure to select the winner to win, payment shall be made to holders of tickets on the second [,] and third [and fourth place finishers] place finishers with any and all others.

13:70-29.53(f)3. Where a field in a trifecta race in thoroughbred racing is less than nine at wagering time, said race will be run as an exacta. A late scratch after wagering starts will not affect the trifecta.

13:71-2.4 Betting on other horses prohibited; owner, trainer or driver

No owner, trainer or driver of a horse entered in a race shall bet or cause any other person to bet on his behalf on any horse other than his own horse. In the case of exotic pools, all tickets purchased by an owner, trainer or driver must include his horse entered to race.

#### 13:71-6.24 Coggins test

No horse, pony or equine mascot may enter upon a track licensed by this Commission after April 1 of any year without evidence of a negative coggins test. The original of such negative coggins test must be attached to the foal certificate and/or eligibility certificate and filed with the racing secretary or the appropriate designated official. No certificate will be accepted without the copy of the negative coggins test. In the case of a pony or equine mascot, evidence of a negative coggins test, together with a picture of the animal involved, must be filed with the horse identifier.

13:71-7.35(a)1. Commencing in 1977, all persons [including clockers] working in or about the licensed premises

shall be required to be licensed by the Racing Commission at a fee of \$5.00.

**13:71-7.38 Written agreements; owners and trainers**

A written agreement between owners and trainers shall be filed at the time they enter a partnership or stable name or any horse. The trainer shall be responsible for filing the written agreement with the Racing Commission and the clerk of course at the track where said horse or horses participate within 72 hours.

**13:71-8.21 Presiding judge**

The Commission may designate a State steward and/or presiding judge for all licensed harness race meetings. The compensation of the State steward and/or presiding judge shall be fixed by the Commission and paid by the association. The State steward shall have supervision and ultimate authority over all other race officials including the starter. He shall, in writing, notify the Commission of all violations of any rules by an association, its officers or other race officials, giving detailed information thereof. A copy of such notice shall be sent by him to the United States Trotting Association. He shall be responsible for maintenance of the records of the meeting [and he shall take charge of the declaration box. HE SHALL ESTABLISH AND MAINTAIN POST-TIME]. The presiding judge shall take charge of the declaration box.

**13:71-16.4(a)3.** A horse that has not started at a chartered meeting [by August 1 of a season] for a period of 30 days must go a qualifying race as set forth in this subsection.

**13:71-23.21(b)** All horses to be tested shall be in the paddock at least one hour prior to post time. It shall be the trainer's responsibility to provide a licensed [groom] attendant to handle each horse while in the paddock.

An order adopting these revisions was filed and became effective on April 22, 1976, as R.1976 d.125.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(a)**

**PUBLIC UTILITIES**

**BOARD OF PUBLIC UTILITY COMMISSIONERS**

**Proposed Rules on Certificates  
Of Public Convenience and Necessity**

The Board of Public Utility Commissioners in the Department of Public Utilities, pursuant to authority of N.J. S.A. 48:4-1.2, proposes to adopt new rules concerning certificates of public convenience and necessity for route and charter and special bus operations.

Full text of the proposed rules follows:

**SUBCHAPTER 7. CERTIFICATES OF PUBLIC  
CONVENIENCE AND NECESSITY**

**14:4-7.1 Certificates of public convenience and necessity  
for autobus operations**

(a) No person, or any person controlling, controlled by or under common control with such person shall hold a certificate as a route or charter and special bus operator authorizing route operations or charter and special bus service if such person, or any such controlling person, controlled person or person under common control holds another certificate to operate as a route or charter or special bus operator.

(b) For the purpose of this regulation, where reference

is made to control (in referring to a relationship between any persons) such references shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

(c) The Board may, for good cause shown consistent with the public interest, find that multiple certificates shall be issued, notwithstanding the provisions set forth in subsection (a) and (b) of this Section.

(d) This rule does not prohibit a person or any person controlling, controlled by or under common control with such person from holding one certificate as a route operator and one certificate as a charter and special bus operator.

**14:4-7.2 Property, equipment and facilities**

(a) All public utilities engaged in the business of route or charter and special bus operations shall own and have title to all property, equipment and facilities used and useful in providing safe, adequate and proper service.

(b) The autobus utility may use property, equipment and facilities to which it does not have title provided it enters into an agreement (lease) and the agreement is filed with the Board. Such filing shall contain a statement therein whereby the lessor of the property, equipment and facilities to be used for utility purposes agrees that his interest in such property, equipment and facilities becomes subject to the jurisdiction and regulation of the Board for the term of said agreement and jurisdiction shall cease upon at least 30 days notice to the Board of the lessor's intention to terminate the agreement.

(c) The Board may for good cause shown determine the extent of the property, equipment and facilities which may be used by the autobus utility not having title thereto.

A public hearing respecting the proposed action will be held on July 16, 1976, at 10:00 A.M. in Room 208 at 101 Commerce Street, Newark, New Jersey, at which time interested persons may present their views as to the proposed action.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before July 5, 1976, to:

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

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

Joel R. Jacobson  
President, Board of Public  
Utility Commissioners  
Department of Public Utilities

**(b)**

**TRANSPORTATION**

**THE COMMISSIONER**

**Proposed Rules on Debarment, Suspension  
And Disqualification of Persons**

Alan Sagner, Commissioner of Transportation, pursuant to authority of Executive Order No. 34, proposes to adopt new rules concerning the debarment, suspension and disqualification of a person(s).

Full text of the proposed rules follows:

**SUBCHAPTER 8. DEBARMENT, SUSPENSION AND DISQUALIFICATION OF A PERSON(S)**

**16:65-8.1 Definitions**

When used in this Subchapter, the following terms shall have the following meanings unless the context clearly indicate otherwise.

"Debarment" means an exclusion from Department of Transportation (NJDOT) contracting, on the basis of a lack of responsibility evidenced by an offense, failure or inadequacy of performance, for a reasonable period of time commensurate with the seriousness of the offense, failure or inadequacy of performance.

"Suspension" means an exclusion from NJDOT contracting for a temporary period of time, pending the completion of an investigation or legal proceedings.

"Disqualification" means a debarment or a suspension which denies or revokes a qualification to bid or otherwise engage in NJDOT contracting which has been granted or applied for pursuant to statute or rules and regulations.

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

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

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

**16:65-8.2 Causes for debarment of a person(s)**

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

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

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

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

4. Violations of any of the laws governing the conduct of elections of the Federal Government, State of New Jersey or of its political subdivisions;

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

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

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

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

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

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

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

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

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

**16:65-8.3 Conditions affecting the debarment of a person(s)**

(a) The following conditions shall apply concerning debarment:

1. Debarment shall be made only upon approval of the Commissioner of Transportation, except as otherwise provided by law.

2. The existence of any of the causes set forth in Section 16:65-8.2 of this Subchapter shall not necessarily require that a person be debarred. In each instance, the decision to debar shall be made within in the discretion of the Commissioner unless otherwise required by law, and shall be rendered in the best interests of the State.

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

4. The existence of a cause set forth in subsections (a) through (h) of Section 2 of the Subchapter shall be established upon the rendering of a final judgment or conviction including a guilty plea or a plea of nolo contendere by a court of competent jurisdiction or by an administrative agency empowered to render such judgment. In the event an appeal taken from such judgment or conviction results in reversal thereof, the debarment shall be removed upon the request of the debarred person unless other cause for debarment exists.

5. The existence of a cause set forth in subsections (i) through (l) of Section 2 of this Subchapter shall be established by evidence which the NJDOT determines to be clear and convincing in nature.

6. Debarment for the cause set forth in subsection (m) of Section 2 shall be proper, provided that one of the causes set forth in subsection (a) through (l) of this Subchapter was the basis for debarment by the original debarring agency. Such debarment may be based entirely on the record of facts obtained by the original debarring agency, or upon a combination of such facts and additional facts.

**16:65-8.4 Procedures, period of debarment, and scope of debarment affecting the debarment of a person(s)**

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

1. The NJDOT seeking to debar a person or his affiliates shall furnish such party with a written notice stating that debarment is being considered, setting forth the reasons for the proposed debarment, and indicating that such party will be afforded an opportunity for a hearing if he so requests within a stated period of time. All such hearings shall be conducted in accordance with the provisions of the Administrative Procedure Act. However,

where another department or agency has imposed debarment upon a party, the NJDOT may also impose a similar debarment without affording an opportunity for a hearing, provided that the NJDOT furnishes notice of the proposed similar debarment to that party and affords that party an opportunity to present information in his behalf to explain why the proposed similar debarment should not be imposed in whole or in part.

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

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

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

#### 16:65-8.5 Causes for suspension of a person(s)

In the public interest, the NJDOT shall suspend a person for any cause specified in N.J.A.C. 16:65-8.2 or upon adequate evidence that such cause exists.

#### 16:65-8.6 Conditions for suspension of a person(s)

(a) The following conditions concerning suspension are to be adhered to:

1. Suspension shall be imposed only upon approval of the Commissioner and upon approval of the Attorney General, except as otherwise provided by law.

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

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

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

5. Reasonable suspicion of the existence of a cause described in subsections (a), (b), (c), (d), (e), (f), (g) and (h) of N.J.A.C. 16:65-8.2 may be established by the rendering of a final judgment or conviction by a court or administrative agency of competent jurisdiction, by grand jury indictment, or by evidence that such violations of civil or criminal law did in fact occur.

6. A suspension invoked by another agency for any of the causes described in subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) and (m) of N.J.A.C. 16:65-8.2 may be the basis for the imposition of a concurrent suspension by the NJDOT, which may impose such suspension without the approval of the Attorney General.

#### 16:65-8.7 Procedures, period of suspension, and scope of suspension affecting the suspension of a person(s)

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

1. The NJDOT may suspend a person or his affiliates, provided that within ten days after the effective date of the suspension, the NJDOT provides such party with a written notice stating that a suspension has been imposed and its effective date, setting forth the reasons for the suspension to the extent that the Attorney General determines that such reasons may be properly disclosed, stating that the suspension is for a temporary period pending the completion of an investigation and such legal proceedings as may ensue, and indicating that, if such legal proceedings are not commenced or the suspension removed within 60 days of the date of such notice, the party will be given either a statement of the reasons for the suspension and an opportunity for a hearing if he so requests, or a statement declining to give such reasons and setting forth the NJDOT's position regarding the continuation of the suspension. Where a suspension by another agency has been the basis for suspension by the NJDOT, the latter shall note that fact as a reason for its suspension.

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

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

#### 16:65-8.8 Disqualification of a person(s)

The disqualification of a person shall conform to N.J.S.A. 27:7-35.1 et seq. and N.J.A.C. 16:65-1.1 et seq.

#### 16:65-8.9 The extent of debarment, suspension or disqualification

The exclusion from State contracting by virtue of debarment, suspension or disqualification shall extend to all State contracting and subcontracting within the control or jurisdiction of the NJDOT including any contracts which utilize State funds. When it is determined by the Commissioner to be essential to the public interest, and upon filing of a finding thereof with the Attorney General, an exception from total exclusion may be made with respect to a particular State contract.

#### 16:65-8.10 Prior notice by NJDOT

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

#### 16:65-8.11 List of debarred, suspended or disqualified persons

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

#### 16:65-8.12 Discretion

Nothing contained herein shall be construed to limit the

authority of the Commissioner to refrain from contracting within the discretion allowed by law.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 30, 1976, to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions to Rates of Speed on Certain Highways

On May 5, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 16:28-1.16, 16:28-1.19, 16:28-1.90, 16:28-1.114 and 16:28-1.120 concerning rates of speed along portions of Routes 35, 5, 166, 440 and 38, respectively, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 204(c).

An order adopting these revisions was filed and became effective on May 6, 1976, as R.1976 d.140.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### THE COMMISSIONER

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

On May 5, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 16:28-3.18, 16:28-3.81, 16:28-3.91, 16:28-3.104 and 16:28-3.105 concerning restricted parking on portions of Routes 47, 31, 79, 49 and 10, respectively, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 205(a).

An order adopting these revisions was filed and became effective on May 6, 1976, as R.1976 d.141.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TRANSPORTATION

### THE COMMISSIONER

#### Rules on No Left Turns On Certain State Highways

On May 5, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6 and in accordance with applicable provisions of the Adminis-

trative Procedure Act, adopted new rules, to be cited as N.J.A.C. 16:28-6.6 through 16:28-6.9, concerning no left turns on portions of Routes 88, 23 and 47, as proposed in the Notice published April 8, 1976, at 8 N.J.R. 206(a).

An order adopting these rules was filed and became effective on May 6, 1976, as R.1976 d.142.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## TREASURY

### DIVISION OF PENSIONS

#### Proposed Revisions Concerning Employer Payments and Delinquencies

The Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-95 et seq., proposes to revise N.J.A.C. 17:1-7.2 concerning employer payments and delinquencies. The proposed revisions concern the deletion of the current text of subsection (a) and the renumbering of current subsections (b) and (c) of N.J.A.C. 17:1-7.2.

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

17:1-7.2 Employer payments; delinquencies

[(a)] The employer's failure to pay invoices within 30 days after the statutory due date will result in suspension of payments of the adjusted benefits to his eligible retirees and beneficiaries on the first of the month 30 days later.]

[(b)] (a) The Division will inform all retirees and beneficiaries of the reason for the suspension of payments.

[(c)] (b) Retroactive adjustments will be made once the employer's appropriation has been paid.

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

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

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

Clifford A. Goldman  
Deputy State Treasurer  
Department of the Treasury

(e)

## TREASURY

### DIVISION OF TAX APPEALS

#### Revisions to Procedural Rules Concerning Appeals Administration

On May 11, 1976, the Division of Tax Appeals in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:1-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to its procedural rules concerning appeals administration.

The revisions concern changes in the words "member"

to now read "judge", and "State House" to read "Office of the Division" throughout the rules. In addition to these changes and other minor style changes made to conform to format standards of the New Jersey Administrative Code, following is the new text of Sections affected by these revisions:

17:18-1.13(d) The petition of appeal shall set forth the full name of the petitioner and recite in clear and concise fashion the matter in controversy, and the action, determination or judgment appealed from. It shall likewise contain a description of the subject matter involved, stating the valuation made by the taxing authority, the year for which the assessment was levied, the block, lot number and street number where the property was assessed; also full and complete information as to the land, including the size of the lot, the square foot area of the lot, a description of the buildings and structures thereon, if any, and the use thereof; and in case of income-producing property, shall detail the income and expense of operation. The petition, or its endorsement, shall further set forth the name and address of appellant and of respondent and the name and address of appellant's agent or attorney, where the appeal is instituted through an agent or attorney, for the purpose of service of papers in connection with the appeal. Where appellant appears pro se, his address shall appear in the petition, or its endorsement, for the same purpose. In any appeal before the Division, pursuant to N.J.S.A. 54:1-35.4 (involving either the State school aid tables) or pursuant to N.J.S.A. 54:2-37 (the county equalization tables), the party making the appeal shall in its petition of appeal state clearly and fully the nature of its case and the legal issues involved. If the exclusion or inclusion of a specific sale or sales in the table appealed from is sought in the appeal, the party appealing should specifically describe the sale or sales, the classification of the sale or sales, and its reason or reasons as to why the sale or sales should have been excluded or included in the table. Each petition of appeal must contain an affidavit or certification showing proof of service.

17:18-1.16 Service of appeal from county boards of taxation

(a) A copy of the petition of appeal from a determination or judgment of a county board of taxation shall be served on such county board by leaving a copy thereof with its secretary or with a person in charge of its office, or by certified or registered mail, return receipt requested, and in such case:

1. On appeal by a taxpayer, a copy of the petition shall also be served upon the assessor, clerk or attorney of the taxing district in which the property is located by leaving the same at the office of such assessor, clerk or attorney, with a person in charge thereof, or by certified or registered mail, return receipt requested.

2. On appeal by a taxing district, a copy of the petition shall also be served upon the attorney of record in the county board of taxation proceedings. If there is no attorney of record and:

i. If an individual, served personally, or mailed by certified or registered mail, return receipt requested, to his last known address;

ii. In the case of a domestic corporation, upon the president or other head officer or agent in charge of its principal office in this State, or left at his dwelling house or usual place of abode, and if the president or other head officer or agent cannot be found, then upon the clerk, secretary, one of the corporation's directors or trustees, or its agent or attorney of record; and

iii. In the case of a foreign corporation, upon the statutory agent located in this State, or its attorney, or by mailing the same to the corporation at any known place of business thereof outside the State.

17:18-1.52(b) The practice and procedure for the taking of interrogatories shall, as far as practicable, conform to the practice and procedure prescribed by the rules of civil practice for the Superior Court, and for this purpose the said rules of civil practice, and any amendments thereto, are incorporated herein by reference.

Copies of the full text of 23 pages of the revised rules may be obtained from or made available for review by contacting the Division of Tax Appeals, Department of the Treasury, West State and Willow Streets, Trenton, New Jersey 08625.

An order adopting these revisions was filed and became effective on May 11, 1976, as R.1976 d.145 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Amendments Concerning Permissible Investments in Corporate Obligations

On May 18, 1976, Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89, on behalf of the State Investment Council in the Department of the Treasury and in accordance with applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:16-7.1 concerning permissible investments in corporate obligations that are legal for savings banks in New Jersey.

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

17:16-7.1 Permissible investments

Subject to the limitations contained in this Subchapter, the Director may invest and reinvest the moneys of any fund described in Sections 2 and 3 of this Subchapter in any obligations which are legal investments for savings banks in this State, provided the total amount of debt issues purchased or acquired of any one corporation shall not exceed ten per cent of the outstanding debt of the company and not more than the greater of \$10,000,000 or ten per cent of any one issue may be purchased at the time of issue, except that these requirements may be waived by the State Investment Council.

An order adopting these amendments was filed and became effective on May 19, 1976, as R.1976 d.152 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Amendments on Finance Companies Senior Debt

On May 18, 1976, Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89, on behalf of the State Investment Council in the Department

of the Treasury and in accordance with applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:16-9.1 concerning permissible investments for the pension and annuity group in finance companies senior debt.

Full text of the adopted amendments follows (additions indicated in boldface thus):

**17:16-9.1(a) 6. The total amount of debt issues purchased or acquired of any one corporation shall not exceed ten per cent of the outstanding debt of the company, and not more than the greater of \$10,000,000 or ten per cent of any one issue may be purchased at the time of issue, except that these requirements may be waived by the State Investment Council.**

An order adopting these amendments was filed and became effective on May 19, 1976, as R.1976 d.153 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Amendments on Bank Debentures

On May 18, 1976, Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89, on behalf of the State Investment Council in the Department of the Treasury and in accordance with applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:16-21.1 concerning permissible investments for the pension and annuity group in bank debentures.

Full text of the adopted amendments follows (additions indicated in boldface thus):

**17:16-21.1(a) 6. The total amount of debt issues purchased or acquired of any one bank shall not exceed ten per cent of the outstanding debt of the company, and not more than the greater of \$10,000,000 or ten per cent of any one issue may be purchased at the time of issue, except that these requirements may be waived by the State Investment Council.**

An order adopting these amendments was filed and became effective on May 19, 1976, as R.1976 d.154 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Amendments on Canadian Obligations

On May 18, 1976, Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89, on behalf of the State Investment Council in the Department of the Treasury and in accordance with applicable pro-

visions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:16-23.2 concerning limitations on Canadian obligations.

Full text of the adopted amendments follows (additions indicated in boldface thus):

**17:16-23.2(c) The total amount of debt issues purchased or acquired of any one issuer on the approved list shall not exceed ten per cent of the outstanding debt of the issuer, and not more than the greater of \$10,000,000 or ten per cent of any one issue may be purchased at the time of issue, except that these requirements may be waived by the State Investment Council.**

An order adopting these amendments was filed and became effective on May 19, 1976, as R.1976 d.155 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Revisions for Corporate Securities Industrial Obligations

On May 17, 1976, Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89, on behalf of the State Investment Council in the Department of the Treasury and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 17:16-8.1 regarding permissible investments for pension and annuity or trust groups in corporate securities industrial obligations.

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

**17:16-8.1(a) [4. The obligor:**

- i. Has a capitalization of at least \$50,000,000;
- ii. Has a credit rating of Baa/BBB or higher by Moody's Investors Service, Inc. and Standard and Poor's Corporation, excepting that one rating is sufficient if only one rating is available. If a rating has not been obtained from either service the issue may be purchased if the publicly issued outstanding debt of the issuer carries a Baa/BBB rating or higher;
- iii. Has paid dividends on common stock for the last five years next preceding the date of such purchase (includes dividends paid by predecessor companies);]

**17:16-8.1(a) 4. The obligor has a stockholders equity, (consisting of the sum of equity accounts, capital surplus and earned surplus) of at least \$25,000,000; and furthermore the sum of long-term debt and minority interest of the obligor shall be less than 50 per cent of the sum of stockholders equity and long-term debt and minority interest of the obligor, such calculation having been effected on a proforma basis after adjustment to reflect the issuance of new long-term debt and the retirement of any outstanding long-term debt from the proceeds thereof;**

**17:16-8.1(a) 5. The obligor has a credit rating of Baa/BBB or higher by Moody's Investors Service, Inc. and Standard and Poor's Corporation, excepting that one rating is sufficient if only one rating is available; if a rating has not**

been obtained from either service the issue may be purchased if the publicly issued outstanding debt of the issuer carries a Baa/BBB rating or higher;

17:16-8.1(a) 6. The obligor or its predecessors shall have been in business for five years prior to the date of the purchase and have achieved a coverage of fixed charges, by the sum of earnings before taxes and fixed charges, which averages at least two times for the most recent reported five years (for the purpose of this requirement the calculation of the coverage of fixed charges, by the sum of earnings before taxes and fixed charges, shall be in accordance with the rules and regulations of the Securities and Exchange Commission. Such coverage shall be calculated for the issuer on a basis of consolidation consistent with generally accepted accounting principles);

[5] 7. The total amount of debt issues purchased or acquired of any one corporation shall not exceed ten per cent of the outstanding debt of the company, and not more than the greater of \$10,000,000 or 10 per cent of any one issue may be purchased at the time of issue, except that these requirements may be waived by the State Investment Council;

[6] 8. Not more than two per cent of the assets of any one fund at the time of purchase shall be invested in the obligations of any one company, including convertible debentures, excepting that this restriction shall not apply to the College of Medicine and Dentistry of New Jersey—Endowment Funds; and

[7] 9. Not more than two per cent of the assets of any one fund shall be invested in the common stock of a company, including the common stock equivalent of convertible debentures, and the total amount of common stock or common stock equivalent of convertible debentures shall not exceed five per cent of the common stock, or of any other class of stock which entitles the holder thereof to vote at all elections of directors, of any one company.

An order adopting these revisions was filed and became effective on May 20, 1976, as R.1976 d.156 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## HIGHWAY AUTHORITY GARDEN STATE PARKWAY

### Rules for Central Purchasing And Sales of Surplus Personal Property

On March 25, 1976, John P. Gallagher, executive director of the Highway Authority, pursuant to authority of N.J.S.A. 27:12B-5 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules concerning central purchasing and sales of surplus personal property, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 155(b), with only inconsequential structural or language changes, in the opinion of the Highway Authority.

The inconsequential changes concern typographical errors; in N.J.A.C. 19:8-5.2(a)1. the word "installment" should read "installation"; in N.J.A.C. 19:8-5.3(g)3., the word "concurrence" should read "concurrency"; and in N.J.A.C. 19:8-5.4(c), the word "concurrence" should read "concurrency".

The adopted rules may be cited as N.J.A.C. 19:8-5.1 et seq. and 19:8-6.1 et seq.

An order adopting these rules was filed and became effective on March 25, 1976, as R.1976 d.92.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HIGHWAY AUTHORITY GARDEN STATE PARKWAY

### Emergency Rule Concerning Tolls and Automatic Toll Collection Machines

On April 22, 1976, the Highway Authority, pursuant to authority of N.J.S.A. 27:12B-5.14, 27:12B-5.18 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule concerning automatic toll collection machines on the Garden State Parkway.

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

19:8-3.1(c) It is hereby declared to be unlawful for any person to place or insert any plastic, paper, cloth, wadding or other article, object, material, substance, instrument or contrivance within the coin-receipt chute or in any other part of an automatic toll collection machine on the Parkway, including entrance and exit ramps, in such a manner as to prevent, interfere with or obstruct the receipt of coins deposited therein by the patrons of the Parkway, or in such manner as to cause such coins to be uncollected or unlawfully returned, or, by any such or other means or device whatsoever to prevent or to contrive to prevent the receipt of coins by such automatic toll collection machine, or to place or insert in any part of such machine any article, substance, contrivance or device in such manner as to obstruct, alter, injure or interfere with the action or operation of such machine, or, by any device or contrivance, or in any manner whatsoever, to obstruct, alter, injure or interfere with the action or operation of such machine.

An order adopting this rule was filed and became effective on April 23, 1976, as R.1976 d.127 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

## STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

### SEPARATE DEPARTMENT OF CORRECTIONS IS PROPOSED BY BYRNE ADMINISTRATION

Governor Brendan Byrne last month introduced a bill to establish a separate cabinet-level Department of Corrections, to be headed by a Commissioner of Corrections appointed by the Governor with the advice and consent of the Senate.

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Next Rules Filing Deadline — June 23

Sponsored by Assemblyman Thomas J. Deverin, D-Middlesex, chairman of the Assembly Committee on Institutions, Health and Welfare, the bill provides the new Department with jurisdiction over all State adult and juvenile correctional facilities and parole functions.

Byrne said he had received growing bi-partisan support for establishing a separate Department of Corrections. It would be split from the Department of Institutions and Agencies, the largest in State government with about 20,000 employees.

Byrne said a separate Department of Corrections should result in greater effectiveness and law enforcement capability. Under the bill, Institutions and Agencies would be renamed the Department of Human Services.

The bill would establish an advisory council of seven private citizens and four Cabinet officers—the Commissioners of Corrections, Human Services, Education and Labor and Industry—to advise the new Commissioner on such things as institutional operations and budget requests.

The measure also would transfer the State school district for institutions to the Department of Education.

## FOUR STATES ASK DELAY IN LOCATING OF LIQUID NATURAL GAS TERMINALS

Governor Brendan Byrne announced that New York, Pennsylvania and Delaware have joined with New Jersey in an effort to have the Federal government set stricter standards for the location of liquid natural gas facilities.

All four state Attorney Generals and the New Jersey Public Advocate filed a joint petition last month with the Federal Power Commission seeking a coordinated policy which would control the selection of LNG terminal sites and encourage the development of sites away from large population centers.

The four states asked the FPC to take no action on operating permits for any such terminals until national standards have been adopted.

Present plans call for the nation's largest LNG facility to be located on the Delaware River in New Jersey's West Deptford Township directly opposite Philadelphia International Airport. Another LNG facility is proposed for Logan Township, ten miles to the south.

The Public Advocate is contesting both sites as well as plans to ship additional quantities of the highly volatile substance up the Arthur Kill waterway to facilities on Staten Island. A spill of LNG would produce a cloud of extremely combustible methane gas that would endanger the lives of thousands, critics contend.

"The transportation of liquified natural gas to any of these four proposed terminals would raise grave safety issues for New Jersey residents and business enterprises," said Byrne.

"Chief among these is the danger of a catastrophic fire resulting from a shipping accident while an LNG ship is underway in the busy water course near a terminal.

"The potential danger to life and property of such a spill is awesome. I do not oppose the importation of LNG by ship, but we must have national standards to assume the greatest degree of safety possible for our citizens.

"We will achieve this goal, not by case-to-case decisions, but by having the FPC adopt uniform rules and regulations to determine what sites, if any, will provide such safety. And we should consider the advantages of locating terminals in areas of low population and industrial density."

The states' petition also argues that existing import facilities and proposed import plans would handle a volume of LNG that would be more than double the level of

demand in the nation. It notes that President Ford has restricted annual LNG imports to one trillion cubic feet and that the two Delaware River facilities alone would meet the permitted quota.

## 779 NEW, 520 RENOVATED BUSES BEING LEASED BY STATE TO 62 OPERATORS

The first of the State's 779 new buses—the largest single bus purchase ever—went into service May 14 after brief ceremonies in Newark headed by Governor Brendan Byrne.

"This program will provide a major modernization of an important part of our public transportation system", said Byrne. "The new buses will be a significant factor in encouraging New Jersey residents to use public transportation".

The project will provide 176 transit-type 35-foot buses, 268 transit-type 40-foot buses and 335 commuter-type 40-foot buses.

State Transportation Commissioner Sagner noted that the new buses will be turned over to bus companies in a program to reduce the average age of the fleet by replacing buses at least 12 years old. There are some 1,500 of the old buses still in service.

Delivery of all buses is expected to be completed by the end of October to 62 bus companies, he said.

In addition to the new buses, the Department purchased 520 existing buses for rehabilitation by adding fuel injectors to reduce air pollution and, in some, air conditioning. These buses have been leased back to the companies.

