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THE NEW JERSEY REGISTER

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THURSDAY, OCTOBER 8, 1970

NOTICE OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

The following digests, notices, and texts of rules, regulations and codes filed by Administrative Agencies during the preceding month have been prepared by the Office of the Director of the Division of Administrative Procedure, Department of State, pursuant to Section 4 (a) (1) and Section 7 (b) of Chapter 410 of the Laws of 1968.

(a)

AGRICULTURE

DIVISION OF AGRICULTURAL CHEMISTRY Commercial Fertilizer And Soil Conditioner Regulations

Philip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:9-15.33, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted regulations implementing the New Jersey Commercial Fertilizer and Soil Conditioner Act of 1970, P.L. 1970, c.** (N.J.S.A. 4:9-15.1 et seq.), substantially as proposed in the Notice published August 6, 1970 at 2 N.J.R. 61(a).

An order adopting these regulations was filed August 31, 1970 as R. 1970 d.105, to be effective September 1, 1970.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

COMMUNITY AFFAIRS

DIVISION OF LOCAL FINANCE LOCAL FINANCE BOARD Capital Budget Manual

On September 18, 1970, Joseph N. Ehret, Chairman of the Local Finance Board, pursuant to authority of N.J.S.A. 52:27BB-10, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a Capital Budget Manual setting forth in detail rules and regulations pertaining to the adoption of municipal capital budgets, substantially as proposed in the Notice published August 6, 1970 at 2 N.J.R. 61(c).

The Capital Budget Manual contains explanations of the Capital Fund, Capital Improvement Fund, Capital Surplus, Reserve for Downpayments, and other similar terms and procedures, together with sample forms and instructions.

The preface, which explains the need and purpose of the Manual, reads as follows:

"Preparation of a capital program and adoption of a capital budget is one of the most essential governmental acts for the betterment of the economic, social and financial progress of a community.

"The capital program/budget prepared within a context of a sound community planning program is an expression of a community's short-term as well as long-range goals, and a method whereby these goals can be attained.

"New Jersey municipalities and counties are faced with increased financial demands upon their already scarce resources. It therefore becomes imperative that our local governmental agencies adopt and adhere to strong capital budgeting procedures.

"This manual has been prepared to familiarize you with the general purpose of a capital improvement program and capital improvement budget, the benefits of a capital program, the necessity of setting priorities, and the procedural steps which should be followed to insure a well-prepared and realistic program.

"In addition, informational sections have been included to suggest ways in which the cost of projects can be realistically determined and the various ways in which these projects can be financed. The suggestions in this manual are applicable to both counties and municipalities in New Jersey.

"This manual includes those forms which are suggested for internal project requests, as well as those forms which are required to be submitted to the Division of Local Finance.

"As is often true, the end is merely a reflection of the efforts contributed in the beginning. The preparation of a capital program and budget requires time, careful deliberation, skill and the desire to make your jurisdiction a better place in which to live, work and play. Therefore, we cannot overstress the importance of good capital budget procedures."

An order adopting this Manual was filed and effective September 21, 1970 as R. 1970 d.113.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

COMMUNITY AFFAIRS

DIVISION OF STATE AND REGIONAL PLANNING Planned Unit Developments

On September 15, 1970, Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-3, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as Chapter 44 of Title 5 of the New Jersey Administrative Code rules governing planned unit developments, substantially as proposed in the Notice published August 6, 1970 at 2 N.J.R. 61(f).

An order adopting these rules was filed and effective September 15, 1970 as R. 1970 d.109.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

EDUCATION

STATE BOARD OF EDUCATION High School Equivalency Age Requirements

On September 10, 1970, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:50-12 and 18A:50-13, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 8:17-3 relating to high school equivalency age requirements, substantially as proposed in the Notice published July 9, 1970 at 2 N.J.R. 54(b).

An order adopting these amendments was filed and effective September 17, 1970 as R. 1970 d.111.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(e)

EDUCATION

STATE BOARD OF EDUCATION Schematic Plans for New School Buildings

On September 10, 1970, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:33-1 and 18A:20-36, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 8:25-75(c) concerning approval of schematic plans for new school buildings, substantially as proposed in the Notice published July 9, 1970 at 2 N.J.R. 54(a).

An order adopting these amendments was filed and effective September 17, 1970 as R. 1970 d.112.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

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(f)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed Rules Concerning Round Valley Reservoir

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of P.L. 1970 c. 33 and N.J.S.A. 13:8-20, proposes to adopt rules concerning the use of lands and water areas at the Round Valley Reservoir in Hunterdon County, New Jersey.

The text of the proposed rules reads as follows:

- Fishing is permitted except in restricted areas.
- Access to the reservoir is limited to locations designated as 1, 2 and 3.
- Designated Area #1 — The Division of Fish and Game has made temporary parking and boat launching facilities available to fishermen. These facilities may only be used for those individuals who have a valid fishing license and are engaged in the sport of fishing.
- Designated Area #2 — Parking is provided in the field and access may be gained by walking to the reservoir.
- Designated Area #3 — Limited parking area available for shore fishing.
- Motor boats on Round Valley will be limited to a maximum capacity of 10 horsepower, and all water craft shall be operated so as not to produce a visible wake.
- All water craft shall be equipped and operated in accordance with the New Jersey Boating Laws, Rules and Regulations as published by the New Jersey Department of Conservation and Economic Development.
- One life preserver is required for each individual occupying space in all boats. No boats are to be permitted on the reservoir unless equipped with Coast Guard approved life preservers.
- Water craft with marine toilets are not permitted to operate on Round Valley Reservoir.
- Water craft must be kept out of all areas designated as restricted areas and so marked.
- All boating on the reservoir is to be discontinued when wind velocities reach or exceed twenty-five (25) miles per hour. A storm warning flag will be displayed at the launching site when this condition exists.
- The posting of signs, distribution of advertisements, soliciting, selling or attempting to sell any product is forbidden without prior written authorization.
- Hunting, trapping and field trials, or the carrying of firearms or bows and arrows is permitted in accordance with State Fish and Game regulations with the exception of posted special use areas.
- The consumption or possession of alcoholic beverages is prohibited.
- It is unlawful to abuse, mutilate, injure, remove or destroy any living plant or animal or any structures or other physical features or properties on this area.
- Waste material must be placed in receptacles provided. The burning or dumping of refuse is prohibited.
- Annoying or objectionable conduct is not permitted.
- Camping, picnicking, ball playing, skin diving, scuba diving, swimming, etc., are prohibited at this time until the necessary facilities have been developed.

Round Valley Reservoir—continued

16. Parking of vehicles is restricted to designated areas.
17. Ground fires are prohibited.
18. Ice skating, ice fishing, sledding, snowmobiling, and other similar winter sports and ice related activities are prohibited at this time until the necessary facilities have been developed.
19. Ice boating is permitted subject to published regulations.

Interested persons may present statements or arguments in writing, concerning the proposed rules, before October 29, 1970, to:

Robert L. Solan, Chief
Bureau of Legal Services
Department of Environmental Protection
Room 809
Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

The Commissioner of Environmental Protection, after giving full consideration to all written statements and arguments relevant to the proposed rules, may thereafter, upon his own motion or at the instance of any interested person, adopt the above rules substantially as proposed, without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION THE COMMISSIONER

Proposed Rules Concerning Spruce Run Reservoir

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of P.L. 1970, c. 33 and N.J.S.A. 13:8-20, proposes to adopt the following rules concerning the use of lands and water areas at the Spruce Run Reservoir in Hunterdon County, New Jersey.

The text of the proposed rules reads as follows:

1. The posting of signs, distribution of advertisements, soliciting, selling or attempting to sell any product is forbidden without prior written authorization.
2. Hunting, trapping and field trials, or the carrying of firearms or bows and arrows is permitted in accordance with State Fish and Game regulations with the exception of posted special use areas.
3. The consumption or possession of alcoholic beverages is prohibited.
4. It is unlawful to abuse, mutilate, injure, remove or destroy any living plant or animal or any structures or other physical features or properties on this area.
5. Waste material must be placed in receptacles provided. The burning or dumping of refuse is prohibited.
6. Annoying or objectionable conduct is not permitted.
7. Maximum vehicular speed is 35 miles per hour except where otherwise posted. All mechanically propelled vehicles shall be restricted to and only operated on roads.
8. Parking of vehicles is restricted to designated parking areas only.
9. Fishing is permitted subject to Fish and Game regulations except in restricted areas.
10. That portion of the Spruce Run Reservoir area designated for recreational development will be closed to all types of use except boat launching. Camping, picnicking, ball playing, skin diving, scuba diving, etc., are prohibited at this time until the necessary facilities have been developed.
11. Swimming and wading are prohibited.
12. All pets must be leashed and under the direct control and supervision of its owner at all times. It is not permitted to leave a pet unattended.
13. A \$10.00 annual boat launching permit is available and can be purchased at the area. A fee of \$1.00 per boat per day shall be charged for the launching of all boats. All launching shall be limited to designated areas.
14. The operator of any vessel shall have in his possession an annual boat launching permit or a boat launching ticket and will be required to show the permit or ticket if requested by an officer of the department.
15. The maximum length of any boat, including sail boats, shall be 18 feet. The use of boats shall conform to acceptable operating and safety standards. Vessels using the waters of the reservoir shall be limited to a maximum height of 25 feet above the water line due to the clearance under the high tension wires crossing the Mulhockaway Branch.
16. Motor boats on Spruce Run will be limited to a maximum capacity of 10 horsepower, and all water craft shall be operated so as not to produce a visible wake.
17. All sail boats are required to stop at the designated rigging area for purposes of rigging prior to proceeding to the launch area. Rigging is not permitted on the boat launching ramp.
18. All refuse, including garbage, cans, bottles, waste paper, etc., must be stored in a durable container with tight fitting cover for subsequent disposal on shore at designated disposal sites.
19. All water craft shall be equipped and operated in accordance with the New Jersey Boating Laws, Rules and Regulations as published by the New Jersey Department of Conservation and Economic Development.
20. One life preserver is required for each individual occupying space in all boats. No boats are to be permitted on the reservoir unless equipped with Coast Guard approved life preservers.
21. Water craft with marine toilets are not permitted to operate on Spruce Run Reservoir.
22. Water craft must be kept out of all areas designated as restricted areas and so marked.

23. Swimming, diving from water craft, water skiing, aquaplaning, or the towing of surfboards or any other similar device is prohibited.

24. All boating on the reservoir is to be discontinued when wind velocities reach or exceed twenty-five (25) miles per hour. A storm warning flag will be displayed at the launching site when this condition exists.

25. The number of boats permitted on the reservoir at any one time shall not exceed 200.

26. Boat storage:

a. The boat storage area is located in the immediate vicinity of the park area and so designated by appropriate signs (Boat Storage Area).

b. Boats stored at this area are not to remain in the water overnight but must be removed from the water and stored on the land area so designated as the boat storage area.

c. A limited number of seasonal boat storage spaces are available from April 1 through October 31. Charges for each boat stored shall be at the rate of \$20.00 per season beginning April 1 through October 31. Boat storage is not permitted from November 1 to March 31. The area is only open weekends during the month of October.

d. Boats stored on double capacity trailers which occupy a single boat storage unit will pay the standard rate equal to that of a single boat.

e. The State of New Jersey assumes no responsibility for the protection of any boat or other water craft, trailer, equipment, etc., stored at this area.

27. Ice skating, ice boating, sledding, snowmobiling, and other similar winter sports and ice related activities are prohibited at this time until the necessary facilities have been developed.

28. Ice fishing is permitted.

29. Ground fires or charcoal fires are prohibited.

Interested persons may present statements or arguments in writing relevant to the proposed rules, before October 29, 1970, to:

Robert L. Solan, Chief
Bureau of Legal Services
Department of Environmental Protection
Room 809
Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

The Commissioner of Environmental Protection, after fully considering all written submissions relevant to the proposed rules, may thereafter, upon his own motion or at the instance of any interested party, adopt the above rules, substantially as proposed, without further notice.

Richard J. Sullivan,
Commissioner
Department of Environmental Protection

(b)

ENVIRONMENTAL PROTECTION THE COMMISSIONER

Proposed Rules Concerning Lands, Waters and Facilities Under Jurisdiction of Bureau of Parks

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of P.L. 1970, c. 33 and N.J.S.A. 13:8-20, proposes to adopt the following rules regarding the use of lands, waters and facilities under the jurisdiction of the Bureau of Parks within the Division of Parks, Forestry and Recreation of the Department of Environmental Protection.

The text of the proposed rules reads as follows:

The following regulations shall be effective within and upon all lands, waters and facilities under the jurisdiction of the New Jersey Bureau of Parks. Failure or refusal to obey such rules and regulations shall be sufficient cause for removal or prosecution by any duly authorized personnel of this Bureau.

GENERAL REGULATIONS

1. The Bureau reserves the right to designate or direct any and all recreational or other use on its lands and waters and within its facilities to such specific areas or locations within or upon said lands, waters, and facilities as will be in the best interest of Conservation-Recreation-Preservation Management and the health, safety, and welfare of all persons concerned.

2. The Bureau or its authorized personnel may limit use and/or close specific areas, lands, waters and facilities to public use from time to time as deemed necessary for proper management and operation of the area and also in the best interest of health, safety, and general welfare of the public.

3. The posting of signs or notices, distribution of advertisements, begging, soliciting, selling, or attempting to commit such acts without the written consent of the Bureau is prohibited.

4. Commercial enterprise or use of all types on these lands, and waters is prohibited except by specific written permit, contract or lease with the Bureau.

5. The possession of alcoholic beverages is prohibited except in specific locations in those forests, parks, or recreation areas where alcoholic beverages are sold by the Bureau or by concessionaires under contract or lease with the Bureau.

6. The dumping of trash, refuse, garbage, bottles, pollutants, or any other foreign substances or liquids on these lands and waters is prohibited. Such materials accumulated from park use must be placed in containers provided for this purpose. All other debris from outside sources is prohibited.

7. Domestic animals or pets must be caged or kept on a leash (maximum length six feet) and must be attended and under control at all times. They are not permitted on the bathing beaches or in the water. Any nuisance, un-

sanitary condition, damage or injury caused by such domestic animals or pets shall be the sole responsibility of the permittee or owner of such animal.

8. Dogs used for legal hunting during open season, or for field trials, in accordance with New Jersey Fish and Game Regulations, are exempt from the leashing regulation.

9. It is unlawful to abuse, mutilate, injure, remove or destroy any living plant or animal or any structures or other physical features or properties on said lands.

10. Conduct or language which is indecent or unduly annoying to other visitors or Bureau personnel is prohibited and may be sufficient cause for removal and/or prosecution by the Officer-In-Charge.

11. The starting or maintaining of any fire on any of said lands is prohibited unless specific approval is given by the Officer-In-Charge. Such approval may include designated hours, location, and type of fuel to be used.

12. The right is reserved to make charges to the general public for entry, parking, use of facilities, and for other services, products and/or uses. Such charges shall be subject to change.

13. Maximum speed limit on improved roads is 35 miles per hour and 20 miles per hour on unimproved roads unless otherwise posted.

14. The parking of vehicles or other conveyances or equipment so as to block or impede traffic on roadways or paths or damage lawns, shrubs, or other plant life, is prohibited.

15. All use of said lands and waters for military maneuvers is prohibited except by specific written authorization approved by the Director of the Division of Parks, Forestry and Recreation. Such specific written authorization may include designated types of use permitted and shall prohibit use of all live or blank ammunition and pyrotechnics of any type.

MOTORIZED VEHICLES

16. Any motor vehicle defined and identified as such by the New Jersey Division of Motor Vehicles shall be licensed and registered by said Division of Motor Vehicles in the manner and form which they prescribe before it is operated on said lands. Before it is operated on said lands, the operator of the vehicle shall also have in his or her possession a valid operator's license as prescribed by the New Jersey Division of Motor Vehicles.

17. Any motorized vehicle which does not require licensing by the New Jersey Division of Motor Vehicles may not be operated on said lands and/or waters unless specific authority is given by the Bureau, said authority to include designated hours and specific locations.

18. All motor vehicles operated on such lands shall be subject to New Jersey Motor Vehicle Laws, N.J.R.S. Title 39 and all park regulations.

19. All motor vehicles are restricted to defined roadways and parking lots unless otherwise posted or permitted.

20. Anyone operating, driving, riding upon, or otherwise utilizing any type of snowmobile on such lands must wear a crash helmet of a type acceptable for use by motorcyclists under New Jersey Motor Vehicle Law.

21. The use by snowmobiles of specifically designated nature and hiking trails or areas is prohibited.

22. The use by motorcyclists of specifically designated nature, hiking, and equestrian trails is prohibited.

HUNTING, FISHING, AND TRAPPING

23. Hunting, fishing, and trapping are permitted on all lands and waters under the jurisdiction of the Bureau excepting those special use areas where expressly prohibited, provided such use is not in violation of nor inconsistent with laws, rules, regulations, and other limitations set forth by the New Jersey Division of Fish and Game.

OCEAN BEACHES

24. Trespassing on or across the sand dunes is prohibited. Only the designated trails may be used to travel between parking lots, roadways, and the beach.

25. Entry by boat is prohibited. Launching and landing of boats through the surf is prohibited.

26. Fires, where permitted, must be at least 50 feet east of the sand dunes on the open beach.

27. Camping is prohibited.

28. All visitors engaged in surf boarding must successfully complete a swimming test administered by the lifeguard staff. Those passing the examination will be given an identification number and card. Thereafter, they will be required to register the number with the lifeguard staff on the surfing beach each day prior to their utilizing the facility.

SCUBA AND SKIN DIVING

29. Scuba diving, skin diving, and spear fishing is restricted to specific locations and must be specifically authorized by permit.

CAMPING

30. All overnight facilities must be occupied as of the starting time and date indicated on the permit, and remain occupied by the permittee during the entire period of stay specified on the permit.

The Officer-In-Charge may inventory, remove, and store any and all equipment from a site which has not been occupied for any consecutive 24 hour period.

31. The maximum length of stay by one family or group at any one park, forest, or recreation area is 14 days per calendar year, excepting an extension of 7 days additional may be granted provided adequate sites are available to meet the demand, as determined by the Officer-In-Charge.

32. Campers who wish to re-register for additional days must do so before 10:00 A.M. on the expiration date of the current permit.

33. A permit and site number assignment is required prior to the camper occupying an overnight facility, unless otherwise posted.

34. Each overnight facility must be occupied by at least one responsible person 18 years of age or older, and his

or her name and address must be on file with the Officer-In-Charge.

35. Group camping is restricted to areas specifically provided for this purpose, excepting between the months of October to April inclusive, groups of up to eight persons may be accommodated on family camping sites, if sufficient sites available, as determined by the Officer-In-Charge.

36. Family campsites are restricted to eight persons per site, unless specific permission is granted by the Officer-In-Charge.

37. Reservation applications from New Jersey residents only, will be accepted in January and February for cabin and camp shelters rentals during the period of June 1 through September 15. All out of State applications will be acted upon after March 1.

BOATING

38. The launching of boats, canoes, and other water craft is permitted, subject to regulations and the payment of a launching fee, excepting at ocean beaches.

39. Motor boats or other boats propelled by mechanical power of any kind, excepting those with electric motors, are prohibited on all waters under the jurisdiction of the Bureau, with the exception of Cranberry Lake, Lake Hopatcong, Lake Musconetcong, Spruce Run Reservoir, and Round Valley Reservoir.

40. Motor boats where permitted on waters under the jurisdiction of the Bureau may be restricted to maximum horse power and minimum and maximum boat length, such criteria being determined by use and total safety factors.

41. Sail boats, where permitted, may be restricted as to minimum and maximum length and maximum mast height, such criteria being determined by use and total safety factors.

42. All boating use on waters under the jurisdiction of the Bureau and waters flowing through land under the jurisdiction of the Bureau shall be subject to all laws, rules, and regulations as promulgated and enforced by the New Jersey Marine Patrol.

43. No boat, canoe, or water craft of any type is permitted within 50 feet of designated bathing areas under the jurisdiction of the Bureau.

44. Swimming or diving from boats, canoes, and water craft of any kind is prohibited on all waters under the jurisdiction of the Bureau unless specific written authorization is given.

45. The right is reserved to prohibit launching and use of boats, canoes, and water craft of all types on all waters or reservoir areas under the jurisdiction of the Bureau within or adjacent to lands under the jurisdiction of the Bureau when winds exceed an established maximum safe velocity.

GROUP USE

46. Groups of 20 or more persons utilizing any lands or waters under the jurisdiction of the Bureau for any purpose whatsoever are required to make reservations for such use and/or visitations. Said reservations must be made with the individual park, forest, recreation area, historic site, or natural area, at its administrative headquarters, at least five days in advance of the visit.

47. The right is reserved to refuse admittance to groups without reservation.

48. All groups of persons under 18 years of age must have a minimum ratio of one adult supervisor for each eight children in the group. In the event junior supervisors are used, the ratio must be one junior supervisor for each four children. In no case, however, shall there be less than four adults for each fifty children. Adult supervisors must be twenty-one years of age or older, and junior supervisors must be at least eighteen years of age.

49. Each group making reservations for visitation must designate one responsible adult as group leader, and his or her name and address shall be furnished to the Officer-In-Charge upon arrival.

50. For safety purposes all groups may be required to supply a manifest to the Officer-In-Charge showing the name and address of the organization, the name and address of the designated group leader, the names of any and all other leaders or supervisors of the group, and the names of all other persons in the group. Failure to supply such information upon request by the Officer-In-Charge may be cause for refusing admittance to the group.

51. All buses transporting groups must remain at a parking location designated by the Officer-In-Charge immediately adjacent to the area being utilized by the group for the entire period the group is present at the facility. Drivers of said buses will remain in the immediate use area at all times and are not to leave the area under any condition.

BATHING

52. Supervised bathing is restricted to the areas specifically designated for this purpose and is limited to hours and conditions set forth on posted signs.

53. Changing of clothes, robing, or disrobing is restricted to changing areas, bathhouses, or such facilities or areas specifically designated for such purposes.

NATURE AREAS

54. All use into or on designated nature areas may be restricted to entry by permit and/or with an accompanying park employee. Such permits allowing entrance into or upon natural areas may be totally restricted to use for educational and scientific purposes, and those permitted to enter may be limited to individuals who in the opinion of the Bureau are qualified to carry through said educational or scientific purposes.

EQUESTRIAN USE

55. Equestrian use of these lands is permitted, said use being subject to designation of specific areas within these lands as is determined by the Officer-In-Charge to be in the best interests of Conservation-Preservation and the

DISADVANTAGED YOUTH PROGRAM

1. Due to the heavy demand by New Jersey residents for group use of existing facilities, no reservations for out of state groups will be accepted.

2. All scheduling and reservations will be handled through the Bureau of Parks Trenton Office only. The groups should not contact the respective forest and park areas directly.

Reservations will be made for week days only. Saturdays, Sundays and holidays are not included in this program. Reservations granted for group use at specific areas is generally for use between the hours of 10:00 A.M. and 3:00 P.M.

3. All groups making a reservation shall have one (1) person and one (1) alternate designated to handle reservations for the parent organization and all other groups associated with it. The Department shall be advised in advance of the grant as to who these persons are. Following this procedure will enable us to maintain peak efficiency and better serve you.

4. All groups must have a minimum ratio of one (1) adult supervisor for each eight (8) persons in the group. In the event that junior counsellors are used as a supplement to adult supervision, the ratio should be one (1) junior counsellor to every four (4) persons in their charge. Junior counsellors should not be below the age of eighteen (18). In no case shall there be less than four (4) adults per bus of 45-50 youths.

5. Each group must have one (1) adult leader designated by the organization who has authority over the other supervisors and for the entire group. All problems will be referred to and handled through that person.

6. For safety purposes all groups should have a manifest showing the name of the parent organization, listing the name of the group leader (supervisor in charge of that particular group), the names of the other supervisors and the children in the group. This should be shown either at the park office or at the toll booth at the time of arrival and a copy presented to the park if requested. If the group does not have a manifest, the group will be required to prepare one before disembarking.

7. The group leader and all supervisors are expected to maintain the group under their direct supervision at all times.

8. The Park Superintendent has the right to refuse admittance to any group not having a reservation made in advance. The Park Superintendent also has the right to refuse admittance to a group or a portion of the group which arrives with a greater number of buses than has originally been scheduled by reservation.

In all cases, the Park Superintendent shall use discretion in his decision basing it upon park capacity and public safety.

9. The Superintendent has the right to refuse admittance to any group which does not have the required number of supervisors and which in his judgment will affect the safety and conduct of the group and other park visitors.

10. The group leader and supervisors should be furnished with written instructions from the parent organization regarding their duties and responsibilities in supervising the group and also what to do with injured children that require doctor's care or hospitalization.

11. It is expected that the supervisors will avoid having large number of children converge at the concession at one time in order to make purchases. This will provide a greater measure of safety, increase your convenience and aid in more rapid service to your group.

12. Misconduct by any individual or the group can not be tolerated and where necessary the Park Superintendent, after duly investigating the situation, has the right to dismiss the group from the area for that day.

Repeated offenses regarding misconduct while visiting any forest or park area will be cause for revocation of the transportation grant and visitation privileges to all areas.

13. Due to the complexity of the program, all groups will be required to schedule their visitations through the scheduling officer in the Bureau of Parks Trenton Office. The group is required to abide by this schedule and does not have the prerogative of changing the scheduled visits to other parks unless this has been approved by the scheduling officer in advance. Blanket visitation approvals can not be given to any group.

14. All groups are required to abide by existing policy whereby all reservations and changes must be made at least five (5) days in advance and greater if possible. In the past we have experienced a number of last minute changes or changes without notification which has resulted in not being able to properly schedule or serve the groups at areas they desire, or which lead to overcrowding. By allowing adequate time for reservations and changes, the aforementioned problems can be kept to a minimum.

15. All groups and group leaders and supervisors should have advance knowledge of the rules and regulations pertaining to the parks. The parent organization is responsible for holding orientation sessions for the supervisors appraising them of the rules and regulations regarding conduct, cleanliness, etc. If practical, the parent organization should make an effort to have the group leaders and supervisors visit the area or areas to which they will be taking groups prior to the group visits.

A park representative could be made available to give an explanation on the respective park and its regulations during this orientation. Any group desiring a representative should contact the Bureau of Parks Trenton Office.

16. All groups are required to have the bus or buses which transported them to the area remain with them at the area at all times. Disregard of this provision will be justification to disallow payment to the transportation carrier for that trip.

17. The group is responsible for advising the Scheduling Officer in the Bureau of Parks Trenton Office of any trips which they will not be making. The notification of cancellation should be done as soon as possible. Any groups with an excessive number of no shows will be subject to

review of their grant with the possibility of being discontinued from the program.

Our experience indicates that many groups have not advised the scheduling officer in the Bureau of Parks Trenton Office regarding cancellations. By doing so, we have not been able to provide the full measure of recreation potential for the other groups concerned.

Interested persons may submit statements or arguments relevant to the proposed action in writing on or before October 29, 1970 to:

Robert L. Solan, Chief
Bureau of Legal Services
Department of Environmental Protection
Room 809
Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

The Commissioner of Environmental Protection, after giving full consideration to all written statements, relevant to the proposed rules, may thereafter, upon his own motion or at the instance of any interested person, adopt the above rules substantially as proposed without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(a)

**ENVIRONMENTAL PROTECTION
THE COMMISSIONER**

**Proposed Rules Concerning
Condemnation of Shellfish Beds**

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of P.L. 1970, c.33, proposes to establish rules for the administration of N.J.S.A. 24:2-1 and 24:14-2 concerning the condemnation of oyster, clam and mussel growing areas or other places from which oysters, clams or other shellfish are, or may be taken at all times of the year, except when otherwise noted therein. The proposed rules specify all areas from which oysters, clams, mussels and other shellfish may or may not be taken.

Copies of the proposed rules may be requested in writing from:

Robert L. Solan, Chief
Bureau of Legal Services
Department of Environmental Protection
Room 809
Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

Interested persons may present statements or arguments, orally or in writing, relevant to the proposed action at a public hearing to be held at 10:30 A.M. on November 5, 1970 in the Water Policy and Supply Hearing Room on the eleventh floor of the Labor and Industry Building, John Fitch Plaza, Trenton, New Jersey.

Written statements or arguments may be mailed before November 5, 1970 to Robert L. Solan, Chief, Bureau of Legal Affairs at the above address.

The Commissioner of Environmental Protection, after giving full consideration to all written statements and oral arguments relevant to the proposed rules, may thereafter, upon his own motion or at the instance of any interested party, adopt the rules substantially as proposed without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(b)

**ENVIRONMENTAL PROTECTION
DIVISION OF PARKS, FORESTRY
AND RECREATION**

Proposed Changes In State Nursery Policy

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of P.L. 1970, c. 33 and N.J.S.A. 13:8-20, proposes to amend the State Nursery Policy regulating the sale of reforestation stock as follows (additions indicated in bold face thus; deletions indicated within brackets [thus]):

1. [So word the agreement which purchasers of this stock sign in ordering reforestation stock that the purchaser will obligate himself to use the stock solely for reforestation purposes and not to resell it or remove it from his property for ornamental use as living trees.]

So word the agreement, which purchasers of this stock sign in ordering reforestation stock, that the purchaser will obligate himself to use the stock solely for reforestation purposes and not to resell it or remove it from his property for ornamental use as living trees.

2. [Refuse sale of reforestation stock to any owner whose total acreage is less than ten (10) acres of land.]

Refuse sale of reforestation stock to any owner whose total acreage is less than five (5) acres of land.

3. [Distribute reforestation stock in the urban, suburban and agricultural areas only after a preliminary investigation of the specific requests locally on the ground except in connection with properties or areas with which the Department's agents are already personally familiar, to restrict the use (of State grown reforestation stock) to legitimate reforestation projects.]

Distribute reforestation stock in the urban, suburban and agricultural areas only after a preliminary investigation of the specific requests locally on the ground; except in connection with properties or areas with which the Department's agents are already personally familiar, and

State Nursery Policy—continued

restrict the use of State grown reforestation stock to legitimate reforestation projects, including planting for school, and youth conservation education projects and plantings for aesthetic screening and improvement, and air and noise pollution abatement.

Interested persons may present statements or arguments in writing concerning the proposed rules, before October 29, 1970, to

Robert L. Solan, Chief
Bureau of Legal Services
Department of Environmental Protection
Room 809
Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

The Commissioner of Environmental Protection, after giving full consideration to all written statements and arguments relevant to the proposed rules, may thereafter, upon his own motion or at the instance of any interested person, adopt the above rules substantially as proposed without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Emergency Rule Concerning Assistance for Dependent Children

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3, and in accordance with Section 4 (c) of the Administrative Procedure Act (N.J.S.A. 52:14B-4 (c)), has adopted an emergency rule of the Division of Public Welfare, to be identified as Section 615A of the Categorical Assistance Budget Manual, concerning the program of Assistance for Dependent Children.

The statement of facts constituting the imminent peril requiring adoption of this emergency rule is as follows:

"An Order issued by the United States District Court for the District of New Jersey on July 6, 1970, enjoined the Department of Institutions and Agencies, Division of Public Welfare, and the respective County Welfare Boards from enforcing, insofar as it violates the federal statute, an administrative regulation otherwise identified as Section 615 of the Categorical Assistance Budget Manual. Compliance with such injunction is resulting in substantial escalation of costs to the State and counties, for the financing of which sufficient funds are not available in existing appropriations. It is now imperative that revised State regulations be issued promptly which will reduce costs that would otherwise be required for certain cases, classified as families with insufficient earnings (N.J.S.A. 44:10-1 (c) (1)), which are not within the scope of eligibility of the federal statute and regulations and not within the purview of the injunction.

"The continued payment of a minimum adequate level of assistance, and therefore the health and welfare of more than 250,000 children in New Jersey, will be endangered if these regulations are not issued immediately."

The text of the new Section 615A reads as follows:

615A. Administrative Ceiling in ADC, Insufficient Earnings (N) Segment

615A.1 For the ADC program, Insufficient Earnings (N) Segment only, otherwise referred to as "underemployed (non-federally matchable)," there are hereby established administratively prescribed ceilings, limiting the amount of total available adjusted income (as defined in Section 615A.2) for any month, within which any family of specified size may be considered a "needy" family for purposes of eligibility with respect to such month, and limiting the amount of payment(s) that may be made with respect to any budget deficit for that month.

a. The maximum payment(s) for any month for which any family budget unit has entitlement shall be limited to the dollar amount of the difference between the applicable Administrative Ceiling amount by family budget unit size shown in Schedule XA, and the amount of the family budget unit's total available adjusted income as defined in Section 615A.2.

615A.2 "Total available adjusted income" for this purpose shall be determined as follows:

a. Determine the sum of the gross earned and unearned income of all family budget unit members, with no exclusions.

b. From this sum, deduct the following:

1. mandatory payroll deductions, limited to the correct required amount of Federal, State, and city withholding taxes; Social Security; unemployment compensation taxes; and garnishments, according to State law;
2. authorized costs of child care, if actually being paid by the client to an agency, facility, or unrelated person;
3. mandatory court orders of support for dependents living out of the home, if actually being paid;
4. expenses of employment, as recognized in Section 410, for each employed family budget unit member.

c. The remainder is the total available adjusted income to be used in application of the Monthly Administrative Ceiling amounts in Schedule XA.

615A.3 When the applicable Administrative Ceiling in Schedule XA exceeds the family budget unit's total available adjusted income, eligibility for assistance payment(s) is the amount of such difference or the amount of the budget deficit, whichever is less, adjusted to the nearest dollar. In computing such budget deficit, none of the disregards or reductions of actual expendable income otherwise authorized by Section 408, shall be applicable.

615A.4 When the total available adjusted income of the family budget unit exceeds the applicable amount in Schedule XA, the family is ineligible for assistance under the program.

615A.5 SCHEDULE XA — ADMINISTRATIVE CEILINGS

ADC Family Budget Unit Size	Monthly Administrative Ceiling
2	\$320
3	405
4	470
5	540
6	620

For Family Budget Units of 7 or more—add \$50 to the Monthly Administrative Ceiling for each additional child.

615A.6 a. Immediately upon promulgation of these regulations, all active ADC cases in the N segment shall be reevaluated forthwith and immediate action initiated to terminate or reduce payments where so indicated.

b. All immediate and subsequent terminations in the N segment shall be promptly reported for deletion from the eligibility files of the Medical Assistance program.

c. At all times, all cases previously classified as "unemployed" (F segment) shall, when the unemployed parent secures employment of 35 hours per week or more, regardless of amount of earnings, be forthwith reclassified as "underemployed" (N segment) and eligibility and amount of payment redetermined under the rules of this Section 615A.

Interested persons may present statements or arguments in writing relevant to the above emergency rule on or before October 28, 1970 to: Division of Public Welfare, 129 E. Hanover Street, Trenton, New Jersey 08625.

After fully considering all written comments respecting the above emergency rule, the Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter ratify and re-adopt the above rule as set forth without further notice.

Lloyd W. McCorkle, Commissioner
Department of Institutions & Agencies

Note: An order adopting the above emergency rule was filed and effective September 22, 1970 as R. 1970 d.115 (Exempt, Emergency Rule).

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Changes in Categorical Assistance Budget Manual

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6, proposes to amend the Categorical Assistance Budget Manual as follows (additions indicated in boldface *thus*; deletions indicated within brackets [thus]):

315. EXPENSES INCIDENT TO HOMEMAKER SERVICE

315.1 [An allowance for special circumstance, or a vendor payment on behalf of the client for homemaker service may be recognized for a client when illness, death or other disruption in normal family living has created problems and on the basis of the social and/or medical diagnosis, it is determined that homemaker service is essential.]

No "special circumstance allowance" for homemaker service is authorized for inclusion in the assistance budget or assistance payment. When the County Welfare Board does not make homemaker service available as a staff service, and such service is not otherwise available to the client without cost, homemaker service may be purchased for the client by direct contractual arrangement and payment (as an administrative/service expense) between the County Welfare Board and the community agency furnishing approved homemaker services. Such purchase may be made for a client for whom illness, death or other disruption in normal family living has created problems and for that reason homemaker service (other than "home health aide" service provided under the Medicaid program) is essential.

315.2 [An allowance for homemaker service shall be recognized only if client lives alone or as a member of a family group.]

Homemaker service shall be provided only for client(s) who live alone or as a member of a family group.

315.3 [The expenses for homemaker service shall be the most reasonable rate for which the service can be obtained. (Also see Section 108.)]

Homemaker service, if purchased, shall be at the most reasonable rate for which the service can be obtained.

316. CHILD CARE

316.1 [Expenses of child care for the purposes of this Section means the authorized rates for "Day Care Centers," "Family Day Care Homes," "In Home Care" and "Day Camps."]

Child care for the purposes of this section means arrangements for care of a child in a "Day Care Center", "Family Day Care Home", "In Home Care" or "Day Camp." No "special circumstance allowance" for child care service is authorized for inclusion in the assistance budget or assistance payment.

316.2 [Expenses of child care may be recognized] Child care may be provided when the County Welfare Board determines that [child care] such care is essential because of any one or more of the following:

- a. The parent or parent person who normally cares for the child is employed, is in training for employment, or is in a program of vocational rehabilitation.
- b. Illness, death and/or other disruption in family living has created problems and on the basis of social and/or medical diagnosis child care is necessary.

316.3 a. Expenses of child care incident to employment are normally recognized as an expense of employment (see Section 412.1) unless such cost is otherwise provided for in separate Division of Public Welfare regulations.

b. Provisions for child care as an incident to training for employment, or incident to a program of vocational rehabilitation, are in many instances arranged and financed by the special training or rehabilitation program involved (e.g., WIN, Bureau of Children's Services, Blind Commission, Rehabilitation Commission, etc.).

316.4 a. Authorized expenses of child care may be recognized as a special circumstance allowance or as a vendor payment on behalf of the client to the provider of the service.

b. Special circumstance allowances or vendor payment for child care are authorized only for day care centers, family day care homes, and day camps which have been approved by the Department of Education or Bureau of Children's Services, whichever is applicable.]

a. When expenses of child care are not financed by another program or agency, the County Welfare Board will ordinarily provide essential child care by purchase from and direct vendor payment (as an administrative/service expense) to the agency or facility actually furnishing the approved (see c. below) child care service.

b. When the approved arrangements for child care service are for "In Home Care" and are such that there is no identified agency, facility, or vendor-person to which payment can be made, payment may be claimed by and paid to the client who has been authorized to purchase such services herself, and such payment shall also be made as an administrative/service expense.

c. Authorizations for child care are limited to day care centers and day camps which have been approved by the Department of Education or Bureau of Children's Services, whichever is applicable, and to family day care homes and "In Home Care" arrangements approved by the Bureau of Children's Services or the County Welfare Board.

316.7 IN HOME CARE

a. "In Home Care" means care for any age child in the child's usual home.

b. [Special circumstance allowance or vendor payment] Payment for "In Home Care" is authorized only when there is no one available who will perform the service without cost and this care is essential because one or more of the following is existent:

1. a day care center or family day care home is not available; or
2. the child is too young to attend a day care center or family day care home; or
3. there are verified medical and/or social reasons which demonstrate that care in a day care center and/or family day care home would not be in the best interests of the child.

c. [Special circumstance allowances or vendor payments] Payments for "In Home Care" are not authorized for care given by members of the family budget unit or by a legally responsible relative.

d. The authorized rate for day care shall be deemed to be for all services and supervision pertaining to the care of the children and are not for the performance of household tasks unrelated to child care.

e. [The allowance or vendor payment] Payment for "In Home Care" shall be the actual cost but not to exceed \$1.25 per hour for all children in the home requiring this care but shall not exceed \$50 per week. The employer's share of Social Security taxes, if applicable, shall be recognized, when due, as a vendor payment on a non-recurring basis.

f. [The special circumstance allowance or vendor payment] The authorized payment for "In Home Care" shall be deemed to be the full [payment] cost for such services and no additional amounts [are authorized] shall be recognized.

Interested persons may present statements or arguments in writing, relevant to the proposed action, on or before October 28, to: Division of Public Welfare, 129 East Hanover Street, 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 the above amendments substantially as proposed without further notice.

Lloyd W. McCorkle
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF MENTAL HEALTH AND HOSPITALS

BUREAU OF COMMUNITY MENTAL HEALTH SERVICES

State Aid Under Community Mental Health Services Act

On September 3, 1970, Lloyd W. McCorkle, 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 of 1968, adopted rules and regulations governing State Aid under the Community Mental Health Services Act (N.J.S.A. 30:9A-1 et seq.), substantially as proposed in the Notice published August 6, 1970 at 2 N.J.R. 65(b).

An order adopting these rules and regulations was filed and effective September 4, 1970 as R. 1970 d.108.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES**DIVISION OF PUBLIC WELFARE****Categorical Assistance Budget Manual**

On August 31, 1970, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of J.S.A. 44:10-3 and 44:7-6, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the Categorical Assistance Budget Manual, substantially as proposed in the Notice published August 6, 1970 at 2 N.J.R. 66(a).

An order adopting these amendments was filed August 1, 1970 as R. 1970 d.107 to be effective September 1, 1970.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES**DIVISION OF PUBLIC WELFARE****Manual of Administration**

On August 31, 1970, Lloyd W. McConkle, Commissioner of Institutions and Agencies, pursuant to authority of J.S.A. 44:10-3 and 44:7-6, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to sections 2100, "The Application Process," and 2800, "Social Services," of the Division of Public Welfare Manual of Administration, substantially as proposed in the Notice published August 6, 1970 at 2 N.J.R. 65(c).

An order adopting these amendments was filed August 1, 1970 as R. 1970 d.106 to be effective September 1, 1970.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

INSURANCE**THE COMMISSIONER****Cancellation of Personal Lines of Insurance****THE PRESIDENTS OF ALL CASUALTY COMPANIES DOING BUSINESS IN NEW JERSEY:**

Upon finding that the expiration of the emergency rule relating to the cancellation and non-renewal of personal lines insurance filed June 26, 1970 as R. 1970 d.71 would result in certain casualty insurers doing business in the State to terminate unreasonably a substantial number of policy agreements and to cancel or fail to renew on a systematic and wide-scale basis individual policies of personal lines insurance, which practices would result in a further restriction of the personal lines insurance market; and upon a further finding that the results of such restrictive practices would constitute an imminent peril to the interests and general welfare of the people of this State, therefore, I, Robert L. Clifford, Commissioner of Insurance, pursuant to authority delegated in J.S.A. 17:1-8.1 and 8.2 and in accordance with Section c) of the Administrative Procedure Act, (N.J.S.A. 14B-3(c)) do hereby adopt the following emergency rule amendment without hearing or prior notice: The emergency rule dated June 29, 1970, adopted and amended June 26, 1970 as R. 1970 d.71 (published at 2 N.J.R. (c)) is hereby amended by deleting therefrom all reference to September 26, 1970 and adding in lieu thereof October 26, 1970.

Written comments, suggestions and recommendations concerning this rule and any other proposals respecting any additions and modifications to the rule are to be filed not later than October 16, 1970 with—

W. Morgan Shumake,
Deputy Commissioner
Department of Insurance
State House Annex
Trenton, New Jersey, 08625

Dated: September 16, 1970.

Robert L. Clifford
Commissioner
Department of Insurance

Note: An order adopting the above rule was filed September 17, 1970 as R. 1970 d.110 (Exempt, Emergency Rule).

(d)

LAW AND PUBLIC SAFETY**DIVISION OF MOTOR VEHICLES****Proposed Rules Concerning Self-Inspection of Commercial Vehicles**

Ronald M. Heymann, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:8-10, proposes to adopt rules governing self-inspection of certain classes of vehicles in order to provide for continuous and periodic self-inspection.

The text of the proposed rules reads as follows:

Section 1: Applicability

The provisions of this regulation shall be applicable to all vehicles registered in this State.

Section 2: Definitions

a. Vehicle means every trailer, semi-trailer, pole-trailer; every truck registered at a gross weight in excess of 6,000 pounds, truck-tractor, as defined in N.J.S.A. 39:1-1, and every vehicle registered in this state engaged in interstate commerce which is now or hereafter subject to regulation and license by the Interstate Commerce Commission and/or the Bureau of Motor Carriers of the Federal Highway Administration.

b. Lessee means any person under a contract or agreement who exercises control or who operates a vehicle under said agreement or contract for more than thirty days.

Section 3: Inspection and Maintenance

Every owner or lessee of a vehicle registered in this State shall systematically inspect and maintain, or cause to be systematically inspected and maintained, all vehicles subject to its control, and the accessories, required by Part 393 of the regulations of the Bureau of Motor Carrier Safety of the United States Department of Transportation, to be mounted thereon, to insure that such vehicle and accessories are in safe and proper operating condition.

A systematic inspection and maintenance record shall be maintained for each vehicle. Such records shall include, at least:

a. an identification of the vehicle including New Jersey registration number, make, model, serial number, and number of tires, their size, and number of ply;

b. a record of inspection and repairs indicating their date and nature;

c. a lubrication record;

d. a systematic means for indicating for each vehicle the nature and due date of various inspection and maintenance operations to be performed;

e. if leased or otherwise contracted for, such records shall also include an identification of the lessor or contractor furnishing the vehicle.

Any report or record of inspection shall be maintained for a period of 24 months by the owner or lessee and be immediately available upon the request of the Director or any other person authorized to inspect under this regulation.

Section 4: Unsafe Operations Forbidden

No owner or lessee shall drive or permit or require a driver to drive any vehicle revealed by inspection or operation to be in such condition that its operation would be hazardous or likely to result in a breakdown of the vehicle nor shall any driver drive a vehicle which by reason of its mechanical condition is so hazardous to operate as likely to cause an accident or a breakdown of the vehicle.

Section 5: Inspection of Motor Vehicles in Operation

a. Personnel authorized to perform inspections

Every motor vehicle officer employed by the Division of Motor Vehicles, Department of Law and Public Safety, is authorized to enter upon and perform inspections of vehicles in operation upon the highways of this state or at the premises or places of business of the owner or lessee of such vehicles. The Director of the Division of Motor Vehicles may authorize any person to perform said inspection.

b. Reports of the inspections described above shall be submitted to the Director of the Division of Motor Vehicles.

c. Motor Vehicles declared "out-of-service"

(1) Any authorized law enforcement officer shall declare and mark "out-of-service" any vehicle which by reason of its mechanical condition or loading may cause a breakdown or accident.

(2) Any motor vehicle declared and marked "out-of-service" shall not be operated until all repairs have been satisfactorily completed. The term "operate" as used in this section shall include towing the vehicle; provided, however, that vehicles marked "out-of-service" may be towed by means of a vehicle using a crane or hoist; and provided further, that the vehicle combination consisting of the emergency towing vehicle and the "out-of-service" vehicle meets the performance requirements of Sec. 393.52 of the Bureau of Motor Carrier Safety Regulations.

(3) No person shall remove any marking indicating a motor vehicle to be "out-of-service" prior to completion of all repairs.

(4) The person or persons completing the repairs required by the "out-of-service" notice shall certify to the Director the date and the time the required repairs were completed.

d. Notice to owner or lessee

(1) The driver of any vehicle receiving notice that the vehicle is "out-of-service" shall deliver such notice to the owner or lessee operating the vehicle upon his arrival at the next terminal or facility of the owner or lessee, if such arrival occurs within twenty-four (24) hours. If the driver does not arrive at a terminal or facility of the owner or lessee operating the vehicle within twenty-four (24) hours, he shall immediately mail the notice to the owner or lessee; provided, however, that for operating convenience, owner or lessee may designate any shop, terminal, facility of person to which it may instruct its drivers to deliver or forward such notice; provided further, however, that it shall be the sole responsibility of the owner or lessee that such notice is returned to the Division of Motor Vehicles in accordance with the terms prescribed thereon and in subparagraph (2) and (3) of this paragraph.

(2) The owner or lessee shall carefully examine such notice. Any and all defects noted thereon shall be corrected. The driver's failure to comply with this section shall not excuse the owner or lessee from taking appropriate action to correct defects which come to his attention by any means whatsoever.

(3) Within 15 days following the date of the vehicle inspection, the owner or lessee shall forward to the Division a certificate of action taken as a result of said inspection.

Section 6: Damaged Vehicles, Inspection

No owner or lessee shall permit or require a driver to operate nor shall any driver operate a vehicle which has been damaged in an accident or by other cause until inspection has been made by a person qualified to ascertain the nature and extent of the damage and the relationship of such damage to the safe operation of the vehicle nor shall such vehicle be operated until such person has determined it to be in safe operating condition.

Section 7: Vehicle Condition Report by Driver

Every owner or lessee operating more than one vehicle shall require its drivers to report and every driver shall prepare a report in writing at the completion of his day's work or tour of duty, which report shall list any defect or deficiency or the absences thereof, of the vehicle discovered by said driver or reported to him as would be likely to affect the safety of operation of the vehicle or result in its mechanical breakdown. Such reports shall be carefully examined, the defects reported thereon shall be checked and the report shall be retained by the owner or lessee for a period of 12 months.

Section 8: Recommended Practices and Forms

The following practices and forms are recommended to owner or lessee for consideration as a means of establishing the inspection and maintenance practices which are required by Sections 3 to 7.

(a) Report of Vehicle Condition. As a convenient means of providing for the report required by Section 7, the "Driver's Vehicle Condition Report" is suggested. The items are arranged in a logical order of inspection. While the regulations do not require a written inspection report prior to operating, the form may be adapted for such a report by duplicating the text of the following form and using an appropriate heading. Changes may be made to suit the particular carrier's operations, such as by providing for the recording of more than one inspection on a single form.

(b) Inspection and Maintenance Record Forms

(1) Section 3 requires that motor carriers maintain systematic inspection and maintenance records but the regulations do not require any particular type of form of records. As a convenient means for providing the systematic inspection and maintenance records required by Section 3, the Inspection and Maintenance Reports I and II are suggested. Other systems recommended by the vehicle manufacturers are suggested as alternative methods.

(2) It is recommended that a cardboard check sheet for each inspection period for each vehicle be placed at a convenient point in the garage. Under the suggested system, when the four 1,000-mile inspections have been completed, the mechanic will know that he should perform the 5,000-mile inspection in accordance with the 5,000-mile inspection card. These forms, especially the mileage intervals, are suitable for the average over-the-road operator but changes may be made to adapt them to the individual operation. The items listed may be too numerous for some operations and in such cases, carriers may select items applicable to their own operations. Carriers may alter the recommended mileage figures to suit their needs or inspection periods may be determined on other than a mileage basis such as time or fuel consumption. The fundamental requirement is that there be a systematic inspection and maintenance system.

Section 9: Required Practices

The following items of equipment are required to be inspected and maintained at least once every three (3) months.

1. All brake-lines and lining
2. Drive lines
3. Coupling devices
4. Tires and wheels
5. Springs
6. Emergency equipment
7. Fuel system
8. Cooling system
9. Lighting and signaling devices
10. Transmission system
11. Steering equipment
12. Axles and tie rod assemblies
13. Clutch
14. Exhaust system
15. Glass

Section 10:

All equipment subject to inspection shall meet the standards now or hereafter prescribed by statute, by regulation of the Director of the Division of Motor Vehicles, and by regulation of the Bureau of Motor Carriers of the Federal Highway Administration.

The Director may, upon 30 day notice, alter or amend any standard if, in his discretion, he finds that such standard is contrary to safe operation.

Section 11:

Every owner or lessee shall certify to the Director on a form prescribed that he has inspected and maintained his vehicles in conformity with this regulation. Such certification shall be made once every 12 months.

Section 12:

Nothing in this regulation shall be construed to limit or deny the authority of the Director of the Division of Motor Vehicles to require additional inspection to determine levels of air contaminants from vehicles, nor shall this regulation be construed to abridge any code, rule or regulation now or hereafter promulgated pursuant to Title 26, Chapter 2C of the New Jersey Statutes Annotated, "Air Pollution Control Act of 1954."

Section 13: Penalties

Any owner or lessee who violates any provision of this regulation may be subject to the suspension or revocation of his New Jersey registration and license privileges.

Commercial Vehicle Inspection—continued
(The proposed rules also include the following three report forms).

DRIVER'S VEHICLE CONDITION REPORT

Name of motor carrier
Company vehicle No. Date

REPORT AFTER TRIP Driver's Mechanic's Report Report
Mileage reading on speedometer (insert)
Before starting engine:
Oil, if added, insert number of quarts
Water
Gasoline, if added insert no. of gallons
Brake-lines to trailers
Electric lines to trailers
Drive line
Coupling devices
Tires and wheels
Springs
Body and load
Glass
Emergency equipment:
Fire extinguishers
Torches, lanterns, or reflectors
Fuses
Flags
Fuses
After starting engine (out of cab)
Fuel system
Cooling system
Engine
Leaks
Lights
Head
Tail
Stop
Clearance and marker
Reflectors
After starting engine (in cab)
Oil pressure
Ammeter
Horn
Windshield wipers
Parking brakes
Clutch
Transmission
Rear vision mirrors
Steering
Service brakes
Speedometer
Other items requiring attention (Driver's name)
Correction of equipment found unsatisfactory should be noted before continuance of operation.

INSPECTION AND MAINTENANCE REPORT I

(Name of carrier)
1,000-mile inspection. Vehicle No.
(After inspection No. 4 perform 5,000-mile check which shall include the fifth 1,000-mile check)
Type of Inspection Inspection No. 1 2 3 4
Speedometer reading
Date of inspection
Group 1 - Axle, front:
Axle and wheel alignment
Tie rod assembly, etc.
Group 2 - Axle, rear:
Differential housing
L Radius rods, etc.
AOL Group 3 - Body and cab
Group 4 - Brakes
Group 5 - Clutch
OL Group 6 - Cooling system
L Group 7 - Electrical system
Group 8 - Engine
Group 9 - Frame and springs
Group 10 - Fuel and exhaust system
Group 11 - Steering
Group 12 - Transmission
Group 13 - Propeller shaft
Group 14 - Wheels, rims, and tires
Group 15 - Special equipment
A - Adjustment; H - Heavy inspection; L - Visual check-up; O - Oil or grease; R - Replace or rebuild; T - Test.

INSPECTION AND MAINTENANCE REPORT II

(Name of carrier)
5,000-mile inspection. Vehicle No.
(After inspection No. 9, perform 50,000-mile inspection which shall include the tenth 5,000-mile inspection)
Type of Inspection Inspection No. 1 2 3 4 5 6 7 8 9
Speedometer reading
Date of inspection
H Group 1 axle, front:
TA Axle, center
H Axle and wheel alignment
Brake spider, etc.
Note: Have a similar form for the 50,000-mile inspection and the 100,000-mile inspection with type of inspection in accordance with the inspection procedure.

Interested persons may present statements or arguments concerning the proposed rules at a Public Hearing to be held in the State Room at the Holiday Inn, Calhoun and State Streets, Trenton, New Jersey, at 9:30 a.m. on October 21, 1970. Statements or arguments of persons wish-

ing to be heard at this Hearing must be forwarded on or before October 19, 1970 to:

Charles H. Mellon, III
Deputy Director
Division of Motor Vehicles
25 South Montgomery Street
Trenton, New Jersey 08625
Telephone: (609) 292-4593

Interested persons may also present statements or arguments in writing concerning the proposed action up to and including October 28, 1970 to Deputy Director Mellon at the above address.

After full consideration of all statements or arguments presented, the Director of Motor Vehicles, upon his own motion or at the instance of any interested party, may thereafter adopt the above rules substantially as proposed without further notice.

Ronald M. Heymann
Director
Division of Motor Vehicles
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS

Multiple Dwelling Reporting Rule

On September 21, 1970, George F. Kugler Jr., Attorney General of New Jersey, pursuant to authority of N.J.S.A. 10:5-6.1 and 10:5-8(c), (g), (h), (i), and (j), adopted as a rule of the Division on Civil Rights within the Department of Law and Public Safety, the multiple dwelling reporting rule substantially as proposed in the notice published April 9, 1970 at 2 N.J.R. 36(a).

An order adopting this rule was filed and effective September 21, 1970 as R. 1970 d. 114.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

TRANSPORTATION
DIVISION OF MAINTENANCE
AND EQUIPMENT

Proposed Amendments to
Equipment Rental Rules

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-21, proposes to amend the equipment rental rules of Title 16 of the New Jersey Administrative Code, to read as follows (additions indicated in bold face thus; deletions indicated within brackets [thus]):

SATURDAY, SUNDAY, OR HOLIDAY TIME: Premium rates shall be paid for the time worked on Saturdays, Sundays or holidays becoming effective at 12:01 a.m. midnight of the respective day and terminating at 12:00 midnight, twenty-four hours later, unless otherwise modified within an Equipment Rental Agreement (Department of Transportation Form MT-47). Holiday premium rates will be paid only for time worked on [those holidays where the Contractor is obligated to pay premium rates.] these holidays:

New Year's Day Labor Day
Lincoln's Birthday Columbus Day
Washington's Birthday Election Day
Good Friday Veterans' Day
Memorial Day Thanksgiving Day
Independence Day Christmas Day

When one of the State holidays falls on Sunday and is observed on the following day, the day of observance shall be considered a holiday.

The proposed amendment is deemed necessary in order to clearly define those days on which premium rates will be paid.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before October 28, 1970 to:

Jack F. Andrews, Director
Division of Maintenance and Equipment
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 the proposed amendment without further notice.

John C. Kohl
Commissioner
Department of Transportation

(c)

TRANSPORTATION
DIVISION OF MAINTENANCE
AND EQUIPMENT

Proposed Amendments to
Snow Removal Rules

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-21, proposes to amend the snow removal rules of Title 16 of the New Jersey Administrative Code to read as follows (additions indicated in bold face thus; deletions indicated within brackets [thus]):

TRUCK CLASSIFICATIONS: Hourly rates and payments shall be based on manufacturer's gross vehicle weight of trucks provided. For this purpose the following classifications shall apply:

Class A—[25,000] 28,000 pounds or over
Class B—20,000 to [24,999] 27,999 pounds

[HOLIDAYS] SATURDAY, SUNDAY, OR HOLIDAY TIME: [Contractor will be paid at rates established for Sunday and holidays for any work performed on all legal holidays.] Premium rates shall be paid for the time worked on Saturdays, Sundays or holidays becoming effective 12:01 a.m. midnight of the respective day and terminating at 12:00 midnight, twenty-four hours later, unless otherwise modified within a Snow Removal Agreement (Department of Transportation Form MT-18). Holiday premium rates will be paid only for time worked on these holidays:

New Year's Day Labor Day
Lincoln's Birthday Columbus Day
Washington's Birthday Election Day
Good Friday Veterans' Day
Memorial Day Thanksgiving Day
Independence Day Christmas Day

When one of the State holidays falls on Sunday and is observed on the following day, the day of the observance shall be considered a holiday.

The proposed amendments are deemed in order to reflect practical limits for differentiation between truck classifications and to clearly define those days on which premium rates will be paid.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before October 28, 1970 to:

Jack F. Andrews, Director
Division of Maintenance and Equipment
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

The Department of Transportation, upon its own motion or the instance of any interested party, may thereafter adopt the proposed amendments without further notice.

John C. Kohl
Commissioner
Department of Transportation

(d)

TREASURY
DIVISION OF PENSIONS
PUBLIC EMPLOYEE'S RETIREMENT SYSTEM
Proposed Revision of Contributory
Insurance Rate

Christopher F. Carson, Secretary of the Public Employee's Retirement System, pursuant to authority delegated to the Board of Trustees by N.J.S.A. 43:15A-17, proposes to revise N.J.A.C. 17:2-22 of the rules of the Public Employee's Retirement System, to read as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

17:2-22. CONTRIBUTORY INSURANCE RATE:
[Contributory Group Life Insurance rate of contribution for all participating members shall be 1% of the member's base or contractual salary.]

All participating members' contribution rate for contributory group insurance shall be .75 of 1% of the member's base or contractual salary, effective as of November 1, 1970.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action on or before 4:00 p.m. on October 1970 to:

Christopher F. Carson, Secretary
Public Employee's Retirement System
137 East State Street
Trenton, New Jersey 08625
Telephone (609) 292-3626

After full consideration of all written or oral submissions respecting the proposed rule, the Board of Trustees of the Public Employee's Retirement System, upon its own motion, may thereafter adopt the revised rule substantially as proposed without further notice.

Christopher F. Carson, Secretary
Public Employee's Retirement System
Division of Pensions
Department of Treasury

(e)

TREASURY
STATE INVESTMENT COUNCIL
Proposed Amendments Concerning Maximum
Mortgage Investment Limitation

Frank K. Kelemen, Chairman of the State Investment Council, pursuant to authority of N.J.S.A. 52:18A-89 proposes to amend Council Regulations 16:3-10.120(a), 16:3-19.130(a), 16:3-20.130(a), and 16:3-28.120(a) concerning maximum mortgage investment limitation as follows (additions indicated in bold face thus; deletions indicated within brackets [thus]):

ARTICLE 10.
TITLE II FEDERAL HOUSING ADMINISTRATION HOSPITAL MORTGAGES

Reg. 16:3-10.120 Limitations.
(a) Any investment in any mortgage shall be not less than \$1 million nor more than [44.5] \$10 million.

ARTICLE 19.
TITLE II SECTION 203 (B) FEDERAL HOUSING ADMINISTRATION MORTGAGES

Reg. 16:3-19.130 Legal Papers.
Prior to any settlement with respect to mortgages, the Director shall have obtained:

(a) evidence to the effect that at the time of commitment the monthly payment, inclusive of interest, amortization, taxes, insurance and mortgage insurance premium,

FOURTH MAJOR BOND SALE UPS TOTAL TO \$250 MILLION IN CONSTRUCTION FUNDS

Two days after failing to receive any bid at all, the State of New Jersey last month sold \$75 million in general obligation bonds at a net interest cost of 5.99 percent. It was the fourth such sale this year.

Governor William T. Cahill, in making the announcement September 17, said he was "most pleased" at the sale, after no acceptable bids had been received earlier that week because of the legally-fixed six percent interest ceiling on the bonds.

"State Treasurer Joseph M. McCrane is to be highly commended for his success in negotiating the sale in view of tight bond market conditions," the Governor commented.

The rate was the highest paid by the State since post-Civil War days.

The \$75 million paid for the bonds provides \$50 million of immediate funds for construction of roads and mass transportation facilities and \$25 million for public buildings. It brought the 1970 total of bonds sold to \$250 million, well over double the amount sold last year under the same voter authorization.

The 30-year serial bonds were purchased jointly by two syndicates of New York City banks—Morgan Guaranty Trust Co. and Bankers Trust Co., and First National City Bank and Chase Manhattan Bank, Mr. McCrane announced.

He noted that the initial offering on September 15 happened to come on a day the bond market had become flooded with new offerings which totalled the second highest volume on record. Because that offer received no bids, the issuing officials were then empowered by law to seek a negotiated sale, he pointed out.

Mr. McCrane stated that none of the conditions of the original offering had been changed, with the bonds being callable after 15 years, and with maturities running from October 1, 1976 to October 1, 2000.

The State Treasurer said that the callable feature, the first in the state's history, is a further protection should bond rates drop in the future. The bonds could then be refinanced at a lower rate. He added that the negotiated sale was the first in the memory of state officials.

"The proceeds will cover state needs well into next year so no more sales are contemplated in 1970," Mr. McCrane stated.

The issue is part of the \$990 million in bonds authorized by New Jersey voters in November, 1968.

First sale this year of \$25 million on January 13 had a 5.69 interest rate, the second of \$75 million on March 12 was at 5.4 percent, and the third previous issue of another \$75 million on July 14 carried a 5.88 percent interest rate.

GARBAGE COLLECTORS WARNED ON NOV. 6 REGISTRATION CUT-OFF

Garbage collectors and disposal site operators will not be allowed to operate after November 6, unless by then they have filed an application with the State Public Utilities Commission.

This warning was issued last month by William E. Ozzard, PUC President, and directed to the industry itself and to all municipalities and health authorities.

Ozzard said he was issuing the warning because "the industry and the municipalities in the state have been on notice since last spring that new regulation will go into effect on November 6, 1970.

"If the collectors and dump site operators do not apply by the deadline, they will be prevented from operating and many municipalities will be faced with a health crisis. We are asking municipal officials and health authorities to cooperate in insuring that all collectors in their area are registered in time," he declared.

Application forms are available from the PUC's office, 101 Commerce Street, Newark, and additional copies of the application form are available at the more than 300 disposal sites throughout the state.

Ozzard said that dump sites will be policed as of next month to prevent any collector from entering if he has not filed for approval. State and local police will be asked to cooperate in preventing illegal operations by collectors or disposal site operators.

Under the terms of the new legislation, any person who collects refuse, either by municipal, commercial, industrial or private agreement with any person, and takes that refuse to another site, must file an application. Similarly, any person who allows the disposal of any form of refuse upon his property must be registered. It is estimated there are more than 3,000 firms and individuals affected by the new law.

The full text of the "proposed solid waste regulations" under the new law were reported in last month's issue of the New Jersey Register (2 N.J.R. 76(f)), along with a notice of the required hearing.

That hearing is set for October 9 (tomorrow), beginning at 10 A.M. in Room 208 of the PUC headquarters at 101 Commerce Street, Newark. Comments, recommendations and evidence from any person will be accepted at the hearing. The cut-off date for written comments passed as of October 1.

Whether there will be any subsequent hearing will be determined and announced at the October 9 session, Chairman Ozzard stated.

In its warning on the Nov. 6 deadline released to the press Sept. 24, the PUC asked that prominent publicity be given it "to help prevent a potential health hazard" because of possible lack of knowledge by garbage operators and health authorities over the requirements of the 1970 law, which becomes effective Nov. 6.

An earlier PUC press release Sept. 10 had noted the date and purpose of the public hearing and pointed out that "the adoption of the proposed rules and regulations is a preliminary step in preparing for the actual regulation of the industry."

STATE NEWS OF PUBLIC INTEREST

NEW STATE HIGHWAY MAP AVAILABLE FOR ASKING

The Department of Transportation reports that copies of the 1970 Official New Jersey Highway map and guide are now available for mass and individual distribution.

The Department seeks a wide distribution of 400,000 copies of the map. In past years, state and national authorities and civic, business and resort organizations have distributed large quantities.

The map is a useful reference on the status of additions to the highway system completed or under construction, and location of new highways to be constructed.

It delineates other transportation facilities such as the commuter railroad system and commercial and general aviation airports. It locates state institutions, parks, state police barracks and motor vehicle inspection stations for the convenience of the motoring public.

Included are full color displays of the state flag, flower and bird; a message from Governor William T. Cahill; a locator which lists over 1,000 local places and gives the populations, and a guide to state parks and recreation sites with facilities available at each.

Requests for the maps should be addressed to the Department's Bureau of Public Information, 1035 Parkway Avenue, Trenton, New Jersey 08625.

BELL TELEPHONE RATE INCREASE SUSPENDED, HEARING IS SET

William E. Ozzard, President, acting for the State Board of Public Utility Commissioners, has suspended rate increases proposed by New Jersey Bell Telephone. Had they not been suspended, the increase would have gone into effect October 15.

In the Order, the PUC set October 26 at 10:00 a.m. for the start of hearings into Bell's request. The last time Bell asked for a rate hike was in April of 1957; the PUC then made its original decision on January 1, 1958, but court suits prevented the increase from going into effect for almost a year.

The October 26 hearing will be at the PUC offices, Room 208, 101 Commerce Street, Newark. The hearing will be opened by the three Commissioners, Ozzard, Anthony J. Grossi and Brendan T. Byrne.

ROOK SWORN IN AS NEWEST MEMBER OF STATE CLEAN AIR COUNCIL

James H. Rook of Teaneck was sworn in last month as a new member of the New Jersey Clean Air Council, Dr. John Horton, council chairman, announced. Rook was appointed to the post by Governor William T. Cahill.

Rook, who will serve a one-year term prescribed by law, succeeds Louis A. Winkelman, who resigned from the council last December upon his retirement.

A graduate of Michigan State College (now Michigan State University), Rook was formerly assistant chief safety engineer for the Michigan Department of Labor and Industry. He has served as industrial hygienist for Chrysler Corporation and the Tennessee Corporation, and presently is director of environmental control systems for American Cyanamid Company, in Wayne.

Rook is a diplomate of the American Academy of Industrial Hygiene and active in the Manufacturing Chemists Association, Water Pollution Control Federation, Air Pollution Control Association, American Industrial Hygiene Association, American Chemical Society, and Health Physics Society.

The New Jersey Clean Air Council is a 17-member advisory body to the State Department of Environmental Protection created by 1967 legislation. Its unpaid members are appointed by the Governor to varying terms and are required by law to represent a cross-section of the general public, labor and industry. At least one member must be a licensed, practicing physician. Serving ex-officio are the three State Commissioners of Labor and Industry, Community Affairs and Agriculture, or their representatives.

The council is required to hold at least one public hearing annually, to examine the state's air pollution control activities, and to make recommendations to the Commissioner of Environmental Protection.

GARRISON PROMOTED TO NEW POST AS VITAL RESOURCES COORDINATOR

The State Board of Agriculture approved the promotion of Samuel Garrison to the new post of coordinator of vital resources, Division of Rural Resources, New Jersey Department of Agriculture.

He had previously been an agricultural economist in the department and had served as executive secretary of the Rural Advisory Council, a post he will continue to fill.

In his new capacity, Garrison will initiate programs to develop rural-oriented industry in rural areas to expand job opportunities and strengthen the local economy. He will also work to improve environmental factors in rural areas, including housing, sewage disposal, water supply, and agricultural waste disposal.

Garrison joined the department in 1959 as an economist. Since January 1968 he has also been a hearing officer.

With Mrs. Garrison and their three sons, he lives at 5 Rockland Road, Trenton.

NINE MAJOR FIRMS AGREE TO ABIDE BY STATE'S AIR POLLUTION CONTROL LAW

New Jersey and nine major industrial firms last month achieved significant agreements in the State's battle against the air pollution which plagues the northern New Jersey-New York metropolitan complex.

All nine firms, cited as a group for polluting the air in the Tremley Point section of Linden, assured the Department of Environmental Protection they will take immediate steps to help correct the problem.

"As a result of this voluntary action, the air quality in that section should show steady improvement over the next year and a half and major improvement noted by next summer," said Richard J. Sullivan, Environmental Protection Commissioner.

The agreement was a landmark case for New Jersey. It marked the first time that an action involving multiple respondents had ever been attempted under Chapter 6 of the New Jersey Air Pollution Control Code, which contains a general prohibition of air pollution. The pertinent section reads: "No persons shall cause, suffer, allow or permit to be emitted into the outdoor atmosphere substances in quantities which shall result in air pollution."

The sequence of the action was as follows:

Commissioner Sullivan instituted action against the nine firms on August 4, naming in the suit: Cities Service Oil Company; E. I. DuPont de Nemours and Company, Inc.; Mobil Oil Company; General American Transportation Corporation (GATX); American Cyanamid Company, G A F Corporation; B P Oil Corporation; Enjay Chemical Company and Humble Oil and Refining Company, the last two subsidiaries of Standard Oil of New Jersey.

As of September 18, all nine had signed consent stipulations in which they agree to take specific steps to curtail air pollution, along with a timetable for starting and completing the installation of various types of control equipment. In each instance, the companies submitted acceptable proposals to the department detailing how they would meet the requirements of the code.

A preliminary departmental hearing had been scheduled for September 15, but the voluntary action on the part of the nine companies made it unnecessary to hold the hearing.

Under terms of the stipulations, the companies waived their right to preliminary hearing and consented to accept enforceable administrative orders. Failure to abide by the orders can result in fines up to \$2,500 a day for each day of violation.

Deputy Attorney General Lawrence E. Stanley who negotiated the agreements said the department does not anticipate further litigation in the Tremley Point case.

Each company has a different timetable for providing abatement and cessation. Some have major hurdles to overcome while others have modest modifications to make in order to meet the code requirements. Large sums of money will be required to install the abatement equipment and carry out the other corrective measures spelled out in the consent stipulations, and each firm must submit continuing progress reports in writing to the Environmental Protection Department.

Commissioner Sullivan expressed pleasure with the cooperation demonstrated by the companies and said, "The main objective is to help make the air cleaner in the cauldron of chemical and industrial activity that lies in the northern stretches of the New Jersey Turnpike. Pollution in that section is conspicuously objectionable."

The Commissioner said additional multi-respondent cases under Chapter Six are planned for the future in other areas of the state that have clusters of air pollution sources.

Deputy Attorney General Stanley conducted the Tremley Point case under the direction of State Attorney General Gorge F. Kugler, Jr. and William A. Munroe, chief of the Bureau of Air Pollution Control.

Herbert I. Wortreich, chief enforcement officer of the bureau, organized the broad outlines of the massive case in conjunction with the Attorney General's office. Thomas M. Leonard Jr., supervisor of field control operations, directed the efforts of the bureau's metropolitan field office in Springfield in gathering facts with the assistance of David Shotwell, office supervisor, and Byron Sullivan, who did much of the investigative work.

FLEMING APPOINTED PRESIDENT OF STATE REAL ESTATE COMMISSION

The New Jersey Real Estate Commission has announced the appointment of Commissioner Carl A. Fleming Jr. as President of the Commission, to serve for one year.

Commissioner John L. Soldoveri was appointed Acting President.

Fleming is president of Fireside Realty Inc., 1401 Oak Tree Road, Iselin, and has been active in civic organizations. He is chairman of the Woodbridge YMCA and vice president of the Woodbridge Chamber of Commerce.

Fleming resides at 25 Fairview Avenue, Colonia, with his wife, Lillian, and their six children. He was born and attended public schools in Hampton, and received a B.A. degree from Rutgers University in 1952. He served in Korea for two years.

Soldoveri resides at 1 Cambridge Street, Totowa, with his wife, Grace, and their two children. He is president of the Soldoveri Agency, 247 Union Boulevard, Totowa.

The other members of the Commission are William F. Kinney, 13-02 St. Anne St., Fair Lawn, who is affiliated with the William F. Kinney Agency in East Paterson; Charles L. Skerrett, 24th and Central, Barnegat Light, who conducts a real estate business in Clementon; and N. Willard Schwartz, 53 Brookside Terrace, North Caldwell, who is with the A. Schwartz Company of Parsippany.

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