

THE NEW JERSEY REGISTER

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2 N.J.R. 53



THE NEW JERSEY REGISTER

A Publication of the State of New Jersey

WILLIAM T. CAHILL, Governor
Paul J. Sherwin, Secretary of State
Division of Administrative Procedure
Melvin E. Mounts, Rules Analyst
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THURSDAY, JULY 9, 1970

NOTICE OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

The following digests, notices, and texts of rules, regulations and orders 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 ANIMAL HEALTH

Proposed Amendments To Hog Cholera Regulations

Phillip Alampi, Secretary of Agriculture, and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-106.2, proposes to amend certain regulations governing hog cholera control in Title 2 of the New Jersey Administrative Code, as follows: (additions indicated in boldface thus; deletions indicated within brackets [thus]):

2:2-8 Hog Cholera Control

Fully virulent hog cholera virus vaccine or modified live virus vaccine shall not be used in vaccinating swine against hog cholera except as provided in Title 9 of the Code of Federal Regulations.

Treatment of swine with hog cholera serum or antibody concentrate is permissible.

[Swine to be recognized as being officially vaccinated shall have met the following requirements:

1. They have been treated by an accredited veterinarian by simultaneous inoculation with modified live virus hog cholera vaccine and anti-hog cholera serum or antibody concentrate, or under provisions as set forth by the Department of Agriculture with killed or inactivated hog cholera vaccine prepared under license from the United States Department of Agriculture.]

2. An official certificate of [vaccination] serum treatment, on forms supplied by the Department, shall be submitted to the Department by the accredited veterinarian or official agent of the Department. Such certificate shall contain: the name and address of the owner, the location of the herd, a record of the number of the individual ear tags supplied by the Department, or other proper identification and amount of [vaccine and] serum or antibody concentrate used.

[Swine will not be considered officially vaccinated until the expiration of a twenty-one (21) day quarantine following vaccination.]

[Swine must be at least six (6) weeks of age to be vaccinated except under special permit by the Department of Agriculture.]

Dosage of anti-hog cholera serum or antibody concentrate.

Except for swine under twenty (20) pounds in weight, the dosage of serum shall not exceed one cc. per pound body weight, or ½ cc. per pound body weight if antibody concentrate is used.

(Pounds)	Minimum dose of serum (cubic centimeters)	Minimum dose of antibody concentrate (cubic centimeters)
Under 60	20	10
60 - 120	30	15
Over 120	40	20

[Dosage of modified live virus vaccine. The dosage of modified live virus vaccine should be that recommended on the product label by the licensed manufacturer for use with the amounts of anti-hog cholera serum or antibody concentrate given in the paragraph above.]

[No swine shall be treated with anti-hog cholera serum alone or antibody concentrate alone except under special permit by the Department of Agriculture.]

[Imported swine to be recognized as official vaccinates must have been shipped into New Jersey under provisions of Part 76, Title 9, Code of Federal regulations and have been released from the twenty-one (21) day quarantine period.]

Any farm or premises where swine are concentrated for public sale shall be considered a livestock market under these regulations, except where only the swine raised on the premises are offered for sale.

Premises suspected of infection with hog cholera shall be quarantined until determination is made by the cooperating agencies that the disease is or is not present. Once official confirmation of hog cholera exists, such premises shall remain under quarantine until program agents are satisfied that exposure no longer exists.

Swine owners shall promptly report to their accredited veterinarian or to an agent of the Department of Agriculture any illness in their herd suggestive of hog cholera. The accredited veterinarian shall promptly notify an agent of the Department of Agriculture or the office of the Division of Animal Health of the State Department of Agriculture or the office of the Animal Health Division of the United States Department of Agriculture.

Swine dead of hog cholera shall be removed under official supervision from a quarantined premise in trucks constructed of, or lined with, impervious material and which do not permit the escape of any liquid and are covered in such a way that the contents shall not be openly exposed to insects. Such removal shall be to a rendering plant whose processes include rendering temperatures sufficient to destroy the virus of hog cholera. Carcasses of swine dead of hog cholera may be buried or burned on the premises under official supervision of an agent of the Department in lieu of rendering.

Trucks hauling market hogs to slaughter from quarantined premises shall be cleaned and disinfected at the unloading point or at a designated return point under official supervision.

Agents of the New Jersey Department of Agriculture and the United States Department of Agriculture, Animal Health Division, shall be permitted access to any swine farm at any time for the purpose of investigating suspected hog cholera.

2:2-9 Indemnity

NOTE: Delete the existing references to "Chicago Livestock Market," and substitute therefor "Interior Illinois Market, Peoria, Illinois."

2:2-10 Swine Consigned to Livestock Markets

Swine offered for sale for other than immediate slaughter shall be treated with anti-hog cholera serum alone or antibody concentrate alone within five (5) days of such sale and movement from the market.

A record of treatment shall be furnished the buyer. The swine shall be held in quarantine on the farm of the buyer for [twenty-one (21)] thirty (30) days after treatment.

Following the sale of swine, the pens, runways, and the sales ring shall be cleaned and disinfected with an approved disinfectant.

No indemnity shall be paid on swine found to be infected with hog cholera while in an approved sale market in the eradication area.

2:3-4 Swine

The official interstate health certificate shall indicate that swine for breeding purposes are members of a brucellosis-free herd and are negative to a blood test for brucellosis within thirty (30) days of entry.

All breeding swine imported into New Jersey must meet the requirements of Part 76, Title 9, Code of Federal Regulations.

No swine shall be diverted enroute from the destination of the consignee as indicated on the health certificate.

All breeding swine imported must be held in quarantine on farm of destination for [twenty-one (21)] thirty (30) days until released by the Department of Agriculture.

2:3-7 Feeder Swine

All feeder swine imported into New Jersey must meet the requirements of Part 76, Title 9, Code of Federal Regulations [, and in addition all swine must have been vaccinated for hog cholera.]

No swine shall be diverted enroute from the destination of the consignee as indicated on the health certificate.

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All feeder swine imported into New Jersey must be held in quarantine on farm of destination for [twenty-one (21)] thirty (30) days until released by the Department of Agriculture.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, on or before July 30, 1970, to:

Dr. Edwin L. Brower, Director
Division of Animal Health
Department of Agriculture
P.O. Box 1888
Trenton, N. J. 08625
Telephone: (609) 292-3965

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

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(b)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Retirement Community Full Disclosure Act Regulations

On May 29, 1970, Schuyler Jackson, Director of the Division of Housing and Urban Renewal in the Department of Community Affairs, pursuant to authority of N.J.S.A. 45:22A-11, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted regulations for the enforcement of the Retirement Community Full Disclosure Act (N.J.S.A. 45:22A-1 et seq.), substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 38(b).

An order adopting the above regulations was filed May 29, 1970 to be effective June 1, 1970 as R. 1970 d.61.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Amendment on Approval of Schematic Plans for New School Buildings

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, proposes to amend N.J.A.C. 8:22-75(c) concerning Approval of Schematic Plans for New School Buildings as follows (additions indicated in bold face thus):

8:22-75(c) Approval

If the schematic plans are approved, notice of such approval will be issued to the superintendent of schools, the secretary of the board of education, the county superintendent, and the architect. Approval by the Bureau, at the schematic stage, is for the adequacy of the proposal to provide facilities suitable for implementing a sound educational program. Site selection, including location, size and dimension, has been judged an integral part of the facilities and requires Bureau approval within the limits of local availability of land and sound planning for the development of the community.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, before 4 p.m. on September 1, 1970 to:

Clyde E. Lieb
Office of the Commissioner
Department of Education
225 West State Street
Trenton, New Jersey 08625
Telephone: (609) 292-4040

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

Carl L. Marburger
Commissioner of Education
Secretary, State Board of Education
Department of Education

(b)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Amendment to High School Equivalency Age Requirements

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, proposes to amend N.J.A.C. 8:17-3 relating to high school equivalency age requirements as follows (additions in bold face thus; deletions indicated in brackets [thus]):

8:17-3 Age Requirement

All persons applying [for the issuance of a High School Equivalency Certificate] to take the high school equivalency examinations must be 18 years of age. The Commissioner may issue certificates in hardship cases and/or for early college admission to persons who are 17 years of age, and, who have been out of school for one year] and out of school for one year. Exceptions to this rule may be made in special cases for students who are over 16 years of age.

Requests for exceptions to the rule must be approved by a parent and one of the following: a guidance counselor, high school principal, superintendent of schools, probation of parole officer, State Rehabilitation Counselor, or a judge. The statement should state why the individual should be tested before meeting the age and out of school for a year requirements.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action before 4 p.m. on September 1, 1970 to:

Clyde E. Lieb
Office of the Commissioner
Department of Education
225 West State Street
Trenton, New Jersey 08625
Telephone: (609) 292-4040

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

Carl L. Marburger
Commissioner of Education
Secretary, State Board of Education
Department of Education

(c)

ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL QUALITY

Proposed Regulations Concerning Control Of Smoke from Diesel-Powered Motor Vehicles

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of Section 8.1 of the Air Pollution Control Act, N.J.S.A. 26:2C-8.1, proposes to adopt as Chapter 14 of the Air Pollution Control Code regulations governing the control and prohibition of smoke from diesel-powered motor vehicles.

The complete text of the proposed Chapter 14 follows:

Section 1 DEFINITIONS:

1.1 **PERSON:** Includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

1.2 **MOTOR VEHICLE:** Includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

1.3 **DIESEL-POWERED MOTOR VEHICLE:** A motor vehicle propelled by a compression ignition type of internal combustion engine; for purposes of this chapter passenger automobiles are excluded.

1.4 **SMOKE:** Small gasborne and airborne particles, exclusive of water vapor, from a process of combustion in sufficient number to be observable.

1.5 **EXHAUST EMISSIONS:** Substances emitted into the atmosphere from any opening downstream from the exhaust ports of a motor vehicle engine.

1.6 **VISIBLE SMOKE:** Smoke which obscures light to a degree readily discernible by visual observation.

1.7 **OPACITY:** The property of a substance which renders it partially or wholly obstructive to the transmission of visible light expressed as the percentage to which the light is obstructed.

1.8 **FREE ACCELERATION TEST:** A procedure for measuring the opacity of smoke emitted from a diesel-powered motor vehicle engine, which procedure includes a specified engine operating mode and the use of a smoke-meter.

1.9 **DIESEL ENGINE OPERATING MODE:** A procedure for operating the engine of a stationary diesel-powered motor vehicle during a free acceleration test during which the following steps are taken:

STEP 1—With engine running, transmission in neutral and handbrake secured, depress acceleration pedal slowly to a fast idle (1200-1300 rpm).

STEP 2—Accelerate the engine from the fast idle to maximum governed revolutions per minute (rpm) by depressing the accelerator pedal as rapidly as possible.

STEP 3—As soon as governed rpm is attained, release the accelerator pedal and allow engine to coast down to fast idle (1200-1300 rpm).

STEP 4—Repeat Steps 2 and 3 twice in rapid succession to clear out engine then repeat in rapid succession until three consistent peak smoke opacity measurements are observed on the smoke-meter. The three consistent peak smoke opacity measurements shall be the opacity measured by the free acceleration test.

1.10 **SMOKE-METER:** A device constructed in such manner as to measure smoke capacity by light obstruction between a light source and photoelectric cell which will indicate the percent opacity of smoke at a point approximately six (6) inches from the engine exhaust outlet. The device shall be of design meeting "Specification for Diesel-Powered Vehicle Smoke-meter" on file with the State Commissioner of Environmental Protection and approved for use in New Jersey by the State Commissioner of Environmental Protection.

Section 2 PUBLIC HIGHWAY STANDARD:

2.1 No person shall operate a diesel-powered motor vehicle or permit a diesel-powered motor vehicle which he owns to be operated upon the public highways of the State if the vehicle, when in motion, emits visible smoke in the exhaust emissions within a distance of approximately twelve (12) inches from the exhaust outlet, for a period of more than five (5) seconds, or when stationary emits smoke in the exhaust emissions having an opacity greater than twenty (20) percent as measured by the free acceleration test.

Section 3 INSPECTION STANDARD:

3.1 Any diesel-powered motor vehicle which is subject to inspection by the Division of Motor Vehicles or by the Public Utilities Commission, as a condition of compliance with said inspection, shall not emit smoke in the exhaust emissions from the engine having an opacity greater than twenty (20) percent as measured by the free acceleration test. However, no test shall be performed by the Division of Motor Vehicles as a condition of compliance with inspection until sixty (60) days after notice of the condition of inspection requirement is issued by the State Department of Environmental Protection.

Interested persons may present statements or arguments orally or in writing, relevant to the proposed action at a Public Hearing to be held August 19, 1970 at 10 a.m. at the Fine Arts Center, Rider College, Route 206, Trenton, New Jersey. Such hearing will be held in accordance with provisions of the Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq.

Written comments relevant to the proposed action may be presented prior to August 19, 1970 to:

Department of Environmental Protection
Division of Environmental Quality
Room 604
Health-Agriculture Building
John Fitch Plaza
Trenton, New Jersey 08625

The Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt the proposed Chapter 14 substantially as set forth without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(d)

HEALTH

DIVISION OF ENVIRONMENTAL HEALTH

Frozen Dessert Regulations

On May 25, 1970, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 2A:10-73.1, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revised regulations establishing definitions and standards of identity for frozen desserts, substantially as proposed in the Notice published April 9, 1970 at 2 N.J.R. 31.

An order adopting the above regulations was filed effective May 25, 1970 as R. 1970 d.58.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(e)

INSTITUTIONS AND AGENCIES

DIVISION OF COMMUNITY AND PROFESSIONAL SERVICES

BUREAU OF COMMUNITY INSTITUTIONS

Hospital Standards for Maternal, Child Health and Newborn Services

On May 27, 1970, the State Board of Control in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:11-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revised standards for maternal, child health and newborn services applicable to all new and existing licensed and approved general hospitals in the State, substantially as proposed in the Notice published April 9, 1970 at N.J.R. 33(a).

An order adopting these revised standards was filed May 29, 1970 as R. 1970 d.62.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(f)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Categorical Assistance Budget Manual

On May 27, 1970, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted (with the exception of the proposed amendment to Section 606.2 d.) amendments to the Categorical Assistance Budget Manual, substantially as proposed in the Notice published May 7, 1970 at N.J.R. 41(d).

An order adopting these amendments was filed effective June 1, 1970 as R. 1970 d.65.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(g)

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]):

306. [In situations where payments from other source or sources are made on behalf of or to a client for a recognized special circumstance requirement, the authorized allowance for this requirement shall be reduced by the amount of the other payment.]

No special circumstance allowance shall be authorized for any kind of otherwise permissible special circumstance requirement, if funds sufficient therefor have been available, directly or indirectly, to the client or on his behalf from another source, private, voluntary or public (including any other municipal, county, State or federal program). In situations where the funds so made available from another source are identifiable as being in an amount less than the amount authorized to be allowed under the standards of this Manual, the difference between such amounts shall be the maximum that may be granted.

408.4 Loans
a. Loans and grants made to clients for scholarships or for other conditions which preclude their use for meeting current living costs and which are held and used in accordance with the conditions of the loan shall be disregarded in the determination of need for the client or any of his dependents who are applying for or receiving assistance.

b. Loans made by the Farmers Home Administration U.S. Department of Agriculture, under Title III of the Economic Opportunity Act and loans made by the Farmer

Home Administration under provisions in Title V of the Housing Act of 1949, as amended, and educational scholarships of all kinds are examples of loans and grants referred to in this Section. (For educational scholarships, also see Section 606.4-c.)

408.5 RELOCATION ADJUSTMENT PAYMENTS

Relocation adjustment payments which are made pursuant to the Housing Act of 1964 (Public Law 88-560) Section 114, by public agencies engaged in urban renewal, area development agencies engaged in urban renewal, and by housing development projects, are interpreted to be for purposes of aiding and promoting families and individuals to adjust to changes in circumstances and to promote and aid such persons in their adjustments to new neighborhoods. Consistent with this definition of purpose, relocation adjustment payments, or portions thereof, which do not directly or indirectly duplicate an item or a requirement for which an allowance has been included in the assistance grant, shall not be considered as income or resources which affect eligibility for categorical assistance or affect the amount of the assistance grant [, to the extent that such payments or portions thereof are made as unrestricted money payments and otherwise in a manner which does not directly or indirectly duplicate an item or a requirement for which an allowance has been included in the assistance grant].

406.4 ELIGIBLE ADC CHILD OVER 18 AND UNDER 21 REGULARLY ATTENDING SCHOOL

a. In ADC, when in accordance with Manual of Administration, Section 2280.2, an eligible child under 21 is regularly attending school, this child shall be included as a member of the family budget unit whether or not he is living in the home during the period in which he is pursuing his studies.

b. [Any unearned income of this child, such as scholarships, grants or any other forms of financial assistance for educational purposes, shall first be applied to expenses directly related to education, namely: tuition payments, payment of student fees, purchase of required textbooks, laboratory equipment, any other required equipment, transportation expenses, and, if he is living away from home, room and board expenses. All remaining unearned income shall be considered as income to the family budget unit. See Section 408.3 for regulations concerning earned income of a full or part-time student.]

A special circumstances allowance for expenses incident to training shall be recognized, in accordance with Section 317.

c. Any scholarship, grant, or other form of financial assistance or portion thereof received by this child and applied to expenses directly related to education shall be disregarded, namely: tuition payments, payment of student fees, purchase of required textbooks, laboratory equipment, any other required equipment, transportation expenses, and, if he is living away from home, room and board expenses. Any excess shall be considered unearned income to be recognized in the family budget unit, except at grants or loans to an undergraduate student for educational purposes made or insured under the federal Higher Education Acts shall be disregarded without regard to the use of such loans or grants.

1.4 CLASSIFICATION OF THE UNIQUE FAMILY MEMBER IN ADC

The following table identifies unique family members for the purpose of clarifying their status in regard to family budget unit, and eligibility for medical assistance under the Health Services program.

	In FS	In FBU	Eligible For Medicaid
Adult removed from grant due to fraud	Yes	Yes	No
Adult removed from grant due to refusal of work or training	Yes	Yes	No
Child under 18 not in school removed from grant due to refusal of work or training	Yes	Yes	Yes
Step-parent not applying	Yes	No	No
Child not applied for	Yes	No	No
Child with legally designated income sufficient to meet his needs	Yes	No	No
Child between 18 and 21 not in school			
a) living as family member	Yes	No	Yes
b) living as roomer-boarder	Yes	No	Yes
Child with legally designated income insufficient to meet his needs	Yes	Yes	Yes
Eligible child with voluntary support payment	Yes	Yes	Yes

Interested persons may present statements or arguments in writing relevant to the proposed action, on or before July 30, 1970, to:

Division of Public Welfare
129 E. Hanover Street
Trenton, N. J. 08625

The Department of Institutions and Agencies, upon its motion or at the instance of any interested party, may hereafter adopt the above changes substantially as set forth without further notice.

Lloyd W. McCorkle, Commissioner
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Manual of Administration

On May 27, 1970, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.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 Division of Public Welfare Manual of Administration, substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 42(a).

An order adopting these amendments was filed and effective June 1, 1970 as R. 1970 d.63.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Medical Assistance for the Aged Manual

On May 27, 1970, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the Medical Assistance for the Aged Manual, substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 42(b).

An order adopting these amendments was filed and effective June 1, 1970 as R. 1970 d.64.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(c)

INSURANCE

THE COMMISSIONER

Cancellation of Personal Lines of Insurance

TO THE PRESIDENTS OF ALL CASUALTY COMPANIES DOING BUSINESS IN NEW JERSEY:

Upon finding that certain casualty insurers doing business in this State have recently terminated a substantial number of agency agreements and have cancelled or failed to renew, on a systematic and wide scale, individual policies of personalized insurance, which practices have resulted in an unprecedented restriction in the personal lines insurance market; and upon a further finding that the results of such restrictive practices constitute an imminent peril to the interest and general welfare of the people of this State, therefore, I, Robert L. Clifford, Commissioner of Insurance, pursuant to authority delegated in N.J.S.A. 17:1-8.1 and 8.2 and in accordance with Section 4(c) of the Administrative Procedure Act, (N.J.S.A. 52:14B-4(c)) do hereby adopt the following emergency rule without hearing or prior notice:

No agency contract relating to personal lines insurance, as hereinafter defined, shall be cancelled or in any way terminated or abridged by a casualty insurer doing business in this State, except on ten (10) days' prior notice to the Commissioner, for the period commencing 12:01 a.m., June 29, 1970, and ending 12:01 a.m., September 26, 1970.

No individual policy of personal lines insurance, as hereinafter defined, shall be cancelled or non-renewed during the period commencing 12:01 a.m., June 29, 1970 and ending 12:01 a.m., September 26, 1970, except for non-payment of premium, moral hazard, or as otherwise expressly provided by statute.

"Personal lines insurance," as used herein, is defined as casualty insurance, not of a commercial nature, issued to an individual or a husband and wife to provide coverage against loss or liability arising out of the use or ownership of real or personal property. Personal lines insurance includes, but is not limited to, individual and family automobile policies and homeowner's insurance.

A public hearing will be held on Thursday, July 30, 1970, at 10:00 a.m. in Room 438, State House Annex, Trenton, New Jersey, at which time and place comments, suggestions, recommendations, additions, or modifications to the emergency rule and evidence with respect thereto will be received for the record.

The time and date of any adjournment of the hearing or additional hearings, if such are determined to be necessary, will be announced at the July 30, 1970 hearing. However, no notice of any such adjourned or additional hearings will appear in the New Jersey Register.

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 July 29, 1970, with:

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

Dated: June 29, 1970

Robert L. Clifford
Commissioner
Department of Insurance

Note: An order adopting the above rule was filed June 26, 1970 as R.1970 d.71 (Exempt, Emergency Rule).

(d)

LAW AND PUBLIC SAFETY

DIVISION OF LAW

BUREAU OF SECURITIES

Fingerprint Card Requirements

On May 21, 1970, Joseph F. Krupsky, Chief of the Bureau of Securities in the Division of Law of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 49:3-67, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the amendments to N.J.A.C. 13:13-1, 13:13-5 and 13:13-25 of the Bureau of Securities rules so as to require fingerprint cards in certain cases, substantially as proposed in the Notice published April 9, 1970 at 2 N.J.R. 34(f).

An order adopting these amendments was filed and effective May 29, 1970 as R. 1970 d.60.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(e)

LAW AND PUBLIC SAFETY

DIVISION OF PROFESSIONAL BOARDS

STATE BOARD OF NURSING

Professional and Practical Nursing: Schools, Licensing and Duties

On May 21, 1970, The State Board of Nursing in the Division of Professional Boards of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:11-24(d), and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as N.J.A.C. 13:27-1 et seq., rules pertaining to schools, licensing and duties of professional and practical nurses, substantially as proposed in the Notice published November 27, 1969 at 1 N.J.R. 22(a).

An order adopting the above rules was filed and effective June 3, 1970 as R. 1970 d.66.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure

(f)

LAW AND PUBLIC SAFETY

DIVISION OF PROFESSIONAL BOARDS

STATE BOARD OF OPTOMETRISTS

Vision Service Plans

On May 20, 1970, the State Board of Optometrists in the Division of Professional Boards of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:12-4, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the amendments to certain of its rules in Chapter 28 of Title 13 of the New Jersey Administrative Code concerning vision service plans, substantially as proposed in the Notice published April 9, 1970 at 2 N.J.R. 35(b).

An order adopting these amendments was filed and effective May 29, 1970 as R. 1970 d.59.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(g)

LAW AND PUBLIC SAFETY

DIVISION OF PROFESSIONAL BOARDS

STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Misconduct by Professional Engineers and Land Surveyors

On May 22, 1970, the State Board of Professional Engineers and Land Surveyors in the Division of Professional Boards of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:8-27 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as N.J.A.C. 13:40-4, a rule relating to misconduct in the practice of professional engineering or land surveying, substantially as proposed in the Notice published April 9, 1970 at 2 N.J.R. 35(a).

An order adopting this rule was filed and effective June 8, 1970 as R. 1970 d.67.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(h)

LAW AND PUBLIC SAFETY

DIVISION OF STATE POLICE

Private Detective Regulations

The following rules of the Division of State Police, designated Chapter 55 of Title 13 of the New Jersey Administrative Code, were promulgated by Colonel David B. Kelly, Superintendent of State Police, to implement the Private Detective Act of 1939, N.J.S.A. 45:19-8 et seq.

Rules For Private Detectives—continued

They are reprinted below in the public interest:

13:55-1. Definitions

"Act" shall mean the Private Detective Act of 1939, (N.J.S.A. 45:19-8 et seq.).

"Applicant" shall mean a person who has applied for a license under the Act.

"Licensee" means a person licensed under the Act.

"Person" shall include any individual, firm, association, company, partnership, corporation or organization.

"Private Detective Business" shall mean that business defined in N.J.S.A. 45:19-9.

"Qualifying member" shall mean that individual member of the firm, or officer or director of the association or corporation who is possessed of the necessary prerequisites as to age, experience, character, competency and integrity as required for a license under the Act.

"Superintendent" shall mean the Superintendent of State Police.

13:55-2. Application for License

Any person desiring to pursue the "private detective business" shall file an application with the Superintendent on a form designated S.P. 171 (Individual or Partnership) or S.P. 172 (Corporation) and accompanied by any documents required by such application. The applicant shall also submit such other documents as the Superintendent may require pursuant to N.J.S.A. 45:10-12. All requests for applications shall be in writing.

13:55-3. Approval of Application

An application for a Private Detective License shall be approved upon the Superintendent being satisfied that the following conditions have been met:

a. That the Superintendent is in receipt of a satisfactorily completed license application including any documents required to be filed with such application;

b. That the Superintendent is satisfied that the contents of said application and submissions are true and accurate;

c. That the Superintendent has completed whatever further investigation he may have deemed necessary, and has received any further information that he may have requested from the applicant;

d. That the Superintendent is satisfied of the good character, competency and integrity of the applicant, if an individual, or of all the members of the firm or all the officers of the corporation or association, if the application is for other than an individual license;

e. That the applicant is not barred under the provisions of section 13:55-13 of this chapter; and

f. That the Superintendent is satisfied that the individual, if the application is for individual license, or at least one member of the firm and one officer or director of the association or corporation, if the application is for other than an individual license, has met the age and experiential qualifications of the Act, to wit: being at least 25 years of age, and having had at least 5 years' experience as an investigator, a police officer with an organized police department of the State or County, or any municipality thereof, or investigative agency of the United States of America, or any State, County or municipality thereof.

13:55-4. Issuance of License

Once a license application has been approved, a license shall issue upon the Superintendent receiving the surety bond and license fee required by the Act and as provided in sections 13:55-5 and 13:55-6 of this chapter.

13:55-5. Fees

A. The fee for an individual license shall be \$200.00.

B. The fee for a license for a firm, association or corporation shall be \$300.00.

C. Licenses shall be valid for a period of 5 years.

D. No license fee, or portion thereof, shall be refunded upon the revocation, surrender or suspension of any license.

13:55-6. Bonds

A. No original or renewal license shall be issued until the bond required by N.J.S.A. 45:19-12 has been filed.

B. Every licensee shall at all times maintain on file with the Superintendent the surety bond required by this section and upon failure to do so, the license of such licensee shall be forthwith suspended and shall not be reinstated until a proper bond is filed.

C. A bond furnished pursuant to this section shall be for a period of 5 years from the date of execution. The bond may provide for cancellation by the surety at any time by giving 30 days' written notice to the Superintendent, in which event the surety's liability shall at the expiration of said 30 days terminate, except as to such liability of the principal as may have accrued prior to the expiration of said 30 days.

13:55-7. Posting and Display of License

A. The license shall be posted and displayed in conformity with N.J.S.A. 45:19-14.

B. No license certificate may be reproduced, except on written approval of the Superintendent.

13:55-8. Employees

A. Employees' statements and employees' fingerprint cards shall be numbered consecutively, commencing with Number 1.

B. A number, once assigned, shall not be used for any other employee or for a former employee subsequently re-employed.

C. The number entered on the employee's statement shall be identical with that entered on the fingerprint card.

D. Employees shall be re-fingerprinted upon re-employment after termination of employment; provided, however, that an employee who has been temporarily laid off or who is employed part-time need not be re-fingerprinted until a period of more than 90 days has elapsed since the date of his former employment.

E. Each licensee shall file with the Superintendent a current list of employees on the first day of July of each year.

13:55-9. Identification Cards

Licenses and employees of licensees who are employed as investigators shall carry and exhibit when requested,

identification cards as provided in N.J.S.A. 45:19-17. Employees of licensees who are employed as watchmen, guards or private patrolmen, may carry identification cards issued by their employer on a form approved by the Superintendent.

In the event an employee falls, upon termination of his employment, or upon demand, to surrender his identification card, badge, uniform or other equipment furnished him by his employer, notification of same shall be given the Superintendent and the local police agency having jurisdiction.

13:55-10. Badges and Uniforms

No particular type or style of uniform or badge is prescribed in these rules, other than required as to badges in N.J.S.A. 45:19-19 or prohibited by Chapter 2 of Title 52 of the Revised Statutes as to the use, exhibit and display of the Great Seal of the State of New Jersey, but no licensee or employee of a licensee, shall, with intent to deceive or confuse the public, use a title, badge, uniform, or other insignia which is likely to be confused with that of any law enforcement officer of the Federal Government, a State, or any political subdivision thereof.

13:55-11. Advertising

A. No licensee shall, by the use of any letterhead, advertisement, or other printed matter, or in any manner whatever, represent that he is an instrumentality or agency of the Federal Government or of the State of New Jersey or any agency or political subdivision thereof.

B. No licensee shall advertise, solicit or contract for business in a name different from that under which he is currently licensed.

C. No licensee shall conduct a business under a trade name unless and until he has obtained the written authorization of the Superintendent to do so. The Superintendent shall not authorize the use of a trade name which, in his opinion, is so similar to that of a public officer or agency, or of that used by another licensee that the public may be confused or misled thereby. The authorization shall require, as a condition precedent to the use of such name, the filing of a certificate of doing business under such name with the county clerk of the county where the licensee's principal place of business is located and with the Secretary of State in the manner provided by law.

D. No licensee shall offer, by radio, television, newspaper advertisement or any other means of communication, to perform services at any location which is merely the location of an answering service unless full disclosure of that fact is made in the advertisement.

13:55-12. Prohibited Acts

A. No holder of a license issued under the Act may be a party to a franchise agreement nor accept money or other thing of value for the right to act as agent of the licensee. Possession of an employee's identification card shall not authorize the holder to engage in the business of private detective for his own reward or profit.

B. No holder of a license under the Act may perform any of the services of a private detective, investigator, or detective agency on a contingent or percentage basis, or to make or enter into any agreement for furnishing services of any kind or character, by the terms or conditions of which agreement the compensation to be paid for such services to the holder of a license is partially or wholly contingent or based upon a percentage of the amount of money or property recovered, or dependent in any way upon the result achieved.

13:55-13. Active Law Enforcement Officers

A. No person who is an active member of the organized police department of this or any other State or political subdivision thereof, or who is an officer or investigator with an investigative agency of the United States of America or of any State, County or municipality thereof, shall be issued a Private Detective License, nor shall he be a qualifying member, officer or director of any firm, association or corporation licensed under the Act.

B. Any person who either being licensed under the Act as an individual or being a qualifying member or officer or director of a corporation, firm or association licensed under the Act, who commences employment as a law enforcement officer in any of the categories mentioned in subsection A, shall surrender said license to the Superintendent during such employment if he be an individual licensee and resign his position as qualifying member, officer or director of a firm, association or corporation. In the case of a firm, association or corporation, if the individual who is required to resign is the qualifying member, the Superintendent, at his discretion, may reinstate the license upon receipt and approval of an application from another person who is qualified under the Act.

13:55-14. Separation of the Qualifying Member

Where the qualifying member of a licensed firm, association or corporation ceases to be connected with the licensee, and notice to the Superintendent has been given pursuant to N.J.S.A. 45:19-12, the license shall remain in effect for no more than 60 days from the date of such cessation, unless the period is extended by the Superintendent upon written request and for good cause shown.

13:55-15. Change in Type of License

Any individual licensee intending to change his business to a firm, association or corporation, or any firm or association intending to change the form of its business to a corporation, shall apply to the Superintendent in the same manner as required for an original license. Upon issuance of the new license, the previous license shall be surrendered to the Superintendent. No refund or credit shall be made in respect to the fee paid for the unexpired term of the previous license.

13:55-16. Grounds for Denial, Revocation, Suspension, or Refusal to Renew a License

A. The Superintendent may deny, revoke, suspend or refuse to renew a license upon determining that the applicant or licensee has:

(1) Been convicted of a high misdemeanor or any of

the misdemeanors or offenses prescribed by N.J.S.A. 45:19-16 and who has not subsequent to such conviction received executive pardon therefor removing any civil disabilities incurred thereby;

(2) A bad moral character, intemperate habits, or a bad reputation for truth, honesty and integrity;

(3) Knowingly made a false material statement in his application;

(4) Been convicted of a violation of the New Jersey Wiretapping and Electronic Surveillance Control Act (N.J.S. 2A:156A-1 et seq.);

(5) Practiced fraud, deceit or misrepresentation, including but not limited to:

(a) Knowingly making a false statement or written report relating to evidence or information obtained in the course of employment;

(b) Manufacture of evidence;

(c) Acceptance of employment adverse to a client or former client relating to a matter with respect to which the licensee has obtained confidential information by reason of or in the course of his employment by such client or former client.

(6) Demonstrated incompetence or untrustworthiness in his actions;

(7) Has failed to maintain a proper surety bond as required by N.J.S.A. 45:19-12 and section 13:55-6 of this chapter; and

(8) Has failed to meet or continue to meet the requirements for licensure provided by the Act and these rules. B. The Superintendent may suspend any license for cause, prior to the hearing provided in section 13:55-17 of this chapter, provided that the public interest and welfare require such immediate action.

13:55-17. Hearings

A. In the case of the denial of a license application, or the revocation, suspension or refusal to renew a license, the Superintendent shall notify the applicant or licensee in writing of same and shall state the reasons for his action.

B. Upon such notification, the Superintendent shall afford the applicant or licensee an opportunity to be heard thereon in person or by counsel. A request for such an opportunity to be heard shall be made in writing to the Superintendent within 15 days from the receipt of the notice provided in subsection A.

C. If a request for an opportunity to be heard is timely received, the Superintendent shall set a date for hearing and notify the parties of the time and place thereof. Such a hearing shall be conducted by the Superintendent or his designee.

D. All hearings shall be held in accordance with the provisions of the "Administrative Procedure Act" (N.J.S.A. 52:14B-1 et seq.).

13:55-18. Location of Offices.

The headquarters of the Division of State Police in the Department of Law and Public Safety is located at West Trenton, New Jersey. Mail should be addressed to the Superintendent, Division of State Police, Box 68, West Trenton, New Jersey 08625.

(a)

LAW AND PUBLIC SAFETY**DIVISION OF WEIGHTS AND MEASURES****Berry Boxes, Baskets and Containers**

The following memorandum was distributed by Samuel H. Christie, Jr., State Superintendent of Weights and Measures, to all Superintendents of local Weights and Measures Offices on May 29, 1970. It is reprinted below in the public interest to clarify certain existing statutory provisions and regulations:

TO ALL SUPERINTENDENTS:

Subject: Berry boxes, baskets and containers.

This will refer to berry boxes, baskets or other containers which are being used in exposing, offering for sale, or selling small fruits, berries or vegetables in individual containers.

Once these units are removed from the original crate or container, which is properly marked as to the net contents and meets with our requirements when exposed, offered for sale or sold in the original container, the individual units stand on their own and must be marked either in terms of avoirdupois net weight or in terms of dry measure by the person so exposing, offering for sale or selling them if the individual units are not already in compliance.

When marked in terms of dry measure the word "dry" must precede the standard of measure used, i.e. "1 dry pint," "1 dry quart."

The standard boxes, baskets or containers for such small fruits, berries and vegetables shall be of the following capacities: dry one-half pint, dry pint and dry quart. The dry half-pint shall contain 16.8 cubic inches, the dry pint 33.6 cubic inches and the dry quart 67.2 cubic inches.

Such boxes, baskets or containers must be uniform in size, and be uniformly and evenly filled throughout.

As a result of the court's decision in *Fort v. Dilks*, 98 N.J.L. 307 (1920), it is the obligation of those using such containers in the exposing, offering for sale, sale or delivery to see that the containers are legibly marked on the outside by the manufacturer thereof, the exact capacity of the container, the name and address of the manufacturer thereof, or a sign or symbol registered by the manufacturer with this office.

However, since the State of New Jersey has not rescinded its type approval or its standard container requirements, it is also incumbent upon the manufacturer to process such containers with this office.

Because these boxes, baskets or containers are a seasonal item and the sale and delivery of them takes place during the preceding season and year, this office will recog-

nize this fact and will temporarily permit the person at the time he is exposing, or offering for sale, or selling small fruits, berries, or vegetables in such containers, to properly mark each individual unit in terms of the dry measure capacity until December 31st, 1970, after which time each individual container so used must comply with all the requirements.

Such containers which have a plastic or ploffilm cover or such other covering upon which there is already a printed statement of the net contents in terms of avoirdupois net weight or of dry measure will be considered to meet the requirements of food in package form provided the cover referred to is not removed. This type of container and cover is illustrated by those generally used by the New Jersey Blueberry Growers.

After July 1, 1970, any person exposing for sale, offering for sale, or selling small fruits, berries, or vegetables in such berry boxes, baskets or other containers which are not properly marked as set forth will be deemed to be in violation of N.J.S.A. 51:1-27 and subject to the penalty prescribed in N.J.S.A. 51:1-27.1; however, if any person is found exposing for sale, offering for sale, selling or delivering berries, small fruits or vegetables before or after July 1st, 1970, in such berry boxes, baskets or other containers on the basis of dry measure, which do not measure within the applicable tolerances as set forth in H-44, 3rd edition, National Bureau of Standards Handbook giving the specifications and Tolerances for Commercial Weighing and Measuring Devices, as adopted in N.J.A.C. 13:62-20, that person will be deemed to be in violation and subject to prosecution.

In an effort to bring about full compliance with the requirements of our statutes with a minimum of disturbance and loss during the present marketing period, we are notifying by means of a copy of this letter, all manufacturers of such containers as are on our records, the Office of Weights and Measures of our sister states, the various main offices of supermarket and chain store operations, the New Jersey State Department of Agriculture, Agriculture Agents of the several counties and the Division of Administration Procedure of the New Jersey Department of State.

Samuel H. Christie, Jr.
Superintendent, Division of Weights and Measures
Department of Law and Public Safety

(a)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Amendments to Uniform System of Accounts For Class A and B Gas and Electric Utilities

The Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-16, proposes to amend its Uniform System of Accounts for Class A and B Gas Utilities and Class A and B Electric Utilities.

These amendments are proposed in order that the Board's Uniform System of Accounts for Class A and B Gas Utilities and Class A and B Electric Utilities conform to amendments adopted by the Federal Power Commission. Copies of the full text of the proposed amendments may be obtained by writing to:

Director
Division of Accounts
Department of Public Utilities
101 Commerce Street
Newark, New Jersey 07102

or may be examined at:
Office of the Director
Division of Accounts
Department of Public Utilities
Room 208, 101 Commerce Street
Newark, New Jersey

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 10, 1970 to the Division of Accounts at the above address.

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

William E. Ozzard
President
Board of Public Utility Commissioners
Department of Public Utilities

(b)

STATE

ATHLETIC COMMISSION

Rules Governing Licenses and Seconds

On June 22, 1970, Morris Mogelever, Deputy State Athletic Commissioner, pursuant to authority of N.J.S.A. 5:2-5, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted certain new rules governing licenses and seconds, substantially as proposed in the Notice published April 9, 1970 at 2 N.J.R. 36(b).

An order adopting these new rules was filed and effective May 22, 1970 as R. 1970 d.68.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(c)

TREASURY

DIVISION OF BUILDING AND CONSTRUCTION

Proposed Rules on Classification And Qualification of Bidders

Joseph W. McCrane, Jr., State Treasurer, pursuant to authority of N.J.S.A. 52:34-13, proposes to adopt the following rules of the Division of Building and Construction governing classification and qualification of bidders.

The following is the complete text of the proposed rules:

1. DEFINITIONS

"Director" means the Director of the Division of Building and Construction in the Department of the Treasury.

"Person" means and includes any individual, co-partnership, association, corporation or joint stock company, their lessees, trustees, assignees or receivers appointed by any court whatsoever.

"Public work" means any public building or other public betterment, work or improvement constructed, reconstructed, repaired or improved wholly or in part at the expense of the public.

2. STATEMENT REQUIRED FROM PROSPECTIVE BIDDERS; CONTENTS

Any person proposing to submit bids on public work shall submit to the director a statement under oath on a form designated DBC-36 ("Contractor's Financial Statement and Experience Questionnaire"), which statement shall develop fully the financial ability, responsibility, adequacy of plant and equipment, organization, ownership and prior experience of the prospective bidder.

3. BIDDERS TO BE CLASSIFIED; NOTICE

Upon receipt of the completed form, the director shall classify the prospective bidder as to the character and amount of the public work on which the bidder shall be qualified to submit bids and bids shall be accepted only from persons qualified in accordance with such classification. Immediate notice of such classification shall be sent by the director to the prospective bidder.

4. HEARING BEFORE THE DIRECTOR ON CLASSIFICATION OF BIDDER; CHANGE OF CLASSIFICATION

A. Any person after being notified of his classification by the director and being dissatisfied therewith or with the classification of any other bidder, may request in writing a hearing before the director for the purpose of presenting such further evidence with respect to himself or any other bidder as might tend to justify a different classification.

B. Where request is made for the change of classification of another bidder, the director shall notify such other bidder of the nature, time and place of the hearing and afford him an opportunity to be present.

C. Following any such hearing, the director may, in his discretion, retain or change the classification of any bidder.

5. TIME FOR SUBMISSION OF FORM DBC-36

No person shall be qualified to bid on any contract who shall not have submitted form DBC-36 within a period of seven months preceding the date of opening of bids for such contract.

6. REJECTION OF BID UPON SUBSEQUENT DEVELOPMENTS AFFECTING BIDDER'S RESPONSIBILITY

The director shall have the right to reject any bidder at any time prior to the actual award of a contract, where there have been developments subsequent to the classification and qualification of such bidder, which in the opinion of the director would affect the responsibility of the bidder. Prior to taking any such action, the director shall notify the bidder and afford him an opportunity to present any additional information which might tend to substantiate the existing qualification.

7. REMOVAL OF BIDDER FROM APPROVED LIST

If the director shall determine that a prospective bidder is unqualified to submit bids on public work, he shall so notify the prospective bidder who may request in writing a hearing before the director on such determination.

8. FORM - CONTRACTOR'S FINANCIAL STATEMENT AND EXPERIENCE QUESTIONNAIRE

(Note: This 12-page form, (DBC-36) must be submitted under oath. It includes the following provisions):

Any person proposing to submit bids on public work shall submit to the Director a statement under oath on a form designated DBC-36 ("Contractor's Financial Statement and Experience Questionnaire"), which statement shall develop fully the financial ability, responsibility, adequacy of plant and equipment, organization, ownership and prior experience of the prospective bidder.

No person shall be qualified to bid on any contract who shall not have submitted Form DBC-36 within a period of seven months preceding the date of opening of bids for such contract.

AUTHORIZATION TO DO BUSINESS IN THE STATE OF NEW JERSEY

If the successful bidder is a corporation not organized under the laws of the State of New Jersey or is not authorized to do business in the State of New Jersey, the award of contract and payment of consideration thereunder shall be conditioned upon said corporation promptly filing a certificate of doing business in the State of New Jersey and complying with the provisions of the law of the State of New Jersey in that regard.

If any corporation doing business with the State of New Jersey shall be or become delinquent in the payment of taxes to the State, said taxes may be withheld from any moneys due from the State to such corporation.

NJS 2A:131-4. FALSE SWEARING; OFFENSE STATED

Any person who willfully swears falsely in any judicial proceeding or before any person authorized by any law of

this state to administer an oath and acting within his authority, is guilty of false swearing and punishable as for a misdemeanor.

NOTE: This statement will not be rated unless all sections are completed.

NOTE: This form requires prospective bidders to submit details relevant to assets, liabilities, prior experience and ownership information.

AFFIRMATIVE ACTION PROGRAM FOR EQUAL EMPLOYMENT OPPORTUNITY

The Office of Architecture, Engineering and Construction will not be able to release bid documents to your firm unless "Affirmative Action Program" is on file in the Office of O.A.E.C. Kindly advise as follows:

(1) data for "Affirmative Action Program" has been filed with O.A.E.C.

Date Filed

(2) data required for "Affirmative Action Program" is attached.

SPECIAL NOTE: YOUR FINANCIAL STATEMENT AND EXPERIENCE QUESTIONNAIRE FORM WILL NOT BE RATED UNLESS THE DATA REQUIRED FOR THE "AFFIRMATIVE ACTION PROGRAM" IS ON FILE.

Interested persons may present statements or arguments in writing relevant to the proposed action before 4 P.M., July 30, 1970, to the Director, Division of Building and Construction, P.O. Box 1243, Trenton, New Jersey 08625.

After full consideration of all statements and arguments presented, the State Treasurer, upon his own motion or at the instance of any interested party, may thereafter adopt the proposed regulation substantially as set forth without further notice.

Joseph M. McCrane, Jr.
State Treasurer
Department of the Treasury

(d)

TREASURY

STATE INVESTMENT COUNCIL

Federal Housing Administration Loans

The State Investment Council, pursuant to authority of N.J.S.A. 52:18A-89, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, has amended its regulations so that the maximum loan on any Section 203(B) Federal Housing Administration Loan permitted by Article 19 of its regulations shall be increased from \$30,000 to \$33,000 so as to conform with Federal Housing Administration regulations.

The text of the amended provision reads as follows (additions in bold face thus; deletions indicated in brackets [thus]):

Reg. 16:3-19.120 Limitations.

(a) The maximum loan on any Section 203(B) Federal Housing Administration mortgage shall not exceed [\$30,000] **\$33,000.**

An order adopting the above amendment was filed April 2, 1970 as R. 1970 d.34B (Exempt, Internal Rule).

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(e)

TREASURY

STATE INVESTMENT COUNCIL

United States Government Obligations

The State Investment Council, pursuant to authority of N.J.S.A. 52:18A-89, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, has amended the provision contained in Article 24 of its regulations which requires a written opinion from Moody's Investors Service, Inc. to the effect that the obligations purchased thereunder are legal investments for savings banks in this State, so that this function shall now be assumed by the Attorney General. The text of the amended provision reads as follows (additions in bold face thus; deletions indicated in brackets [thus]):

Reg. 16:3-24.120 Legal papers.

Prior to any commitment to purchase obligations of the type described in this article, the Director shall have obtained:

(a) a written opinion from [Moody's Investors Service, Inc.] the Attorney General to the effect that such obligations qualify as legal investments for savings banks in this State, and

(b) a written opinion from the Attorney General that the purchase of such obligations is authorized by the provisions of Chapter 270, P.L. 1950, as amended and supplemented.

Subsequent to the purchase, the Director shall obtain:

(c) such other documents or opinions which the Attorney General may require; and

(d) a written approving opinion from the Attorney General to the effect that all such documents and opinions received by the Director are satisfactory as to form and substance.

An order adopting the above amendment was filed April 2, 1970 as R. 1970 d.34A (Exempt, Internal Rule).

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

TREASURY

**DIVISION OF TAXATION
SALES TAX BUREAU**

Coin-Operated Vending Machines

On June 25, 1970, Sidney Glaser, Acting Director of Taxation in the Department of Treasury, pursuant to authority of N.J.S.A. 54:32B-24.1, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as N.J.A.C. 18:24-37 a new regulation concerning the taxation of receipts from coin-operated vending machines sales under the Sales Tax Act to be effective on and after July 1, 1970, and repealed simultaneously with said adoption N.J.A.C. 18:24-97.6. The new regulation was adopted substantially as set forth in the Notice published June 4, 1970 at 2 N.J.R. 51(b) with the following changes:

I. 1. A.(5)(e) — after the word "location," insert "or the gross receipts derived from the sale of like products at each location."

II. 1. A.(8) — delete the entire paragraph except for the last sentence.

III. A new subsection 3 is added as follows: "This Regulation shall take effect on July 1, 1970."

An order adopting the above regulation was filed June 26, 1970 as R.1970 d.70 to be effective July 1, 1970.

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(b)

DELAWARE RIVER BASIN COMMISSION

**Amendments to Comprehensive Plan
And Basin Regulations On Water Quality**

On March 26, 1970 the Delaware River Basin Commission, pursuant to provisions of the Delaware River Basin Compact, N.J.S.A. 32:11D-1 et seq., adopted a resolution amending its Comprehensive Plan and the Basin Regulations—Water Quality.

The complete text of the resolution follows:
A RESOLUTION to amend the Comprehensive Plan and the Basin Regulations—Water Quality with respect to certain water quality matters.

WHEREAS, public hearings on proposed amendments to the Comprehensive Plan and to the Basin Regulations—Water Quality were held in accordance with the Administrative Manual and after due notice, in Pocono Manor, Pa., on October 22, 1968 (with respect to nondegradation of interstate waters); on January 28, 1970 in Philadelphia (with respect to the definition of secondary treatment and bacterial criteria); and on December 11, 1969 in Philadelphia (with respect to winter overload criteria); and

Whereas, the Commission has considered relevant views and evidence and has consulted with water users and interested public bodies, and has proceeded otherwise in accordance with the Compact; now therefore

BE IT RESOLVED by the Delaware River Basin Commission:

1. Section X of the Comprehensive Plan and Section 2-1.2 of the Basin Regulations—Water Quality are amended by inserting a new subsection to read as follows:

"(2) Nondegradation of Inter-State Waters. It is the policy of the Commission to maintain the quality of interstate waters, where existing quality is better than the established stream quality objectives, unless it can be affirmatively demonstrated to the Commission that such change is justifiable as a result of necessary economic or social development or to improve significantly another body of water. In implementing this policy, the Commission will require the highest degree of waste treatment determined to be practicable. No change will be considered which would be injurious to any designated present or future use. In the implementation of this policy, the Secretary of the Interior will be kept advised and will be provided with such information as he will need to discharge his responsibilities under the Federal Water Pollution Control Act."

2. Section X of the Comprehensive Plan and Section 2-1.5(4) of the Basin Regulations—Water Quality are amended to read as follows:

"(4) Secondary treatment. The removal of practically all suspended solids at all times and the reduction of the biochemical oxygen demand by at least 85 percent, and may include the in-plant control of industrial wastes as prescribed by the Commission."

3. Section 3-3.6 of the Basin Regulations—Water Quality is amended to read as follows:

"Section 3-3.6. BOD Reduction. The 85 percent minimum BOD reduction for secondary treatment will be determined by an average of samples taken over each period of 30 consecutive days of the year. It is recognized that optimum efficiency may not be achieved with certain secondary treatment facilities during the colder months. A slight deviation may be permitted by the Commission when it results from reduced plant efficiency caused by temperatures below 59° F (15° C)."

4. Section 3-3.11(2)(iii) of the Basin Regulations—Water Quality is amended to read as follows:

"Section 3-3.11(2)(iii). Allowable Variations. The number of pounds in the discharge permitted by the allocation will be determined by an average of samples taken over each period of 30 consecutive days of the year. It is recognized that optimum efficiency may not be achieved with certain secondary treatment facilities during the colder months. A discharge exceeding the allocation may be permitted by the Commission when it results from reduced plant efficiency caused by temperatures below 59° F (15° C), provided that the pounds

discharged by any individual discharger shall not exceed its allocation by more than an average of two-thirds over any consecutive ten days."

5. Section X of the Comprehensive Plan and the Basin Regulations—Water Quality are amended to read as follows:

A. Section 2-2.4 is amended by the addition of a new subsection:

"K. Fecal coliform - not to exceed 200 per 100 milliliters as a geometric mean; samples shall be taken at such frequency and location as to permit valid interpretation."

B. Table II-1 is amended by adding a new stream quality objective "K" in column (3) for all zones.

C. (1) Section 2-3.2(3) is amended by the addition of a new subsection:

"1. Fecal coliform. Maximum geometric mean of 200 per 100 milliliters above R.M. 117.81 and 770 per 100 milliliters below R.M. 117.81; samples shall be taken at such frequency and location as to permit valid interpretation."

(2) Section 2-3.3(3) is amended by the addition of a new subsection:

"1. Fecal coliform. Maximum geometric mean of 770 per 100 milliliters; samples shall be taken at such frequency and location as to permit valid interpretation."

(3) Section 2-3.4(3) is amended by the addition of a new subsection:

"k. Fecal coliform. Maximum geometric mean of 770 per 100 milliliters; samples shall be taken at such frequency and location as to permit valid interpretation."

(4) Section 2-3.5(3) is amended by the addition of a new subsection:

"j. Fecal coliform. Maximum geometric mean of 770 per 100 milliliters; samples shall be taken at such frequency and location as to permit valid interpretation."

(5) Section 2-3.6(3) is amended by the addition of a new subsection:

"k. Fecal coliform. Maximum geometric mean of 200 per 100 milliliters; samples shall be taken at such frequency and location as to permit valid interpretation."

6. This resolution and the amendments effected thereby shall constitute a revision and amendment of the Water Quality Standards heretofore filed by the Commission and approved by the Secretary of the Interior. The Executive Director is authorized and directed to forward to the Secretary, through the Federal Water Pollution Control Administration, one or more true copies of this resolution for such review and approval as is required under federal law and regulations.

7. The Secretary to the Commission is authorized and directed to file copies of this resolution with the signatory parties, in accordance with their respective laws and practices relating to administrative rules and regulations.

A copy of the above resolution was filed June 22, 1970 as R. 1970 d. 69 (Exempt, Exempt Agency Rule).

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(c)

PORT OF NEW YORK AUTHORITY

**Teterboro Airport Rules
And Regulations Revised**

On January 8, 1970, the Committee on Operations of the Port of New York Authority adopted a resolution promulgating rules and regulations for the operation of Teterboro Airport and a resolution amending the rules and regulations governing the operation of the Port Authority air terminals.

Copies of these resolutions were filed January 23, 1970 as R.1970 d.14 (Exempt, Exempt Agency Rule).

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

(d)

PORT OF NEW YORK AUTHORITY

**Public Vehicular
Parking Rates Revised**

On April 2, 1970, the Committee on Operations of the Port of New York Authority, adopted a revised schedule of rates for the public vehicular parking area at the Port Authority Bus Terminal as follows:

0 - 1 hour	\$1.25
1 - 2 hours	2.00
2 - 3 hours	2.25
3 - 4 hours	2.50
4 - 10 hours	2.75
10 - 11 hours	3.00
11 - 13 hours	3.50
13 - 24 hours	4.00
Over 24 hours	0.50 for each hour or part to a maximum of \$4.00 for each 24 hour period.

A copy of the revised schedule of rates was filed April 28, 1970 as R.1970 d.43 (Exempt, Exempt Agency Rule).

Melvin E. Mounts
Rules Analyst
Division of Administrative Procedure
Department of State

**STATE NEWS OF
PUBLIC INTEREST**

A change in the method of enforcing the inspection program to maintain proper housing standards for apartments and hotels is being adopted by the State.

Basically, it will cite violations against a housing unit as a whole, rather than against various specific and often unrelated individual conditions within the unit.

Author of the new approach is Schuyler Jackson, Director of the Division of Housing and Urban Renewal in the Department of Community Affairs. He has discussed the change with State Supreme Court Judge William Kingfield, who hears the Division's housing cases in Mercer County.

Jackson, himself an attorney, notes that enforcement activity by the Division is on the increase and, as a result, more clients—and their attorneys—can expect to become involved.

He admits that the new procedure may substantially reduce the amount of a claim the state will make against any owner for a poorly-maintained building. But he adds that the approach "should be easier to use, fairer to the owner of buildings cited, and more readily accepted by the courts than the present enforcement procedure."

In the past, a building owner named as a defendant was liable for penalties for each individual violation for which he was cited. Under the new approach, he would be liable for only one penalty for each housing unit found in violation. This could include penalties for permitting common areas such as hallways and lobbies, exteriors, building structure, or support systems such as electricity and heating, to fall below minimum standards, Jackson points out.

The legal basis for the enforcement practices of the state are in the Hotel and Multiple Dwelling Health and Safety Law (N.J.S.A. 55:13A-1 et seq.). This 1967 law made New Jersey the only state with mandatory standards for multiple dwellings and hotels and a state-supported inspection enforcement program, Jackson points out—a jurisdiction that covers an estimated 115,000 buildings.

The law requires that all such buildings be inspected regularly—hotels once a year and multiple dwellings once every five years. The effectiveness of the program has come through cooperative agreement with localities under grant-in-aid assistance, Jackson says. To date this has included almost 70 municipalities, including all major cities but Atlantic City.

(A detailed description of the program was in the January, 1970 issue of the "Journal of Housing," copies of which may be obtained from the Division. An expanded explanation of the new approach written by Jackson, along with legal citations, is in the just-issued June edition of "Community," a publication of the Department of Community Affairs. Copies of either or both publications are available on request to the Division of Housing and Urban Renewal, Post Office Box 2768, Trenton, New Jersey 08625.)

Jackson outlined the new approach in an 11-page letter sent May 22 to Judge Kingfield. In it, he asserted that the purpose of housing was to provide a "safe and healthy living environment" for its occupants, and that the importance of a violation was its effect upon the "functional ability of housing to serve its purpose."

"With this approach," Jackson said, "it is totality of violating conditions upon which a judgment is made whether the owner of property is failing to maintain a proper living environment for occupants."

Present enforcement proceedings, he said, involve "long lists of items, any one of which could, if isolated, be considered trivial or petty." He said that judges, as well as administrators, inspectors and property owners, were hard to persuade of the fairness of "substantial penalties" for such itemized violations.

Under the new approach, "inspections will be conducted to ascertain whether conditions exist which cause common areas, dwelling units and exteriors to fall below minimum standards and thereby create a housing environment which is detrimental to residents and the public."

"Inspection reports and orders will therefore cite specific conditions as evidence that a particular unit is itself in violation, and the penalty assessed will be based upon the finding that the unit is in violation and not the cumulative value of individual citations supporting that finding."

"For this reason the overall objective of the program, that is, to obtain compliance, will be more consistently achieved and will fully offset any reduction in penalty revenue that may result," he concluded.

Jackson adds that the Division will continue to encourage compliance short of court action and will grant owners liberal extensions of time to correct conditions that present no immediate hazard.

**NEW APPROACH
TO HOUSING
INSPECTIONS**

MAJOR BIDS DUE ON ROUTE 78 WORK AT NEWARK AIRPORT INTERCHANGE

Transportation Commissioner John C. Kohl has called for bids on three multi-million dollar contracts to build about two more miles of Interstate Route 78 in the vicinity of the Newark Airport interchange.

The first project has a bid opening date of July 16 in the department's Trenton headquarters building and will cover 1.59 miles from the vicinity of McClellan Avenue along the westerly border of the airport to Route U.S. 22.

The work will involve grading, paving and incidental structural alterations. The project will continue the huge program, upon which \$41.5 million has already been spent, moving toward completion the airport interchange of 78 with Route U.S. 1 & 9, Route 21, Route 22 and the Turnpike, Kohl said.

This contract is scheduled for completion by September 15, 1972. The state and federal governments and the Port of New York Authority will participate in the cost.

The Port Authority, involved because connections will be needed for the future main airport terminal facilities now being built, will pay about 26 percent of the project. The federal and state governments will share the remaining 74 percent of the cost: 50-50 for the Route 1 & 9 work, and 90 federal-10 state for the Route 78 portion of the job.

Limits of the second Route 78 project with a bid date of July 25, extend from Elizabeth Avenue easterly to within 320 feet of Frelinghuysen Avenue, a distance of less than 1,100 feet.

Work on the project consists of grading, and the construction of six bridges to carry the future mainline of Route 78 and ramps over the Lehigh Valley Railroad tracks. To be financed with 90 percent federal and 10 percent state funds, it is scheduled for completion by June 9, 1972.

Yet a third contract on which bids will be opened July 16 will fill a construction gap on the interstate freeway from west of Frelinghuysen Avenue to the year-old viaduct over the Penn Central Railroad's Waverly Yards, a distance of 1286 feet.

Work to be performed under this contract includes site clearing, demolition of buildings, roadway excavation, drainage, temporary and permanent chain link fencing and construction of a viaduct.

The Frelinghuysen viaduct will be 787 feet long and more than 200 feet wide with seven spans varying in length from 110 to 126 feet.

The structure will require almost six million pounds of structural steel, more than one and three-quarters million pounds of reinforcing steel and 9,400 cubic yards of concrete. Almost three and one-half miles of cast-in-place concrete piles and 13 miles of treated timber pilings will provide the foundation support for the entire viaduct.

There will be no traffic restriction on Frelinghuysen Avenue during construction. The contractor will be required to keep the full width of the roadway open to traffic at all times.

The viaduct is expected to carry more than 125,000 vehicles daily.

With these three contracts there will be 16.3 miles of Route 78 under construction, 35.9 miles open to traffic (with the possibility of an additional 7.2 miles in Somerset County opening this summer), 11.6 miles in various design stages and 2.4 miles on the extreme western end of the route in preliminary study.

Interstate 78, 66.2 miles long in New Jersey, will provide an express highway for transcontinental traffic crossing the state from Phillipsburg to the Newark metropolitan area and the Holland Tunnel. Projected total cost is currently pegged at more than \$322 million.

JULY 29 DEADLINE FOR FARMERS TO FILE NON-PAYMENT CLAIMS

New Jersey farmers who have not been paid for agricultural commodities purchased from them during the past year by licensed dealers in farm products have until July 29 to report this to the State Department of Agriculture.

Claims filed after that date cannot be accepted under provisions of the state law which governs licensing of agricultural dealers, according to Paul W. Schmetzer, chief, Bureau of Licensing and Bonding.

Farm products covered by the law are eggs, live poultry, fruit, vegetables, hay, grain and straw. The July 29 deadline applies to purchases from May 1, 1969 to April 30, 1970.

Growers who have inquiries may write or telephone Schmetzer at N. J. Department of Agriculture, P.O. Box 1888, Trenton, N. J. 08625; telephone (609) 292-5510.

SEVEN-MILE SECTION OF CANAL TOWPATH OPENS NEAR PRINCETON

Ceremonies were held in Kingston last month opening a portion of the Delaware and Raritan Canal towpath between Griggstown and Princeton for expanded recreation.

Richard J. Sullivan, Commissioner of the New Jersey Department of Environmental Protection, noted that "this marks completion of the first phase in a program initiated last summer by the Department's Division of Parks, Forestry and Recreation to enhance the canal's recreational potential." Joseph J. Truncer is Director of the Division.

The project included grading a seven-mile stretch of the towpath and construction of a canoe landing and ten-car parking lot at Kingston. Similar improvements are scheduled for the entire length of the towpath from Princeton to New Brunswick.

The area is now open for the enjoyment of hikers, bikers and canoeists.

STATE NEWS OF PUBLIC INTEREST

PUC MAY TIE RATE CHANGES TO UTILITIES' SERVICE RECORDS

Public utilities in New Jersey may be rewarded for superior service records and penalized for inferior or mediocre service, according to William E. Ozzard, President of the New Jersey Board of Public Utility Commissioners. He revealed the new approach in a talk last month before a New Jersey Utilities Association meeting.

Mr. Ozzard said: "The Board has, in several cases, denied rate hikes to companies until such time as materially improved service could be demonstrated. This is a trend which we expect to continue. You may find that utilities with superior service records will be rewarded and compensated with approval for higher rates of return.

"Conversely, companies with inferior or mediocre service standards might be penalized through lower than normal rates of return, rate hikes conditioned on changes or loss of a portion of their franchise."

The PUC head also told the utility company executives that the Board remains opposed to the granting of interim rate relief under bond. This system, used mainly by federal commissions, grants rate hikes to utilities before formal hearings begin, and utilities post a bond intended to repay their customers should the final rate grant be lower than the interim grant.

Critics of the system point out that interim hikes under bond are rarely reduced later because of the technical problems, and customers are rarely totally reimbursed for extra costs under this system, Mr. Ozzard said.

He indicated that only in cases where the company's financial condition is so precarious as to threaten public convenience and necessity, would interim rate relief be granted before hearings begin and proofs are entered into the record.

"However," he cautioned, "such interim rate relief will be based solely on facts and figures already in the record of the proceeding and will not include items that are in controversy between the company and rate counsel."

Mr. Ozzard said that plans are being made to speed up rate cases and that the utilities could cooperate by bringing their problems to the Board's attention earlier than they are now doing.

PUC GRANTS INTERIM RATE RELIEF TO TWO PUBLIC UTILITY FIRMS

The New Jersey Board of Public Utility Commissioners late last month granted interim rate relief to Jersey Central Power and Light Company and New Jersey Power and Light Company, the New Jersey subsidiaries of General Public Utilities.

Jersey Central Power & Light was granted 49.6 per cent of their original request, which will produce \$6,300,000 additional annual revenue. New Jersey Power and Light was granted 4 per cent of their original request, or \$2,700,000 additional revenue.

The new rates go into effect ten days after the two companies file a new schedule of rates with the board. In the meantime, the board will continue to hear the original rate application in which the two companies requested approximately \$18,000,000 additional annual revenue.

Should the continuing hearings result in a decision that the companies are entitled to less than the amount authorized in this interim decision, the excess amount will have to be refunded to the customers.

The decision of the board stated: "We grant interim relief with the full expectation that the petitioners will, on their part, promptly meet their full obligation and commitment to their customers who comprise a significant segment of the population of the State of New Jersey."

The board based its interim decision on evidence that the electric utilities' earning power was insufficient for them to continue to borrow the money that they needed to continue expansion of essential services in the 12 New Jersey counties in which they operate.

The board noted that lack of debt coverage had resulted in a planned construction cutback and that the two companies were, at present, incapable of meeting peak demands for service.

Determining that continued expansion of generating capability was absolutely essential to the public convenience and necessity, the board found that a need for interim relief therefore existed.

The financial condition of the companies was described in some length in the decision and the board noted its concern that customers of these utilities would experience forced outages, load shedding, brownouts and perhaps blackouts if increased generating capacity were not made possible through increased financing and construction.

The board further noted that while the two companies are part of the Pennsylvania-New Jersey-Maryland power pool, it could not be expected that this pool would continue to make up for power deficiencies in their service area for an indefinite period of time. This would place the customers of the GPU affiliates in the position of having less service than customers of other power utilities in the state.

The two companies serve municipalities in Sussex, Warren, Hunterdon, Somerset, Morris, Passaic, Mercer, Middlesex, Monmouth, Ocean, Union and Burlington Counties.

370,000 "DISADVANTAGED YOUTHS" OFFERED RECREATION, CULTURAL TRIPS

Commissioner Richard J. Sullivan of the State Department of Environmental Protection has announced \$485,000 in direct grants to 52 youth-serving agencies to provide many "disadvantaged youth" an opportunity to participate in recreational and cultural trips throughout the summer.

As a result, over 370,000 disadvantaged youth from all areas of the state will enjoy one-day trips to recreational and cultural facilities in New Jersey and metropolitan New York and Philadelphia, he said.

Commissioner Sullivan noted an overwhelming response to the program as evidenced by grant requests in excess of \$700,000. "It is the goal of this program not to deny any youngster in our state an opportunity to expand his horizons through a visit to a recreational area that he could not otherwise afford," he explained.

As in the past two years, all New Jersey's State Parks and Forests will welcome disadvantaged children by waiving all parking and admission fees as more than 3,000 buses visit them. Opportunities will range from ocean bathing at Island Beach State Park, to historic and educational tours at Batsto in the Wharton Tract, to swimming and nature hikes among the forests and mountain lakes at High Point State Park.

Additional recreation facilities are being made available at Palisades Interstate Park, federal, county and municipal parks and private recreation centers.

Cultural enrichment opportunities will be provided by visits to the Garden State Arts Center, the Newark Museum, the Cultural Center at the State Capitol in Trenton, New York and Philadelphia Metropolitan Museums of Art and Natural History, Turtle Back Zoo, Bronx Zoo and other centers.

Arrangements have been made for sports visits, including New York Yankees, New York Mets and Philadelphia Phillies baseball games and to the New York Giants and New York Jets football training camps.

Participation in the "Youth Conservation Program" is available to all disadvantaged youth upon application by a local sponsoring agency. Sponsoring organizations are responsible for adequate supervisors and counselors to accompany all groups and for incidental costs.

DRUG EDUCATIONAL PROGRAM FOR SECONDARY SCHOOLS UNDER WAY

The first part of a three-phase drug education program for New Jersey secondary school teachers and students begins this week.

Dr. Carl L. Marburger, state education commissioner, says that the program, established and funded by an act of the State Legislature, will make drug education part of health education curriculums by early next year.

A group of teacher-instructors will be trained this summer, and they, in turn, will train other teachers in the local school districts this fall. Each school district with secondary school grades will have incorporated drug education in its health curriculum on, or shortly after, January 15, he explained.

The program began Monday with the start of an intensive three-week teacher training program at three sites, the New Jersey College of Medicine and Dentistry in Newark, Rutgers University in New Brunswick and Rutgers of South Jersey in Camden.

Some 80 teachers are being trained in daily 9:30 a.m. to 3 p.m. sessions. The teachers will receive stipends of \$150 a week.

In the second phase of the program, the summer-trained teachers will conduct workshops in the local school districts, primarily for teachers in grades 7 through 12. The workshops will consist of eight 90-minute sessions and must be completed by December 15.

The third phase will consist of actual presentation of the program to students in the classroom, for the most part in grades 7 through 12. In some cases, students in grades 5 and 6 may participate.

SOME 300 EDUCATORS TO SERVE ON SCHOOL IMPROVEMENT TEAMS

have been chosen by the State Department of Education to serve on teams of field consultants in a new state undertaking to help local school systems improve their educational programs.

Robert H. Seitzer, assistant state education commissioner in charge of the Division of Curriculum and Instruction, says the department plans to begin the new activity this fall and to work with a limited number of school districts during the next school year. Several districts already have indicated they want to participate.

The effort is to provide a team approach in helping a district assess needs and problems in its educational program and then helping strengthen the program. A district initially will conduct a self-study, after which a visiting team will review the study and provide expert help in the determination of needs. A follow-up team will then work with the district to help bring about improvement.

The 12 areas to be covered are: science, mathematics, foreign languages, pupil personnel services, urban education, art, humanities, social studies, elementary education, language arts, physical education and instructional material media.

Each team will be headed by a staff member of the Division of Curriculum and Instruction and will include a number of the field consultants. These are educators with expertise in separate subjects or program areas. For each area there are approximately 25 educators, including teachers, supervisors, administrators, and college personnel.

ADDED RESEARCH AID TO BUSINESS IS AIM OF EXPANDED OFFICE

An expansion of research and statistical services provided to state business and industry is the function of a new office in the State Department of Labor and Industry, according to Commissioner Charles Serrano.

The Office of Business Economics in the Division of Planning and Research of the Department has been set up to coordinate and expand such services, the Commissioner says.

"It will provide new information to aid business and industry in both their day-to-day operations and in planning for future growth," he promises.

The new office replaces the former Bureau of Research and Statistics in the Division of Economic Development, which was recently transferred to Labor and Industry from the now-defunct Department of Conservation and Economic Development.

(Most of the other functions of the conservation department were made part of the new Department of Environmental Protection at the same time. See 2 N.J.R. 37 (a).)

Arthur J. O'Neal Jr., Director of the Division of Planning and Research, notes that the new office will work closely with the Division of Economic Development, likewise now in the department, as well as with the Economic Development Council and the Governor's Economic Policy Council.

Henry A. Watson, 47, chief of the former research unit since last September, continues as head of the office. Prior to joining the state, he was regional economist for the Federal Reserve Bank of Philadelphia. A graduate of the University of the Americas in Mexico, Watson has B.A. and M.A. degrees, and experience in international, industrial and business economics. He is a Haddonfield resident.

Among functions of the office are publication of "New Jersey Economic Indicators," special economic studies, plant location information, regional economic analyses, studies of construction trends, and evaluation of legislation affecting business and industry.

It will conduct monthly building permit surveys, prepare current population estimates, projections and studies, serve as the State's liaison with the U.S. Bureau of the Census and establish closer cooperation with the U.S. Department of Commerce.

TEN MORE AIR CONDITIONED CARS GO ONTO THE CENTRAL'S MAIN LINE

Ten additional air conditioned cars were assigned last month by the State to the Main Line of the Central Railroad of New Jersey to provide improved service on six trains.

The completely refurbished coaches are among 48 used passenger cars obtained from railroads throughout the nation as part of the State's program of interim improvements until all new equipment can be acquired, according to Transportation Commissioner John C. Kohl.

They bring to 20 the total number of air conditioned cars for the Main Line, with 17 others operating on the railroad's New York & Long Branch service.

The first ten of these coaches went into Main Line service on two trains last July to provide summer comfort for more than 1,800 passengers. With the added equipment, over 4,100 of the Main Line's approximately 10,400 daily passengers have air conditioned cars.

The improved service is made possible by conversion of the coaches to push-pull operation, thereby eliminating the need to shift the engine from one end of the train to the other for the return trip.

Satisfactory operation of the air conditioning equipment and dependability are assured with the completion of battery charging facilities at the railroad's train storage yards in Harrison.

This installation is intended to furnish the power required to cool the trains before they begin their runs and to provide more dependable service by preventing the batteries in the cars from running down.

Both the conversion to push-pull and the battery charging facilities were financed under the State's interim improvement program.

ROUTE 80 CONNECTIONS WITH TWO OTHER INTERSTATES IS PART OF NEW CONTRACT

The Department of Transportation announced an apparent low bid of \$15,978,641 from The Conduit & Foundation Corp., Philadelphia, Pa., and The Mal-Bros. Contracting Co., West Caldwell, in a joint venture, on a key contract to complete construction of a 3.3 mile stretch of Interstate Route 80 and link the superhighway with Interstate Routes 287 and 280 in Morris County.

Limits of the latest Route 80 project extend from a Parsippany Road relocation easterly to a point beyond Edwards Road, Parsippany-Troy Hills. Work on the freeway includes grading, mainline paving and the building of bridges.

At the western terminus of this project, the Routes 80-287-46 interchange is partially complete and Route 287 is open to traffic through the interchange. Under this contract, the mainline of Route 80 and all its permanent connections with the other routes and local roads will be built. To accomplish this, six bridges will be constructed as part of the Route 80 work in the interchange area.

This newest contract, to be financed with 90 percent federal and ten percent state funds, is scheduled for completion by the close of 1972.

When it gets underway there will be 27.2 miles of Interstate Route 80 under construction, 32.2 miles open to traffic and 8.7 miles in various design stages.

Interstate Route 80, 68.1 miles long in New Jersey, is a 2,899-mile-long transcontinental freeway that will link New York City and San Francisco with the safest type of highway yet designed, entirely free of cross traffic and traffic signals.

STATE NEWS OF PUBLIC INTEREST

JAHOS RETURNS TO HEAD NEW CRIME-FIGHTING UNIT

A former assistant attorney general with broad experience in criminal prosecution has returned to Trenton to head the new Division of Criminal Justice, New Jersey's principal crime-fighting arm.

He is Evan W. Jahos, who twice in the last decade left state government for private practice, but who last month accepted appointment as Director of the new, more powerful agency under Attorney General George F. Kugler, Jr. The post pays \$34,670 a year.

The recently-enacted anti-crime legislation gave the Attorney General's office far broader powers to oversee operations of county prosecutors. This, plus rising public interest in and support of anti-crime measures were major factors in his decision, says the 41-year-old lawyer.

Taking office June 15, Jahos is now "looking for top people" to be part of the new division. And once it is functioning, "I hope to apply some fresh thinking to old problems," he says.

"You can never have effective law enforcement unless public opinion is behind you, and the public is interested in it now," he feels. "Law enforcement today in New Jersey is a new ball game."

Jahos has been a municipal judge in Fair Haven Borough and Millstone Township. He was acting prosecutor of Atlantic County in 1966 and 1967 and for two short periods while with the state served as acting prosecutor in Ocean and then Somerset Counties.

His state career began as summer law clerk for former Attorney General David D. Furman and continued full-time in 1959 when he received his law degree from Rutgers University. He was a deputy state attorney general assigned to the criminal section for three years.

Returning to Trenton in 1964 after two years in private practice, he served another two years as assistant attorney general and director of the Criminal Investigation Section, which has been incorporated into the new criminal justice division he now heads.

A resident of Fair Haven, married and with two children, Jahos was graduated with a B.A. from Princeton University in 1951. He is active in community affairs and is commanding officer of his Sandy Hook Coast Guard reserve unit with the rank of commander.

DR. SHINE TO SUCCEED GROEZINGER AS ASSISTANT EDUCATION COMMISSIONER

After 11 years directing the Division of Controversies and Disputes, Eric Groezinger, Assistant Commissioner of Education, will retire Sept. 1.

The State Board of Education approved the retirement last month, along with the appointment by Education Commissioner Carl L. Marburger of Dr. William A. Shine to succeed Groezinger at a \$21,559 annual salary. Dr. Shine, 42, has been Burlington County superintendent of schools the past three years.

Edward O. Glaspey, assistant director in the division, who, like Groezinger, is 61 years of age, will likewise retire as of Sept. 1.

Other changes in the Education Department approved at the same time were the retirement of Dr. Clyde Weinholt, director of adult and continuing education, and the resignations of Dr. Donald R. Geddis, executive assistant in the Division of Business and Finance, and Mrs. Florence Foster, coordinator of early childhood education. All three will continue active in the educational field.

Groezinger has directed the activities of the division charged with matters of school law and served as its chief hearing officer since May, 1959. Prior to that he had been the Department's director of school building services and Hunterdon County superintendent of schools. He will continue part-time as secretary of the Flemington-Raritan Board of Education in Hunterdon County.

Glaspey, with the state for ten years, will join the faculty at Glassboro State College as a part-time teacher of school law.

Dr. Shine, incoming assistant commissioner, served part-time in the Division during the past school year when illnesses required additional help.

A graduate of Iona College, New Rochelle, N.Y., he earned his master's and doctor's degrees in education at Rutgers University. He had been a teacher, principal and high school superintendent before becoming county superintendent in 1967. Married and with two children, he lives in Medford Lakes.

HERBERT SCHMIDT NEW CHIEF, BUREAU OF POULTRY SERVICE

Herbert L. Schmidt of Flagtown (Somerset County) has been appointed chief of the Bureau of Poultry Service in the New Jersey Department of Agriculture, by the State Board of Agriculture.

The appointment fills a vacancy created by the retirement in December, 1968, of J. Clifton Lambert, Jr., of Trenton.

Schmidt joined the department staff in July 1968 as a farm products marketing representative. Prior to that time he had been a poultry feed sales representative for a commercial company. He is a graduate of Rutgers College of Agriculture, where his major subject was poultry science.

The board also appointed several members of the five farm products promotion councils of the department.

ALLOWAY NAMED PRESIDENT OF CIVIL SERVICE COMMISSION

Completion of the Cabinet of Governor William T. Cahill came early last month with confirmation by the State Senate of James A. Alloway as President of the New Jersey Civil Service Commission.

He was sworn in as a member and as president of the Commission on June 12 at a family ceremony presided over by Governor Cahill in his executive offices in the State House. The post pays \$38,000.

Mr. Alloway, 40, had been director of the Division of Local Finance in the State Department of Community Affairs since coming with the government in 1967.

In naming him, the Governor remarked on the importance of the position. Said he:

"Jim Alloway is an outstanding example of that old saying, 'Hard work and honest effort pay off.' He has been given one of the most difficult assignments in State Government today, and that is to bring about efficient, economic and meaningful government.

"He was picked for his personal ability and not his political persuasion. I picked Jim Alloway, a State employee, because I felt that State employees would have more confidence in a fellow State employee.

"I want you to know that the Chief Executive of New Jersey is desirous of improving the lot of State employees and that we have a real interest in improving their way of life. We hope that in the future we will be able to give more tangible signs of this interest."

Responding, Commissioner Alloway termed his appointment "an honor and a challenge."

"I look forward to working with Departmental personnel in carrying out the Department's constitutional mandate and in furthering the professionalization of the public service in State Government and those local governments operating under the New Jersey Civil Service act.

"I hope to work closely with appointing authorities, employees, and employee groups in carrying out the duties of my office . . . and in bettering the Civil Service image with all operating departments."

Attending the swearing-in ceremony were his wife and three children, his mother-in-law Mrs. George Young, Civil Service and Community Affairs Department personnel, members of the Cabinet and friends.

Born in Erie, Pa., the new Commissioner received a B.A. degree from Grove City College, Pa., and a Masters of Government Administration from Wharton Graduate School at the University of Pennsylvania. He served for two years until 1953 in the U.S. Marine Corps, rising from private to captain.

As Director of the Division of Local Finance, Mr. Alloway had the responsibility for the fiscal management of 567 municipalities and the 21 counties of the State. The Division had the responsibility for enforcing State laws on budget format, preparation, control, and audit of over two billion dollars annually.

He completely reorganized the Division, upgrading the fiscal management procedures of the local governments of the State from the practices of the 1930's to the systems, procedures, and equipment of the 1960's.

Earlier he had served as Business Administrator of Woodbridge, Elizabeth, and Edison, and as chief fiscal officer in Fair Lawn.

Commissioner Alloway resides with his wife Ruth and three children at 176 Stafford Road, Colonia. He is active in numerous civic, social, and professional organizations and has traveled extensively throughout the United States and the world.

SLATER TAKES OVER TOP POST FOR PUBLIC TRANSPORTATION

Transportation Commissioner John C. Kohl has announced the appointment of Nelson Slater of Far Hills as Assistant Commissioner for Public Transportation. He took office June 15 at a \$28,700 annual salary.

Slater, 46, has had 19 years of varied experience in highway, rapid transit and railroad projects with Coverdale & Colpitts, New York consulting engineers, most recently as Senior Staff Engineer.

While with Coverdale & Colpitts, he participated in the study which led to formation of the New York City Transit Authority, and assisted in the former Metropolitan Rapid Transit Commission's study for development of New Jersey and New York commuting facilities.

He participated in the financial evaluation of the Hudson and Manhattan Railroad prior to its acquisition by the Port Authority Trans-Hudson Corp., extension of New York's Second Avenue subway into downtown Manhattan, Baltimore & Ohio and Western Maryland Railroad merger, and the merger of Atlantic Coast Line with Seaboard Air-Line Railroad.

He worked closely with the New Jersey Highway Authority, New Jersey Turnpike Authority and Delaware River Port Authority in preparation of financial analyses for the sale of bonds.

Slater was graduated from the Massachusetts Institute of Technology in 1950 with a B.S. degree in business and engineering administration.

Slater has been secretary of the Bedminster Township Board of Adjustment and on the Township Planning Board for ten years. He is a member of the American Society of Mechanical Engineers.

He lives in Far Hills in Somerset County with his wife Joy, son Samuel, 19, a junior at the University of Pennsylvania, and daughter Joy, 16, attending Foxcroft School, Middleburg, Va.