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THE NEW JERSEY REGISTER

Vol. 2—No. 8

NEW JERSEY, THURSDAY, AUGUST 6, 1970

2 N.J.R. 61



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
John K. Barnes, Editor

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THURSDAY, AUGUST 6, 1970

NOTICE OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

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

(a)

AGRICULTURE

DIVISION OF AGRICULTURAL CHEMISTRY

Proposed Commercial Fertilizer And Soil Conditioner Regulations

The State Board of Agriculture at its meeting on July 30, 1970, proposed to repeal the existing regulations governing commercial fertilizers, and to adopt in place thereof new regulations to be designated N.J.A.C. 2:69-1 through 2:69-12 in order to implement the New Jersey Commercial Fertilizer and Soil Conditioner Act of 1970, P.L. 1970, c. 86 (N.J.S.A. 4:9-15.1 et seq.).

Copies of the proposed regulations may be obtained from:
Delmar K. Myers, Director
Division of Agricultural Chemistry
Department of Agriculture
Post Office Box 1888
Trenton, New Jersey 08625
Telephone (609) 292-5733

Interested persons may present statements or arguments orally, in person, or by telephone, relevant to the proposed action, on or before August 27, 1970, to Director Delmar K. Myers at the above address.

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

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(b)

COMMUNITY AFFAIRS

THE COMMISSIONER

State Plumbing Code Amended

On June 30, 1970, Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-21, 52:27C-54 and 13:1B-7, and in accordance with

applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the Plumbing Code of New Jersey (Part E of the Standard Building Code of New Jersey), substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 46(b).

An order adopting these amendments was filed and effective July 1, 1970 as R. 1970 d.79.

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

(c)

COMMUNITY AFFAIRS

DIVISION OF LOCAL FINANCE

LOCAL FINANCE BOARD

Proposed Capital Budget Manual

The Local Finance Board of the Division of Local Finance in the Department of Community Affairs, pursuant to authority of N.J.S.A. 52:27BB-10, proposes to adopt a Capital Budget Manual in order to provide detailed rules and regulations pertaining to the adoption of municipal capital budgets.

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

Copies of the proposed manual may be obtained from:

Mrs. Helen Mathews
Secretary, Local Finance Board
Division of Local Finance
28 West State Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action to the Division of Local Finance at the above address on or before September 1, 1970.

The Local Finance Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposed regulations without further notice.

Joseph N. Ehret
Chairman, Local Finance Board
Division of Local Finance
Department of Community Affairs

(d)

COMMUNITY AFFAIRS

DIVISION OF STATE AND REGIONAL PLANNING

Continuing Planning Assistance Program Regulations

On June 30, 1970, Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-3, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed the existing regulations in Chapter 41 of Title 5 of the New Jersey Administrative Code governing the Continuing Planning Assistance Program and adopted therefor new regulations substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 39(b).

An order repealing the existing regulations and adopting the new regulations was filed and effective July 6, 1970 as R.1970 d.81.

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

(e)

COMMUNITY AFFAIRS

DIVISION OF STATE AND REGIONAL PLANNING

Federal-Aid Project Notification And Review System Regulations

On July 6, 1970, Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-3, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed the existing regulations of Chapter 42 of Title 5 of the New Jersey Administrative Code governing the Federal-Aid Project Notification and Review System and adopted therefor new regulations, substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 46(d).

An order repealing the existing regulations and adopting the new regulations was filed July 9, 1970 as R. 1970 d.83, to be effective July 15, 1970.

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

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(f)

COMMUNITY AFFAIRS

DIVISION OF STATE AND REGIONAL PLANNING

Proposed Regulations On Planned Unit Developments

Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-3, proposes to adopt as Chapter 44 of Title 5 of the New Jersey Administrative Code rules governing the filing with the Division of State and Regional Planning of copies of the plan and application for tentative approval of a planned unit development pursuant to Section 5(b) of the Municipal Planned Unit Development Act of 1967, N.J.S.A. 40:55-59(b). The proposed Chapter 44 reads as follows:

CHAPTER 44. PLANNED UNIT DEVELOPMENTS

FOREWORD:

The Municipal Planned Unit Development Act of 1967 (N.J.S.A. 40:55-54 et seq.) authorizes municipalities to provide for a more sophisticated method of control of land development and land use, the "planned unit development" (P.U.D.). Planned unit development allows more variety in use, lot and building dimensions, and density of population between lots in the same district than conventional zoning. Zoning objectives are safeguarded through control of development on an area-wide rather than on a lot-by-lot basis, according to an approved plan based on certain standards promulgated in the planned unit development ordinance.

Because planned unit development requires more sophisticated design and control than is presently in force in many municipalities, there is need for referral to both public agencies and consultants with experience in this field. In addition, especially in large developments which may unintentionally be located so as to adversely affect State plans or facilities, referral to the State agency charged with comprehensive planning is advisable.

5:44-1. Planned Unit Developments Subject to Filing Procedures.

A "planned unit development" which is the subject of these regulations is a development authorized by a municipal ordinance enacted pursuant to the Municipal Planned Unit Development Act of 1967, and is defined by law as "an area of land controlled by a landowner, to be developed as a single entity, for a number of dwelling units, including commercial and industrial uses, if any, the plan for which does not correspond in lot size, bulk or type of dwelling or commercial or industrial use, density, lot coverage, and open space to the regulations established in any one or more districts created, from time to time, under the provisions of a municipal zoning ordinance enacted pursuant to Revised Statutes 40:55-30 et seq."

5:44-2. Filing Planned Unit Development Applications for Tentative Approval with Division of State and Regional Planning.

Section 5 of the Municipal Planned Unit Development Act (1967) requires that an application for tentative approval of the plan of a planned unit development shall be filed

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Planned Unit Developments—continued

by the landowner with the local official designated to receive such applications in the planned unit development ordinance. A copy of the plan and said application shall also be filed with the Division of State and Regional Planning.

The copy of the plan and application should be filed with the Division immediately after filing the same with the municipal official designated in the ordinance.

5:44-3. The following information or statements should be included in the copy of the plan and application sent to the Division:

1. The date of filing or proposed filing of the plan with the appropriate municipal officials, and the proposed date of the hearing thereon if known.

2. The plan and application should include maps and text indicating:

a. the location and size of the site, with a vicinity map.
b. the nature of the land owners interest in the site.
c. the density of land use to be allocated to the parts of the site to be developed.

d. the location, dimensions and size of any common open space and the form of organization proposed to own and maintain it.

e. the use and approximate height, bulk and location of buildings and other structures.

f. a summary of proposals for disposal of sanitary waste and storm water, with information as to their feasibility.

g. the substance of covenants, easements or other proposed restrictions on use of land or buildings, including public utility easements.

h. provisions for vehicle parking and loading and location and width of proposed streets and public ways.

i. required modifications in municipal land use regulations otherwise applicable to the site.

j. where the proposed development covers a period of years, a schedule showing estimated dates of applications for final approval of all sections of the development.

k. an economic analysis indicating the marketability of the residential and other buildings in the proposed development.

1. any other information which may be required under the applicable planned unit development ordinance.

3. A written statement by the applicant setting forth the reasons why, in his opinion, a planned unit development would be in the public interest and would be consistent with the municipal statement of objectives on planned unit development in the planned unit development ordinance.

A copy of the planned unit development ordinance should accompany the plan and application.

5:44-4. The Division shall review all plans, applications for tentative approval and any other information filed with the Division pursuant to these regulations for the purpose of determining whether—(1) they are in compliance with the Municipal Planned Unit Development Act of 1967, (2) the proposed planned unit development is not inconsistent with state development policies or plans, and (3) the proposed planned unit development otherwise is in the public interest and consistent with the objectives of the planned unit development act.

5:44-5. The Director of the Division, after review of any such application, plan or information, may make comments and recommendations thereon, orally or in writing, at hearing or otherwise, to the municipal governing body or planning board with informational copies to the landowner or developer, or any other person or body, as the Director in his discretion deems advisable.

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

Division of State and Regional Planning
Department of Community Affairs
Post Office Box 1978
Trenton, New Jersey 08625

The Commissioner of Community Affairs, upon his own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as set forth without further notice.

Edmund T. Hume
Commissioner
Department of Community Affairs

(a)

EDUCATION

STATE BOARD OF EDUCATION

High School Equivalency Instructional Program Rule

On June 26, 1970, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of 18A:4-15 and 18A:4-16, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 8:17-7 of the rules relating to State reimbursement for high school equivalency instructional programs, substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 40(a).

An order adopting these amendments was filed and effective June 29, 1970 as R.1970 d.72.

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

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND SHELL FISHERIES

1970-'71 Game Code

Following a public hearing held at the State Agriculture Building on June 23, 1970, the Fish and Game Council in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-30 et seq, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted regulations governing the 1970-71 hunting seasons substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 48(b).

These regulations, which comprise the 1970-71 Game Code, effective September 1, 1970, read as follows:

1970-71 GAME CODE

The hours listed are eastern standard time or eastern daylight saving time, at Trenton, whichever is in effect on the given date.

Male English or Ringneck Pheasant

23:4-1 Duration:

November 7 - December 5, inclusive.

December 14 - January 2, except on December 19 in the following counties: Bergen, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex and Warren.

23:4-2 Daily bag limit:

2 male pheasants, except as herein outlined (30 in a season).

23:4-1 Hunting hours:

On November 7, 9:00 A.M. to ½ hour after sunset.

Other days, sunrise to ½ hour after sunset.

23:4-8 Hen pheasants:

In the area described as Warren County north of Route 46, Morris County north of Route 46, and in Sussex, Passaic, Bergen, Hudson, Ocean, Camden, Atlantic, and Cape May, and on all State Fish and Wildlife Management Areas, the daily bag limit shall be 2 pheasants of either sex.

Unlawful to take or attempt to take female pheasants elsewhere or to have female pheasants in possession afield other than in area above described.

23:3-32 The opening of the season on semi-wild preserves shall coincide with the above listed state-wide openings.

Cottontail, Rabbit, Jack Rabbit and Hare, Ruffed Grouse, Squirrel, Chukar Partridge, and Quail

23:4-1 Duration:

November 7 - December 5, inclusive.

December 14 - February 6, except December 19 in the following counties: Bergen, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex and Warren.

23:4-2 Daily bag limit:

1 jack rabbit or hare, 4 rabbits, 3 grouse, 5 squirrel, 7 quail, 3 chukar partridge. No season limits.

23:4-1 Hunting hours:

November 7, 9:00 A.M. to ½ hour after sunset.

Other days, sunrise to ½ hour after sunset.

Wild Turkey and Otter

23:4-1 It shall be illegal to possess, take, kill or attempt to take or kill a wild turkey or otter at any time.

Mink, Muskrat (trapping only)

23:4-39 Duration:

North and west of U.S. Route 1: 6:00 A.M. on November 15 - March 15, inclusive, except on State Fish and Wildlife Management Areas.

South and east of U.S. Route 1: 6:00 A.M. on December 1 - March 15, inclusive, except on State Fish and Wildlife Management Areas.

On State Fish and Wildlife Management Areas: 6:00 A.M. on January 1 - March 15, inclusive, (except raccoon).

No stakes or traps shall be set before that time.

Beaver Trapping

23:4-55 Duration:

February 1 - February 28 - 100 permits.

23:4-55 Season Limit:

5 Beaver - Special \$5.00 permit required; limit 100 permits. All beaver trapped must be tagged by Conservation Officer by March 15, 1971.

23:4-55 For the purpose of conservation the Division shall designate and suitably post certain beaver colonies and prohibit all trapping within their dams or within 200 feet thereof during the open season for beaver.

Raccoon and Fox Trapping

23:4-12 and 23:3-1 Method:

The trapping of raccoon and fox shall be permitted as fur-bearing animals under a regular firearm hunting license.

23:4-1 Duration:

North and west of U.S. Route 1: 6:00 A.M. on November 15 - March 15, inclusive, except on State Fish and Wildlife Management Areas.

South and east of U.S. Route 1: 6:00 A.M. on December 1 - March 15, inclusive, except on State Fish and Wildlife Management Areas.

Trapping of raccoon will be permitted on tidal meadows and tidal impoundments on State Fish and Wildlife Management Areas after 6:00 A.M. on January 1 - March 15, inclusive.

Raccoon may be trapped at any time of year under special permit when causing damage.

23:4-2 Bag Limit:

No daily bag limit. No season limit.

23:4-24 Farmers may trap fox destroying poultry, crops or property at any time of year.

Trapping

23:4-39 No trap of any kind shall be set anywhere unless it bears a metal tag inscribed with the name and address of the owner of the trap, except for traps set on posted private property by the owner or lessee thereof. No trap

of any kind shall be permitted to remain set on any property at the close of the trapping season. No body gripping trap with jaw spread larger than 5 inches shall be used anywhere, except for beaver below the surface of the water by the special permit holders herein provided for February 1 to February 28, 1971.

No cage trap, metal box trap or diving trap shall be permitted on any of the State Fish and Wildlife Management Areas.

23:3-1 and 23:3-4 Regular firearm hunting license is required to trap furbearing animals.

23:4-39 All traps must be tended at least once in every 24 hours.

Raccoon Hunting

23:4-1 Duration:

1 hour after sunset on September 19 to 1 hour before sunrise on March 7, 1971, except state-wide on the night of firearm deer season and the nights of December 18 and 19, 1970 in the following counties: Bergen, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex and Warren.

23:4-1 and 23:4-12 Hunting hours:

1 hour after sunset to 1 hour before sunrise.

23:4-25 Dog training:

There will be no raccoon dog training season prior to the opening of the raccoon hunting season.

23:4-2 Bag limit:

No daily bag limit. No season limit.

Woodchuck Hunting

23:4-1 Duration:

April 3 - September 25, 1971, inclusive. (Properly license hunters may also take woodchuck during upland season with shotgun or bow and arrow.)

23:4-1 Hunting hours:

Sunrise to ½ hour after sunset.

23:4-1 Bag limit:

No limit.

23:7-9 No rifle hunting on State Fish and Wildlife Management Areas.

Fox Hunting

23:4-58.1 Duration:

North and west of U.S. Route 1: November 7 - April 30 inclusive.

South and east of U.S. Route 1: November 7 - March 31 inclusive.

No fox hunting permitted during the regular statewide deer season from December 7-12 inclusive, or in the counties of Bergen, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex and Warren on December 19. A person hunting deer during the firearm deer season may kill fox if encountered before killing a deer or a bear. However, after a person has killed a deer or bear he must cease all hunting immediately.

23:4-58.1 Hunting hours:

November 7, 9:00 A.M. to ½ hour after sunset.

Other days: sunrise to ½ hour after sunset.

Dogs

23:4-25 and 23:7-9 No exercising or training of dogs on State Fish and Wildlife Management Areas May 1 - August 31, inclusive, and on the following Sundays: November 8, 15, 22, December 6, 13, 20, 27, and on November 15.

Squirrel and Raccoon Damage

23:4-1 and 23:4-9 Property owners, or their designate agents, and occupants of dwellings that are suffering damage from squirrel or raccoon, may control these animals by humane procedures and at any time, subject to ordinances in the following counties: Bergen, Essex, Hudson and Union; also in cities and towns with a population of 2,000 and over; and elsewhere by permit from the Division.

Firearms and Missiles, etc.

23:4-44 and 23:4-13 Illegal for any hunter to have in his possession in woods, fields, marshlands or on the water any shell or cartridge with missiles of any kind larger than No. 4 fine shot except during the firearm deer season and except that waterfowl hunters in tidewaters and tidal water marshes may possess and use shells loaded with No. 2 or smaller fine shot.

23:4-44 and 23:4-13 At all times it shall be illegal to have in possession any shotgun shell which has been cut or filled with pellets therein strung, held together with wax or joined in any manner with any substance or material.

23:4-13 Illegal to use in hunting fowl or animals of any kind, any shotgun capable of holding more than three shells at any time, or that may be fired more than three times without reloading.

From December 7-12, inclusive statewide; and in the counties of Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex and Warren on December 19, it shall be illegal to use any rifle or firearm of any kind of a smaller caliber than 12 gauge or to have in possession any firearm missile except buckshot, or to use between 5:00 P.M. and 7:00 A.M., or to hunt deer dog. (This does not preclude a person legally engaged in hunting on semi-wild or commercial preserves for the species under license, nor a person engaged in hunting waterfowl only, from being possessed solely of shotgun and nothing larger than No. 4 fine shot, or No. 2 fine shot in tidewaters and tidewater marshes.)

23:4-26 This section is amended to include liberate game animals, as well as game birds, and native species under field trial provisions; dogs shall include hound bird dogs and retrievers.

23:4-1 Illegal to hunt, hunt for, or attempt to capture, kill, injure or destroy game birds or animals except in the time and in the manner provided by fish and game regulations.

23:4-18 and 23:4-19 The prohibition against shooting waterfowl or placing a boat or other structure at a greater distance than one hundred feet from shore shall not apply in Raritan and Sandy Hook Bays, or in the Atlantic Ocean (Sinkbox prohibited by U.S. Regulations.)

23:4-1 Wild waterfowl, migratory game birds, rabbits, hares, jack rabbits, squirrels, grouse, chukar partridge, pheasants, and quail shall not be hunted for or taken on Sunday. However, pheasants, quail, chuker, partridge and turkey may be hunted for or taken on Sunday on semi-wild and commercial shooting preserve lands that are properly censed for the taking thereof.

23:4-42 Deer shall not be hunted for or taken on Sunday except on wholly enclosed preserves that are properly censed for the propagation thereof.

23:4-12 It shall be unlawful for any person to have in his possession or under his control any gun or firearm at any time while hunting any wild bird or animal with a long bow and arrow.

23:4-24.1 No person shall, for the purpose of hunting for, pursuing, taking, or killing, or attempting to hunt, pursue, take or kill any bird or animal, have, in an automobile or vehicle of any kind, any firearm loaded with missiles of any kind, under a penalty of \$20.00 for each offense.

23:4-16 and 23:4-24.1 The Division may issue special permits, without fee, to shoot or hunt from a standing vehicle, to licensed hunters who, after investigation, are found to be paraplegics, or otherwise physically unable to walk, with or without crutches, braces, or other mechanical support, in the fields or woods. Permittees are subject to all Fish and Game Laws and regulations.

23:4-29 It shall not be necessary for a nonresident, who is removing small game or game birds from the State, to have them exposed to open view. Any deer, however, shall be exposed to open view and properly tagged.

Bow and Arrow

23:4-12 Bow and arrow means long bow only. All crossbows or variations thereof are prohibited.

23:4-45 and 23:4-1 and 23:4-12 It shall be illegal to use a long bow and arrow for hunting on December 19, or between ½ hour after sunset and ¼ hour before sunrise during the Long Bow and Arrow Deer Season, or between 7:00 P.M. and 7:00 A.M. during the Firearm Deer Season, or between ¼ hour after sunset and sunrise during other seasons.

23:4-44 During the Long Bow and Arrow Seasons for taking deer and bear, October 3 to November 5 and December 7 to December 12, all arrows carried in the woods and fields must be fitted with an edged head of the following specifications:

- Minimum width shall be ¾"—maximum, 1 ¼".
- Minimum length shall be 1 ½" on main cutting edge.
- Cutting edges shall be a well-sharpened metal only.

The bow must have a minimum draw pull weight of 35 pounds and cast a legal hunting arrow 125 yards to a point of similar elevation.

23:4-16 It is illegal at all times to discharge an arrow from or across a state or county, or municipal highway or roadway, or within 300 feet of any occupied dwelling, except with permission of the owner or lessee, or within 50 feet of a school playground. It is illegal to use a bow and arrow from any vehicle, moving or stationary.

Deer (either sex) and Bear—Long Bow and Arrow Exclusively

23:4-42 Duration: October 3 to November 5, inclusive.

Bag Limit: One deer of either sex or one bear. Only one year a year permitted whether taken during firearm or bow season. Kill must be reported to Division within 24 hours.

Hunting hours: ¼ hour before sunrise to ¼ hour after sunset.

Bear—Firearm or Long Bow and Arrow

23:4-1 Duration: December 7 - December 12, inclusive.

23:4-2 Bag Limit: One bear a year whether taken during bow or firearm season. Kill must be reported to Division within 24 hours.

23:4-45 Hunting hours: 7:00 A.M. to 5:00 P.M.

Deer—Firearm or Long Bow and Arrow (Antlered only, except in area designated as Hunter's Choice, described below.)

23:4-42 Duration: December 7 - December 12, inclusive.

23:4-42 and 23:4-48 Bag limit: One deer for the season, with antler at least three inches in length, or one bear, whether taken by gun or long bow.

Hunter's Choice area is described as follows: East of Route 202 from New York line to Pompton Lakes, east of the Pompton River to its junction with the Passaic River, east of the Passaic River to Somerset County line, north and east of that line to Middlesex-Union County line, east of that line to the Raritan River, and north and east of the Raritan River to Raritan Bay. In this area consisting of portions of Bergen, Union, Passaic, Essex and Middlesex Counties, a properly licensed person will be permitted to take a deer of either sex and any age.

A person who has legally taken a deer during the special long bow and arrow season can legally take an antlered deer with a shotgun during the interval of December 7-12, if he possesses his valid firearm license, but he may not take another deer with a bow. Only one deer may be taken during this season, whether by gun or bow.

23:4-45 Hunting hours: December 7 - December 12, inclusive, 7:00 A.M. to 5:00 P.M. with gun or long bow.

Deer - Special Permit, firearms only (either sex)

23:4-42 Duration: Saturday, December 19.

23:4-42 Bag limit: One deer of either sex, any age.

23:4-45 Hunting hours: 7:00 A.M. to 5:00 P.M.

Method: The taking of one deer of either sex with a firearm under a Special Deer Permit or a Farmer Deer Permit, in addition to the legal antlered deer allowed under

State-wide buck season and buck-doe allowed under the State-wide long bow and arrow season, will be permitted in designated counties by holders of a Special Deer Permit and on their own property by holders of a Farmer Deer Permit. Special Deer Permits will be issued on an individual basis to holders of valid 1970 firearm licenses.

Farmer Deer Permits will be issued on an individual basis to occupants of farms who reside thereon, or the immediate members of their families over 14 years of age who also reside thereon, upon receipt of a notarized application form. Permits consist of a back tag and a transportation tag. The back tag portion of the permit will be conspicuously displayed on the outer clothing in addition to the valid firearm license in the case of the Special Deer Permit, and without the firearm license in the case of the Farmer Deer Permit. Any deer killed must be tagged immediately with the transportation tag. This transportation tag allows legal transportation of the deer of either sex to a State deer checking station only. State personnel at the checking station will issue a possession tag. Any permit holder killing a deer of either sex on December 19, 1970 must transport this deer to a State operated checking station by 7:00 P.M. on December 19 to secure the legal possession tag. The possession of a deer of either sex after 7:00 P.M. on December 19 without a legal possession tag shall be deemed illegal possession.

Applying for a Special Deer Permit

The procedure for permit application and issue shall be as follows:

1. Only holders of valid 1970 Firearm Hunting Licenses may apply by detaching from their Hunting License the stub marked "Special Deer Season 1970," signing as provided on the back, and sending the stub together with a properly completed computer card application form which may be obtained from:
 - a. Division of Fish, Game and Shell Fisheries, PO Box 1809, Trenton, N.J. 08625
 - b. License issuing agents
 - c. Conservation Officers
2. No archery or juvenile license holders are eligible.
3. Only one application, accompanied by the hunting license stub, may be submitted by any individual.
4. Fill in the application form to include: Name, address, 1970 firearm hunting license number, county applied for, name of license issuing agent where 1970 hunting license was purchased, and any other information requested. Application forms will be accepted in the Trenton Office only during the period of September 9 to September 18, 1970, inclusive. DO NOT SEND FEE WITH THE APPLICATION. Selection of permittees will be made on the basis of a random selection of computer cards.
5. Unsuccessful applicants will not be notified. Any permit obtained by fraud will be void.
6. Successful applicants will be notified by mail. The computer card and the permit fee of \$2.00 in the form of a money order made payable to the "Division of Fish, Game and Shell Fisheries" must then be returned by mail before October 16, 1970. The Special Deer Permit will then be issued. Permits not claimed by October 16 will be immediately reallocated in the same random manner as the original selection and be returnable within two weeks thereafter.

Applying for the Special Farmer Deer Permit

1. Only the occupant of a farm, who resides thereon, or the immediate members of his family over 14 years of age who also reside thereon, may apply on forms provided for a Special Farmer Deer Permit. N.J.S. Chapter 48, Laws of 1964, section 54:4-23, defines a farm as an area of five acres or more and producing a gross income in excess of \$500. Special Farmer Permits will be issued only in those counties where a Special Deer Season is prescribed.
2. Application forms may be obtained from the Division of Fish, Game and Shell Fisheries, PO Box 1809, Trenton, N.J. 08625, or the Conservation Officer.
3. Fill in the application form to include: Name, age, size of farm, address, and any other information requested thereon. THIS APPLICATION MUST BE NOTARIZED. Application forms will be accepted in the Trenton Office only during the period of September 21 to 30, 1970. There is no fee required, and all qualified applicants will receive a Special Farmer Deer Permit, delivered by mail.

Use of Special Deer Permit and Special Farmer Deer Permit

The Special Deer Permit is valid only in the county designated and is not transferable. The Special Farmer Deer Permit is valid only on the farm occupied and designated in the application and is not transferable.

Special Deer Permit Areas and Number of Permits to be Issued:

County	Quota
Hunterdon	2,181
Mercer	408
Middlesex	195
Monmouth	360
Morris	882
Passaic	245
Somerset	776
Sussex	1,213
Warren	1,730
Total	7,990

Special Deer Permits in accordance with the above regulations may be granted at state or federal installations in all counties as may be determined necessary by the Director.

An order adopting the above regulations was filed July 9, 1970 as R.1970 d.82, to be effective September 1, 1970.

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

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND SHELL FISHERIES

Public Shooting and Fishing Grounds Regulations

On June 26, 1970, L. G. MacNamara, Director of the Division of Fish, Game and Shell Fisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 23:7-9, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions of two subsections of Division Regulation No. 4 pertaining to the use of public shooting and fishing grounds, substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 48(c).

An order adopting these revisions was filed and effective July 1, 1970 as R. 1970 d.78.

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

(b)

HEALTH

PUBLIC HEALTH COUNCIL

Proposed Revision of Certified Health Services Personnel and Program Standards

The Public Health Council of the State Department of Health, pursuant to authority of N.J.S.A. 26:2F-3, proposes to revise certain sections of the Certified Health Services Personnel and Program Standards to read as follows (additions indicated in bold face thus; deletions indicated within brackets [thus]):

I. ADMINISTRATION AND SUPPORTING SERVICES

MIGRANT HEALTH SERVICES

G. Conduct a program of health services for seasonal agricultural workers.

Program Standards

NOTE: Add new item as follows:

8. Provide emergency dental treatment.

Personnel Standards
Physician, Public Health Nurse and Sanitary Inspector, First Grade and, as needed, Dentist.

PUBLIC HEALTH NURSING

I. Provide public health nursing administration.

Personnel Standards
[Public Health Nurse Director;] Director of Public Health Nursing Service; Public Health Nurse Supervisor(s).

DRUG ABUSE CONTROL

L. Administer a planned drug abuse control program.

Program Standards

1. Identify the drug abuse problem in the community, establish objectives, utilize appropriate educational methods and evaluate efforts.

2. Identify and involve local leadership in community action to develop and maintain interest in the drug abuse problem and its control.

a. Maintain liaison with local law enforcement personnel, clergy, treatment centers, etc.

b. Coordinate activities with county and state drug abuse control agencies, official and voluntary.

3. Determine, secure or develop educational materials and utilize appropriate media to:

a. Assist drug abuse control agencies and other educational agencies in their activities.

b. Provide specific drug abuse information.

c. Inform citizens of the objectives, programs and activities, and accomplishments of drug abuse control programs.

4. Organize a library of current technical and professional textbooks, periodicals and other publications for use by the agency staff.

Personnel Standards
Health Officer and as needed ancillary personnel.

II. ENVIRONMENTAL SANITATION

NOTE: Delete section entitled AIR SANITATION and substitute therefor the following revised section:

AIR POLLUTION

Certified Health Service
B. Conduct an Air Pollution Control Program.

Program Standards

1. Enact and enforce a local air pollution control ordinance which has been approved by the State Department of Environmental Protection which is consistent with the current "Guidelines for Local Ordinances" and "The Plan to Implement the Guidelines."

2. Assist the State Department of Environmental Protection in the administration of the New Jersey Air Pollution Control Code by reporting the sources of air pollution which require the attention of the State program, gathering evidence as required and providing witnesses when needed.

3. Assist in the enforcement of the Air Pollution Emergency Control Act (1967) as recommended by the State Department of Environmental Protection.

Personnel Standards
Health Officer and/or Director of Air Pollution Control; Air Pollution Inspector and/or Sanitary Inspector, First Grade, who is certified by the State Department of Health as qualified to perform smoke control activities.

Certified Health Services—continued

FOOD ESTABLISHMENTS

NOTE: Delete the existing language and substitute therefor the following:

Certified Health Service

E. Maintain surveillance of food establishments. Program Standards

1. Conduct a food establishment program based upon State law and local ordinance providing standards at least equivalent to the current edition of the "Retail Food Establishment Code of New Jersey."
2. Conduct a vending machine program based upon State law and local ordinance providing standards at least equivalent to the current edition of the "Food and Beverage Vending Machine Code of New Jersey."
3. Inspect food establishments and food and beverage vending machines on a periodic basis; make follow-up inspections when deficiencies are found; complete a standard report for each inspection made.
4. Initiate appropriate enforcement action to secure compliance with State law and local ordinance; collect and prepare evidence for legal action.
5. Maintain a food establishment and vending machine file at the local health agency office containing inspection reports and reports of enforcement actions taken.
6. Provide or conduct training courses for supervisors of food handlers.
7. Collect samples and provide for laboratory analyses of foods suspected of being adulterated, misbranded or unwholesome.
8. Embargo all food known or suspected to be adulterated, misbranded or unwholesome within the meaning of local ordinance or State law.
9. Condemn and destroy, or otherwise dispose of food which is adulterated, misbranded or unwholesome within the provisions of local ordinance or State law.

Personnel Standards

Sanitary Inspector, First Grade, who is also certified by the State Department of Health to accomplish the above activities.

PLUMBING

Certified Health Service

O. Conduct a program regulating the installation and alteration of plumbing. Program Standards
NOTE: Delete item 3.

IV. MATERNAL AND CHILD HEALTH

DENTAL HEALTH (CHILDREN)

Certified Health Service

B. Prevent and correct dental disease in children. Program Standards
NOTE: Add new item as follows:
4. Provide dental health education.

Personnel Standards

Dentist; Dental Assistant; Dental Hygienist, if needed.

SCHOOL AGE CHILDREN

NOTE: Delete the existing language and substitute therefor the following:

Certified Health Service

F. Provide health services for school age children attending nonpublic schools. Program Standards

1. Determine and define public health problems of nonpublic schools, and the health needs of children attending them; provide leadership in planning activities to meet these needs.
2. Maintain liaison with the Special Consultant for School Health of the New Jersey State Department of Education, and with the Maternal and Child Health and Dental Health Programs of the New Jersey State Department of Health.
3. Provide adequate physical facilities and materials for the school health program, and equipment for the school health examination room.
4. Provide school health services to nonpublic schools based upon written medical policies, including the following activities:
 - a. Provision of written medical policies covering first aid treatment and emergency orders.
 - b. Maintenance of a cumulative health record for each pupil, utilizing form MCH-7 or its equivalent.
 - c. Performance of a medical examination at least every 3 years (in the presence of a parent when possible) and recording the findings on the pupil's cumulative health record (Form MCH-7 or its equivalent) for pupils who have not had such examinations done by their family physicians.
 - d. Review by the school physician of all reports of examinations performed by private physicians and recording of the pertinent findings on the pupil's cumulative health record (form MCH-7 or its equivalent).
 - e. Vision screening performed annually on all pupils, using a method approved by the State Department of Health.
 - f. Hearing screening performed annually on all pupils in the first four grades and biennially thereafter, using a method approved by the State Department of Health.
 - g. Follow-up of deficiencies found in the health appraisal and screening procedures and effective communication by personal contact with the parents. Public health nursing conferences shall be held with parents either at school or at home, facilitating diagnosis and care; nurses shall confer with teachers concerning health problems affecting the individual child in the classroom.
 - h. Tuberculin testing and follow-up as recommended by the current school tuberculin testing guide prepared by the "School Tuberculin Testing Committee of the Tuberculosis Council of New Jersey."
5. Provide dental health services in accordance with current recommendations of the Dental Health Program of the State Department of Health.

6. Establish a requirement of primary and booster immunizations for protection against pertussis, tetanus, diphtheria, small pox, poliomyelitis, measles, and rubella, in accordance with current recommendations of the New Jersey State Department of Health.

7. Establish a system of control of communicable disease in accordance with the State Department of Health's current "Regulations Concerning Isolation of Persons Ill or Infected with a Communicable Disease and Restriction of Contacts of Such Communicable Diseases."

8. Provide sanitary inspection of the school's toilets, washrooms, cafeterias, food vending machines, water supply and sewage disposal systems in accordance with local and State regulations.

9. Provide inspections in accordance with the current recommendations of the State and local departments of health, making accident prevention a major goal.

Personnel Standards

Physician, Public Health Nurse or School Nurse with a permanent School Nurse's Certificate, Sanitary Inspector, First Grade, and if needed Dentist and/or Dental Hygienist.

LEAD POISONING

Certified Health Service

G. Control lead poisoning in children. Program Standards

1. Inspect and collect samples of paint from the interior of dwellings or other areas of high risk.
2. Conduct a casefinding program to include:
 - a. routine inquiry about pica in children under 7 years,
 - b. blood lead level determination in children with a history of pica, and in siblings of children with either positive lead poisoning or pica,
 - c. reevaluation at regular intervals of children with pica who at initial screening had negative blood tests for lead;
 - d. other screening methods approved by the State Department of Health.
3. Conduct a followup program which will include:
 - a. parental instruction regarding the seriousness of repeated exposure to lead,
 - b. removal of lead from the environment or the removal of the child from the environment until the lead is removed.
4. Provide a lead poisoning education program directed to physicians, health workers and the public.
5. Promote legislation which will:
 - a. prohibit the use of paints containing lead for indoor purposes and on toys and furniture,
 - b.; provide for warning labels on all paints containing more than 1 percent lead.
6. Refer positive cases to medical supervision.

Personnel Standards

Public Health Nurse; Sanitary Inspector, First Grade.

V. CHRONIC ILLNESS

DENTAL HEALTH (ADULTS)

Certified Health Service

D. Prevent and correct dental disease in adults. Program Standards

Dentist; Dental Assistant; Dental Hygienist, as needed. NOTE: Delete the section entitled HEART SERVICES and substitute therefor the following:

HEART AND CIRCULATORY DISEASE SERVICES

Certified Health Service

I. Provide heart and circulatory disease control services. Program Standards

1. Provide screening programs to detect heart and circulatory diseases, including stroke, in high risk groups using methods approved by the New Jersey State Department of Health.
2. Identify high risk individuals through the correlation of the history of one or more of the following: excessive cigarette smoking, hyperlipemia, hypertension, obesity, history of ancestral vascular disease and other related factors.
3. Provide nutritional consultation to high risk groups.
4. Provide or support as needed a program of therapy and service to obtain maximum rehabilitation and self-sufficiency which may include public health nursing, home-maker-home health aide, speech evaluation and therapy, physical therapy, braces and other specialized equipment as needed.
5. Provide a program of prophylactic medication for persons with rheumatic heart disease.
6. Provide educational opportunities for professional groups and the general public in cooperation with voluntary health agencies.

Personnel Standards

Physician; Public Health Nurse; Diet Counselor; and if needed, Physical Therapist, and Speech Therapist.

NUTRITION

NOTE: Delete the existing language under this section and substitute therefor the following:

Certified Health Service

M. Provide diet counseling services. Program Standards

1. Provide diet counseling on physician's or dentist's prescription or orders to:
 - a. Individuals requiring assistance with interpretation of a therapeutic diet.
 - b. Individuals requiring diet modification to meet special needs for growth and development, e.g. children and pregnant women.
 - c. Groups or classes with similar diet requirements, e.g. weight control, diabetic or prenatal.
2. Conduct classes for persons with needs for similar nutritional information, e.g. low income families or parents of infants and/or young children.

3. Provide inservice training to members of the health team regarding the dietary problems of patients and consultation to the supervisory staff of dietary department personnel regarding menu planning, food service and therapeutic diets.

Personnel Standards

Diet Counselor

Certified Health Service

N. Provide a program to meet nutrition education need. Program Standards

1. Integrate nutrition services with related health programs, e.g. maternal and child health, communicable disease, chronic illness, therapeutic drug communities, others with a nutrition component.
2. Assist other members of the health agency in surveys and inspections of food services, e.g. camps, schools, hospitals, extended care facilities, sheltered care facilities, industry or day care centers.
3. Through individual or group conferences, instruct public health nurses and other case workers in the dietary aspects of prenatal care, child health, adult health, chronic disease and aging. Such instruction should include specific information on available food, current food costs, food habits of specific cultural groups and interpretation of special diets.
4. Assist in joint planning among voluntary and official health agencies to develop nutrition education program and to promote effective use of nutrition and diet counseling staff.

Personnel Standards

Public Health Nutritionist.

Interested persons may present statements or arguments relevant to the proposed action at a public hearing to be held on September 14, 1970 at 10 a.m. in the auditorium of the Health - Agriculture Building, John Fitch Plaza Trenton, New Jersey.

Written comments may be presented prior to September 14 and for a period of two weeks thereafter to:

E. Powers Mincher,
Administrative Practices Officer
Department of Health
John Fitch Plaza
Trenton, New Jersey 08625

The Public Health Council, upon its own motion or at the instance of any interested party, may thereafter adopt the revisions substantially as proposed without further notice.
Mrs. J. Duncan Pitney
Chairman, Public Health Council
Department of Health

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF COMMUNITY AND PROFESSIONAL SERVICES

BUREAU OF COMMUNITY INSTITUTIONS

Nursing Home Administrator Licensing Rules

On June 24, 1970, the State Board of Control of the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:11-11 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules for the Licensing of Nursing Home Administrators, substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 40(e).

An order adopting these rules was filed June 30, 1970 at R.1970 d.74 to be effective July 1, 1970.

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

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF COMMUNITY AND PROFESSIONAL SERVICES

BUREAU OF COMMUNITY INSTITUTIONS

Proposed Criteria for Satellite Hospitals

The State Board of Control of the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:11-1 et seq., proposed at its July 22, 1970 meeting to adopt criteria for satellite hospital facilities to supplement the standards on minimum bed requirements for hospital contained in the Manual of Standards for private hospitals (dated July, 1968).

The proposed criteria read as follows:

FOREWORD

Intelligent regional health planning seeks to promote the orderly organization and growth of an efficient system for the delivery of quality health care. Implicit in such a system is accessibility to such care commensurate with need, as well as the avoidance of wasteful duplication of specialized medical services in order to insure maximum utilization of expensive physical facilities, services and skilled personnel.

It is apparent that to achieve these objectives there must be greater coordination and cooperation among existing hospitals to encourage the creation of new facilities where adequate facilities do not now exist.

Circumstances may arise in an area of reasonable accessibility to an existing hospital that necessitates the establishment of a new facility. State regulations relating to licensure of medical care facilities require that a new independent hospital be at least 100 beds in size. If the

demonstrated need in the community will not support the range of services and disciplines required in a 100-bed hospital, then alternative arrangements must be provided. Under such circumstances, a hospital of sufficient size (200 beds or larger), providing basic specialty services normally provided in a 200-bed hospital, may sponsor a "satellite" facility. Such a Sponsoring Institution should be located within a reasonable time and distance from the "satellite" facility.

It is necessary to define the type of institution and to provide certain safeguards to insure that the patient in a "satellite" receives care comparable to that which would be provided at the Sponsoring Institution.

SPONSORSHIP BY AN EXISTING HOSPITAL

A "satellite" is defined as an organized unit of an existing hospital (200 beds or larger) operated under the direction and control of one board of trustees, one medical staff, the same by-laws and license, and providing facilities and services in those geographical areas where it is either inconvenient or uneconomical for the community to provide the broad range of services normally found in an acute general hospital.

Title to the land and buildings may be held by a local group, but the facility must be leased or rented to the Sponsoring Institution.

It is also important to look beyond the physical aspects to insure that patients who use these facilities are assured quality service.

In order to make the fullest use of available physical facilities and skilled personnel, and to insure the widest distribution of quality health services, the following guidelines are proposed:

MEDICAL STAFF

1. There shall be but one medical staff for both facilities. The physicians serving the "satellite" shall be given staff appointments in accordance with the procedures and requirements of the Sponsoring Institution as described in its constitution, by-laws, rules and regulations.

2. The activities of the medical staff and medical services both the Sponsoring Institution and the "satellite" shall be under the direction of the staff officers and department heads of the medical staff.

3. The professional medical services at both the Sponsoring Institution and the "satellite" shall function under the supervision of the Tissue, Audit, Utilization and Infection, or other similar Committees of the medical staff.

4. Generally, physicians shall enjoy the same privileges in both the Sponsoring Institution and the "satellite" for which they have been qualified in the context of their staff appointment.

5. It is suggested that a medical representative of the "satellite" serve on the Medical Executive Committee or Joint Conference Committee of the Sponsoring Institution.

PROFESSIONAL MEDICAL SERVICES

Professional medical services shall be the responsibility of the Sponsoring Institution and should be regulated by its constitution, by-laws, rules and regulations. They should include, but not be limited to, the following:

1. Emergency room service: staffed on a 24-hour basis, by licensed physicians or house staff supplemented by local physicians on an "on-call" basis as the need requires. The emergency room shall include adequate facilities and equipment for such emergencies as cardio-pulmonary resuscitation, etc.

2. Hospitalization for urgent and emergency cases. If the required medical service is of a limited nature, hospitalization may be provided in the "satellite". If medical service requires comprehensive or specialized medical care, the patient may be transferred to the Sponsoring Institution, or the specialty service brought to the "satellite".

3. Specialized medical care should be "available" to the "satellite" at all times.

4. Facilities for emergencies requiring limited surgical procedures, primarily those associated with accidental injuries, should be provided. If provided, such facilities shall be staffed with qualified personnel.

5. Emergency delivery room service should be provided. As soon as possible after emergency delivery, the mother and newborn shall be transported to the Sponsoring Institution. If provided, such facilities shall be staffed with qualified personnel.

6. Radiologic services as required to provide emergency care shall be staffed with qualified technical personnel.

7. Clinical laboratory services as required to provide emergency care shall be staffed with qualified technical personnel. This should include electrocardiographic service.

COMMON SERVICES THAT MAY BE PROVIDED

In order to avoid wasteful duplication of specialized services and to insure maximum utilization of expensive physical facilities and manpower, it is recommended that the following services, if provided, should be shared to the maximum extent feasible under the supervision and control of the Sponsoring Institution.

a. Administrative and general services including, but not limited to, the following: management services, purchasing, personnel, data processing, laundry, food services and housekeeping.

b. Professional and technical services including, but not limited to, the following: laboratories, radiology, cardio-pulmonary resuscitation, inhalation therapy, pharmacy, and other services complementary to general, medical, surgical and pediatric care.

It is understood that the more sophisticated functions in each category will be provided at the Sponsoring Institution.

ARCHITECTURAL REQUIREMENTS

The building shall be designed to provide adequate space to accommodate the contemplated services, and must conform to all federal, state and local standards as they apply to general hospital construction.

Since, in all likelihood, a facility of this kind will require expansion, it is recommended that the facility be designed in such a manner as to provide for necessary future expansion without disruption of existing services.

STAFFING REQUIREMENTS

Staffing patterns must conform to licensing standards, rules and regulations as promulgated by the Department of Institutions and Agencies.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1970, to:

Office of the Commissioner
Department of Institutions and Agencies
135 West Hanover Street
Trenton, New Jersey 08625

The State Board of Control, upon its own motion or at the instance of any interested party may thereafter adopt the proposed criteria substantially as set forth without further notice.

Lloyd B. Wescott
President
State Board of Control
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF COMMUNITY AND PROFESSIONAL SERVICES

BUREAU OF COMMUNITY INSTITUTIONS

Proposed Standards for Intermediate Care Facilities and Multiple Occupancy

The State Board of Control, pursuant to authority of N.J.S.A. 30:11-1 et seq, at its meeting on July 22, 1970 proposed to adopt licensing standards for intermediate care and multiple occupancy in nursing and/or residential care facilities.

The proposed standards would be applicable to all existing and new facilities licensed or approved as nursing, convalescent or residential care facilities under the provisions of N.J.S.A. 30:11-1 et seq and 30:11A-1 et seq.

Portions of the proposed standards read as follows:

I. Definition of Facility

A. A nursing and/or residential care facility, as defined, shall be permitted to operate a Nursing Care Unit, and/or Extended Care Unit, and/or Skilled Nursing Care Unit, and/or Intermediate Care Unit, and/or residential Care Unit as distinct and identifiable parts of the facility, subject to approval of the Hospital Licensing Board.

B. The Intermediate Care Unit and/or the Residential Care Unit shall meet all applicable construction and operation requirements of the State of New Jersey for the approval of New Boarding Homes for Sheltered Care. In addition, Intermediate Care Units shall meet the Conditions, Guidelines and Standards for Intermediate Care Facilities as defined by the Federal Government, supplemented by additional State requirements.

C. There shall be one class of Intermediate Care Unit which shall recognize only one level of care requiring daily supervision of the facility's health services by a registered professional nurse or licensed practical nurse with a low ratio of on premise around-the-clock nursing coverage. The standards of the Department for nursing homes, with modifications as contained herein, and the standards in the Federal Register (Volume 35, number 112, June 10, 1970) for an Intermediate Care Facility shall be adopted for this purpose. Any classification of licensed or approved facility or a distinct and identifiable part of such facility shall be permitted to become an Intermediate Care Unit if it meets the standards.

* * *

II. Definition of Resident

A. A resident in an Intermediate Care Unit is an adult person who requires supervision, who is ambulant or partially ambulant with or without assistance, who is reasonably oriented mentally, and who has been certified by a licensed physician to be free from communicable disease and not in need of nursing care on a continuing basis. This shall not be construed to prevent medical and nursing care of residents on an intermittent basis, in emergencies or during temporary illness.

B. A resident, because of physical or mental limitations or both, requires living accommodations and care which, as a practical matter, can be made available only through institutional facilities.

C. A resident does not have such an illness, disease, injury or other condition as to require the degree of care and treatment which a hospital or skilled nursing home (as that term is employed in Title XIX) is designed to provide.

* * *

IV. Minimum Requirements

C. Additional State Standards for Approval

1. Licensed Nurse Supervision
Each identifiable unit shall have daily active licensed nurse supervision on an around-the-clock basis. Such supervision and coverage shall be provided 7 days per week, 24 hours per day, by either Registered Nurses or Licensed Practical Nurses and shall be sufficient to provide a minimum of 1 hour of supervision per resident per day.

2. Auxiliary Personnel Coverage
Each identifiable unit shall have daily active personnel coverage to provide adequate resident care and services.

3. Professional Services and Medical Records

(a) A recorded medical examination for each resident within 48 hours of admission, with admission limited to services available.

(b) Evaluation of residents at least every three months by a physician with recorded progress notes.

(c) Free choice of a physician by each resident.

(d) Adequate arrangements for the availability of physician and dental services at all times and for emergencies.

(e) Individual health and medical records for each resident, to include name, address and telephone number of physician, record of physician's findings, recommendations of admission evaluation and of subsequent re-evaluations, and all orders for care of residents.

(f) Pertinent recorded nursing records and data relating to general condition of residents, special treatments and medications prescribed by a physician.

(g) Drugs recorded by individual resident prescription with re-evaluation at least every three months by prescribing physician.

4. Equipment and Supplies

(a) Each identifiable unit shall have a small nurses station which shall provide a desk or work table, locked medicine cabinet, medical record storage and small refrigerator for biological supplies.

(b) Each identifiable unit shall have a small utility room which shall provide a sanitizer, hand sink, work counter, waste and soiled linen receptacles.

(c) The sharing of a nurses station and/or a utility room by one or more adjacent identifiable units will be considered if located on the same floor.

Copies of the complete text of the proposed standards may be obtained from:

Office of the Commissioner
Department of Institutions and Agencies
135 West Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action to the Office of the Commissioner of Institutions and Agencies at the above address, on or before August 27, 1970.

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

Lloyd B. Wescott
President
State Board of Control
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MENTAL HEALTH AND HOSPITALS

BUREAU OF COMMUNITY MENTAL HEALTH SERVICES

Proposed Rules Governing State Aid Under Community Mental Health Services Act

Lloyd W. McCorkle, Commissioner of Institutions and Agencies pursuant to authority of N.J.S.A. 30:9A-10, proposes to adopt rules and regulations governing State Aid under the Community Mental Health Services Act (N.J.S.A. 30:9A-1 et seq.).

The proposed rules and regulations set forth guidelines for distribution of money made available under the Act, minimum standards for community mental health projects, and minimum standards for the personnel required for the operation of such projects.

The proposed rules and regulations shall be applicable to all existing and new facilities approved to participate in the matching monies program under the provisions of the Act.

Copies of the full text of the proposed rules and regulations may be obtained from:

Bureau of Community Mental Health Services
Department of Institutions and Agencies
167 West Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action to the Bureau of Community Mental Health Services at the above address, on or before August 27, 1970.

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

Lloyd W. McCorkle
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Amendments in Manual Of Administration

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 sections 2100, "The Application Process," and 2800, "Social Services," of the Division of Public Welfare Manual of Administration.

The purpose of the proposed amendments is to set forth policy for the separation of income maintenance and services.

Selected portions of the amended materials read as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

2101. Definition

1. Application Process

The application process includes all activity performed by the Income Maintenance Section relating to a request

Manual of Administration—continued

for financial assistance. It begins with the first statement to the CWB that an individual wishes to receive financial assistance and continues in effect until there is an official disposition of his application.

The application process is primarily geared toward the determination of basic eligibility and the extent of financial need. However, since intake by its very nature involves a combination of services and income maintenance functions, a service worker shall be made available during such process.

* * * *

2802. Legislative Background.

The 1967 amendments give additional emphasis to services for self-support, employment or training for employment, of parents in AFDC with necessary safeguards for the care of the children.

They provide for a broader scope of services than those designated by the 1962 amendments. They provide for the separation of functions of eligibility determination and services. Such separation will enable service staff, including para-professionals and supplemented by volunteers, to give full time to service activities; authorize the use of special units and auxiliary services, such as day care and homemaker services.

With the separation of functions, the county agency has an opportunity to assign service staff in a way that will achieve maximum results for the service program, and will increase the availability of services to all who need them. This will be accomplished through the agency program and through coordination with other community agencies.

2807. The [Social Study] Service Plan

The [social study] service plan [is part of the casework process and is developed through the worker-client relationship] is both a method and a process for acquiring and organizing information pertaining to the client's situation and needs. People may come to the public assistance agency for [financial assistance and other] concrete services [,] in addition to financial assistance, such as help in locating employment, need for more adequate housing, special services for children, etc. They may have [reality] problems in various aspects of living. [Their own efforts to find a solution for their difficulties have failed.] They [are] may be harassed and their own resources depleted. They may have feelings of desperation, even though these [may be] are hidden by various kinds of behavior. [Chances are they are in the midst of a crisis situation in which they are experiencing excessive pressure. Psychologically the person is saying to the worker (agency), "I have an urgent need. I ask your help".]

[This coming together of client and caseworker around the client's problem constitutes the beginning of the casework process. It is at this point that the worker undertakes the social study. This is done through a process of exploration, and through this process a relationship between client and worker is established.]

1 Purpose of the [Social Study] Service Plan. [is to determine the nature of the client's problem, to identify service needs, and to formulate a plan of treatment designed to enable the client to work towards the resolution of his problem.]

In this connection it should be remembered that a service should not be regarded as an end in itself but rather as a means toward achieving the desired goal.]

The service plan serves the following purposes:

- a. to identify immediate and long-term problems and evaluate the possibility of improvement through social services;
- b. to assess capacities and strengths for meeting problems;
- c. to secure pertinent social information;
- d. to formulate a service plan with clients that is helpful to them and is realistic in terms of their individual capacities and resources available.

* * * *

2810. Communication between Income Maintenance Section and Service Sections

When a client tells a worker in the Income Maintenance Section of a need for services, that worker is responsible for transmitting such a request to the Service Section. Similarly, when the service worker receives information from the recipient or other sources that indicate a possible change in eligibility or extent of need, the service worker is responsible for transmitting such information to the Income Maintenance Section for evaluation and decision. The service worker should advise the client of this requirement.

Effective and prompt communication between the Sections will be an important factor in achieving the objectives inherent in the separation of functions of eligible determinations and services.

Information to another Section should be in writing or by telephone, followed by a written confirmation.

In addition to a specific request by or information obtained from clients, communication between the Sections shall be made for such situations as:

1. changes in residence, size of family and living arrangements;
2. observation by eligibility worker, of obvious need for service or crisis situation, or observation by service worker of changes affecting eligibility factors;
3. information from a relative or community (other agency) affecting status of case.

Copies of the full text of the proposed amendments to the above sections may be obtained by writing to:

Division of Public Welfare
129 East Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments

in writing relevant to the proposed action to the Division of Public Welfare at the above address on or before August 28, 1970.

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

Lloyd W. McCorkle, Commissioner
Department of Institutions and Agencies

(a)

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]):

314. TRANSPORTATION

314.1 In situations where expenses of training (see Section 317.) or where expenses of employment or self-employment (see Section 410.) have been recognized for one or more members of a FBU in the determination of need for such FBU, no additional costs or special circumstance requirements for transportation are authorized.

314.2 When Section 314.1 is not applicable, a client who has medically verified illness, infirmity, or physical handicap may himself need expenses of transportation. Such expenses are allowable for the following situations when not compensable through New Jersey Health Services Program or any other source:

- a. to clinic, hospital or doctor;
- b. to public or private medical institution;
- c. to school;
- d. to church;
- e. for shopping.

A recurring allowance equal to the estimated average monthly cost of the minimally required transportation or a non-recurring allowance equal to the actual cost [shall] may be included in the budget.

402.4 REGULAR RECURRING INCOME

Regular recurring income includes moneys received as income from employment or business, income from investments, trusts, estates, contributions, support payments by relatives, or benefits from OASDI, workmen's compensation, railroad retirement, veteran's administration, coal miners black lung, union, lodges, etc. (When benefits are granted for special purposes in accordance with intent of the law under which they are provided, such as education, housing, rehabilitation, medical costs, etc., such benefits shall be recognized as a resource applicable only to the particular requirements for which they are granted.)

407.5 INSURANCE AS A POTENTIAL RESOURCE

b. Life insurance with a face value exceeding \$1000 on any individual shall be considered a potential resource except in the following situations:

1. it has been medically verified that the individual has a reduced life expectancy;
2. the insured is receiving disability income under the insurance policy, or it is anticipated that the insured may be eligible for disability benefits under the insurance policy within a reasonable length of time;
3. [the client has a Family policy] there is a Family policy issued in the client's name in the smallest amount available and a member of the family budget unit is uninsurable;
4. [the client has a Family policy] there is a Family policy issued in the client's name in the smallest amount available and the number of eligible and ineligible children under 21 would make the premium cost of individual policies equal to or greater than the cost of the Family policy;

412. METHOD FOR DETERMINING BUDGETABLE EARNED INCOME (Part VII, Form PA-3A)

- 412.1 The following procedure shall be followed:
 - a. from gross earnings, deduct the appropriate disregard of earned income by Program (see Section 408.);
 - b. deduct mandatory payroll deductions (limited to Federal, State and city withholding taxes of the correct required amount; Social Security; unemployment compensation taxes; and garnishments, according to State law);
 - c. deduct allowance for expenses of employment for each employed person (see Section 410.);
 - d. if applicable, deduct costs of child care (see Section 316.);
 - e. if applicable, deduct the actual amount of support payments being made pursuant to a court order for dependents living elsewhere;
 - f. in ADC, if applicable, deduct income conserved for future identifiable educational needs of a child (see Section 408.3-d.);
 - g. in ADC, for an adult newly added to the family budget unit who is a spouse or who occupies a spousal relationship without proof or claim of ceremonial marriage, deduct the actual amount of payments being made toward allowable prior indebtedness as specified in Section 309.4;
 - h. the remainder is to be entered as budgetable earned income.

413. LUMP SUM PAYMENTS FOR SERVICES

In situations where a client receives a lump sum payment for services rendered over a period of more than a month, any disregard of earned income is to

be computed in relation to the [periods] month(s) when the income is earned and not when it is paid.

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

Division of Public Welfare
129 East Hanover Street
Trenton, New Jersey 08625

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

Lloyd W. McCorkle, Commissioner
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Changes in Manual of Administration

Proposed Changes in the Manual of Administration 10 u&l 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 Division of Public Welfare Manual of Administration in order to delete or correct words, phrases, sections and procedures relating to medical services which have been made obsolete or superseded by the advent of the State Medicaid Program.

Copies of the full text of the proposed amendments may be obtained by writing to:

Division of Public Welfare
129 East Hanover Street
Trenton, New Jersey 08625

or may be examined at:

Division of Public Welfare
Bureau of Social Services
Third Floor
129 East Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 28, 1970, to the Bureau of Social Services at the above address.

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

Lloyd W. McCorkle, Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Manual of Administration

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 June 4, 1970 at 2 N.J.R. 48(d).

An order adopting these amendments was filed June 1970 as R.1970 d.75 to be effective July 1, 1970.

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

(d)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Manual of Administration

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 June 4, 1970 at 2 N.J.R. 49(a).

An order adopting these amendments was filed June 30, 1970 as R.1970 d.76 to be effective July 1, 1970.

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

(e)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

General Assistance Manual

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:8-107 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the Division of Public Welfare General Assistance Manual, substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 49(b).

An order adopting these amendments was filed June 30, 1970 as R.1970 d.77 to be effective July 1, 1970.

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

(a)

INSTITUTIONS AND AGENCIES

STATE BOARD OF CONTROL

Licensing Policy for Long-Term-Care Hospital Units

On June 24, 1970, the State Board of Control of 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 a licensing policy for long-term-care hospital units, substantially as proposed in the Notice published May 7, 1970 at 2 N.J.R. 42(c).

An order adopting this licensing policy was filed June 30, 1970 as R.1970 d.73.

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

(b)

LAW AND PUBLIC SAFETY

DIVISION OF LAW

BUREAU OF SECURITIES

Financial Reports, Unsolicited Sale of Stock

On June 29, 1970, Joseph F. Krupsky, Chief of the Bureau of Securities in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 49:3-87, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, amended N.J.A.C. 13:13-2, "Financial Reports and Statements," and adopted N.J.A.C. 13:13-7, "Customer Acknowledgment of Unsolicited Sale of Stock," substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 50(c).

An order adopting the above changes was filed and effective July 13, 1970 as R.1970 d.85.

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

(c)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Changes in Suspension for Speeding and Point System Regulations

Ronald M. Heymann, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:5-30, proposes to repeal N.J.A.C. 13:19-49, known as the suspension for speeding regulation, and to amend N.J.A.C. 13:19-50, the point assessment section of the point system regulation. The purpose of the proposed changes is to effectuate the intent of the Legislature as contained in N.J.S.A. 39:5-30.2 and 39:5-30.3 (L. 1969, c. 261) in which the Director of the Division of Motor Vehicles is given discretion to permit a driver subject to suspension or revocation to elect to attend the Division of Motor Vehicles Driver Improvement School, in lieu of all or part of the period of suspension, when the violation is a first offense of speeding in excess of 10 miles per hour (m.p.h.) over the legal limit.

The proposed amendments to N.J.A.C. 13:19-50 read as follows (additions indicated in boldface thus; deletions indicated within brackets [thus])

N.J.A.C. 13:19-50 POINT ASSESSMENT

I. Point System for motor vehicle and traffic law violation repeaters.

- Leaving scene of an accident 3 points
- Reckless driving 6 points
- Racing on highway 6 points
- Speeding - 20 MPH or more over legal limit providing speed limit is under 50 MPH 6 points
- Speeding - 10 MPH or more over the legal limit providing the speed as indicated by the conviction is 60 to 80 MPH 6 points
- Speeding - 20 MPH or more over the legal limit providing speed as indicated by the conviction is 81 to 90 MPH 7 points
- Speeding - 20 or more miles over the legal limit providing speed as indicated by the conviction is 91 MPH or greater 8 points
- Speeding - Other 4 points

[No points will be assessed for a speeding conviction which results in a driver license suspension for Speeding Regulation.]

- Passing on curve or hill or otherwise uncafeily 5 points
- Passing stopped school bus 5 points
- Following too closely 5 points
- Other moving violations 3 points

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the proposed action, on or before August 27, 1970, to:

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

The Division of Motor Vehicles, upon its own motion or at the instance of any interested party, may thereafter adopt the above changes substantially as proposed without further notice.

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

(d)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Rule for Visual Tire Inspection

Ronald M. Heymann, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-72 (as amended L. 1970, c. 129), proposes to adopt rules of safe operating condition capable of being employed by a law enforcement officer for visual inspection of tires mounted on motor vehicles, including visual comparison with simple measuring gauges.

The proposed rule reads as follows:

MOTOR VEHICLE TIRES

A tire shall be considered unsafe and shall be rejected for the following reasons:

1. Worn to the point where any part of the ply or cord is exposed. (Cracks, cuts, scuffs, or snags deep enough to expose the cords or fabric are causes for rejection).
2. Any bump, bulge, knot or separation affecting the tire structure.
3. Any break repaired with a boot or patch.

4. Worn so that the tread wear indicators contact the road in any two adjacent major grooves, at three locations spaced approximately equally around the outside of the tire. Passenger car tires are constructed so that the tread wear indicators will not contact the road until the tread depth is less than 2/32 of an inch. It is also permissible to determine whether a passenger car tire has the minimum safe tread depth of 2/32 of an inch at the locations specified above by using a tread depth gauge of a type calibrated in thirty-seconds of an inch and following the instructions furnished with such gauges.

This Regulation shall take effect immediately.

Interested persons may present statement or arguments in writing, orally in person, or by telephone, relevant to the proposed action, on or before August 27, 1970, to:

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

The Division of Motor Vehicles, upon its own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as proposed without further notice.

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

(e)

LAW AND PUBLIC SAFETY

DIVISION OF STATE POLICE

Chemical Breath Testing Rules

On July 7, 1970, George F. Kugler, Jr., Attorney General, pursuant to authority of N.J.S.A. 39:4-50.3, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 13:51-21 of the rules of the Division of State Police governing chemical breath testing, substantially as proposed in the Notice published June 4, 1970 at 2 N.J.R. 50(f).

An order adopting these amendments was filed and effective July 9, 1970 as R.1970 d.84.

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

(f)

LAW AND PUBLIC SAFETY

POLICE TRAINING COMMISSION

Proposed Police Administrative Services Bureau Rules

The Police Training Commission of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:17B-71(h), proposes to repeal Subchapter 11 entitled "Administrative Management Services" of its existing rules, and to adopt in place thereof a new Subchapter 11 entitled "Police Administrative Services Bureau".

The following is the complete text:

SUBCHAPTER 11

POLICE ADMINISTRATIVE SERVICES BUREAU

13:1-11.1 **LAW ENFORCEMENT UNIT DEFINED**
"Law enforcement unit" shall mean any police force or organization in this state or a bi-state agency which has by statute or ordinance, the responsibility of detecting crime and enforcing the general criminal laws of this State.

13:1-11.2 **POLICE ADMINISTRATIVE SERVICES BUREAU ESTABLISHED**

There is established in the Police Training Commission a Police Administrative Services Bureau (hereinafter referred to as "PASB").

13:1-11.3 **STUDIES AND ANALYSES**

Upon the written request of any law enforcement unit, PASB is authorized to conduct studies and analyses of the administration, management or operations of the law enforcement unit.

13:1-11.4 **COUNSELING SERVICES**

Upon the written request of any law enforcement unit, PASB is authorized to provide counseling services to such law enforcement unit for the purpose of improving the administration, management or operations of the law enforcement unit.

13:1-11.5 **REQUESTS FOR ASSISTANCE**

Requests for PASB assistance shall be signed by the chief of the law enforcement unit or other official responsible for directing the operation of the unit and by the mayor of the municipality or other appropriate elected or appointed official. Where the municipality does not have an organized police department, the signature of the mayor or other appropriate official will suffice.

13:1-11.6 **CONSOLIDATION AND POOLING OF POLICE SERVICES**

Requests for surveys of the consolidation and pooling of police services shall be signed by the appropriate officials of each municipality or county, as the case may be.

13:1-11.7 **CONTRACTING FOR SERVICES**

Requests from a municipality not having an organized police department for the furnishing of police services by another municipality or county shall be signed by the appropriate officials of each municipality or county, as the case may be.

13:1-11.8 **POLICE MANAGEMENT BULLETINS**

PASB shall prepare and distribute from time to time to law enforcement units a police management bulletin and such other material as will serve to improve the efficiency of law enforcement units.

13:1-11.9 **NO FEES FOR SERVICES**

No fees will be charged for any PASB services.

13:1-11.10 **LETTER OF AGREEMENT**

A letter of agreement outlining the scope of the services to be performed shall be prepared for law enforcement units requesting such services and shall be signed by appropriate officials of the municipality or county, as the case may be, and by the chief administrative analyst of the bureau.

13:1-11.11 **DISTRIBUTION OF REPORTS**

Copies of reports prepared by PASB on any law enforcement unit shall be furnished only to the chief of the law enforcement unit or other official responsible for directing the operation of the unit and to other appropriate officials of the municipality or county, as the case may be.

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

Police Training Commission
1100 Raymond Blvd.
Newark, New Jersey 07102

After full consideration of all statements and arguments presented, the Police Training Commission, upon its own motion or at the instance of any interested party may thereafter adopt the above rules substantially as proposed without further notice.

Leo A. Culloo
Executive Secretary
Police Training Commission
Department of Law and Public Safety

STATE NEWS OF PUBLIC INTEREST

EARLY NEW JERSEY NEWSPAPERS TO BE PRESERVED ON MICROFILM

Many early New Jersey newspapers, an invaluable record of events and public opinion for two centuries, will be saved from deterioration through a new statewide program of microfilming, according to Roger H. McDonough, director of the State Library.

The program will be administered by the State Library's Archives and History Bureau, headed by Kenneth W. Richards. It will involve cooperation with local public libraries that have important newspaper collections. Selected papers will be scheduled for filming each year.

A total of \$15,000 will be spent on the program this year. One-third of the money will be provided by local libraries, to be matched by the State Library and the New Jersey Historical Commission, each allotting \$5,000. An equal amount is anticipated for next year.

The Library's share will come from the Federal Government through Title III of the Library Services and Construction Act. The expenditure was recommended by the New Jersey Library Resources Committee, an advisory body.

Two public libraries will participate in the program this year. Jersey City Free Public Library will film its collection of The Jersey Journal (1941-1950). Trenton Free Public Library will do The Trenton State Gazette (1800-1942).

Professor Richard P. McCormick of Rutgers University, chairman of the New Jersey Historical Commission, calls the newspaper preservation program "one of the most useful services we could possibly render to the growing number of scholars engaged in the study of New Jersey's history."

Applications will soon be available to public libraries wishing to participate in the program in 1971.

SULLIVAN EXPLAINS NEW POLLUTION CONTROLS DUE FOR DIESEL VEHICLES

"Exhaust smoke from diesel trucks and buses is a form of air pollution that is particularly objectionable to the public," states Richard J. Sullivan, Commissioner of Environmental Protection.

"Diesels, along with incinerators and smelly industrial processes, account for the vast majority of pollution complaints made by New Jersey citizens," he notes, adding that "diesels are believed to contribute about six percent of all particulate matter in the atmosphere."

The Commissioner made his comments prior to a public hearing to be held August 19 on a proposed state-wide regulation to control smoke from diesel-powered vehicles.

(The hearing was officially announced in the July 9 New Jersey Register at 2 N.J.R. 54 (c), along with the full text of the proposed regulation.)

The public session is at 10 a.m. in the Fine Arts Center at Rider College, Route 206, Trenton. Briefs and statements may be made at the hearing or sent to the Department of Environmental Protection in advance.

Emphasizing the importance of the regulation, Commissioner Sullivan will himself be the hearing officer. The proposed measure upon adoption would become Chapter 14 of the state's Air Pollution Control Code, entitled "Control and Prohibition of Smoke from Diesel-Powered Motor Vehicles."

Last week the Commissioner explained more fully the new regulation. He noted that two methods of measuring diesel smoke exhaust are proposed. One is a visual standard to check vehicles on the roads. "It is hoped that the visual standard will be applied by State and local police and road enforcement officers of the Division of Motor Vehicles," he said.

Operators of diesels with smoke exceeding the standard will be in violation of Motor Vehicle Law and subject to a ticket and fine, he explained.

The second inspection method, which employs a "smoke-meter" instrument to check standing vehicles, will be used by the Public Utilities Commission in its regular inspections of buses. "Buses will fail inspection if their smoke measures above the standard."

The PUC conducts bus inspections, while the Division of Motor Vehicles controls trucks and tractors.

Commissioner Sullivan noted that "the standard proposed on public highways prohibits anyone from operating a diesel-powered motor vehicle if, when it is in motion, it emits smoke that is visible approximately one foot away from the exhaust outlet for more than five seconds."

"When a stationary inspection is conducted, the diesel may not emit smoke having more than 20 percent opacity as measured by what is known as a free acceleration test."

The anti-pollution official said that use of the stationary test in motor vehicle inspection stations in addition to the PUC is not planned at this time, pending completion of a current study of the effectiveness of the entire annual motor vehicle inspection program.

"When the study of the inspection system is complete and decisions made, we will know whether the incorporation of the diesel test as a part of that inspection is appropriate."

He also noted that the state law requires a waiting period of 180 days from the time of adoption of the regulation, following the public hearing, to the start of enforcement.

DR. HORTON IS ELECTED AS NEW CHAIRMAN OF CLEAN AIR COUNCIL

Dr. John Horton, of Bernardsville, has been elected the new Chairman of the New Jersey Clean Air Council, Richard J. Sullivan, Commissioner of Environmental Protection, announced.

In accordance with the provisions of the New Jersey Air Pollution Control Act, Dr. Horton was elected by the Council for a one-year term. The vote was unanimous.

For the past two years Dr. Horton, who is 45, served as chairman of the Council's Public Hearing Committee, which held a three-day public hearing last April on air pollution from mobile sources in connection with the Council's second annual report presented to Commissioner Sullivan July 13.

Dr. Horton, a public member of the council, is chairman of the board and president of the Newark Brush Company, Kenilworth. He is also president of Danline Manufacturing and director of allied corporations in Canada, England, and Denmark.

Previously he was assistant to the president of National Dairy Research Labs, Inc., Oakdale, Long Island, and assistant director for development of the Virginia-Carolina Chemical Corporation, Richmond, Virginia.

Dr. Horton has been granted six patents, has authored 14 technical and business articles, and has been a lecturer for the American Management Association. He is president of the Watchung area council, Boy Scouts of America, and a registered professional engineer in New Jersey.

He received a B.S. degree in civil engineering from Massachusetts Institute of Technology in 1949, and a Doctor of Science in sanitary engineering from M.I.T. in 1951.

Irwin S. Zonis, of West Orange, was elected vice chairman of the council. Zonis has served two years on the council as chairman of the legislative committee and a member of the code study committee. He is vice president of operations, Chemicals Division, Essex Chemical Corporation, Clifton. On the council, he represents the New Jersey Manufacturers Association.

STATE NEWS OF PUBLIC INTEREST

START CODE COMPUTERIZATION OF N. J. RULES AND REGULATIONS

A contract to codify, computerize and photo-compose the administrative rules and regulations of the State of New Jersey has been awarded to Autocomp, Inc. of Washington, D.C.

The program, on which work has already started, will for the first time put into one set of volumes the rules and regulations of the state, a task assigned by law to the Division of Administrative Procedure of the Department of State.

It marks only the second application of computer—photocomposition technique to such a codification, the Autocomp firm having just begun a similar job for the Commonwealth of Pennsylvania.

The full text of the completed publication, to be known as the New Jersey Administrative Code, will be stored on computer tape for future information retrieval.

The completed Administrative Code will contain in looseleaf binder form the state's rules and regulations in separate titles arranged by subject matter, and kept current by quarterly issuance of supplemental pages.

Copies of the volumes and supplements will be available by subscription to lawyers, law libraries, schools and others interested. Printing of the first Titles is planned by the end of this year.

NEW DAIRY INDUSTRY DIRECTOR HAS HAD 16 YEARS IN THE FIELD

W. W. Moffet Jr., formerly of Jackson, Miss., is the new Director of the Division of Dairy Industry in the State Department of Agriculture.

Secretary of Agriculture Phillip Alampi named him as of July 1 to the post, succeeding Joseph C. Mathis Jr. of Titusville who will be leaving state government after serving as acting director since December 1968. Salary is \$22,170, pending Civil Service Commission approval.

Moffet, 51, had been executive secretary of the Mississippi Milk Commission since 1960 and prior to that was for six years supervisor of milk audit control in the Mississippi Department of Agriculture.

He has served as coordinator of the Southern Regional Dairy Marketing Research Project and is a past president of the International Association of Milk Control Agencies and past chairman of the Southeastern Milk Stabilization Council.

Moffet had five years of military service, including 22 months in the Pacific Theatre with the Army during World War II. He held the rank of captain on his discharge in 1946 and is a lieutenant colonel in the Medical Service Corps reserve.

He holds a B. S. degree in agricultural administration and an M. S. in agricultural economics from Mississippi State University which he earned in 1951 and 1952, plus a 1961 law degree from Jackson (Miss.) School of Law.

Married and with a daughter and three sons ranging in age from 23 to 12, the family will relocate in the Trenton area. Moffet, born in Jones County, Mississippi, near Laurel, says with a drawl that he's a country boy.

DONOHUE NAMED DIRECTOR OF DIVISION ON AGING

Edward L. Donohue, former executive director of the Camden County Office on Aging, is the new state Director of the Division on Aging, one of seven major agencies in the Department of Community Affairs.

Donohue, 44, succeeded Mrs. Eone Harger, director of the division since it was first established in the Department of Health in 1958 and part of the Community Affairs Department since 1967. He took office July 1 at a \$13,233 salary.

Donohue served for the past two years as executive director of the Camden County Office on Aging, one of 14 county or municipal offices on aging throughout the state. These offices serve as arms of the state division, providing a local source of information and referral on programs which affect older people.

From 1964 to 1968 Donohue was an Undersheriff of Camden County and from 1962 to 1964 a parole officer assigned to the Camden district office of the State Bureau of Parole, part of the Department of Institutions and Agencies. In 1961-62, he was a self-employed management consultant.

Donohue received a bachelor's degree in philosophy in 1946 from St. Mary's University, Baltimore, and took graduate studies in education administration and guidance counseling at Villanova University for three years.

He is a past president of the Social Welfare Association of Camden County, a director of the Camden County Senior Citizens' Center, and advisor to the Council for the Betterment of Senior Citizens of Camden County. He is a member of the American Gerontological Society and the adult education advisory committee of Camden County College.

He and his wife live with their six children at 21 East Haddon Avenue, Oaklyn.

MEYERS NAMED TO SECOND POST IN COMMUNITY AFFAIRS DEPARTMENT

Albert Meyers, a community development consultant with wide experience on local, national and international levels, was named last month as Deputy Commissioner of the Department of Community Affairs.

Commissioner Edmund T. Hume described Meyers as "a recognized expert in community and program development who has worked extensively in government and private agencies. His broad experience includes the fields of public and business administration, law practice, social welfare and teaching."

As deputy commissioner, the second highest post in the 400-member department, Meyers handles administrative program and policy development and grantsmanship. The position pays \$27,514. He succeeds John N. Kolesar, who resigned.

Meyers, 60, was for the past seven years director of research and development for the United Community Fund of Essex and West Hudson Counties.

His earlier experience was in economic and social development work for governmental and private agencies, including the U.S. Agency for International Development (AID), the United Nations, the Inter-American Development Bank, and the American National Red Cross. In addition, he has served such agencies in New Jersey as the Rutgers Urban Studies Center, the Belleville Family Service Agency, and several Newark organizations.

He has helped develop programs in a variety of urban fields including manpower training and placement, drug abuse, community organization, day care, juvenile delinquency, remedial education, economic development and recreation.

He served as an assistant supervisor and social worker in the New York City Department of Welfare from 1935 to 1942 and from 1961 to 1959 was executive vice president of the Kern Realty Corporation, New York City.

Meyers received his law degree in 1931 from St. John's University Law School and is a member of the New York and Nevada State Bar associations. He earned a master's degree in sociology and psychology from New York University in 1940, a master of social work degree from Columbia University in 1942, and has completed course work for his Ph. D. degree in sociology from the New York University Graduate School of Arts and Sciences.

Meyers was a senior fellow at the Urban Studies Center of Rutgers University in 1963-64 and an instructor of sociology in the evening division of New York University during 1957-59.

He is fluent in Spanish and has a working knowledge of French, Italian and Portuguese.

Meyers and his wife reside at 11 Concord Road, Marlboro (Monmouth County). They have two married sons, Glenn of New York and Stanley of Washington, D.C., and two grandchildren.

WINFIELD APPOINTED DIRECTOR OF WORKMEN'S COMPENSATION

G. Robert Winfield, an attorney who has spent 18 years in compensation work, is the new Director of the Division of Workmen's Compensation in the Department of Labor and Industry.

Winfield, 55, a resident of Bloomfield for 20 years, had most recently been Supervising Judge of Compensation in Hudson County. As Director he continues at the state \$27,000 salary he had been receiving.

Born in Jersey City in 1915, Winfield attended Marshall Law School there, graduating in 1938 with an LL.B. He was admitted to the New Jersey Bar in 1940 and appointed a formal referee in the state Workmen's Compensation Division in 1952. He later served as Deputy Director, Judge of Compensation and Supervising Judge of Compensation in the Division.

He is a veteran of World War II with service in the North African, Middle East, Mediterranean and European campaigns. Following the war he was a trial attorney, engaged principally in defense work, before joining the state.

Winfield is a member of the American Judicature Society, married and with a son in the U.S. Navy and one married daughter.

SIMONSE IS NEW DIRECTOR OF ECONOMIC DEVELOPMENT DIVISION

Herman C. Simonse of Parsippany took office July 27 as Director of the Economic Development Division of the State Department of Labor and Industry. He replaces Peter J. Blake of Colts Neck, with the salary yet to be established in the \$18,622-\$24,208 range.

The Division, which was transferred to the Labor Department in April from the former Department of Conservation and Economic Development engages in all phases of economic development. Its operations cover community development, international trade, state promotion, tourism and industrial development.

Simonse, 39, was for the past two years executive director of the Morris County Chamber of Commerce. Prior to that he served six years as a consultant and as director of the Morris County Department of Industrial Development and earlier on the Morris County Planning Board.

He is a 1957 graduate of Rutgers University with a B.S. in economics and last year earned an M.B.A. from Fairleigh Dickinson University in business administration. He served in the Army from 1952 to 1954.

Simonse is a member of the Industrial Real Estate Brokers Association, New Jersey Federation of Planning Officials, Morris County Manpower Advisory Committee, Morris-Sussex Regional Health Facilities Planning Council and is current president of the Northeastern Industrial Developers Association, a 12-state group of over 400 members.

The family, with two sons, 12 and 8, lives at 46 Caliform Road, Parsippany.