

# NEW JERSEY REGISTER



*Official Publication of the State of New Jersey*

**WILLIAM T. CAHILL**, Governor  
**Paul J. Sherwin**, Secretary of State  
**Albert E. Bonacci**, Director of Administrative Procedure  
**John K. Barnes**, Editor

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**CUMULATIVE INDEX TO VOLS. 1-2 (Sept. 1969 - Dec. 1970)**

**included with this issue**

# NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Proposed Hog Cholera Rule Changes

The State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-106, proposed at its meeting on January 25, 1971 to revise certain hog cholera rules to conform with the National Hog Cholera Eradication Program.

The text of the revised rules reads as follows:

#### 2:2-8 Hog Cholera Control

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

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

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

Dosage of anti-hog cholera serum or antibody concentrate.

Except for swine under twenty (20) pounds in weight, the dosage of serum shall not exceed one cc. per pound body weight, or 1/2 cc. per pound body weight if antibody concentrate is used.

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

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

Premises suspected of infection with hog cholera shall be quarantined until determination is made by the cooperating agencies that the disease is or is not present. Once official

confirmation of hog cholera exists, such premises shall remain under quarantine until program agents are satisfied that exposure no longer exists.

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

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

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

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

#### 2:2-9 Indemnity

Once official confirmation has been had of hog cholera in a herd of swine, the following measures shall apply as long as funds are available:

1. All infected and exposed swine on the premises alive at the time initial notification of the disease was made to the official cooperating agencies shall be appraised under the following rules:

A. The schedule as set forth below shall apply in respect to appraisal of swine for meat, feeding or breeding, but in no instance shall the appraisal exceed the actual value of the animal. The top market price shall be that price per 100 pounds which prevails on the Interior Illinois Market, Peoria, Illinois, on the day appraisals are conducted. In the case of appraisal for breeding value, if the animals are grades, only females shall be eligible and no such appraisal shall exceed three times the animal's meat or feeding value. Swine presented for appraisal as purebred shall be accompanied by their certificate of registry

## NEW JERSEY REGISTER

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

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at the time of appraisal, or they shall be appraised as grades:

40 pound pig and under = 2 times the price of top market hogs

40-50 pound pig = 1.75 times the price of top market hogs

50-60 pound pig = 1.65 times the price of top market hogs

60-70 pound pig = 1.55 times the price of top market hogs

70-80 pound pig = 1.45 times the price of top market hogs

80-90 pound pig = 1.45 times the price of top market hogs

90-100 pound pig = 1.35 times the price of top market hogs

100-125 pound pig = 1.15 times the price of top market hogs

Over 125 pound pig = Market price per pound corresponding to the grade on the Peoria Market.

B. Expenses for the care and feeding of swine held for destruction and the expense of destruction, burial, incineration and/or transportation and other expenses incidental to their slaughter will be the responsibility of the owner of the swine.

C. Any indemnity claim for swine destroyed shall contain owner certification that the swine were, or were not, covered by a mortgage. If the owner states that there is a mortgage, forms furnished by the cooperating agencies shall be signed by the owner and by each person holding a mortgage on the swine consenting to the payment of any indemnity allowed to the person specified thereon.

D. The United States Department of Agriculture, Animal Health Division, agrees to pay the owner of swine destroyed for hog cholera not to exceed 50% of the difference between the appraised value of each swine so destroyed and the net salvage received by the owner thereof. The New Jersey Department of Agriculture agrees to pay the owner of swine destroyed for hog cholera not to exceed 50% of the difference between the appraised value of each swine so destroyed and the net salvage received by the owner thereof.

E. State indemnity shall not exceed \$100 per head for purebred, inbred, or hybrid swine and for breeding swine, or \$50 for all other swine and in no case shall State indemnity exceed 50% of the difference between the appraised value of each swine so destroyed and the net salvage received by the owner thereof.

F. No indemnity will be paid until the premises and associated vehicles are cleaned and disinfected in a manner approved by the cooperating agencies.

G. Following disclosure of hog cholera infection on a premises, prompt depopulation of all swine, indemnity payments by the cooperating agencies and premises, disinfection, restocking of such premises with swine will be permitted provided owners and/or operators of such a swine farm follow recommendations of the cooperating agencies for prevention of hog cholera. Failure to follow such recommendations of the cooperating agencies shall render such owners and/or operators ineligible for indemnity should hog cholera reinfection occur on such premises.

H. Any swine owner who has wilfully violated any regulations of the Department, that would result in the introduction of hog cholera in the herd, will be ineligible for indemnity.

#### 2:2-10 Swine consigned to Livestock Markets

Swine offered for sale at livestock markets for other than immediate slaughter shall be individually identified and so recorded on the market records as to farm of origin.

Swine for immediate slaughter must also be recorded in the market records as to farm of origin.

The swine shall be held in quarantine on the farm of the buyer for thirty (30) days.

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

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

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the proposed action, on or before March 26, 1971, to:

Director  
Division of Animal Health  
Department of Agriculture  
Post Office Box 1888  
Trenton, New Jersey 08625  
Telephone: (609) 292-3965

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

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(a)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Proposed Poultry and Turkey Improvement Plan Rule Changes

The State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-1, 4:10-3 and 4:10-13, proposed at its meeting on January 25, 1971 to adopt as N.J.A.C. 2:2-15.1 revised rules concerning the New Jersey-United States Poultry and Turkey Improvement Plans, as follows:

#### 2:2-15.1 The New Jersey-United States Poultry and Turkey Improvement Plans

The State Board of Agriculture adopts the rules and regulations of the National Poultry and Turkey Improvement Plans of the United States Department of Agriculture as the official rules and regulations of the New Jersey Program. In addition, the State Board of Agriculture promulgates the following supplemental rules and regulations.

#### General Regulations

All breeding birds shall be selected and banded by a poultry inspector of the New Jersey Department of Agriculture or by a qualified flock selecting agent under Department supervision. Flocks entered in any of the breeding stages are required to be officially tested for pullorum-typhoid disease.

The pullorum-typhoid testing shall be done by representatives of the New Jersey Department of Agriculture or qualified testing agents under Department supervision.

Flock selection and testing agents and blood collectors shall take a course of training as prescribed by the New Jersey Department of Agriculture and shall pass satisfactorily an examination to prove their ability to select and test birds for pullorum-typhoid disease.

The New Jersey Department of Agriculture shall designate and test the number of samples of blood to be taken from each flock.

Applications for service shall be made in writing, sufficiently in advance, to permit the orderly scheduling of work by the Department. Notification before September 1 of intention to participate will be mutually helpful.

**Breeding Stages**

The following breeding classifications, carrying a "U.S." approved seal in the form of a Red Cross, are used in New Jersey:

- N.J.-U.S. Approved
- N.J.-U.S. Certified
- N.J.-U.S. Record of Performance (ROP)
- N.J.-U.S. Performance Tested

The work of flock selecting agents will be recognized in only the Approved and Certified stages.

The purchase of ROP hatching eggs to produce ROP chicks will be permitted only when distance prohibits the shipment of chicks, and then only by ROP breeders or wing banded by State inspector or authorized selecting agent.

**Pullorum-Typhoid Disease Testing**

The following stages for pullorum-typhoid disease control and eradication shall be used in New Jersey.

- (a) N.J.-U.S. Pullorum-Typhoid Passed (no reactors in last test of all breeders on farm).
- (b) N.J.-U.S. Pullorum-Typhoid Clean (no reactors on first test, or two consecutive tests not less than 21 days apart).

Reactors must be retained for bacteriological examination for pullorum and typhoid disease. The examination must be done in one of the following laboratories:

New Jersey Department of Agriculture  
Health-Agriculture Building  
John Fitch Plaza  
Trenton, New Jersey 08625

Poultry Pathology  
Department of Animal Sciences  
College of Agriculture and Environmental Science  
Rutgers - The State University  
New Brunswick, New Jersey 08903

Poultry Health Laboratory  
East Landis Avenue  
Vineland, New Jersey 08360

**Cost of Service to Poultrymen**

No. of Birds Handled	1-Man Crew	2-Man Crew	3-Man Crew
1 to 500	5c per bird	6c per bird	7c per bird
501 up	4c per bird	5c per bird	6c per bird

1-Man Crew — Includes a pullorum-typhoid tester or tube bleeder or selector.

2-Man Crew — Includes (a) a pullorum-typhoid tester or tube bleeder (b) a bleeder or selector.

3-Man Crew — Includes (a) a pullorum-typhoid tester, (b) a bleeder, (c) a selector.

Retests—One-half cent per bird less than above charges. (No charge when pullorum or typhoid is found on previous tests.)

**Charge for any one day (State Crew)**

Up to \$40 for one man + 1c per bird over 1,000 per day  
Up to \$50 for two men + 1c per bird over 1,000 per day  
Up to \$60 for three men + 1c per bird over 1,000 per day  
(Laboratory tube charge, checking selection or testing of agents not included.)

**Laboratory Tube Test Charge**

State Crews	1.0 cent per bird
Agent Crews (straight tube)	1.0 cent per bird
Other Crews (no N.J.-U.S. rating)	1.2 cents per bird
Flock selection and pullorum-typhoid testing agents' fees	

(a) 1.0 cent per bird—includes bands, supervision of selecting and testing on Pullorum-Typhoid Passed flocks

(b) 1.5 cents per bird—includes bands, supervision of selecting and testing on Pullorum-Typhoid Clean flocks.

Hatchery Fees—10,000 to 100,000 egg capacity . . . . \$15  
100,001 and up egg capacity . . . . . \$25

When very small flocks are to be tested, the Department will provide the bands and tubes. Charges will be the cost of the bands used and 1.2 cents for each tube. No N.J.-U.S. rating will be given.

**Record of Performance (ROP) Trapnest Charges**

Up to 400 birds . . . . . Minimum \$100  
All over 400 birds . . . . . 20 cents per bird  
(The regular Selection and Testing charges are in addition to the ROP Trapnest fees.)

Fees may be increased in any case where lack of cooperation on the part of the applicant tends to raise the cost to the Department of Agriculture.

**Method of Payment**

A deposit of three cents per bird must accompany application.

Where flock selection and testing agents are employed, one-quarter cent per bird must accompany application.

The flock and hatchery inspection fee shall accompany application.

**ROP Trapnest payments:**

- One-fourth of total fees with application.
- One-fourth of total fees February 1.
- Balance June 1.

The individual, firm or hatchery making application will be held responsible for payment of all fees.

All bills must be paid promptly after notification, and no certificates will be issued until all fees are paid.

Checks shall be payable to the State of New Jersey, Department of Agriculture.

Note: The above rules, formerly codified as part of the New Jersey Division of Markets' rules, is being recodified as part of the Division of Animal Health's rules.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the proposed action, on or before March 26, 1971, to:

Director  
Division of Animal Health  
Department of Agriculture  
Post Office Box 1888  
Trenton, New Jersey 08625  
Telephone: (609) 292-3965

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

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(a)

**AGRICULTURE**

**DIVISION OF AGRICULTURAL CHEMISTRY**

**Proposed Chlorine Fertilizer Rules**

The State Board of Agriculture, pursuant to authority of N.J.S.A. 4:9-15.33, proposed at its meeting on February 10, 1971 to adopt as N.J.A.C. 2:69-13 a new rule concerning the maximum percentage of chlorine permitted in certain fertilizers, as follows:

**2:69-13 MAXIMUM PERMITTED CHLORINE IN CERTAIN FERTILIZERS**

(b)

When fertilizers claim or imply that the potash is present in a form other than chloride, the percentage of chlorine present shall not exceed that obtained by the following calculation:

Multiply the percentage of potash found to be present by the factor (.05) and to this product add an allowance of 0.5%.

Example: 12-4-8 (LC) for Potatoes  
 Percentage of potash found present: 8.42%  
 $8.42\% \times .05 = .4210\%$   
 Allowance: + .5  


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 .921% Maximum permitted  
 % of Chlorine.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the proposed action on or before March 26, 1971, to:

Director  
 Division of Agricultural Chemistry  
 Department of Agriculture  
 Post Office Box 1888  
 Trenton, New Jersey 08625  
 Telephone: (609) 292-5573

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

Phillip Alampi  
 Secretary of Agriculture  
 Secretary, State Board of Agriculture

(a)

**BANKING**

**NEW JERSEY MORTGAGE FINANCE AGENCY**

**Short Term Investment of Cash in Fiduciary Accounts**

Robert A. Watson, Executive Director of the New Jersey Mortgage Finance Agency, pursuant to authority of N.J.S.A. 17:1B-4 et seq., proposes to amend Rules and Regulations of the New Jersey Mortgage Finance Agency.

The proposed amendments are intended to clarify the rules and regulations of the Agency and do not in any way effect the substance of the rules and regulations.

Copies of the complete text of the amended rules and regulations may be obtained from:

New Jersey Mortgage Finance Agency  
 Taxation Building  
 West State and Willow Streets  
 Trenton, New Jersey 08625

Interested persons may present statements of arguments in writing relevant to the proposed action on or before March 30, 1971 to the New Jersey Mortgage Finance Agency at the above address.

The New Jersey Mortgage Finance Agency, upon its own motion or at the instance of any interested party, may thereafter adopt the proposed amendments without further notice.

Robert A. Watson  
 Secretary  
 New Jersey Mortgage Finance Agency  
 Department of Banking

**EDUCATION**

**STATE BOARD OF EDUCATION**

**Proposed School Bus Body and Equipment Specification Amendments**

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to amend N.J.A.C. 8:21-53 pertaining to school bus body and equipment specifications—doors and emergency window, as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

**8:21-53 Doors and emergency window—**

**A. Service door:**

1. Service door shall be power or manually operated, under control of driver, and so designed as to afford easy release and prevent accidental opening. When hand lever is used, no parts shall come together so as to shear or crush fingers.

2. Service door shall be located on right side of bus opposite driver and within his direct view.

3. Service door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 68 inches.

4. Service door shall be of split type, sedan type, or jackknife type. (Split type door includes any sectioned door which divides and opens inward or outward.) If one section of split type door opens inward and other opens outward, front section shall open outward.

5. Lower as well as upper panels shall be of approved safety glass. Bottom of lower glass panel shall not be more than 36 inches from ground when bus is unloaded. Top of upper glass panel shall not be more than six inches from top of door.

6. Vertical closing edges shall be equipped with flexible material to protect children's fingers.

7. There shall be no door to left of driver. (This shall not be interpreted to conflict with Item B 1 below.)

**B. Emergency door [and emergency window]:**

1. Emergency door shall be located in center of rear end of bus or in rear half of left side of bus if engine is so located as to make it impossible to place door in center of rear end.

2. Emergency door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 48 inches measured from floor level.

3. Emergency door shall be hinged on right side if in rear end of bus and on front side if on left side of bus. It shall open outward and shall be labeled inside to indicate how it operates.

4. Upper portion of emergency door shall be equipped with approved safety glass, exposed area of which shall be not less than 400 square inches. Lower portion shall be equipped with approved safety glass vision panel.

5. There shall be no steps leading to emergency door.

6. Words "EMERGENCY DOOR," shall be located both inside and outside in letters at least two inches high.

[7. If emergency door is located on left side of bus:

a. Window at rear shall be designed as emergency exit and shall be no smaller than 16 inches in height and 54 inches in width on buses 80 inches or more in width; it shall be no smaller than 16 inches in height and 48 inches in width on buses less than 80 inches in width. Window shall be hinged from top and devised and operated to insure against accidental closing in emergency.

b. Paneling is required to cover space between top of rear divan seat and inside surface of emergency window on inside and directly below it on outside.]

7. Emergency door shall be designed to be opened from inside and outside of bus and shall be equipped with fastening device which may be quickly released but is designed to offer protection against accidental release. Control from the driver's seat shall not be permitted.

**a. Fastening Device:**

(1) Fastening device shall be a cam-operated slide bar with minimum stroke of one inch.

(2) Fastening device shall be equipped with suitable electric plunger-type switch connected with buzzer located in driver's compartment. Switch shall be enclosed in metal case, and wires leading from switch shall be concealed in bus body. Switch shall be so installed that plunger contacts farthest edge of slide bar in such manner that any movement of slide bar will immediately close circuit on switch and activate buzzer.

(3) Fastening device shall be equipped with interior handle that extends approximately to center of emergency door. The handle shall lift up to release.

(4) The fastening device shall be equipped on the outside with a non-detachable handle so designed as to prevent hitching-to, but to permit opening from the outside.

**b. Emergency door lock**

(1) Emergency door may be equipped with a locking system which incorporates an inter-locking electrical circuit that prevents the bus from being started while the emergency door is locked.

(2) An additional circuit shall be installed which will activate a buzzer if the emergency door lock is being tampered with while the bus is in service.

**C. Emergency window:**

When emergency door is located on left side of bus:

1. Window at rear shall be designed as an emergency exit and shall be no smaller than 16 inches in height and 54 inches in width on buses 80 inches or more in width; it shall be no smaller than 16 inches in height and 48 inches in width on buses less than 80 inches in width. Window shall be hinged from top and devised and operated to insure against accidental closing in emergency.

It shall be equipped with latch (or latches) on inside, connected with electrical buzzer that will actuate when latch is being released.

2. Paneling is required to cover space between top or rear divan seat and inside surface of emergency window on inside and directly below it on outside.

[8. a. Emergency door and emergency window shall be designed to be opened from inside and outside of bus and shall be equipped with fastening device which may be quickly released but is designed to offer protection against accidental release. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of non-detachable device so designed as to prevent hitching-to, but to permit opening when necessary.

Emergency door shall be equipped with slide-bar, cam-operated lock. Slide bar shall have minimum stroke of one inch. Emergency door lock shall be equipped with suitable electric plunger-type switch connected with buzzer located in driver's compartment. Switch shall be enclosed in metal case, and wires leading from switch shall be concealed in bus body. Switch shall be so installed that plunger contacts farthest edge of slide bar in such manner that any movement of slide bar will immediately close circuit on switch and activate buzzer.

Door lock shall be equipped with interior handle that

extends approximately to center of emergency door. It shall lift up to release lock.

b. Emergency window in rear shall be equipped with latch (or latches) on inside, connected with electrical buzzer that will actuate when latch is being released.

It shall also be equipped on outside with non-detachable fastening device so designed as to prevent hitching-to, but to permit opening from the outside.]

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, before 4 p.m. on April 6, 1971, to:

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

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

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

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Rules Concerning Federal Funds for Public Library Construction

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:73-39, proposes to adopt rules pertaining to the supervision and administration of Federal funds to assist in the construction of new public library buildings and the acquisition, expansion or rehabilitation of existing buildings in accordance with the provisions of the Library Services and Construction Act, Public Laws 84-597 and 88-269, and Amendments of P.L. 89-511 and P.L. 90-154.

The proposed regulations are not to be interpreted as being standards, but are minimum requirements for participation in the Federal grant program and provide only for basic services.

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

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

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action before 4 p.m. on April 6, 1971 to Clyde E. Leib at the above address.

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

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

(a)

# INSTITUTIONS AND AGENCIES

## DIVISION OF PUBLIC WELFARE

### Proposed Changes in the 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 the Division of Public Welfare Manual of Administration, as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

#### 2220. RESIDENCE REQUIREMENTS

##### .1 Legal Requirement and Authority

a. The law requires that an applicant for or recipient of assistance shall be a resident of this State

b. There is no mandatory legal provision that assistance shall be continued to recipients who leave New Jersey. The law does provide that by special resolution the county welfare board may, with the approval of the State Division, continue assistance payments to persons already receiving same who remove to another state under certain specified conditions. (However, it is recognized as implicit in this provision that a recipient who is a resident of New Jersey does not cease to be a resident, and does not necessarily cease to be eligible for continuing assistance, merely because of temporary physical absence from the State. As a corollary, a recipient who does in fact become a resident in another state, ceases to have any statutory right to continue to receive assistance from New Jersey.)

##### 2221. Definitions

##### .1 State Residence

The term "resident" shall be interpreted to mean a person who is living in the State voluntarily and not for a temporary purpose, that is, with no intention of presently removing therefrom. See 2200. Appendix II for list of suggested sources of evidence of residence.

##### .2 Abandonment of New Jersey Residence

a. Abandonment means the termination in fact of any actual place of abode in New Jersey, when accompanied by the establishment in fact of an actual place of abode in another state with apparent intent to remain absent from New Jersey permanently, or for an indefinite period for purposes other than a temporary visit.

##### .3 County Residence

"County residence" is not an eligibility requirement and relates only to identification of the welfare board [responsible for receiving applications] charged by law with responsibility for the official receipt, registration and processing of applications, and for making payments to eligible persons. Such allocation of responsibility is declared to be essential for orderly and efficient management and fiscal accountability but it shall not be administered in a manner to preclude or limit the opportunity for any person residing in New Jersey, who wishes to apply for assistance, to do so with reasonable promptness.

##### a. Customary Place of Abode—Applicants

An applicant for assistance shall be considered a resident of the county in which he maintains his customary place of abode. "Customary place of abode" for an applicant shall be determined as follows:

1) When an applicant is living in his own home, or in a family home with a person or persons related by blood or marriage, this shall be considered his customary place of abode. This principle shall hold even though the applicant is receiving patient care, or a plan is made for him to be provided patient care, in such home.

2) When an applicant is purchasing room and board with or without personal services (but not patient care) in the home of unrelated persons, this shall be considered his customary place of abode.

3) When an applicant is receiving patient care in any institution or establishment operated by a person(s) not related by blood or marriage, or "intermediate care" in a facility licensed for that purpose, or domiciliary care in a nonprofit or charitable home, it shall be considered his customary place of abode when

a) the applicant's customary place of abode prior to admission was in the same county as the institution or establishment, or

b) although the applicant had resided in another county prior to admission, he has been purchasing care in the institution or establishment for at least twelve months continuously with his own funds or funds provided by relatives or friends, or

c) the applicant had resided in a state other than New Jersey prior to admission, had entered the institution or establishment under an arrangement to purchase such care with his own funds or funds provided by relatives or friends, has abandoned any actual place of abode in such other state, and now clearly demonstrates an intent to remain permanently in New Jersey.

4) When an applicant is receiving patient care in any establishment operated by a person(s) not related by blood or marriage, or "intermediate care" in a facility licensed for that purpose, or domiciliary care in a nonprofit or charitable home, it shall not be considered his customary place of abode if it is determined that

a) the applicant previously resided in a county other than the one where the institution or establishment is located and that he removed for the purpose of purchasing patient, intermediate, or domiciliary care less than one year prior to the date of application for assistance, or

b) the applicant entered the institution or establishment from another county more than one year prior to application for assistance but the cost of care has been financed in whole or in part by a public assistance agency or private charitable agency.

In the circumstances set forth in 4) the customary place of abode shall be that county where the applicant last resided, regardless of the length of such residence, prior to entering the institution or establishment.

(The procedures for processing applications in situations described in 3) and 4) above, are provided in 2226.)

5) When an applicant is a patient in a public or voluntary general hospital the hospital shall not be considered the customary place of abode regardless of the length of stay therein. (See 2227. for determination of customary place of abode.)

6) When an applicant is a patient in an institution for the mentally ill, the mentally deficient, the tuberculous or in a veterans facility, such institution shall not be considered the customary place of abode regardless of the length of stay therein. (See 2227. for determination of customary place of abode.)

##### b. Customary Place—Recipients

1) A recipient of assistance shall be considered a resident of the county in which he maintains his customary place of abode. A recipient's customary place of abode shall be that county in which

a) he is living in his own home, or in a family home with a person(s) related by blood or marriage, and whether or not he is receiving patient care, or a plan is made for him to receive patient care in such home;

b) he is purchasing room and board with or without personal services (but not patient care) in the home of un-

related persons;

c) he is purchasing patient care in any establishment operated by a person(s) not related by blood or marriage, or domiciliary care in a nonprofit or charitable home located in the same county where he was receiving assistance prior to entering such establishment or home.

2) A recipient shall not be considered to have changed his customary place of abode under the following circumstances:

a) The recipient goes to another county or to another state for the purpose of making a temporary visit [for a period not in excess of three months. Any such "visit" which exceeds three months shall be considered a change of customary place of abode unless, for valid reason CWB approved extension of the period of visit.] **only unless and until it is determined that the original residence (place of customary abode) has been abandoned.** (See 2225. and 2228. respectively.)

b. As a result of an approved plan for rehabilitation the recipient is living for a temporary period in another county or in another state, to attend school, to obtain special training or treatment, etc., and he returns to his "home" periodically and/or intends to return thereto upon completion of the plan.

2225. County Responsibility in Respect to Change of County Residence (Customary Place of Abode)

### .3 Statement of Principles

a. Whenever it is determined that a recipient, whose application has not been validated, has changed or is planning to change his customary place of abode from one county to another, the CWB of origin shall, at its option, either

1) continue assistance while completing the validation, subject to the time limits set forth in 2118., then transfer the case to the receiving county in accordance with 2225.3 b., or

2) close the recipient case without completing the validation (not subject to federal matching) and request the recipient, in writing, to reapply in the receiving county. **The welfare of the client shall not be adversely affected. and his right to uninterrupted assistance if in need shall not be prejudiced.**

b. Whenever it is determined that a recipient, whose application has been validated is planning to change his customary place of abode from one county to another, it shall be the responsibility of the directors of welfare of the two counties concerned to effect the prompt and efficient disposition of the case in accordance with the following principles:

The county of origin shall initiate, and the receiving county shall, on request, immediately cooperate in accomplishing a full investigation of the circumstances surrounding the move.

If the move is permanent and the case warrants continued assistance, transfer of the case shall be accomplished expeditiously by discontinuance of the grant, in the county of origin and award of a grant in the receiving county, to occur simultaneously in the first month for which the directors of welfare concerned can mutually so arrange.

The welfare of the client shall not be adversely affected. and his right to uninterrupted assistance if in need shall not be prejudiced, by disagreement or other administrative difficulty between the counties.

2228. Eligibility of Recipients Who Leave New Jersey

### .1 Preliminary Statement

[Whenever a recipient wishes to leave New Jersey either to establish a permanent place of abode, or for a temporary visit, he shall be advised of the effect of this plan on

his eligibility for continued assistance. Particular care should be taken to caution the client that if he should need medical care or hospitalization while out of State on an approved temporary visit, no absolute assurance can be given that his medical needs will be provided for.

The decision whether or not to leave New Jersey shall rest with the recipient, but he shall understand that the decision regarding continuation of assistance rests with the welfare board within the limitations of law and State policy. It is the responsibility of the recipient to keep the CWB informed of his whereabouts and of any change in plan after he leaves the State if assistance payments are being sent to him.

The following policy and procedure shall govern in all instances of recipients who wish to or who have left the State.]

Whenever a recipient wishes to leave New Jersey either to establish a permanent place of abode, or for a temporary visit, he shall be advised of the effects of this plan on his eligibility for continued assistance, and on the amount of assistance, if any, for which he may continue to be eligible during a temporary absence.

He shall understand that a decision regarding continuation of assistance will need to be made by the welfare board within the limitations of law and State policy. He shall be informed of his responsibility to keep the CWB informed of his whereabouts and of any change in plan after he leaves the State if assistance payments are being sent to him while temporarily absent.

The decision whether or not to leave New Jersey, whether it be for permanent removal or temporary absence, shall rest with the recipient, and does not require official approval or disapproval by the agency. However, in cases of temporary absence of more than one month, where there is a claim of continuing need for assistance during such absence, the amount of assistance if any for which entitlement will continue will be dependent upon the living arrangements and other financial conditions that will exist at the temporary place of abode. Thus, the agency's approval of the amount and nature of assistance to be provided will be dependent upon knowledge of and consideration of the recipient's plan.

The following policies and procedures shall govern in all instances of recipients who wish to or who have left the State.

### .2 Permanent Removal

[It shall be the policy of this State that if a recipient leaves New Jersey with intent to establish a place of abode elsewhere, or for an indefinite period for purposes other than a temporary visit, or if he decides to remain indefinitely in the place outside New Jersey to which he had gone for a temporary visit, he ceases to be eligible to receive assistance.]

A recipient who leaves New Jersey with intent to establish a place of abode elsewhere, or who, after leaving, decides to remain indefinitely in the place outside New Jersey to which he had gone for a temporary visit, or in another place outside New Jersey, ceases to be eligible to receive assistance from the CWB.

### .3 Temporary Visit Out-of-State

#### Visit up to Three Months

[1) A recipient of OAA or DA who leaves this State for a temporary visit in another state, the District of Columbia, or in a United States territory, may with the approval of the welfare board, continue to receive assistance during a period not to exceed three months; that is, not more than three payments may be sent to him at an out-of-State address, except as provided in b. below.

1) Assistance shall not be continued automatically, with-

respect to a recipient who leaves New Jersey for a period of one month or more. All recipients shall be advised that it is their responsibility to notify the CWB and arrange in advance, so far as possible, for any plan to leave New Jersey for any period in excess of one month if they wish assistance to be continued during absence from the State.

3) If recipient fails to notify the CWB prior to leaving the State, assistance payments shall be suspended until there is evidence satisfactory to the CWB that the recipient is out of State temporarily and intends to return before the expiration of the third month following the month in which he departed. Upon receipt of such evidence from the recipient, or from an out-of-State agency, if deemed necessary by the CWB, any suspended payments may be released to the recipient in whole or in part.]

1) Assistance shall not be continued automatically, without inquiry, with respect to a recipient who leaves New Jersey when there has been no information provided to the agency establishing that the absence is purely temporary. All recipients shall be advised that it is their responsibility to notify the CWB and arrange in advance, so far as possible, for any plan to leave New Jersey for any period in excess of one month if they wish assistance to be continued during absence from the State.

2) When a recipient leaves this State and it has been established that such absence is for a temporary visit in another state, the District of Columbia, or in a United States territory, assistance may be continued during an initial period not to exceed three months; that is, not more than three payments may be sent to him at an out-of-State address, except as provided in b. below.

3) If a recipient is discovered to have removed from the State without having informed the agency of the nature, purpose and expected duration of such absence, proceedings shall be initiated promptly to inform him of intention to suspend until he provides evidence satisfactory to the CWB that his absence from the State is temporary and that he intends to return within a period of time he shall specify, and provides data about his circumstances sufficient to permit a correct determination of the amount of assistance to which he is entitled during his absence. Upon receipt of such evidence from the recipient, or from an out-of-State agency, if deemed necessary by the CWB, assistance shall be continued and any suspended payments may be released to the recipient in whole or in part.

b. Extension of Visit Beyond Three Months

1) In any situation where continuation of assistance out-of-State has been [given] authorized [and] but the recipient has either failed to return, or to communicate with CWB to explain his situation, before the end of the third calendar month following the month of departure, [assistance payments shall be suspended] proceedings to suspend assistance shall again be undertaken until by correspondence with the recipient, or an agency, the CWB ascertains the current situation with particular reference to the recipient's plans about returning to New Jersey.

2530. Suspended Grant

A suspended grant is that payment which is temporarily withheld pending clarification of continuing eligibility and/or extent of need.

Interested persons may present statements or arguments in writing relevant to the proposed action, on or before March 25, 1971, 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 changes substantially as set forth without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### BUREAU OF CHILDREN'S SERVICES

##### Purchase of Adoption Services From Private Agencies

On January 20, 1971, the State Board of Control of the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-14 through 30:1-17, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules for the purchase of adoption services from private adoption agencies for hard-to-place children under the jurisdiction of the Bureau of Children's Services, substantially as proposed in the Notice published December 10, 1970 at 2 N.J.R. 100(b).

The full text of the above rules, as adopted, reads as follows:

##### RULES AND REGULATIONS FOR THE PURCHASE FROM PRIVATE ADOPTION AGENCIES OF ADOPTION SERVICES FOR HARD-TO-PLACE CHILDREN UNDER THE JURISDICTION OF THE BUREAU OF CHILDREN'S SERVICES

In accordance with statute (N.J.R.S. 30:4C-4(g), (h), (i) and 30:4C-37), the following rules and regulations are established as a basis of payment for adoption services to privately sponsored agencies, which are approved for such purposes in accordance with the provisions of R.S. 9:3-17 et seq. or can demonstrate that they meet the standards of R.S. 9:3-17 et seq., for providing adoption services with respect to certain children identified below who are under the care, custody, or guardianship of the Bureau of Children's Services.

Observance of these rules and regulations establishes a right to payment for services as limited below, but does not determine the amount of such payment with respect to a particular child or children.

Adoption services, for purposes of these rules and regulations, are defined as those services resulting in the actual placement of a child or children for adoption and the services essential during the period of supervision prior to consummation of the adoption as required by law.

The Bureau of Children's Services will purchase such services only for those children under its immediate supervision who are determined by the Bureau to be "hard-to-place." The "hard-to-place" child is defined as any child whom the Bureau of Children's Services has the statutory right and responsibility to place for adoption, who has been classified by the Bureau's Adoption Services Unit as available for adoption, for whom a suitable adoption home has not been located within a reasonable period of time, not to exceed six months, by the Bureau, and who is therefore referred for such services by listing on the Adoption Resource Exchange.

In order to be eligible to receive referrals of children for adoption services and to receive for such services whatever amount of payment may be otherwise authorized, an adoption agency shall demonstrate to the satisfaction of the Bureau of Children's Services, through such

methods and procedures as the Bureau may prescribe, that it complies with each of the following rules and regulations, which shall be interpreted as constituting minimum standards only:

I. Placement Procedure

A. The placing agency shall provide the Bureau of Children's Services with the name and address of the family being considered for placement of the child and provide any other information deemed necessary by the Bureau.

B. Both the placing agency and the Bureau of Children's Services must agree on the placement selected for the child being placed for adoption.

II. Agency Policy and Practice

A. The placing agency shall, through policy and practice, provide service to children, natural parents and adoptive parents without regard to race, color or national origin.

B. The placing agency shall demonstrate a willingness to review, evaluate, expand and change, as necessary, its policies, practices and services in accordance with community needs.

C. The placing agency shall demonstrate, through its policies and practices, a willingness to cooperate with other approved agencies to assure that all clients in need receive service. This shall include, but shall not be limited to, the study of homes for children not under the agency's care and the sharing of all information, with the client's permission, where appropriate.

III. Accountability

A. The placing agency shall maintain records on each child and family and shall furnish such records or reports on the child's adjustment and progress or on other factors as the Bureau of Children's Services may require.

B. When and as required by the Bureau of Children's Services, all data relating to costs of the placing agency operations shall be made available to the Bureau, or its authorized representative.

C. Payments by the Bureau shall not exceed the net cost of providing the service by the placing agency. The adoptive applicant shall be informed of the agency's cost of service and how it is met.

IV. Payment for Service

The Bureau of Children's Services will establish the rate of payment based on the availability of appropriations which may be used for such purpose and on the cost of providing the service directly by the Bureau of Children's Services. Payment for service, as authorized, will be made only at the time that the adoption is granted by a court of competent jurisdiction.

An order adopting the above rules was filed and effective January 28, 1971 as R.1971 d.15A.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

**INSTITUTIONS AND AGENCIES**

**DIVISION OF MEDICAL ASSISTANCE  
AND HEALTH SERVICES**

**Proposed Home Health Services Manual**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services

Act, proposes to adopt a manual of rules and regulations governing Home Health service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of Home Health services available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the proposed manual may be obtained from:

Chief, Medical Care Administrator  
Division of Medical Assistance  
and Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 25, 1971 to the Division of Medical Assistance and Health 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 manual substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(b)

**INSTITUTIONS AND AGENCIES**

**DIVISION OF MEDICAL ASSISTANCE  
AND HEALTH SERVICES**

**Proposed Independent  
Clinic Services Manual**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services Act, proposes to adopt a manual of rules and regulations governing Independent Clinic service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of Independent Clinic services available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the proposed manual may be obtained from:

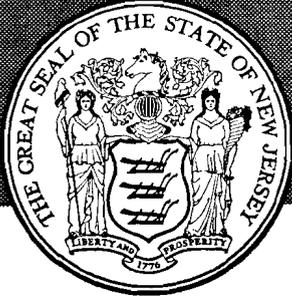
Chief, Medical Care Administration  
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and Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 25, 1971 to the Division of Medical Assistance and Health 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 manual substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

# NEW JERSEY REGISTER



## FIRST ANNUAL CUMULATIVE INDEX FOR VOLS. 1 and 2 (Sept., 1969 through Dec., 1970)

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### NEW JERSEY REGISTER

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Plan Filing	2 N.J.R.	43(a)
Registration of Establishments	2 N.J.R.	43(b)
Smoking in Plants	2 N.J.R.	4
Workmen's Compensation Rates Set	2 N.J.R.	75(c)

**LAW AND PUBLIC SAFETY**

ABC Rule for Election Days	2 N.J.R.	76(a)
Berry Container Regulations	2 N.J.R.	56(a)
Cardiovascular Conditions	2 N.J.R.	18(d)
Chemical Breath Testing Rules	1 N.J.R.	22(b)
Chemical Breath Testing Rule Change	2 N.J.R.	67(e)
Commercial Vehicle Self-Inspection	2 N.J.R.	101(d)

Discrimination Prohibited	2 N.J.R.	76(b)
Engineering and Land Surveying	2 N.J.R.	55(g)
Fingerprint Card Requirements	2 N.J.R.	55(d)
Firearms Regulations	1 N.J.R.	30(d)
Harness Racing Rule Changes	2 N.J.R.	74(d)
Intravenous Catheters	2 N.J.R.	76(c)
Motor Vehicle Regulations	2 N.J.R.	18(b)
Multiple Dwelling Reporting Rule	2 N.J.R.	86(a)
Nursing Board Emergency Resolution	2 N.J.R.	35(c)
Nursing Schools And Licensing	2 N.J.R.	55(e)
Packaged Commodities Regulations	2 N.J.R.	75(e)
Packaged Commodities Regulations	2 N.J.R.	93(b)
Point System	2 N.J.R.	18(c)
Police Service Bureau Rules	2 N.J.R.	94(b)
Police Training Commission	2 N.J.R.	5
Private Detective Regulations	2 N.J.R.	55(h)
Speeding Suspension Regulations	2 N.J.R.	76(e)
Unsolicited Stock Sale Reports	2 N.J.R.	67(b)
Vision Service Plans	2 N.J.R.	55(f)
Visual Tire Inspection Rules	2 N.J.R.	94(a)

**PUBLIC UTILITIES**

Railroad Station Safety Regulations	2 N.J.R.	101(f)
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**STATE**

Administrative Procedure Act of 1968	1 N.J.R.	1
Rules of Administrative Procedure	1 N.J.R.	2
Athletic Commission	2 N.J.R.	19(a)
Athletic Commission	2 N.J.R.	44(c)
Boxing Licensing Rules Adopted	2 N.J.R.	57(b)

**TRANSPORTATION**

Equipment Rental Rule Changes	2 N.J.R.	86(b)
Equipment Rental Rules	2 N.J.R.	101(h)
Highway Safety Program	1 N.J.R.	23(b)
Snow Removal Rules	2 N.J.R.	102(a)
Title 16 Rule Changes	2 N.J.R.	101(g)

**TREASURY**

Agricultural Commodity Distribution	2 N.J.R.	28(a)
Amend Tax Appeal Rules	1 N.J.R.	8
Buildings and Construction Office	2 N.J.R.	44(d)
Business Tax Regulation Amendments	2 N.J.R.	95(a)
Central Motor Pool Rules	1 N.J.R.	15(c)
Coin-Operated Vending Machines	2 N.J.R.	58(a)
Commercial Paper Amendments	2 N.J.R.	44(e)
Contributory Insurance Rate	2 N.J.R.	102(b)
Division of Taxation	2 N.J.R.	24(a)
Emergency Transportation Tax	2 N.J.R.	44(i)
Emergency Transportation Tax Liability	2 N.J.R.	23(b)
Federal Housing Administration Loans	2 N.J.R.	57(d)
FHA Insured Mortgages	2 N.J.R.	51(c)
Hackensack Meadowlands Tax Listing	1 N.J.R.	24(a)
Mortgage Investment Limitation	2 N.J.R.	102(d)
Mortgage Banker Qualifications	2 N.J.R.	102(e)
Motor Fuels Tax Bureau	2 N.J.R.	36(c)
New Jersey Racing Commission	2 N.J.R.	32(a)
Outdoor Advertising	2 N.J.R.	20(a)
Pension Increase Program	2 N.J.R.	7(a)
Police and Firemen's Retirement	2 N.J.R.	41(g)
Qualifications of Construction Bidders	2 N.J.R.	78(b)
Sales Tax-Linen Rentals	2 N.J.R.	7(b)
Sales Tax-Vending Machine Sales	2 N.J.R.	7(c)
State Health Benefits Commission	2 N.J.R.	8(a)
State Investment Council	2 N.J.R.	44(f)
Teachers' Pension and Annuity Fund	2 N.J.R.	44(h)
U.S. Government Obligations	2 N.J.R.	57(e)

## RULES ADOPTED BY OTHER AGENCIES

### DELAWARE RIVER BASIN COMMISSION

Comprehensive Plan	1 N.J.R.	28(b)
Comprehensive Plan Amended	2 N.J.R.	58(b)

### HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Fee Schedule Under Master Plan	2 N.J.R.	52(b)
First Stage of Master Plan	2 N.J.R.	8(b)
Interim Zoning Regulations	2 N.J.R.	104(b)
Master Plan First Stage Adopted	2 N.J.R.	52(a)
Revised Fee Schedule Adopted	2 N.J.R.	95(b)

### NEW YORK HARBOR WATERFRONT COMMISSION

Physical Fitness for Pier Guards	2 N.J.R.	36(d)
Removal from Commission's Register	1 N.J.R.	32(d)

### PORT OF NEW YORK AUTHORITY

Marine Terminal Rates Amended	2 N.J.R.	95(d)
Public Parking Rates Revised	2 N.J.R.	58(d)
Revised Regulations	2 N.J.R.	20(b)
Teterboro Airport Regulations	2 N.J.R.	58(c)
Vehicular Crossing Tolls Revised	2 N.J.R.	89(a)
Vehicular Parking Rate Changes	2 N.J.R.	95(c)

## RULES PROPOSED BUT NOT YET ADOPTED

(Including publication of adoption notice only through December 10, 1970 issue of the New Jersey Register)

	Notice of Proposal	
<b>BANKING</b>		
Fiduciary Account Rules	2 N.J.R.	98(a)
Governmental Unit Deposit Rules	2 N.J.R.	97(d)
Mortgage Finance Agency Rules	2 N.J.R.	98(b)
Real Estate Loan Limit	2 N.J.R.	97(c)
<b>COMMUNITY AFFAIRS</b>		
Construction and Maintenance of Hotels	1 N.J.R.	28(a)
Nonprofit Housing Corporation Rules	2 N.J.R.	70(b)
<b>CONSERVATION AND ECONOMIC DEVELOPMENT</b>		
Iceboating	2 N.J.R.	12(c)
Pollution by Boats	2 N.J.R.	23(b)
Snowmobiles	2 N.J.R.	13(a)
<b>EDUCATION</b>		
Learning Disabilities Teacher-Consultant	2 N.J.R.	99(a)
Learning Disabilities Programs	2 N.J.R.	99(c)
Proposed Rule for Certificates	2 N.J.R.	89(b)
Proposed Tuition Rate Changes	2 N.J.R.	89(c)
Provisional Learning Disabilities	2 N.J.R.	99(b)
<b>ENVIRONMENTAL PROTECTION</b>		
Bureau of Parks Proposed Rules	2 N.J.R.	82(b)
Ice Boating Regulations	2 N.J.R.	99(d)
Proposed 1971 Fish Code	2 N.J.R.	72(b)
Proposed Smoke Control for Diesels	2 N.J.R.	54(c)
Round Valley Reservoir Regulations	2 N.J.R.	81(f)
Shellfish Bed Condemnation Rules	2 N.J.R.	83(a)
Spruce Run Reservoir Regulations	2 N.J.R.	82(a)
State Nursery Policy Proposed Changes	2 N.J.R.	83(b)
<b>HIGHER EDUCATION</b>		
Licensure and Approval Advisory Board	2 N.J.R.	32(b)
<b>INSTITUTIONS AND AGENCIES</b>		
Categorical Assistance Budget Manual	2 N.J.R.	100(c)
Intermediate Care Standards	2 N.J.R.	65(a)
Long-term Hospital Care Guidelines	2 N.J.R.	90(b)
Manual of Administration Proposals	2 N.J.R.	66(b)
Manual of Administration	2 N.J.R.	100(d)
Nursing Home Administrator Rules	2 N.J.R.	90(c)
Proposed Changes in Aged Manual	2 N.J.R.	92(a)
Proposed Hospital Facilities Revision	2 N.J.R.	91(a)
Purchase of Adoption Services	2 N.J.R.	100(b)
Skilled Nursing Home Service Rules	2 N.J.R.	99(g)
<b>INSURANCE</b>		
Auditing of Insurance Policies	2 N.J.R.	42(d)
Automobile Insurance Plan	2 N.J.R.	101(b)
Examination and Auditing of Policies	2 N.J.R.	34(c)
Insurance Contract Renewal	2 N.J.R.	101(c)
<b>LABOR AND INDUSTRY</b>		
Flammable and Combustible Liquids	2 N.J.R.	44(a)
Occupational Noise Regulations	2 N.J.R.	43(d)
Proposed Building Code	2 N.J.R.	43(c)
<b>LAW AND PUBLIC SAFETY</b>		
Electrical Contractor Inspections	2 N.J.R.	50(d)
Podiatry Internship Rule	2 N.J.R.	101(e)
Proposed Increase in Employment Permit Fees	2 N.J.R.	75(d)
<b>PUBLIC UTILITIES</b>		
Proposed Solid Waste Regulations	2 N.J.R.	76(f)
Proposed Underground Utility Lines	1 N.J.R.	9
<b>TRANSPORTATION</b>		
Proposed Traffic Control Rules	2 N.J.R.	94(c)
<b>TREASURY</b>		
Classification of Funds	2 N.J.R.	102(c)
Gasoline Jobber Taxation	2 N.J.R.	102(f)
Motor Fuel Dealers Rebates	2 N.J.R.	51(a)
Proposed State Health Benefits Changes	2 N.J.R.	94(d)
State Lottery Rules	2 N.J.R.	104(a)
Transfer Inheritance Tax Rules	2 N.J.R.	102(g)

(a)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

#### **Proposed Independent Laboratory Services Manual**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services Act, proposes to adopt a manual of rules and regulations governing Independent Laboratory service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of Independent Laboratory services available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the proposed manual may be obtained from:

Chief, Medical Care Administration  
Division of Medical Assistance  
and Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 25, 1971 to the Division of Medical Assistance and Health 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 manual substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(b)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

#### **Proposed Medical Supply Services Manual**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services Act, proposes to adopt a manual of rules and regulations governing Medical Supply service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of Medical Supply services available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the proposed manual may be obtained from:

Chief, Medical Care Administration  
Division of Medical Assistance  
and Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 25, 1971 to the Division of Medical Assistance and Health 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 manual substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(c)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

#### **Proposed Podiatry Services Manual**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services Act, proposes to adopt a manual of rules and regulations governing Podiatry service participation in the New Jersey Health Service Program.

The proposed manual is concerned with the provision of Podiatry services available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the proposed manual may be obtained from:

Podiatry Consultant  
Division of Medical Assistance  
and Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7160

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 25, 1971 to the Division of Medical Assistance and Health 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 manual substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(d)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

#### **Proposed Prosthetic And Orthotic Services Manual**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services Act, proposes to adopt a manual of rules and regulations governing Prosthetic and Orthotic service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of Prosthetic and Orthotic services available to eligible recipients of the New Jersey Health Services Program. The

manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the proposed manual may be obtained from:  
Chief, Medical Care Administration  
Division of Medical Assistance  
and Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 25, 1971 to the Division of Medical Assistance and Health 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 manual substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Rules On Availability Of Program Policy Issuances

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., the New Jersey Medical Assistance and Health Services Act, proposes to adopt rules pertaining to the availability of Health Service Program policy issuances, as follows:

1. Maintain program manuals and other policy issuances which affect the public, including the State agency's rules and regulations governing eligibility, need and amount of assistance, recipient rights and responsibilities, and services offered by the agency, in the State office and in each local and district office for examination on regular work-days during regular office hours by individuals, upon request for review, study or reproduction by such individual.

2. Make available without charge a current copy of such material for access by the public through custodians who (a) request the material for this purpose, (b) are centrally located and publicly accessible to a substantial number of the recipient population they serve, and (c) agree to accept responsibilities for filing all amendments forwarded by the agency;

3. Upon request, reproduce without charge the specific policy materials necessary for an applicant or recipient or his representative to determine whether a fair hearing should be requested or to prepare for a fair hearing, and establish policies for reproducing policy materials without charge or at a charge related to cost, for any individual who requests such material for other purposes.

Interested persons may present statements or arguments in writing relevant to the proposed rules on or before March 25, 1971 to:

William J. Jones, Acting Director  
Division of Medical Assistance & Health Services  
Post Office Box 2486  
Trenton, New Jersey 08625

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

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Transportation Services Manual

On February 11, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1, et seq., the New Jersey Medical Assistance and Health Services Act, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a manual of rules governing transportation service participation in the New Jersey Health Services Program, substantially as proposed in the Notice published January 7, 1971 at 3 N.J.R. 7(a).

An order adopting the above rules was filed February 18, 1971 as R.1971 d.22, to be effective March 1, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Food Stamp Program Manual

On February 1, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:45-2 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, amended the New Jersey Food Stamp Program Manual by deleting Section 104. "Household," Subsection .7 "Reduction in Initial Purchase Requirements for New Participants", as proposed in the Notice published January 7, 1971 at 3 N.J.R. 7(c).

An order adopting this amendment was filed and effective February 4, 1971 as R.1971 d.18.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Food Stamp Plan of Operation Manual

On February 1, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2, and in accordance with applicable provisions of the Administration Procedure Act of 1968, amended the New Jersey Food Stamp Plan of Operation Manual by deleting Section VI "Basis of Issuance" Subsection D. "Reduction in Initial Purchase Requirements

for 'New Participants', as proposed in the Notice published January 7, 1971 at 3 N.J.R. 7(b).

An order adopting this amendment was filed and effective February 4, 1971 as R.1971 d.19.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

# INSURANCE

## THE COMMISSIONER

### Proposed Regulation Concerning Applications for Excess Rate Approval

Robert L. Clifford, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1C-6(e), proposes to adopt a regulation concerning applications for excess rate surcharges pursuant to N.J.S.A. 17:29A-7.1 as follows:

#### REGULATION FOR APPLICATIONS REQUESTING APPROVAL OF EXCESS RATE SURCHARGE

##### 1. Specific Fire Lines Items

A. Proposals must be submitted through the respective Fire Rating Organization on the proposal form which is provided by the rating organization.

B. Proposals must be submitted with a readable copy of an inspection report made by the company or a recognized inspection service. A report is not required on risks on which the surcharge is \$35.00 or less. All forms must include the specific reason or reasons for surcharge, including whether the risk is owner occupied or absentee owner and the type of occupancy.

C. Companies may assess the insured an amount up to \$5.00 for an inspection report made by an outside agency, provided the risk is written by the company. The consent form should indicate the amount of the inspection report charge, but should not be included in the premium figures.

##### 2. Specific Automobile Lines Items

A. Proposals must show the Automobile Insurance Plan premium under the appropriate caption. If the limits afforded are not available under the Automobile Insurance Plan, the manual premium should be shown under the column captioned Automobile Insurance Plan premium.

B. Risks not having chargeable accidents or violations as defined in the Safe Driver Insurance Plan, or license suspension based on driving record, cannot be surcharged unless substantiated.

C. Uninsured Motorists Coverage; Automobile Death Indemnity or Benefits, Specific Disability Benefits and Fatal Disability Benefits; and Towing and Labor Costs are not eligible for surcharge unless experience or explanation is furnished warranting surcharge.

D. Companies which afford coverage on the Basic Automobile Policy must so indicate on consent forms in bold face type.

E. Automobile risks must be submitted on form specifically designated therefor.

F. Surcharges based on the personal desire of the insured, such as preference for a certain company or agency, objection to assignment through the Automobile Insurance Plan, need for immediate coverage, and the like, shall not exceed 10% of the Automobile Insurance Plan rate or \$30.00, whichever is the lesser amount, without additional justification.

##### 3. General

A. Coverage under this law provides rate relief for manually rated classifications only.

B. Filings must be received by the Rating Division

within 90 days of the effective date of the coverage. Filings received beyond such time limit, unless accompanied by reasonable explanation, will be deemed to be a violation of the Rating Law.

C. Forms should be legible and complete. Manual or proposed premium figures which are corrected or changed must be initialed by the insured.

D. Proposals approved for 4 or 6 months policies will be construed to be approved for succeeding periods so that the terms equal one year, provided there are no changes that would produce a different manual, Automobile Insurance Plan or proposed premium. In such cases a new consent form must be submitted.

E. Inspection costs or Physicians' certificate fees up to \$5 may be assessed against an insured on policies written. Consideration will be given for charges above \$5 based on explanation furnished. The inspection fee charge must be clearly shown on the consent form and the amount should not be included in the premium figures.

F. Suspense items returned to a company or rating organization must be corrected or completed and returned to the Rating Division within 60 days. Unless a request that additional time is needed to correct a form is received, the proposed surcharge will not be approved and an adjustment to manual premium will be required for the full policy term.

G. A covering letter with list of risks in triplicate must accompany each submission of risks. Only 1 consent form (except as noted on Fire forms) is required. The list should be submitted in the following form:

#### Individual Risk Filings — N.J.S.A. 17:29A-7.1

Name of Company or Rating Organization Risk Name & Address	(A.I.P.)	Prop. Prem.	Kind(s) of Coverage
	Man. Prem.		

The manual and proposed premium columns must be totaled. In the case of Automobile lines the totals must be shown separately for Automobile Physical Damage lines and Automobile Liability lines. Lists should be in alphabetical order.

H. Separate forms must be used for Fire lines, Automobile lines, and all other lines. The format must follow the attached forms. Fire lines forms are furnished by the Fire Rating Organizations. Other forms must be produced by the company affording the coverage. Specific reasons for surcharge, kinds of coverage, limits, or deductible amounts may be printed on the form. Facsimile or rubber stamp signatures of producers or company officials are acceptable.

I. The commission allowable on surcharged risks shall not exceed the dollar amount that would be allowed on the manual Automobile Insurance Plan premium. Consideration will be given, on individual application, to an additional dollar amount for additional services performed by an agency.

J. Experience on risks covered under this statute must be coded separately in accordance with the statistical plans approved by this Department and available for call annually May 15 and due July 1.

##### 4. Guiding Principles

A. Companies that write Automobile Lines at up to three (3) levels of surcharge may submit for approval the guiding principles on which the surcharges will be based.

B. The Department of Insurance may, based on studies of the number of risks submitted, surcharge levels applied, and classification of risks written, require that a company submit guiding principles.

C. The guiding principles must include the reason or reasons why the risks are being surcharged.

D. The coverage and limits afforded must be furnished with the guiding principles.

E. Specific Automobile Lines Items and General Items which are relevant to guiding principles are applicable.

F. Lists of risks in alphabetical order in triplicate, with covering letters must be submitted at least monthly. Properly executed consent forms will be retained by the Company.

G. Consent forms will be subject to examination by the Department.

H. No company shall operate under the guideline principle until so authorized by the Department.

5. Forms

The proposed fire line form requires information regarding the availability of coverage under the New Jersey Insurance Underwriters Association, and requires notice to the applicant of such availability.

The proposed automobile line form requires information regarding the availability of coverage under the Automobile Insurance Plan, and requires notice to the applicant of such availability.

6. Repealer

A. All previous bulletins, guides, directives, etc., concerning N.J.S.A. 17:29A-7.1 are hereby repealed and superseded upon the effective date of this regulation.

Written comments, suggestions and recommendations concerning this regulation and any other proposals respecting any additions and modifications to the regulation are to be filed not later than March 17, 1971 with:

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

A public hearing will be held Thursday, March 18, 1971, at 10 a.m. in the State House Annex, Trenton, New Jersey, at which time and place comments, suggestions, recommendations, additions and modifications to the proposed regulation and evidence with respect thereto will be received for the record.

The time and date of any subsequent hearing, if such is determined to be necessary, will be announced at the March 18, 1971 hearing. However, no notice of any such subsequent hearing will appear in the New Jersey Register.

After full consideration of all submissions respecting the proposed regulation, the Commissioner of Insurance, upon his own motion or at the instance of any interested party, may thereafter adopt the regulation substantially as proposed without further notice.

Robert L. Clifford  
Commissioner  
Department of Insurance

(a)

**LABOR AND INDUSTRY**

**BUREAU OF ENGINEERING AND SAFETY**

**Proposed Compressed, Liquefied and Cryogenic Gases Regulations**

Charles Serraino, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:6A-9, the Worker Health and Safety Act, proposes to adopt regulations governing compressed, liquefied and cryogenic gases, to be designated as Chapter 134, "Compressed, Liquefied and Cryogenic Gases", of Title 12 of the New Jersey Ad-

ministrative Code.

The purpose of this chapter is to establish reasonable requirements to protect the life, health and safety of employees. More specifically, the purpose of this chapter is to provide reasonable standards for the manufacture, storage, handling, charging and use of compressed, liquefied or cryogenic gases for the protection of the health and safety of all employees. This chapter is necessary to implement the purposes of the Worker Health and Safety Act.

The proposed chapter provides reasonable safety standards for the storage and handling of any compressed, liquefied or cryogenic gas in cylinders and contains detailed safety standards for gaseous and liquid oxygen systems, gaseous and liquefied hydrogen systems, anhydrous ammonia systems and acetylene systems.

Copies of the proposed chapter may be obtained without charge, upon written request to the Department of Labor and Industry, Bureau of Engineering and Safety, Post Office Box 709, Trenton, New Jersey, 08625.

Interested persons may present statements or arguments, orally or in writing, relevant to the proposed action at a Public Hearing in Room 1208, Labor and Industry Building, John Fitch Plaza, Trenton, New Jersey, at 10 a.m. Wednesday, March 31, 1971.

Any person wishing to present statements or arguments will be required to give his name and address. Any person who wishes to present statements or arguments on behalf of an organization must present written evidence that he is authorized to represent such organization. A verbatim transcription of testimony will be made by a Certified Court Reporter. Any person desiring a record of the transcript may make arrangements with the reporter to purchase a copy.

The proposed chapter, as proposed or as changed by the Commissioner after the Public Hearing, may be promulgated by the Commissioner 90 days following delivery to the Industrial Safety Board, to be effective on such date as the chapter shall provide, unless disapproved by the majority of the Board, and if so disapproved, such chapter shall not become effective. The Commissioner shall call a meeting of the Industrial Safety Board for the purpose of discussing the proposed chapter and disapproval shall be by a vote of the majority of the members of the Board.

The Commissioner proposes to adopt this Chapter to become effective January 1, 1972.

Charles Serraino  
Commissioner  
Department of Labor and Industry

(b)

**LAW AND PUBLIC SAFETY**

**DIVISION OF PROFESSIONAL BOARDS**

**STATE BOARD OF MEDICAL EXAMINERS**

**Proposed Rule on Approved Colleges of Podiatry**

The State Board of Medical Examiners, pursuant to authority of N.J.S.A. 45:9-2, proposes to adopt a new rule concerning podiatry internship.

The following is the complete text of the proposed rule:

The requirement of N.J.S.A. 45:5-5.2 that the applicant for licensure "has graduated from a College of Podiatry approved by the Board" shall mean a College of Podiatry fully approved by the American Podiatry Association.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 26, 1971 to:

Board of Medical Examiners  
28 West State Street  
Trenton, New Jersey 08625

After full consideration of all statements and arguments presented, the State Board of Medical Examiners, upon its own motion or at the instance of any interested party, may thereafter adopt the rule substantially as proposed without further notice.

John F. Kustrup, M.D.  
Secretary  
State Board of Medical Examiners

**(a)**

## LAW AND PUBLIC SAFETY

### DIVISION OF PROFESSIONAL BOARDS

#### STATE BOARD OF MEDICAL EXAMINERS

##### Emergency Rules Pertaining to Foreign Medical School Graduates

On February 10, 1971, the State Board of Medical Examiners of the Division of Professional Boards in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:9-2 and in accordance with N.J.S.A. 52:14B-4(c), adopted an emergency rule pertaining to graduates of foreign medical schools or colleges.

The text reads as follows:

##### EMERGENCY RULE PERTAINING TO GRADUATES OF FOREIGN MEDICAL SCHOOLS OR COLLEGES

###### (a) DEFINITIONS

"Foreign medical school" means a medical school or college outside of the United States, Puerto Rico and Canada and which is listed in the World Directory of Medical Schools published by the World Health Organization.

"ECFMG" means the Educational Council for Foreign Medical Graduates.

###### (b) NATIVE-BORN CITIZENS OF THE UNITED STATES

Native-born citizens of the United States who are graduates of foreign medical schools need not have obtained the ECFMG certificate either as a condition for serving the internship or post-graduate work prescribed by R.S. 45:9-8, or as a requirement for licensure by examination.

###### (c) NATURALIZED CITIZENS

Section (b) of this rule shall apply to naturalized citizens of the United States who were naturalized prior to entering a foreign medical school.

###### (d) NON-CITIZENS

Any graduate of a foreign medical school who was not a citizen of the United States prior to entering such school and who graduated from such school subsequent to 1957 must have obtained the ECFMG certificate as a condition for serving the internship of post-graduate work prescribed by R.S. 45:9-8 and as a requirement for licensure by examination.

###### (e) VERIFICATION OF GRADUATION

In the event a graduate of a foreign medical school applies for licensure by examination and does not have the ECFMG certificate, the secretary of the board shall contact the foreign medical school or the United States Embassy or Consulate in the particular foreign country

and request written verification of the applicant's receipt of a diploma or its equivalent from such school.

An order adopting the above emergency rule was filed and effective February 16, 1971 as R.1971 d.20 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(b)**

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Changes in Rules Pertaining to Inspection and Examination of Department Records

John C. Kohl, Commissioner of Transportation, pursuant to the provisions of Executive Order No. 9 issued by Governor Richard J. Hughes on September 30, 1963, relative to Chapter 73, Public Laws of 1963 (N.J.S.A. 47:1A-1 et seq.), proposes to amend N.J.A.C. 16:1-1 "Inspection and Examination of Department Records", to read as follows (additions indicated in boldface thus):

##### 16:1-1 INSPECTION AND EXAMINATION OF DEPARTMENT RECORDS

(a) All records, which specifically are required by statute to be made, maintained, or kept by the Department of Transportation or the Commissioner of Transportation, except those records specifically excluded by Section 3 of Executive Order No. 9 (1963) and those records set forth in N.J.A.C. 16:1-1(d), shall be public records within the meaning of Chapter 73, P.L. 1963.

(b) All other records of the Department of Transportation or the Commissioner of Transportation shall not be subject to the provisions of Chapter 73, P.L. 1963, and shall be available for inspection and examination only to the extent and for such purposes as may be expressly authorized by the Commissioner of Transportation.

(c) The fee for copies of records, instruments, and documents of the Department of Transportation shall be the fee established by law.

(d) The following records shall not be deemed public records:

(1) All records which are made, maintained, or kept by the Department of Transportation which relate to future construction projects in terms of specific amounts or locations.

(2) All records which are made, maintained, or kept by the Department of Transportation relating to estimates, appraisals and costs of acquiring right of way prior to the completion of a project.

(3) All records which are made, maintained, or kept by the Department of Transportation relating to the qualifications and classifications of contractors, consultants, and appraisers.

(4) All records which are made, maintained, or kept by the Department of Transportation relating to research and tests required in the development of highway materials, design, and construction.

(5) All records which are maintained or kept by the Department of Transportation relating to all consultants' reports and recommendations prior to disclosure at public hearings.

(6) All records which are made, maintained, or kept by the Department of Transportation relating to preliminary aircraft accident investigative reports.

(7) All records which are made, maintained, or kept by the Department of Transportation relating to reports of aeronautical surveillance or investigation.

(8) All records which are part of any case file maintained by a Deputy Attorney General acting for the Department of Transportation.

(e) Any of the foregoing records specified in 16:1-1(d) may be made available for inspection, examination, and copying by any individual who demonstrates to the satisfaction of the official custodian of such records that he has a legitimate beneficial interest in such record or the protection of his property rights or the protection of any interest the individual may have in any matter affecting him which the said record is relevant to.

The proposed amendments are deemed necessary in order to clarify the rule as previously promulgated and to protect the interest of the citizens of the State of New Jersey by preventing premature disclosure of information which may be inimical to the interest of the public.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 24, 1971, to:

David A. Biederman  
Chief Counsel to the Commissioner  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

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

John C. Kohl  
Commissioner  
Department of Transportation

NOTE: The above notice was published March 2, 1971, in ten New Jersey newspapers of general circulation as required by Section 2(b) of Executive Order No. 9 (1963).

(a)

## TREASURY

### DIVISION OF PENSIONS

#### Teachers' Pension And Annuity Fund

John J. Allen, Secretary of the Board of Trustees of the Teachers' Pension and Annuity Fund, pursuant to authority of N.J.S.A. 18A:66-56, proposes to amend certain sections of Chapter 3 of Title 17 of the New Jersey Administrative Code as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

#### 17:3-3. OFFICERS AND COMMITTEES:

The members of the Board shall elect a Chairman for the forthcoming year at its regular meeting in June.

The Chairman of the Board shall preside at all meetings or in the absence of the Chairman, such presiding officer as the Board shall determine.

The Chairman and the Secretary of the Board shall have the power to act for the Board in all matters which may be referred to them by the Board.

As prescribed by the statute R.S. 18A:66-57, the person holding the position of Chief, Office of Secretarial Services, Division of Pensions, shall serve as secretary of the Board and the Assistant Chief, shall serve as assistant secretary.

There shall be three standing committees of three members each: Finance Committee; Retirement Committee and Procedures & Policies Committee. The Committee shall be appointed at the June Board meeting by the Chairman elect for the forthcoming fiscal year. The State Treasurer and the person designated to represent the Fund on the State Investment Council shall serve as members of the Finance Committee.

[The Finance Committee shall consider all investment recommendations made pursuant to the provisions of Chapter 270, P.L. 1950 and shall have the authority to either approve or veto any investment recommendation. A record of the Committee's transactions shall be reported to the Board at its regular monthly meetings.]

The Finance Committee shall review all investment transactions and financial reports referred to it by the Secretary for presentation to the Board at its regular monthly meeting.

The Retirement Committee shall consider all cases referred to it by the Secretary and submit its recommendations to the Board at its next meeting.

The Procedures and Policies Committee shall consider all cases referred to it by the Secretary and submit its recommendations to the Board at its next meeting.

#### 17:3-7. APPEAL FROM BOARD DECISIONS:

The following statement shall be incorporated in every written notice setting forth the Board's determination in a matter where such determination is contrary to the claim made by the claimant or his legal representative:

"If you disagree with the determination of the Board of Trustees in this matter, you may appeal by sending a written statement to the Board within 45 days from the date of this letter informing the Board of your disagreement and all of the reasons therefor. If no such written statement is received within the 45-day period, this determination shall be considered final."

#### 17:3-18. [RE-ENROLLMENT:

Any former 4% member, whose membership was terminated, shall be re-enrolled on a 3% basis upon acceptance of a position subject to membership in the Fund.]

#### 17:3-20.2. DEATH BEFORE ENROLLMENT:

In the event of the death of an individual prior to enrollment and on account of whom the Board of Trustees has determined that insurance benefits are payable:

a.) The employer shall be charged directly for the full amount of the insurance benefit when no application was completed by the employee and the employee was required to enroll.

b.) The employer will not be charged directly if an application for enrollment was filed with the Pension Fund prior to the employee's date of death.

c.) The Fund may assume the liability when an application has been executed by the employee but not received by the Fund prior to his demise provided satisfactory evidence concerning the filing delay has been presented to the Board of Trustees.

d.) When a contributory insurance benefit is payable under b.) or c.) above, contributions will be collected from the beneficiary, for premiums covering the period the member would have normally contributed, before the benefit is paid.

#### 17:3-29. [BASE OR CONTRACTUAL SALARY:

Only a member's base or contractual salary shall be subject to pension and group life insurance contributions and creditable for retirement and insurance benefits. Compensation payments coming within the following categories are considered bonus or extra compensation. Such

payments shall not be subject to contributions nor creditable for pension and insurance benefits in the Fund:]

**CREDITABLE SALARY:**

Only a member's base or contractual tenurable salary shall be subject to pension and group life insurance contributions and creditable for retirement and death benefits in the Fund. The Board shall reserve the right to question any salary to determine its creditability. Where it is evident from the record that a salary reported for benefits includes extra compensation, such extra compensation shall be considered not creditable for benefits and all contributions made thereon shall be returned without interest.

Some of the forms of compensation that have been defined as extra compensation are as follows:

- a.) All forms of Bonus [bonus] or overtime.
- b.) Extra [Compensation] compensation paid [in addition to regular contract salary for performing extra curricular activities, i.e. coaching, department head, etc.] for coaching sports or teaching special classes.
- c.) Retroactive salary adjustment or [an inter-school year] pay adjustment made [in] within a member's final year of service, unless such adjustment was made as the result of an across-the-board pay adjustment for all personnel in the school district.
- d.) Individual pay adjustment made within or at the conclusion of a member's final year of service.
- e.) Increment granted for retirement credit or in recognition of the member's forthcoming retirement or in recognition of the member's years of service in the community.
- f.) Lump sum terminal accumulated sick leave or vacation pay.
- g.) Individual adjustment made in final year to place member at maximum on salary guide.
- h.) Additional compensation paid for performing temporary administrative or supervisory assignments such as department head, acting principal, etc.
- i.) Additional compensation paid for teaching evening, extension or summer school.
- j.) Additional compensation paid for performing clerical or other sundry duties.
- k.) Additional compensation paid for working during vacation periods.

**17:3-41. PURCHASE TERMS:**

Any active member desiring to establish or re-establish credit for past service shall pay into his annuity savings fund the total amount as required. Payments by members shall be determined as follows:

- a.) New Enrollments
  1. If the purchase covers service immediately preceding the filing of the application for enrollment and is less than 1 year, double deductions shall apply. The beginning date shall be the enrollment date and the percent rate of contributions will be assigned according to the nearest attained age on this date.

If 1 year or over, actual salary times percent rate assigned to enrollment plus regular interest to date of enrollment.
  2. Any veteran not on the 1/1/55 payroll shall contribute at the percent rate applicable to the age resulting from the subtraction of his years of prior service (pre-1955) from the date of enrollment.
  3. Any veteran re-enrolling shall contribute at the rate applicable to the age resulting from the subtraction of his years of prior service from his age at the time of his re-enrollment.
  4. Any veteran who terminated membership before January 1, 1955, and whose withdrawal of contributions in-

cluded contributions paid by his employer during a period of military leave, shall receive veteran prior service credit for only the period during which he actually contributed. He can receive additional membership credit for the period of his military leave if he redeposits the amount of employer contributions, plus interest to the date of his authorization of such purchase.

5. The percent rate of contribution for a compulsory enrollee shall be the percent rate applicable to his nearest attained age on his compulsory enrollment date.

6. The percent rate of contribution for any non-veteran enrolling on an optional basis shall be based on the percent rate applicable to his nearest attained age as of the date of enrollment.

b.) Voluntary Purchases

The [3%] purchase factors [supplied] furnished by the Fund actuary and the service retirement annuity factors shall be used for all voluntary purchases for which the statute requires the employee to assume one-half the cost, including out-of-state service.

1. Under age 60 at the Time of Purchase—

(a) To obtain the cost, multiply the purchase factor applicable to the present age by the years of service being purchased by the present salary.

(b) If Class A credit is being purchased, the cost will be 6/7ths of the amount computed under "b.) 1. (2)" above.

2. Age 60 or Over at Time of Purchase—

The purchase cost for each year of service shall be determined as 1/120 (Class B) over 1/140 (Class A) of the Final Average Salary at the time of purchase multiplied by the appropriate service retirement annuity factor for the member's attained age at the time of the purchase.

c.) Method of Payment

1. Lump sum.

2. May be liquidated by extra deductions equal to at least 1/2 of the full regular pension deduction for a maximum period of 10 years. All voluntary purchases must be liquidated by age 60. However, if the member has attained the age of 58 or more at the time of purchase, 2 years may be allowed.

**17:3-69. INTERFUND TRANSFERS; POLICE AND FIREMEN'S AND STATE POLICE RETIREMENT SYSTEMS:**

As the Boards of Trustees of the Police and Firemen's Retirement System and the State Police Retirement System have adopted similar rules affording members of the Teachers' Pension and Annuity Fund the same privilege of timely transfer to the Police and Firemen's Retirement System and the State Police Retirement System, the Teachers' Pension and Annuity Fund will transfer members from these plans to the Fund as follows:

a.) A member desiring to transfer his credits, shall file an application for "Transfer of Credit." This application will void all possible claim against the original system when approved and new membership is commenced in the second system.

b.) The member will direct by this transfer application that the full withdrawal value less any outstanding loan be transferred to the second system and that this value be entered to his account, subject to laws regulating such funds in the second system.

c.) A copy of the transfer application, together with a check covering withdrawal value and a statement of the service credits being transferred, is to be forwarded to the second system.

d.) The initial system will cause to be valued the reserves accrued for such employee as compared to reserves required in the second system. If the reserves accumulated

or provided for in the first system are less than those required in the second system, the full reserve will be transferred. If the reserves accumulated or provided for in the first system are more than required in the second, only the amount required to establish the credit will be transferred.

e.) Years of credit will be subject to the benefit formula of second system after transfer.

f.) The member will contribute to the second system at a [percentage] rate based on the age [that had been assigned to him] at the time of his enrollment in the first system.

g.) This procedure would not apply where a member does not make a timely transfer in accordance with N.J.S.A. 43:2-1 et seq.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, before 4 p.m. on March 24, 1971, to:

John J. Allen, Secretary  
Teachers' Pension and Annuity Fund  
137 East State Street  
Trenton, New Jersey 08625  
(609) 292-3656

After full consideration of all written and oral submissions respecting the proposed amendments, the Board of Trustees of the Teachers' Pension and Annuity Fund, upon its own motion, may thereafter adopt the amendments substantially as proposed without further notice.

John J. Allen, Secretary  
Teachers' Pension and Annuity Fund  
Division of Pensions  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF PENSIONS

#### Public Employees' Retirement System Proposed Changes in Rules

John J. Allen, Chief, Office of Secretarial Services, Division of Pensions, Department of the Treasury, pursuant to authority delegated to the Board of Trustees by N.J.S.A. 43:15A-17, proposes to amend N.J.A.C. 17:2-3, 7, 18, 21, 27.1, 28, 41, 52, 67, and 71 of the rules of the Public Employees' Retirement System, to read as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

#### 17:2-3. OFFICERS AND COMMITTEES:

The members of the Board shall elect the Chairman and the Vice Chairman from its membership for the forthcoming year at its regular meeting held in July.

The Chairman of the Board shall preside at all of its meetings.

The Chairman and the Secretary of the Board shall have the power to act for the Board in any matter which may be referred to them by the Board of Trustees.

There shall be three standing committees which are: The Finance Committee, the Retirement Committee, and the Executive Committee. The committee shall be appointed by the Chairman at the July meeting for the forthcoming fiscal year.

[The Finance Committee shall consider all the recommendations made pursuant to Chapter 270, P.L. 1950 and shall have the power to either approve or reject any investment recommendation. A record of the Committee's transactions shall be reported to the Board at its regular meeting.]

The Finance Committee shall review all investment transactions and financial reports referred to it by the Secretary for presentation to the board at its regular monthly meetings.

The Retirement Committee shall consider all cases referred to it by the Secretary and submit its recommendations to the Board at its next meeting. The committee shall consist of three members.

The Executive Committee shall consider all cases referred to it by the Secretary and submit its recommendations to the Board at its next meeting. The committee shall consist of three members.

#### 17:2-7. APPEAL FROM BOARD DECISIONS:

The following statement shall be incorporated in every written notice setting forth the Board's determination in a matter where such determination is contrary to the claim made by the claimant or his legal representative:

"If you disagree with the determination of the Board of Trustees in this matter, you may appeal by sending a written statement to the Board within 45 days from the date of this letter informing the Board of your disagreement and all of the reasons therefor. If no such written statement is received within the 45-day period, this determination shall be considered final."

#### 17:2-18. [RE-ENROLLMENT:

Any 4% member who is reinstated after resignation and withdrawal, shall be re-enrolled on a 3% basis.]

#### 17:2-21. COMPUTATION OF INSURANCE BENEFITS:

a.) Any member who is reported on a 10-month basis and who has not resigned or been discharged, shall be covered by his insurance benefits for the month or months he is on his regular seasonal layoff. The death benefit shall be based upon the base salary actually received during the 12 months immediately preceding his death. The months in which no salary was paid shall be counted as zero.

b.) Full salary credit will be given for the month in which a member dies, if he was paid salary to date of death and the salary paid was sufficient to permit a full normal month's pension and insurance contribution deduction.

c.) If a member dies during the first year following his date of enrollment, the contributory insurance benefit shall be one and one half times the member's annual base salary on which he contributed or would have contributed immediately prior to his death.

d.) For a member dying after the first year following his date of compulsory enrollment, both the non-contributory and contributory insurance benefit shall be determined on the base salary on which contributions to the Annuity Savings Fund were made, or would have been made during the 12 month period preceding death.

#### 17:2-27.1. INSURANCE LIABILITY FOR UNENROLLED MEMBERS:

In the event of the death of an individual prior to enrollment and on account of whom the Board of Trustees has determined that insurance benefits are payable:

a.) The employer will be charged directly for the full

amount of the insurance benefit when no application was completed by the employee and the employee was required to enroll.

b.) The employer will not be charged directly if an application for enrollment was filed with the Retirement System prior to the employee's date of death.

c.) The System may assume the liability when an application has been executed by the employee but not received by the System prior to his demise provided satisfactory evidence concerning the filing delay has been presented to the Board of Trustees.

d.) When a contributory insurance benefit is payable under b.) or c.) above, contributions will be collected from the beneficiary for premiums covering the period the member would have normally contributed, before the benefit is paid.

#### 17:2-28. BASE OR CONTRACTUAL SALARY:

[All contributions and benefits shall be determined on a member's regular base pay only, plus the value of maintenance, if applicable. Overtime, bonus, longevity lump sum payments, terminal accumulated sick leave or vacation lump sum payments, individual retroactive salary adjustments or individual adjustments to place a member at maximum on his salary range in his final year of service are not considered a part of member's base pay.]

Only a member's base or contractual salary, plus the value of maintenance, if applicable, shall be subject to pension and group life insurance contributions and creditable for retirement and death benefits in the system. The board shall reserve the right to question any salary to determine its creditability where it is evident from the record that a salary reported for benefits includes extra compensation. Such extra compensation shall be considered not creditable for benefits and all contributions made thereon shall be returned without interest. Some of the forms of compensation that have been defined as extra compensation are as follows: overtime, bonus, longevity lump sum payments, terminal accumulated sick leave or vacation lump sum payments, individual retroactive salary adjustments or individual adjustments to place a member at maximum in his salary range in the final year of service, increments granted for retirement credit or in recognition of the member's forthcoming retirement or in recognition of the member's years of service in the community.

#### 17:2-41. PURCHASE TERMS:

Any active member desiring to establish or re-establish credit for past service shall pay into his Annuity Savings Fund the total amount as required. Payments by members other than Law Enforcement Officers will be determined as follows:

##### a.) New Enrollments

1) If the purchase covers service immediately preceding the filing of the application for enrollment and is 1 year or less, double deductions shall apply. The beginning date shall be the enrollment date and the percent rate of contributions will be assigned according to the nearest attained age on this date.

2) Any veteran not on the 1/1/55 payroll shall contribute at the percent rate applicable to the age resulting from the subtraction of his years of prior service from the date he began his present employment or the date of enrollment whichever is later. Included in the charge to the member regular interest shall be computed from the compulsory date of enrollment to the date of purchase.

3) Any veteran re-enrolling shall contribute at the rate applicable to the age resulting from the subtraction of his years of prior service from his age at the time of his re-enrollment. The re-enrollment date shall be the compulsory date of enrollment, or the date determined by "1" above.

4) Any veteran who terminated membership before January 1, 1955, and whose withdrawal of contributions included contributions paid by his employer during a period of military leave, shall receive veteran prior service credit for only the period during which he actually contributed. He can receive additional membership credit for the period of his military leave if he redeposits the amount of employer contributions, plus interest to the date of his authorization of such purchase.

5) The percent rate of contribution for any nonveteran compelled to purchase credit shall be based on the percent rate applicable to his attained age on his compulsory enrollment date.

6) The percent rate of contribution for any nonveteran enrolling on an optional basis is to be based on the percent applicable to the attained age as of the date of enrollment.

##### b.) Veterans Establishing Membership Credit (Compulsory Enrollments)

If over one (1) year, actual salary times percent rate assigned to enrollment plus regular interest to date of enrollment.

##### c.) Voluntary Purchases

The [3%] purchase factors [supplied] furnished by the System actuary and the service retirement annuity factor shall be used for all voluntary purchases for which the statute requires the employee to assume one-half of the cost, including out-of-state service.

##### 1) Under Age 60 At The Time of Purchase

(a) To obtain the cost, multiply the factor applicable to the present age by the years of service being purchased by the present salary.

(b) If Class "A" credit is being purchased, the cost will be 6/7ths of the amount computed under "c 1 (a)" above.

##### 2) Age 60 or Over at Time of Purchase

The purchase cost for each year of service shall be determined as 1/10 (Class B) or 1/10 (Class A) of the Final Average Salary at the time of purchase multiplied by the appropriate service retirement annuity factor for the member's attained age at the time of the purchase.

##### d.) Method of Repayment

##### 1) Lump sum.

2) May be liquidated by extra deductions equal to 1/2 of the full regular pension deduction for a maximum period of 10 years. All voluntary purchases must be liquidated by age 60. However, if the member has attained the age of 58 or more at the time of purchase, 2 years may be allowed.

3) In compulsory purchases where the Board finds the above to be a hardship on the member, the deduction may be reduced to not less than \$5.00 a month and the length of time for making this purchase extended accordingly.

#### 17:2-52. OPTION SELECTION:

If an applicant for an accidental disability retirement benefit is rejected for an accidental disability benefit but is approved by the Board for retirement, in accordance with 17:2-51, he will be permitted, within [90] 30 days following Board approval of his retirement, to amend the option selection which he made on the original accidental disability retirement application.

**17:2-67. ADDITIONAL CONTRIBUTIONS:**

The additional contributions made under N.J.S.A. 43:14-17 (Chapter 309, P.L. 1946) as elected by the member, shall be credited for the purpose of retirement, with [3% or 4%] interest in the same manner as employed in the calculation of the regular retirement allowance.

**17:2-71. INTERFUND TRANSFERS; POLICE AND FIREMEN'S AND STATE POLICE RETIREMENT SYSTEMS:**

As the Boards of Trustees of the Police and Firemen's Retirement System and the State Police Retirement System have adopted similar rules affording members of the Public Employees' Retirement System the same privilege of timely transfer to the Police and Firemen's Retirement System and the State Police Retirement System, the Public Employees' Retirement System will transfer members from these plans to the System as follows:

a.) A member desiring to transfer his credits, shall file an application for "Transfer of Credit." This application will void all possible claim against the original system when approved and new membership is commenced in the second system.

b.) The member will direct by this transfer application that the full withdrawal value less any outstanding loan be transferred to the second system and that this value be entered to his account, subject to laws regulating such funds in the second system.

c.) A copy of the transfer application, together with a check covering withdrawal value and a statement of the service credits being transferred, is to be forwarded to the second system.

d.) The initial system will cause to be valued the reserves accrued for such employee as compared to reserves required in the second system. If the reserves accumulated or provided for in the first system are less than those required in the second system, the full reserve will be transferred. If the reserves accumulated or provided for in the first system are more than required in the second, only the amount required to establish the credit will be transferred.

e.) Years of credit will be subject to the benefit formula of second system after transfer.

f.) [The member will contribute to the second system at a percentage based on the age that had been assigned to him in the first system.]

The member will contribute to the second system at a rate based on his age at time of enrollment in the first system.

g.) This procedure would not apply where a member does not make a timely transfer in accordance with NJSA 43:2-1, et seq.

Interested persons may present statements or arguments in writing, orally in person or by telephone, before 4:00 p.m. on March 24, 1971, to:

John J. Allen  
Chief, Office of Secretarial Services  
137 East State Street  
Trenton, New Jersey 08625  
(609) 292-3656

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

John J. Allen  
Chief, Office of Secretarial Services

(a)

## TREASURY

### DIVISION OF PENSIONS

#### General Administration Rules

On January 28, 1971, William J. Joseph, Director of Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-95 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a revision of Chapter 1, "General Administration", of Title 17 of the New Jersey Administrative Code, as proposed in the Notice published January 7, 1971 at 3 N.J.R. 11(b).

An order adopting this revision was filed and effective February 1, 1971 as R.1971 d.16.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Common Treasury Fund A and Common Pension Fund A

On February 1, 1971, Norman E. Hardy, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules of the State Investment Council concerning "Common Treasury Fund A" and "Common Pension Fund A", substantially as proposed in the Notice published January 7, 1971 at 3 N.J.R. 14(a).

An order adopting these rules was filed February 1, 1971 as R.1971 d.17.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## TREASURY

### DIVISION OF PENSIONS

#### STATE HEALTH BENEFITS COMMISSION

#### State Health Benefits Program Amended

On February 5, 1971, William J. Joseph, Secretary of the State Health Benefits Commission in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:14-17.27 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 17:9-4, 15, 16, 32 and 45 of the rules of the State Health Benefits Commission as proposed in the Notice published January 7, 1971 at 3 N.J.R. 10(a).

An order adopting these amendments was filed and effective February 17, 1971 as R.1971 d.21.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State