

NEW JERSEY REGISTER



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Paul J. Sherwin, Secretary of State
Albert E. Bonacci, Director of Administrative Procedure
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John K. Barnes, Editor

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(a)

AGRICULTURE

DIVISION OF REGULATORY SERVICES

Proposed Changes in Regulations On Commercial Values in Fertilizer Law

The State Board of Agriculture, pursuant to authority of N.J.S.A. 4:9-15.33, proposes to change a portion of its rules pertaining to the establishment of commercial values for certain plant nutrients. The proposed changes do not adjust in any way the existing commercial values for the plant nutrients covered by the rule but simply establish a new date in which the commercial values are to be effective.

The complete text of the proposed rule is as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

N.J.A.C. 2:69-11 Commercial Values

Pursuant to Section 26, the commercial values for the period July 1, [1970] 1971, through June 30, [1971] 1972, are:

Total Nitrogen	17 cents per pound
Water Insoluble Nitrogen	37 cents per pound
Available Phosphoric Acid	8 cents per pound
Soluble Potash	7 cents per pound

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before September 29, 1971, to:

Director
Division of Regulatory Services
Department of Agriculture
Post Office Box 1888
Trenton, New Jersey 08625
Telephone: (609) 292-5733

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

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Testing for Brucellosis

On July 30, 1971, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-76 to 4:5-93 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted changes in the testing for brucellosis, as proposed in the Notice published July 8, 1971, at 3 N.J.R. 126(a).

An order adopting these changes was filed and effective July 30, 1971, as R.1971 d.129.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Measuring and Sampling Milk From Farm Bulk Tanks

On July 30, 1971, Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:12-41.15 and 4:12-41.25 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted regulations pertaining to the measuring and sampling of milk from farm bulk tanks, substantially as proposed in the Notice published July 8, 1971, at 3 N.J.R. 126(b).

An order adopting these regulations was filed and effective July 30, 1971, as R.1971 d.130.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

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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(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Adoption by Reference of Federal Rules and Regulations Concerning Meat and Poultry Inspection

On August 24, 1971, the State Board of Agriculture, pursuant to authority of N.J.S.A. 24:16B-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted by reference all of the rules and regulations of the U.S. Department of Agriculture Consumer and Marketing Service, as published in the Federal Register (Volume 35, No. 193, October 3, 1970, Part II) wherever applicable to the State of New Jersey.

These rules and regulations, having been properly promulgated in the Federal Register, are deemed to be those rules and regulations of the New Jersey State Board of Agriculture and shall have the full force and effect of law. Any future changes in these Federal rules and regulations, after proper promulgation in the Federal Register, shall be deemed to be the rules and regulations of the New Jersey State Board of Agriculture. The rules and regulations cited above are adopted in lieu of and supersede N.J.A.C. 2:4-1 through 2:5-107.

An order adopting these rules and regulations was filed August 26, 1971, as R.1971 d.145 (Exempt, Practice Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Termination of Equine Embargoes

On August 24, 1971, the State Board of Agriculture, pursuant to authority of Title 4, Chapter 5, Article 1 of the Agricultural Laws of New Jersey and in accordance with applicable provisions of the Administrative Procedure Act of 1968, ordered the embargoes dated July 16, 1971, and July 20, 1971 be rescinded, effective August 24, 1971, except equines from Texas must have been vaccinated for VEE at least 14 days prior to movement and be accompanied by such proof of vaccination in addition to the regular approved interstate health certificate.

An order rescinding the previous embargoes was filed August 26, 1971, as R.1971 d.146 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

BANKING

THE COMMISSIONER

Revised Rules and Regulations

On August 25, 1971, Richard F. Schaub, Acting Commissioner of Banking, pursuant to authority of N.J.S.A. 17:1-8.1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revised rules and regulations, substantially as proposed in the Notice published June 10, 1971, at 3 N.J.R. 99(b) but with subsequent, substantive changes not detrimental to the public, according to the Department of Banking.

An order adopting these rules and regulations was filed and effective August 26, 1971, as R.1971 d.147.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Proposed Amendments to Plumbing Code

Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-21, 52:27C-54 and 13:1B-7, proposes to amend the Plumbing Code of New Jersey, Part E of the Standard Building Code of New Jersey. This amendment allows the use of Acrylonitrile-Butadiene-Styrene (ABS) and Polyvinyl Chloride (PVC) in drain, waste and vent (DWV) lines. The proposed amendments have been approved by the Commissioner of Health pursuant to N.J.S.A. 26:3-69.1(2) for adoption by reference by local boards of health.

A copy of the complete text of the proposed amendments is available from:

Director
Division of Housing and Urban Renewal
P.O. Box 2768
Trenton, N.J. 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 29, 1971, to the Division of Housing and Urban Renewal at the above address.

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

Edmund T. Hume
Commissioner
Department of Community Affairs

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Emergency Rule on Containment And Disposal of Pesticides

On August 25, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1F-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning the emergency containment and disposal of pesticides.

The Department of Environmental Protection has found that industrial and agricultural upsets or malfunctions, fires, explosions, and acts of God or other casualties, or unexpected circumstances result in the immediate need to dispose of large quantities of pesticides, and that such a large scale disposal presents a great danger of contamination of the soil, air, and waters of this State, and, therefore, constitutes an imminent peril to the public health, safety, and welfare resulting in an urgent need for control of such disposal.

The complete text of the emergency rule follows:

EMERGENCY CONTAINMENT AND DISPOSAL OF PESTICIDES

1. Whenever any fire, explosion, casualty or any other unexpected event or circumstance results in upset or spillage of any pesticide or results in the placement or location of any pesticide such that it might move, flow, seep or in any way emanate from such location into the air, into any adjacent property, into any drain or sewer, into any source of potable water, into any ground water or into any of the waters of this State, then such pesticide shall immediately be contained, covered, or removed or such other steps taken in accordance with this regulation, as may be necessary to stop or prevent any such movement, flow, seepage, or emanation.

The responsibility for the measures required shall be jointly and severally upon (a) the owner of the premises upon which such pesticide is located; (b) the person responsible for the presence of the pesticide on the premises; and (c) any person responsible for the upset, spill, or circumstances resulting in such placement or location of the pesticide described in this paragraph. Each of the persons designated in (a), (b) and (c) above shall be responsible for immediate notification to the Department of Environmental Protection upon the occurrence of a pesticide accident as described herein.

2. No person shall discard, burn, bury, or in any other way dispose of any pesticide except in accordance with a plan for such disposal approved in writing by the Department of Environmental Protection.

3. Before any person disposes of any pesticides, he shall first submit to the Department of Environmental Protection a written plan giving said Department reasons to be assured: (a) that such disposal will not result in the contamination of the air or of any surface waters, ground waters, potable waters, or any other waters of this State; (b) that such disposal will not result in the incineration or placement in any landfill, dump, or refuse disposal area of any pesticide, except as may be approved in writing by said Department; and (c) and that such disposal will not endanger the public health, safety or welfare.

4. The term "disposal" as used herein shall not be con-

strued to refer to the ordinary application of pesticides for the purposes for which they are intended.

An order adopting this emergency rule was filed and effective August 25, 1971, as R.1971 d.143 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF WATER RESOURCES

Proposed Revisions of Demand Charge Schedule in Raritan Basin System

Charles M. Pike, Director of the Division of Water Resources in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 58:22-10, proposes to adopt revisions to the Demand Charge Schedule, Raritan Basin System, applying to rates and charges for water supplies sustained or replaced by releases from the Spruce Run-Round Valley Reservoirs.

The complete text of the revised schedule is as follows:

DEMAND CHARGE SCHEDULE RARITAN BASIN SYSTEM

(Spruce Run-Round Valley Reservoir Complex)

EQUIVALENT SUSTAINED SUPPLY — In operating the Spruce Run-Round Valley Reservoir complex to augment natural stream flow during periods of low runoff, optimum dependable supply is attained at the confluence of the Millstone River, where the combined flow from the tributaries of the Raritan River above that point becomes effective. Each application for the diversion, withdrawal or allocation of water from the Raritan River Basin is therefore to be evaluated, and charges for the allocation are to be applied, in relation to its equivalent in sustained supply at said confluence.

BASIC CONFLUENCE CHARGES — The unit charges set forth herein apply to water withdrawn from the Raritan River Basin at or below the confluence of the Millstone and Raritan Rivers.

PRODUCTION FACTOR — The inverse ratio between any upstream allocation and its equivalent in sustained supply at the confluence is expressed as the Production Factor for that allocation. The charges set forth herein, multiplied by the Production Factor for a given allocation, will determine the charges applying to such allocation.

DEMAND CHARGE — The rates and charges set forth herein, to be applied to supplies sustained or replaced by releases, or to withdrawal directly from the reservoirs, are hereby promulgated by the Commissioner of Environmental Protection in accordance with—

N.J.S.A. 58:22-10. The annual demand charge for a given allocation shall be computed by multiplying the average daily allotment by 365 and applying to the resulting annual allotment a charge in accordance with the rates and provisions herein set forth. Payments shall be made quarterly as billed:

RATES AND CHARGES	
Bonded Indebtedness Component,	
Effective July 1, 1965	\$20.60
Operation, Maintenance and Reservoir	
Component, Effective October 1, 1971	\$25.58

PERIOD OF PAYMENT

The above charges are based on repayment of bonded indebtedness over a period of 40 years beginning in 1965. Purchasers obtaining a supply starting later than 1965 shall be subject to the following bonded indebtedness component in order that their share of storage costs may be completed within the said 40 year repayment period:

1966 — \$21.13	1971 — \$24.24	1976 — \$28.41
1967 — 21.69	1972 — 24.97	1977 — 29.43
1968 — 22.27	1973 — 25.75	1978 — 30.52
1969 — 22.89	1974 — 26.58	1979 — 31.69
1970 — 23.54	1975 — 27.47	1980 — 32.96

The bonded indebtedness component for starting years later than 1980 shall be computed by multiplying the 1965 component by 40 and dividing the product by the number of years remaining in the 40-year repayment period.

PERIODIC REVISION

The operation, maintenance and reserve component of the charges shall be revised from time to time, in accordance with N.J.S.A. 58:22-10, to provide for changes in the cost of operation, maintenance and emergency reserve.

From October 1, 1971, charges will prevail pro-rata until the effective date of subsequent revision.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before October 1, 1971, to:

Charles M. Pike, Director
 Division of Water Resources
 Department of Environmental Protection
 Room 1110, Labor and Industry Building
 John Fitch Plaza
 Trenton, New Jersey 08625

Upon full consideration of all submissions respecting the proposed action, the Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Charles M. Pike
 Director
 Division of Water Resources
 Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL QUALITY

**Amendments to Chapter 2
 Of Air Pollution Control Code**

On August 9, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2C-8.1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to Chapter 2 of the Air Pollution Code (Control and Prohibition of Open Burning), substantially as proposed in the Notice published January 7, 1971, at 3 N.J.R. 4(c) but with subsequent, substantive changes not detrimental to the public, according to the Department of Environmental Protection.

An order adopting these amendments was filed August 13, 1971, as R.1971 d.139, to become effective October 12, 1971.

Albert E. Bonacci
 Director of Administrative Procedure
 Department of State

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

**Proposed Revisions to Assistance
 To Families of the Working Poor
 Manual of Administration**

Irving J. Engelman, Director of the Division of Public Welfare in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6, proposes to revise Section 3250. (Employment and Training) of the Assistance to Families of the Working Poor Manual of Administration.

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

3250. EMPLOYMENT AND TRAINING

- .1 Employment or Training for Father
- d. Special Criteria for Federal Participation

For purposes of claiming any Federal matching that may be available with respect to assistance payments based on the unemployment of the father, the following criteria must be met:

1) the father has been unemployed for at least 30 days prior to the receipt of public assistance and is currently registered with the Division of Employment Security; Unemployment is defined as being: [employed less than 35 hours a week, or less than the number of hours considered by the industry to be full time for the job, which-ever is less.]

- a) Employed less than 100 hours a month; or
- b) Exceeds that standard for a particular month, if his work is intermittent and the excess is of a temporary nature as evidenced by the fact that he was under the 100-hour standard for the two prior months and is expected to be under the standard during the next month.

2) the father has not, without good cause, within such 30-day period prior to the receipt of public assistance, refused a bona fide offer of employment or training for employment; (see 3250.1 b.)

3) the father has (i) six or more quarters of work within any 13 calendar quarter period ending within one year prior to the application for such aid, or (ii) within such one year period, received unemployment compensation under an unemployment compensation law of a State or of the United States, or was qualified for such compensation under the State's unemployment compensation law;

4) the father has not received unemployment compensation under an unemployment compensation law of a State or of the United States for any week for which he has also received a grant of assistance;

5) the father will, within 30 days after the receipt of assistance, be referred to the local office of the Division of Employment Security for participation in any appropriate employment service or manpower training program for which he may be eligible.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 30, 1971, to:

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

The Department of Institutions and Agencies, upon its

own motion or at the instance of any interested party, may thereafter adopt the revisions substantially as proposed without further notice.

Irving J. Engelman
Director
Division of Public Welfare
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Revisions in Financial Assistance Manual Concerning Maximum Public Assistance Allowance

Irving J. Engelman, Director of the Division of Public Welfare in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6, proposes to revise Schedule I of Section 115 of the Financial Assistance Manual concerning maximum public assistance allowances.

The proposed revision changes the amount of the maximum public assistance allowance available to certain single adults receiving assistance in the categories of Old Age, Disability, and Blind Assistance from \$142 per month to \$162 per month.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 30, 1971, to:

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

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

Irving J. Engelman
Director
Division of Public Welfare
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Suspension and Revocation of Providers

On July 29, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules relating to the suspension and revocation of providers from health service program participation, as proposed in the Notice published July 8, 1971, at 3 N.J.R. 133(b).

An order adopting these rules was filed and effective July 29, 1971, as R.1971 d.128.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Changes in Manual of Administration On Availability of Information

On July 29, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted changes in the Manual of Administration of the Division of Public Welfare concerning the availability of information, as proposed in the Notice published July 8, 1971, at 3 N.J.R. 134(c).

An order adopting these changes was filed and effective July 30, 1971, as R.1971 d.131.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revisions in Manual of Administration On Intermediate Care Facilities

On August 3, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions in the Manual of Administration of the Division of Public Welfare regarding immediate care facilities, as proposed in the Notice published December 10, 1970, at 2 N.J.R. 100(d).

An order adopting these revisions was filed and effective August 6, 1971, as R.1971 d.133.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(e)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Manual for Vision Care Services

On August 24, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the Manual for Vision Care, substantially as proposed in the Notice published February 4, 1971, at 3 N.J.R. 25(c) but with subsequent, substantive changes not detrimental to the public, according to the Division of Medical Assistance and Health Services.

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

An order adopting the manual was filed August 24, 1971, as R.1971 d.142 to be effective October 18, 1971.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

LABOR AND INDUSTRY
DIVISION OF LABOR STANDARDS
BUREAU OF WAGE AND HOUR
Report and Recommendations of
Wage Board for Air Carrier Industry

Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:11-56(a)15, has accepted the Report and Recommendations of the Wage Board for the Air Carrier Industry, dated July 26, 1971.

The text of the Report and Recommendations follows:

This Board was organized on July 14, 1971, and held its organization and first and final meetings on the same date.

The following resolution was adopted by unanimous vote of the Board:

Whereas, this Wage Board was appointed by the Commissioner of Labor and Industry to make recommendations concerning the application of overtime regulations to certain air carrier employees;

Whereas, this Wage Board has received and studied information pertinent to the application of such overtime regulations to certain air carrier employees;

Whereas, we find an air carrier employer is defined as an air carrier holding a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to Section 401 of the Federal Aviation Act of 1958 and such air carrier employers operate within the State of New Jersey on a 24 hour a day, 7 day a week, 365 day a year basis for the convenience and necessity of the traveling and shipping public, the U.S. postal service and the national defense;

Whereas, we find an air carrier employee is defined as those employees, non-union or union, where applicable labor agreements permit, who engage in those phases of air carrier employment which operate on a 7 day a week, 24 hour a day basis and whose normal work is scheduled on a 7 day a week, 24 hour a day basis;

Whereas, we find throughout the United States a common practice for air carrier employees is to engage in an employee initiated "rescheduled time off for overtime" program;

Whereas, we find a rescheduled time off for overtime program is one in which certain air carrier employees may request "rescheduled time off" equal to the number of employee requested overtime hours worked under the following conditions: (1) the employee so requests, (2) the employer determines that the workload demands permit the employee's absence, and (3) the rescheduled time off is taken within specified periods;

Whereas, we find an air carrier employer simply "allows" an air carrier employee to "reschedule" otherwise regular work days as off days and work an equivalent number of hours at the employee's election;

Whereas, we find a "rescheduled time off for overtime" program permits an employee, at his option, to accumulate paid time off in order to maximize the opportunity

to use a valuable air carrier employee's privilege: free and reduced rate air travel anywhere in the world;

Whereas, we find without such a "rescheduled time off for overtime" program air carrier employees could only take advantage of reduced rate travel during regular vacation or regular off days;

Whereas, we find it appears that a "rescheduled time off for overtime" program for air carrier employees is presently precluded in New Jersey;

Whereas, we find that it is in the public interest that a wage order be issued permitting air carrier employees in New Jersey to engage in a "rescheduled time off for overtime" program;

Now, Therefore, Be It Resolved That this Wage Board recommends to the Commissioner of Labor and Industry that an appropriate wage order be issued exempting certain air carrier employees, as defined below and only in the circumstances therein delineated, from the overtime provisions of Chapter 113, P.L. 1966, insofar as is necessary to permit the operation of a "rescheduled time off for overtime" program; and

Further, that the following definitions be included in such a wage order:

AIR CARRIER EMPLOYER is defined as those air carriers holding a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to Section 401 of the Federal Aviation Act of 1958 (49 USC Section 1371).

AIR CARRIER EMPLOYEE is defined as those employees, non-union or union, where applicable labor agreements permit, who engage in those phases of air carrier employment which operate on a 7 day a week, 24 hour a day basis and whose normal work is scheduled on a 7 day a week, 24 hour a day basis.

The term "rescheduled time off for overtime" is to be limited to employee requested overtime situations and is to cover time off for overtime where: (1) the employee so requests, (2) the employer determines that the workload demands permit the employee's absence, and (3) the rescheduled time off is taken within specified periods.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 30, 1971, to:

Department of Labor and Industry
Division of Labor Standards
Wage and Hour Bureau
P.O. Box 875
Trenton, N. J. 08625

A public hearing will be held in Room 1304, Labor and Industry Building, John Fitch Plaza, Trenton, New Jersey, at 10:00 a.m. on Thursday, September 30, 1971, at which time interested persons may present statements or arguments, orally or in writing, relevant to the report and proposed recommendations.

Within ten days after the hearing, the Commissioner of Labor and Industry shall approve or disapprove the report of the wage board. If the report is disapproved, the Commissioner may resubmit the matter to the same wage board or to a new wage board. If the report is approved, the Commissioner shall make a wage order which shall include such proposed administrative regulations as the Commissioner may deem appropriate to supplement the report of the wage board and to safeguard the minimum fair wage standards established.

Ronald M. Heymann
Commissioner
Department of Labor and Industry

(a)

LABOR AND INDUSTRY

DIVISION OF WORKMEN'S COMPENSATION

Maximum Benefit Rate Set For Workmen's Compensation

On August 17, 1971, Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:15-12a and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule concerning the maximum benefit rate for workmen's compensation.

The complete text of the rule is as follows:

In accordance with the provisions of Chapter 126, Laws of New Jersey 1966, the maximum compensation is hereby promulgated as being \$101.00 per week.

This maximum compensation shall be effective as to injuries occurring on January 1, 1972, and thereafter until the Commissioner of Labor and Industry supersedes this determination.

An order adopting this rule was filed and effective on August 17, 1971, as R.1971 d.140 (Exempt, Exempt Agency).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

LABOR AND INDUSTRY

DIVISION OF EMPLOYMENT SECURITY

Maximum Weekly Benefit Rate Set For 1972 Under Unemployment Compensation Law And Temporary Disability Benefits Law

On August 6, 1971, Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 43:21-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, established the maximum weekly benefit rate for benefits under the Unemployment Compensation Law and the maximum weekly benefit amount for State Plan benefits under the Temporary Disability Benefits Law at \$76.00 per week.

These maximum benefits shall be effective for the calendar year 1972 on benefit years and periods of disability commencing on or after January 1, 1972.

An order promulgating the above rates was filed August 20, 1971, as R.1971 d.141 (Exempt, Mandatory Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Amendments To Studded Tire Regulations

Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety,

pursuant to authority of N.J.S.A. 39:3-43 and 39:3-81, proposes to amend subsection (g) of Section 2 (General Requirements) of the regulations concerning the design, construction and use of tires fitted with studs.

The proposed amendment reads as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

Section 2 General Requirements

(g) No stud tire shall be used on a public highway earlier than [October 15] **November 15** or later than [April 15] **April 1** of any winter season.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 30, 1971, to:

Raphael J. Marini
Director
Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08608

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

Raphael J. Marini
Director
Division of Motor Vehicles
Department of Law and Public Safety

(d)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Amendments To Self-Inspection Regulations

Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:8-10, proposes to amend Section 5 (Inspection of Motor Vehicles in Operation) of the regulations concerning self-inspection of certain classes of motor vehicles.

The proposed revisions are as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

SECTION 5. Inspection of Motor Vehicles in Operation

c. Motor Vehicle declared "out-of-service" or "out-of-service—limited movement authorized".

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

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

(3) Any authorized officer or employee shall declare and mark "out-of-service—limited movement authorized"

any vehicle which has a serious mechanical or loading defect that may cause a breakdown or accident but which defect does not render the vehicle's continued operation, for limited movement, imminently dangerous.

(4) If a vehicle is declared "out-of-service—limited movement authorized", the inspecting officer or employee, in his discretion, may permit the vehicle to proceed to the nearest acceptable place of repair. The inspecting officer shall record the location of the place of repair, the vehicle's authorized route of movement and the estimated date and time of arrival at the place of repair on the inspection form. Upon arrival at the designated place of repair, a vehicle marked "out-of-service—limited movement authorized" will be considered "out-of-service" as described in Section 5 c (2) of this Regulation.

[(3)] (5) No person shall remove any marking indicating a motor vehicle to be "out-of-service" or "out-of-service—limited movement authorized" prior to completion of all repairs.

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

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 30, 1971, to:

Raphael J. Marini
Director
Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08608

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

Raphael J. Marini
Director
Division of Motor Vehicles
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Inspection of New Passenger Vehicles

On August 24, 1971, Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-43, 39:8-2 and 39:10-4 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules governing the inspection of new passenger vehicles, substantially as proposed in the Notice published June 10, 1971 at 3 N.J.R. 112(a) but with subsequent, substantive changes not detrimental to the public, according to the Director of the Division of Motor Vehicles.

An order adopting these rules was filed August 25, 1971 as R.1971 d.144, to be effective October 1, 1971.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Revised Rule on Minimum Standards of Fill

Richard C. McDonough, Director of the Division of Alcoholic Beverage Control, pursuant to authority of N.J.S.A. 33:1-39 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a revision of N.J.A.C. 13:2-257 (Rule 1 of Division Regulation No. 23) "Minimum Standards of Fill", substantially as proposed in the Notice published June 10, 1971 at 3 N.J.R. 111(b) with subsequent, substantive changes not detrimental to the public, according to the Director of the Division of Alcoholic Beverage Control.

The full text of the revised rule follows:

13:2-257 (Rule 1 of Division Regulation No. 23). Minimum Standards of Fill.

No retail licensee, except a plenary retail transit licensee, shall purchase, accept delivery of, possess, sell or deliver any alcoholic beverage in the original container if the fill thereof is less than one-half pint, except as to the following:

(a) In wines, the minimum standard of fill shall be six (6) fluid ounces, except champagnes and sparkling wines, as to which the minimum standard of fill shall be four (4) fluid ounces.

(b) In beer and other malt alcoholic beverages, no minimum standard of fill is prescribed.

An order adopting the above revised rules was filed August 27, 1971 as R.1971 d.148 to be effective January 1, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

STATE

DIVISION OF ADMINISTRATIVE PROCEDURE

Proposed Revision On Elapsed Time Between Proposal and Adoption of a Rule

Albert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State, pursuant to authority of N.J.S.A. 52:14B-7(g), proposes to revise N.J.A.C. 15:15-4.11 (Time of Filing) concerning the allowable length of time between the publication of a proposed rule or rule change in the New Jersey Register and the adoption thereof. The purpose of this revision is to provide a maximum time of one year from the date of publication of a proposed rule or rule change in the Register to the time the agency adopts such rule or rule change.

The complete text of the proposed rule is as follows:

N.J.A.C. 15:15-4.11 Time of Filing

(b) If an agency has not adopted a proposed rule or rule change within one year from the time such proposal was published in the New Jersey Register, the agency must thereafter resubmit such proposal for republication in the Register, subject if applicable to the 20 days' prior

notice and opportunity to be heard requirements of the Act, before the proposed rule or rule change can be adopted. adopt the revisions substantially as proposed without further notice.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 29, 1971, to:

Peter J. Gorman
Rules Analyst
Division of Administrative Procedure
Department of State
10 North Stockton Street
Trenton, New Jersey 08608

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

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

STATE

STATE ATHLETIC COMMISSION

Proposed Revisions in Scoring Boxing Rounds

The State Athletic Commission, pursuant to authority of N.J.S.A. 5:2-5, proposes to revise a portion of N.J.A.C. 15:25-8.19 (Round system scoring; supplemental point system) regarding the scoring of rounds. The revised rule is as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):
N.J.A.C. 15:25-8.19 Round system scoring; supplemental point system

(d) At the end of each round, the referee will use [three] ten points to supplement his scorecard.

1. If the boxer is just slightly superior to his opponent in such round, [one] **five points** must be scored for such boxer, and the score of [zero] **four points** marked down for his opponent.

2. If a boxer wins a round decisively, [two] **five points** should be scored for such boxer and the score of [zero] **three points** marked down for his opponent.

3. If a boxer wins a round decisively with a knockdown or knockdowns, [three] **five points** should be scored for such a boxer and the score of [zero] **two points** marked down for his opponent.

4. If neither boxer can be judged the winner of such round, **five points** must be scored for each boxer.

(e) If a referee penalizes a boxer a round for a foul:

1. The round shall be credited to his opponent, [plus one point] **and five points credited to his opponent.**

2. The offender loses the round, with a score of [zero.] **four points.**

3. The referee shall notify the announcer of the same, and the announcer shall declare it to the public at the end of that round.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 29, 1971, to:

Morris Mogelever
Deputy State Athletic Commissioner
209 East State Street
Trenton, New Jersey 08608

The State Athletic Commission, upon its own motion or at the instance of any interested party, may thereafter

Morris Mogelever
Deputy State Athletic Commissioner
Department of State

(b)

STATE

STATE ATHLETIC COMMISSION

Proposed Rule on Reservation Of Dates for Boxing Matches

The State Athletic Commission, pursuant to authority of N.J.S.A. 5:2-5 et seq., proposes to adopt a new rule concerning the reservation of dates for boxing matches. The complete text of the proposed rule is as follows:
N.J.A.C. 15:25-18.15 Reservation of dates for boxing matches.

No licensed promoter will be permitted to reserve any date or dates for the conduct of boxing programs unless such licensed promoter submits to the Commissioner for approval the proposed match in the main contest in club contract form signed by the contestants and their respective managers.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 29, 1971, to:

Morris Mogelever
Deputy State Athletic Commissioner
209 East State Street
Trenton, New Jersey

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

Morris Mogelever
Deputy State Athletic Commissioner
Department of State

(c)

STATE

STATE ATHLETIC COMMISSION

Proposed Deletion of Rule Concerning Duration of Rounds, Controls and Licenses

The State Athletic Commission, pursuant to authority of N.J.S.A. 5:2-5 et seq., proposes to delete in its entirety N.J.A.C. 18:25-6.20 (Rounds of two minute duration; contract; license). The complete text of the rule to be deleted is as follows:

15:25-6.20 Rounds of two minutes duration; contract; license

When rounds are of two minutes duration in the main contests or preliminary contests, licensed boxers who are the contestants may sign their own club contracts, and if a manager signs the same, he may be unlicensed, unless both parties choose to execute a boxer-manager contract that must have the approval of the State Athletic Commissioner or his designated representative. Such an unlicensed manager, however, must obtain a license as a second if he desires to act as a second.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 29, 1971, to:

Morris Mogelever
Deputy State Athletic Commissioner
209 East State Street
Trenton, New Jersey

The State Athletic Commission, upon its own motion or at the instance of any interested party, may thereafter delete the rule substantially as proposed without further notice.

Morris Mogelever
Deputy State Athletic Commissioner
Department of State

(a)

STATE

STATE ATHLETIC COMMISSION

Revision of Certain Fees

On August 11, 1971, the State Athletic Commission, pursuant to authority of N.J.S.A. 5:2-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, revised certain of its fees. The revised fees include the following (additions indicated in boldface thus; deletions indicated in brackets [thus]):

N.J.A.C. 15:25-4.6 Fee

(a) The fee for a boxing club license is [~~\$50.00~~] **\$100.00**.

(b) The fee for a wrestling license is **\$50.00**.

N.J.A.C. 15:25-4.24 Permit fee; guarantee

(a) The permit fee for a single show other than an AAU Show is [~~\$25.00~~] **\$100.00** and shall be paid in advance before issuance.

N.J.A.C. 15:25-4.25 License fees

12. Matchmaker **\$25.00**

N.J.A.C. 15:25-4.29 Co-promoter

Any co-promoter of a boxing promotion must obtain a [~~\$25.00~~] **\$100.00** permit license associating himself with a licensed promoter. Such a license is valid for a single show.

An order adopting these revisions was filed August 11, 1971, as R. 1971 d.135 (Exempt, Practice Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

TRANSPORTATION

DIVISION OF DESIGN

Public Utility Rearrangement Agreements

On July 22, 1971, John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-44.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the rules pertaining to Public Utility Rearrangement Agreements, substantially as proposed in the Notice published June 10, 1971, at 3 N.J.R. 114(a).

An order adopting these amendments was filed and effective August 3, 1971, as R.1971 d.132.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

TRANSPORTATION

DIVISION OF DESIGN

Rules Governing Railroad, Other Public Utility Rearrangement Agreements

On July 22, 1971, John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-44.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules governing Railroad and other Public Utility Rearrangement Agreements, substantially as proposed in the Notice published June 10, 1971, at 3 N.J.R. 115(a).

An order adopting these rules was filed and effective August 10, 1971, as R.1971 d.134.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

TREASURY

STATE TREASURER

Proposed Regulations On Authorization Of Bonds Or Notes Issued for County College Capital Projects

Joseph M. McCrane Jr., State Treasurer, and Ralph A. Dungan, Chancellor of Higher Education, pursuant to the requirements of Chapter 12, P.L. 1971, and under the authority of N.J.S.A. 18A:3-21(e), propose to adopt regulations concerning the authorization of bonds or notes to be issued by County College capital projects.

The complete text of the proposed regulations follows:

REGULATIONS AND PROCEDURES

For Authorization of Bonds or Notes to be Issued for County College Capital Projects

The following regulations and procedures are proposed to be established, pursuant to authority of N.J.S.A. 18A:3-21e, for carrying out the provisions of Chapter 12, P.L. 1971 (N.J.S.A. 18A:64A-22.1 to 18A:64A-22.8, inclusive)

1. The Board of Trustees of the County Community College shall submit a request for capital project funding to the State Board of Higher Education as prescribed in the "Facilities Standards and Planning Manual for New Jersey Community Colleges" (Department of Higher Education, Revised September 1, 1970), and in accordance with N.J.S.A. 18A:64A-22.

2. The Board of Higher Education shall review the request and make a determination as required. The Chancellor shall then prepare a certificate, using a form to be prescribed, and distribute it as follows:

Original—State Treasurer

Copy—Director of the County Board of Chosen Freeholders

Copy—President of the County Community College.

3. The Director of the Board of Chosen Freeholders of the county affected, upon receipt of copy of the Chancellor's certification, shall complete the acknowledgement portion of the certification form and forward the form to the State Treasurer.

4. The State Treasurer, upon receipt of the certification and acknowledgement, shall examine the certification and after determining the necessity or advisability of making

available the additional State support, shall certify, in the prescribed form, the amount of bonds entitled to the benefits of the Act. Distribution of the State Treasurer's certification is:

- Original—Board of Chosen Freeholders
- Copy—Chancellor of Higher Education
- Copy—Director of the Division of Local Finance
- Copy—County Community College President

5. The Director of the County Board of Freeholders, upon adoption by the Board of a bond resolution, and not less than 15 days prior to the sale of the bonds, shall forward to the State Treasurer the maturity schedule proposed for repayment of such bonds, in a form prescribed under these regulations. Such action shall be taken within one year following the date of the certification by the State Treasurer to the Board of Chosen Freeholders, as provided in 4 above. If the said action is not taken within that one-year period, the certification shall automatically lapse.

6. The State Treasurer, after reviewing the proposed maturity schedule and upon approval of the schedule, shall notify the County Treasurer of such approval, after which the bonds may be sold. The State Treasurer's approval shall be conditioned upon the acceptance by the County of the regulations prescribed below for the investment or deposit of the proceeds of any bonds or notes sold under this authorization.

7. The County Treasurer, within ten days after the issuance of any bonds or notes issued under these regulations, shall certify to the State Treasurer the exact amounts payable for interest and principal on such bonds or notes and the dates on which such amounts are payable by the County.

8. The County Treasurer shall on January 10 following each year in which the County has received earnings from the investment or deposit of the proceeds from the sale of any such bonds or notes certify and pay to the State Treasurer the amount of such earnings.

9. Any proceeds from the sale of bonds or notes issued under these regulations may be invested or deposited by the County Treasurer subject to the following conditions:

A. Proceeds may be invested in any securities authorized under the provisions of N.J.S.A. 40:5-7.1(a) or 40:5-7.1(b), but shall not be invested in bonds or other obligations of a county, municipality or school district.

B. Cash may be deposited in the legal depository designated by the Board of Chosen Freeholders in accordance with the provisions of N.J.S.A. 40A:5-14.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 30, 1971, to:

Joseph M. McCrane Jr.
State Treasurer
Department of the Treasury
State House
Trenton, New Jersey 08625
and

Ralph A. Dungan
Chancellor
Department of Higher Education
225 West State Street
Trenton, New Jersey 08625

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

adopt these regulations substantially as proposed without further notice.

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

(a)

TREASURY

STATE LOTTERY COMMISSION

Proposed New Rules of Lottery Commission

The New Jersey State Lottery Commission, pursuant to authority of N.J.S.A. 5:9-7 et seq., proposes to adopt new rules concerning the sale of lottery tickets at specific locations licensed, tickets stolen from an agent or lottery bank, payment of prizes upon the death of prize winners and transfer of lottery license.

The complete text of the proposed rules is as follows:

N.J.A.C. 17:5-5.11 - SALE OF LOTTERY TICKETS AT SPECIFIC LOCATIONS LICENSED

The sale of lottery tickets shall be made only pursuant to a lottery agent's license at a specific location named therein. No other sales shall be permitted.

N.J.A.C. 17:5-10.5 - TICKETS STOLEN FROM AGENT OR LOTTERY BANK

Whenever tickets are stolen from an agent or lottery bank or while in transit to, from or between the State Lottery and the said agents or banks, the Lottery Commission may in its sole and absolute discretion, unless otherwise delegated to the Executive Director, upon good cause shown provide for reimbursement to the party responsible for the tickets when stolen.

When reimbursement occurs the tickets stolen shall be removed from the pool in question and shall not under any circumstances be entitled to any prize. The party responsible for the tickets must be able to provide the Lottery Commission with a series and serial number of the tickets stolen. When the party responsible for the tickets stolen is reimbursed for said tickets, he must in all instances agree to hold the Lottery Commission harmless, and provide the Director such information as deemed necessary to appropriately process said claim.

N.J.A.C. 17:6-5.2 - PAYMENT OF PRIZES UPON DEATH OF PRIZE WINNER

Upon the death of a prize winner, all monies or any portion thereof that remain payable to his or her estate shall be paid either to an executor (executrix) or administrator (administratrix) of the decedent's estate. Said moneys may be transferred either by intestate succession or by testamentary disposition. Upon payment to the estate the Lottery Commission shall be absolved of any further liability or payment of prizes. Under no circumstances will the payment of prize money be accelerated beyond its normal date of payments upon the happening of the death of the prize winner.

N.J.A.C. 17:5-5.10 - TRANSFER OF LOTTERY LICENSE

A lottery license issued pursuant to these regulations shall not be transferable. If the business or location to which a license is issued or the ownership thereof substantially changes, the Lottery Commission reserves the right to terminate the lottery license. The Lottery Commission must be notified in writing at least 20 days prior to

any proposed transfer of any licensed business or the ownership thereof.

(c)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Revisions in Zoning Regulations Regarding Waivers

On August 10, 1971, Edmund T. Hume, Chairman of The Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the zoning regulations regarding waivers, substantially as proposed in the Notice published June 10, 1971, at 3 N.J.R. 118(d).

An order adopting these revisions was filed and effective August 11, 1971, as R.1971 d.137.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 29, 1971, to:

New Jersey State Lottery Commission
Department of the Treasury
119 West State Street
Trenton, New Jersey 08625

The New Jersey State Lottery Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the rules substantially as proposed without further notice.

Norman E. Hardy
Deputy State Treasurer
Coordinator
Department of the Treasury

(a)

TREASURY

DIVISION OF TAXATION

Changes in Farmland Assessment Act Rules

On August 11, 1971, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:4-23.21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted changes in the Farmland Assessment Act rules, as proposed in the Notice published July 8, 1971, at 3 N.J.R. 138(b).

An order adopting these changes was filed and effective August 12, 1971, as R.1971 d.138.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Rules on Location, Construction And Operation of Sanitary Landfills

On August 10, 1971, Edmund T. Hume, Chairman of the Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on the location, construction and operation of sanitary landfills, substantially as proposed in the Notice published July 8, 1971, at 3 N.J.R. 140(a).

An order adopting these rules was filed and effective August 11, 1971, as R.1971 d.136.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

STATE NEWS OF PUBLIC INTEREST

DORGAN NAMED BY GOVERNOR TO ELECTION LAW REVIEW BOARD

Gov. William T. Cahill last month announced the appointment of Assemblyman William J. Dorgan of Palisades Park to the Election Law Review Commission. The Governor said he "hoped that the Commission, pursuant to the law, would (now) elect a chairman and resume its deliberations and business in the near future."

Dorgan, 49, who represents one of five Bergen County Assembly districts, replaces Irving I. Kimmelman, who resigned in April to accept an appointment to the state Superior Court.

Dorgan was born in Cliffside Park, graduated from St. Cecelia High School and attended Seton Hall University. He is the proprietor of a public warehouse. He served as Mayor of Palisades Park for seven years, and for three years as Bergen County Freeholder.

URBAN EDUCATION OFFICE CREATED IN CONSOLIDATION

Functions of the state Department of Education dealing with urban education have been consolidated in a new Office of Urban Education.

Education Commissioner Carl L. Marburger said the change, effective Sept. 1, is designed to produce greater coordination of the Department's various urban programs, both state- and federally-funded, and to extend the Department's commitment to the improvement of urban education. A major goal will be to provide more effective help to local districts in the form of technical assistance, program monitoring, program development, research and evaluation.

Ronald H. Lewis, who has been serving as director of program management in the Department's Division of

Research, Planning and Evaluation, was named by the Commissioner as Director of the new office. Before joining the department two years ago, Lewis was a school principal in Camden.

The new office is in the Division of Curriculum and Instruction. Among the units included in the office are the N.J. Urban Education Corps, Model Cities education assistance, Education Professions Development Act administration, and the administration of programs under the Elementary and Secondary Education Act, including Title I (compensatory education), Title VII (bilingual education) and Title VIII (dropout prevention).

CLANCY APPOINTED SUPERINTENDENT OF MIDDLESEX COUNTY SCHOOLS

James J. Clancy, superintendent of schools in North Brunswick, has been appointed Middlesex County superintendent of schools, it was announced by Dr. Victor J. Podesta, deputy state education commissioner.

Clancy succeeds Robert R. Blunt who retired Sept. 1 after 22 years as Middlesex County superintendent.

Clancy, 45, has been superintendent of North Brunswick schools the last seven years. He holds a master's degree from Seton Hall University and lives at 538 Summit Ave., Westfield.

N. J. PUBLIC SCHOOL SYSTEM FACES ANOTHER RECORD YEAR

Statistically speaking, this new school year will be another record one for New Jersey's public school system.

The Department of Education reports that again there are more pupils, more teachers and more classrooms.

Dr. William H. Lucow, director of the department's Office of Management Information, reports an anticipated enrollment of some 1,527,000 pupils in 2,458 schools in 585 districts. That's an increase of 44,000 pupils or three per cent over last September's enrollment.

The number of classroom teachers is expected to reach 76,000, some 4,300 or six per cent more than last year. M. Jack Krupnick, director of the department's Branch of Statistics, who prepared the projections, said this anticipated six per cent increase in the teaching force, in comparison with a pupil increase of three per cent, is about the same percentage hike as experienced annually over the last several years.

Krupnick noted that the ratio of teachers to pupils has been rising annually for some time. As has been the trend, it is again anticipated that fewer teachers (about nine per cent of the total) will hold substandard certificates.

There are an estimated 3,000 additional classrooms, about five per cent over the number available last year, bringing the total to about 63,000. Although crowded conditions will persist in some places, Krupnick pointed out that the percentage of New Jersey public school pupils attending school part-time or housed in classrooms considered substandard has decreased annually and he expects the trend to continue.

STUDENTS TO RECEIVE NEW GUIDE ON RIGHTS AND RESPONSIBILITIES

A guide to student rights and responsibilities printed by the State Department of Education will be distributed to some 250,000 high school students this fall.

The guide summarizes laws concerning students as expressed in the U.S. and N.J. Constitutions, state school law, federal and state court decisions, and rulings of the state Commissioner of Education and state Board of Education.

The publication is designed to help all members of the school community recognize the legal position of a student and to help avoid confrontations caused by misunderstandings about relationships involved.

Addressed to the student, the guide says: "Students have a fundamental right to free public education. You have a corresponding responsibility to join with other members of your school community in respecting the rights and responsibilities of others in that community, and in establishing a climate for learning within the school."

The guide covers such areas as free education, school rules and regulations, hair, dress, buttons and armbands, flag salute and pledge of allegiance, distribution of literature, assembly and petition, school records, police in the schools, locker searches, corporal punishment, suspension and expulsion, appeals and where to go for information.

The guide was researched and the project coordinated through the Youth Division of the Department of Community Affairs and reviewed by the Department of Education's Division of Controversies and Disputes and Community Affairs' Office of Legal Services.

Design and layout was by Education's Office of Public Information.

PROGRAM WILL TRAIN 250 TO TEACH IN URBAN SCHOOLS

State Education Commissioner Carl L. Marburger announced award of \$361,000 grant for the training of 250 Urban Education Corps (UEC) interns for teaching in city schools.

The state award is to the New Jersey Education Consortium for a package of programs to be conducted during the school year 1971-72. The consortium is a private, non-profit federation of public and private colleges, local school districts, private industry and community and government agencies concerned with the relevancy and quality of education.

The UEC will recruit interns for the program. UEC is a state-wide Department of Education unit responsible for recruiting and training talented people who lack traditional teacher certification requirements to teach and handle other instruction-related assignments in urban areas.

Training of interns will be a collective effort involving Montclair and Newark State Colleges, Rutgers University Graduate School of Education and Upsala College.

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POLLUTION CONSENT ORDERS SIGNED BY THREE FOOD MANUFACTURERS

You'd think that baking cookies and pretzels, frying nuts and making peanut butter are innocuous activities not likely to involve anyone in legal action for violation of state laws or codes.

But when done on a mass scale, these activities can create odors — not the pleasant aroma we remember in our grandmother's kitchen, but odors "in such quantities and duration as . . . unreasonably interfere with the enjoyment of life or property," and which therefore fit the state's legal definition of air pollution and bring the perpetrator afoul of the state's Air Pollution Control Code.

Richard J. Sullivan, Commissioner of Environmental Protection, has announced three recent enforcement actions, one of which involved the Hygrade Bakery Division of Food Fair, Inc., located on Industrial Park Road, Pennsville, Salem County. The firm was charged with violation of the air pollution control code's Chapter 6, a blanket prohibition of air pollution and the chapter customarily invoked in odor cases, and Chapter 9, which requires a permit to build or alter, and a certificate to operate equipment causing pollution or designed to control it.

While not admitting any of the violations with which it was charged, the firm on July 13 agreed to a consent judgment issued by Judge John B. Wick, Superior Court of New Jersey, Chancery Division, Salem County, ordering that the bakery be in compliance with the provisions of Chapters 6 and 9 no later than Feb. 1, 1972.

In regard to compliance with Chapter 6, the Hygrade Bakery is further ordered to control by Dec. 1, 1971 odors emitted by the four stacks venting the cookie line; the three stacks venting the ut frying line; the three stacks venting the peanut butter line; and the seven stacks venting the pretzel line.

The July 13 judgment was the culminating step in action which began on Dec. 9, 1970 with the investigation of the bakery's premises by members of the enforcement staff of the department's Bureau of Air Pollution Control. This investigation revealed a valid basis for the odor complaints which had been receive, and also brought to light the fact that the company had installed without a permit and was operating without a certificate a peanut roaster; a potato chip fryer; and an oven, a discharge hood and a caustic cooker.

A second recent action announced by Sullivan involved a consent order issued by Judge George B. Francis, Superior Court of New Jersey, Chancery Division, Cumberland County, ordering the Murbeck Corporation's Bridgeton Dyeing & Finishing Corporation, Bridgeton, to comply with Chapters 6 and 9 of the state air pollution control code no later than May 31, 1973.

According to this July 2 consent order, compliance with these chapters includes but is not limited to the completion of all dye becks by June 30, 1972 and of all drying and curing ovens by May 31, 1973. (Dye becks are machines in which fabric is dyed. The process causes distinctive order, as does drying and setting the width of dyed fabric in the curing ovens.)

A third recent consent action involved the Fords Foundry Company, Fords, Middlesex County. Investigations by the department disclosed that the foundry had a cupola (a furnace resembling a blast furnace, but smaller, used for melting metals) which was emitting solid particles from its stack in excess of the allowable emissions specified in the air pollution control code's Chapter 7, covering Control and Prohibition of Air Pollution from Solid Particles.

To correct this situation, the foundry abandoned the cupola in favor of an electric arc furnace, which puts out very minute solid particles acceptable under the provisions of Chapter 7. On June 30 Judge Samuel Convery, Superior Court of New Jersey, Chancery Division, Middlesex County, issued a consent order requiring the foundry to continue to be in compliance with Chapter 7.

A consent order is a civil action in which legal representatives of the department and of the alleged violator agree on terms which are mutually satisfactory and which will bring the company into compliance with the Air Pollution Control Code. While not admitting to violations charged, a company does consent to take whatever steps are set forth in the order, by the deadline stipulated.

Compliance dates are set with consideration for the time required for the company to adjust its practices or its equipment as ordered. Should the company, without good and just cause, fail to meet its deadlines, or should it continue to violate the code, the department can institute court action for supplementary relief. This relief could and probably would involve a penalty payment.

Representing the State in the three consent actions was Deputy Attorney General Lawrence E. Stanley.

CROP PRODUCTION ROSE SLIGHTLY LAST YEAR

Total production of crops in the Garden State last year was 1,948,670 tons, up three percent over the previous year, according to the New Jersey Crop Reporting Service.

The 1970 preliminary value placed on major crops was \$120,909,000, four percent above 1969, due to higher average prices.

Total production of vegetables was nearly 10 percent more than in 1969, with processing tomatoes accounting for a large portion of the increase. The value of production of all major vegetable crops was \$54,702,000, about four percent above 1969.

Tomatoes for processing were valued at \$11,648,000, while fresh market tomatoes accounted for \$6,384,000.

New Jersey farmers escaped the heavy losses from southern corn leaf blight suffered in many other states and the corn crop is estimated at 5,070,000 bushels, compared with 4,941,000 bushels in 1969. Corn for silage totaled 462,000 tons, four percent more than in 1969, and combined value of corn for grain and silage was \$12,461,000, up 14 percent from the previous year.

The white potato crop for 1970 totaled 3,207,000 hundred-weight, one percent below 1969. Acreage declined but yields were higher than the previous year, with preliminary value at \$8,499,000.

Production of all fruit crops, with the exception of cranberries and grapes, declined in 1970. Apple production and value, 99 million pounds and \$5,297,000, respectively, were both down 17 percent.

Peach production decreased 14 percent to 104.5 million pounds, but higher prices brought a rise in value of nine percent to \$8,460,000.

NEW HEARING OFFICERS WILL SPEED HANDLING OF EMPLOYEE APPEALS

James A. Alloway, President of the State Department of Civil Service, announced recently that he will implement provisions of a new law authorizing the use of hearing officers in employee appeals from disciplinary actions made to the Civil Service Commission.

He noted that the use of the hearing officers will supplement and assist in the appeal procedure presently carried out by four Civil Service Commissioners.

Commissioner Alloway said "the new law constitutes a break-through for the Department of Civil Service in the field of state employer-employee relations."

"Appeals submitted to the Civil Service Commission should be expedited in the shortest possible time. I believe in that principle of jurisprudence which states, 'Justice delayed is justice denied'. Full justice is not done to either the employee or the appointing authority when it takes 12 to 18 months before an opinion is rendered after an appeal.

"As the number of employees under Civil Service has increased the members of the Commission have become inundated by appeals. When the current backlog of 171 appeals is disposed of through the aid of the new hearing officers, we expect to reduce the time from appeal to decision to more acceptable limits."

The Civil Service Commission will receive all determinations of the hearing officers and after review will adopt, reject, modify or amend the determinations and issue the Commission's decision.

NEW PRODUCT TO AID CHILDREN WITH LEARNING DISABILITIES

A Federal grant of \$125,000 has been awarded the state Department of Education for a demonstration program in services for children with learning disabilities.

The project is funded by the Bureau of Education for the Handicapped of the U.S. Office of Education. It will provide demonstration models and develop a state-wide system for making accessible instructional and diagnostic services for children with learning disabilities, their parents and teachers and others who provide services.

The project begins this month under Dr. Daniel Ringelheim, deputy assistant commissioner in Education's Branch of Special Education and Pupil Personnel Services.

Dr. Ringelheim says the major demonstration activities will take place in the Parsippany-Troy Hills school district under the supervision of George Wilson, director of special services.

INNOVATIVE MINI-GRANT PROGRAM FUNDING 115 TEACHING PROJECTS

The state's Teacher Innovation (Mini-Grant) Program, designed to encourage creative and innovative teaching, enters its fourth year funding 115 projects.

The Legislature appropriated \$100,000 to continue the program through the 1971-72 school year, under which individual projects which involve new methods of instruction are awarded up to \$1,000.

The program, which has attracted increased interest each year, drew more than 900 current applications, 300 more than last year, according to Joseph P. Conerton, coordinator of the mini-grant program in the Department of Education's Division of Curriculum and Instruction.

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Recipients of the 115 grants this year were notified last month and are expected to start their projects this fall.

All teaching personnel in the public schools are eligible for grants, including not only classroom teachers, but other personnel who have direct contact with students, such as speech correctionists, learning disabilities specialists and guidance counselors.

STATE TAKES OVER ALL MEAT POULTRY INSPECTION

The U.S. Department of Agriculture recently certified the New Jersey meat inspection program as being "at least equal to" the Federal program.

As a result, the state Department of Agriculture now has full responsibility for inspection of meat and poultry slaughter in processing plants doing business wholly within the state. There are 39 red meat slaughtering plants, 89 poultry slaughterhouses, 251 meat processing plants and 188 meat brokers involved.

Certification followed a survey of New Jersey meat processing establishments by meat inspection officials of the United States and New Jersey Department of Agriculture. Some plants were forced to close down temporarily in order to make correction to meet the necessary standards; others voluntarily gave up their wholesale business rather than attempt to meet the strict standards.

Half of New Jersey's budget for meat inspection comes from Federal matching funds supplied by the Consumer and Marketing Service. New Jersey joins 19 other states in having "at least equal to" meat inspection status.

Since the state meat inspection program got under way in February 1969, state inspectors have made 49,999 inspections of state-licensed plants. A total of 796,176 pounds of meat and meat products has been condemned and destroyed for unwholesomeness or other qualities which made them unfit for human consumption.

WARNS GENOA SALAMI DANGEROUS TO HEALTH MAY STILL BE ON SALE

Dr. James R. Cowan, Commissioner of Health, warned New Jersey consumers that there may still be on store shelves Genoa salami produced by two companies that may be contaminated with staphylococcal organisms that can cause food poisoning.

Dr. Cowan said spot checks by personnel of the Department of Health and by several local health departments showed that some of these products were still on the shelves of at least 17 stores and restaurants despite a voluntary recall effort initiated by the two companies.

The Commissioner urged that all retail outlets and restaurants that have any packages of both sliced and unsliced Genoa salami produced by Armour and Company, and all four-ounce vacuum packed sliced Genoa salami produced by the George Hormel Company, cease the sale and use of these products and contact their local department of health as to proper disposition.

The specified products of both firms are suspected to have caused staphylococcal food poisoning in various sections of the country, including four possible cases of illness in New Jersey, he said.

CONTROLS ON SULFUR POLLUTION SET FOR FUEL OIL AND COAL USERS

The Department of Environmental Protection issued a reminder that on Oct. 1, 1971 the final sets of standards go into effect to control air pollution from sulfur dioxide caused by the burning of fossil fuels.

The new standards pertaining to sulfur in fuel oil, together with their future deadlines, were made public when the New Jersey Air Pollution Control Code Chapter 10 (Sulfur in Fuels) was promulgated back on Jan. 12, 1968. Fuel oil merchants and consumers were allowed the intervening three years in which to prepare for next month's compliance deadline.

By Oct. 1, the sulfur content of Number 5 and 6 and heavier fuel oils sold and used in New Jersey must not exceed 0.3 per cent. These oils are used mostly in power generating stations, big industrial furnaces and heating systems of large commercial installations.

The sulfur content of Number 4 oil, used in apartment buildings, commercial buildings and small industrial furnaces, must not exceed 0.3 per cent, and the sulfur content of Number 2 oil, used in residential heating and small commercial establishments, must not be in excess of 0.2 per cent.

Also on Oct. 1, new standards for sulfur content in coal regulated by Chapter 10-A of the air pollution control code go into effect. The allowable sulfur content of both bituminous and anthracite coal is set at 0.2 per cent.

Seven rural counties are exempted from the Oct. 1 sulfur-in-fuel regulations for both oil and coal. They are: Atlantic, Cape May, Cumberland, Hunterdon, Ocean, Sussex and Warren. In all other parts of the state, however, no fuel may be sold or used which does not meet the new standards.

The requirements of the air pollution control code do not prohibit the use or sale of fuel on hand so long as it meets standards now current. Anyone who sells fuel may continue to sell out of storage beyond the Oct. 1 date, but no later than Jan. 1, 1972.

While the Department will enforce the new standards vigorously, a realistic effort will be made to minimize any inconvenience to the public caused by the transition to lower sulfur levels, according to William A. Munroe, chief of the Department's Bureau of Air Pollution Control.

He went on to explain:

"Because of the difficulty of obtaining new supplies of coal which meet the Oct. 1 specifications, many users have converted to gas- or oil-burning equipment. In instances where there have been delays in completing these conversion installations, the consumer faces the choice between operating in violation of the state code or ceasing to operate.

"Anyone faced with this problem may contact the Department's Bureau of Air Pollution Control. The onus to comply, however rests with the consumer."

Inquiries to the Bureau should go to Room 604, Department of Health Building, John Fitch Plaza, Trenton, N.J. 08625. Telephone (609) 292-5450.

WATER STANDARDS REGULATIONS RECEIVE FINAL FEDERAL APPROVAL

New revised water quality standards for New Jersey, including criteria affecting water temperature, dissolved oxygen levels and bacterial content, are now in effect.

The regulations have the approval of Federal water pollution control authorities. William D. Ruckelshaus, Environmental Protection Agency administrator in Washington, recently notified Governor William T. Cahill, "I am now approving New Jersey's water quality standards in their entirety, based upon my determination that they are consistent with the protection of the public health and welfare, the enhancement of the quality of the water and the purpose of the Federal Water Pollution Control Act."

The EPA administrator said the revised criteria "testify to your state's keen interest in promoting a vigorous water quality program."

The regulations, to be enforced by the state Department of Environmental Protection, are guidelines for conditions establishing how clean the state's surface waters must be for such uses as potable water, recreation, fishing and navigation.

They took effect June 30, 1971, following an evaluation of testimony at a public hearing March 26 at Rider College during which statements were entered by business, industry and utility spokesmen as well as environmental organizations. (The adoption notice in last month's Register was 3 N.J.R. 149(b) as Document 102).

The standards may be utilized to assist in determining the influence of man's activities beyond the discharge of used community or industrial wastewaters. These indirect sources of water pollution include land development, water impoundments, dredging, landfills and farming operations (agricultural runoff).

The Department's position is that the new criteria for surface waters are achievable through stringent wastewater treatment requirements plus the construction of new regional water pollution control projects and the upgrading of some existing facilities.

DR. COWAN NOTES NEW LAW REQUIRING HEALTH CARE CONSTRUCTION CERTIFICATE

Dr. James R. Cowan, Commissioner of Health, issued a reminder that effective August 21, 1971 a Certificate of Need issued by the Department of Health is required for the construction or expansion of any health care facility or service in New Jersey, in accordance with Chapter 136, P.L. 1971 (Senate bill 2088).

All corporations, foundations, institutions, newly-formed non-profit groups and any other potential donors should be aware of the inadvisability of conducting capital fund-raising drives for health care facilities or of contributing to such funds in advance of the issuance of a Certificate of Need as required by law, he said.

He further suggested that application for governmental funds from any source be withheld until the required Certificate of Need has been obtained from the Department of Health.

Inquiries concerning the status of the Certificate of Need should be addressed to: Dr. Curtis F. Culp, Assistant Commissioner for Health Facilities, State Department of Health, P.O. Box 1540, Trenton, New Jersey 08625; or phone (609) 292-5770.

NEW WEEKLY BENEFIT RATES SET FOR UNEMPLOYMENT, TEMPORARY DISABILITY AND WORKMEN'S COMPENSATION IN 1972

On August 6, 1971, Ronald M. Heymann, Commissioner of Labor and Industry, computed and determined state-wide average weekly remuneration paid to workers by employers subject to the Unemployment Compensation Law during the year 1970, to be \$151.13.

On the same date, Commissioner Heymann promulgated that for the benefit years and periods of disability that commence during the year 1972, the maximum weekly benefit rate under the Unemployment Compensation Law and the maximum benefit amount under the Temporary Disability Benefits Law to be \$76 per week; and that the Workmen's Compensation benefit rate for temporary total disability and permanent total disability effective as to injuries occurring on and after Jan. 1, 1972, to be \$101 per week.

The maximum workmen's compensation for partial permanent total disability remains at the statutory rate of \$40.

COMMUNITY DEVELOPMENT TRAINING RECEIVES FUNDS FOR FOURTH YEAR

The Department of Community Affairs announced receipt of a \$145,000 federal training grant to help improve the management and technical skills of some 6,500 local and state government employees and community workers involved in community development activities.

Community Affairs Commissioner Edmund T. Hume said the grant was awarded by the U.S. Department of Housing and Urban Development (HUD) under Title 8 of the Federal Housing Act of 1964. It will enable the Community Affairs Department to continue its Community Development Training Program for fiscal year 1971-72.

The federal grant will be matched by part of a \$250,000 state-aid training appropriation in the department's 1972 fiscal year budget.

The program, which began its fourth year of operation on July 1, offers more than 130 different educational and training activities through 12 major projects. The training ranges from one-day conferences and seminars to college level courses in government administration and management, budgeting and finance, housing and code enforcement, urban planning, employment and community development.

ISSUE GUIDEBOOK ON BUILDING OF HOUSING FOR THE ELDERLY

More than 140,000 elderly New Jerseyans — one of every five — live in substandard housing because of the critical shortage of housing throughout the state, according to the Department of Community Affairs.

To help alleviate such conditions and provide decent housing for senior citizens, the Department has issued a guidebook designed to assist municipalities and community agencies in developing and financing suitable housing keyed to the special needs and income limitations of the aging.

The 21-page booklet, entitled, "A Community Guide: Housing New Jersey's Elderly," was prepared by the Department's Office on Aging, Division of Human Resources.

Community Affairs Commissioner Edmund T. Hume

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said the booklet was developed "in response to requests from municipal officials, private builders and the general public for information about the federal and state programs available to help plan and finance housing for the elderly."

It provides information on such state and federal housing assistance programs available, on community and governmental sources having additional information, and on how public and local officials can act to stimulate the construction of housing.

Copies of the guide may be obtained free of charge from: Office on Aging, New Jersey Department of Community Affairs, Post Office Box 2768, Trenton, New Jersey 08625.

STATE ADDS \$28 MILLION IN REVENUES FROM PENSION FUND INVESTMENT INCOME

The State of New Jersey is \$28,095,575 richer from its share of the record \$146,028,336 earned by the Division of Investment for the fiscal year which ended June 30, according to State Treasurer Joseph M. McCrane Jr.

McCrane noted that the Investment Division in the Treasury Department, directed by Richard L. Stoddard, "astutely invested in securities which earned \$112,882,687 for the five state-administered pension funds, benefiting the 250,000 members of the funds." In addition, \$5,050,074 of income was earned on trust funds under the Treasurer's control.

"The \$28,095,575 which is the state's share of the record investment income was added directly to current state revenues," said McCrane.

The new all-time high in investment income is nearly \$30 million higher than the fiscal 1969-70 total of \$116,065,383.

"Factors which led to this increase in investment income are more money to invest and a highly developed cash-control system coordinating the efforts of our Investment Division and Budget and Accounting Division," said McCrane.

"A perfect example of better cash control making more money available for investment is our reduction of cash balances in banks. In 1970 we had a significant amount of money in banks earning much less interest than the same money could earn on more productive investments. This year we instituted a plan where we reduced bank holdings by one-half which means that better than half the money formerly deposited in banks is earning greater dividends for New Jersey taxpayers," McCrane added.

The State Treasurer also reported that the book value of all securities held by the state's investment funds as of June 30 was \$3,080,383,852, an increase of \$511,496,329 over 1969-70. Of the \$3 billion book value of 42 funds held by the state, \$2.3 billion represents the five pension funds and the remainder is in 37 trust funds and other Treasurer's funds.

McCrane praised the Division of Investment and the members of the State Investment Council for "doing a good job in behalf of New Jersey taxpayers."

PROPOSALS FOR NEW FEDERAL AID FOR URBAN HIGHWAYS ARE GATHERED

The Department of Transportation recently asked 358 mayors of municipalities in 19 of the state's 21 counties for aid in developing a new system of federal aid for highways in urban areas.

Commissioner John C. Kohl said the 1970 Federal Highway Act requires all states, with the cooperation and approval of local officials, to submit proposals for an urban road network.

Each mayor was supplied with a map of his municipality with the new criteria applied to specific streets or portions of streets eligible under the new program. The mayors were asked for early approval because of the recent Sept. 1 deadline set by the Federal Highway Administration.

Kohl noted that, historically, the Federal Aid Highway Program has been oriented toward rural areas—an obvious disadvantage to urban New Jersey. He observed that the state has some 11,000 miles of rural roads, of which 20 per cent are on various federal aid systems, whereas there are more than 20,000 miles of urban streets, of which only 12 per cent are receiving federal aid.

The 1970 Act emphasized that the expansion of federal aid to include the most heavily traveled urban highways is fundamental to increased federal improvement of urban transportation.

The urban system limits are identified as identical with the urbanized area, rather than with political boundaries. The term "urbanized area" is defined as a central city or cities with a core of 50,000 or more inhabitants. Thus, only Hunterdon and Sussex Counties are excluded from the system in New Jersey.

The Act requires that each route selected connect with another route on a Federal Aid System and takes into account the function of the streets now and in the future, traffic volumes, and completeness of the urban network.

100 TOWNS WITH CONSERVATION UNITS TO RECEIVE STATE AID

Almost 100 local Conservation Commissions have been organized in only the past two years with the aim of planning and promoting good environmental practices, open space preservation and pollution control in their particular areas of the state.

To assist these commissions, the state Department of Environmental Protection has established a new Office of Environmental Services in Trenton, headed by Mrs. Helen Fenske. The office serves as a contact and communication center, provides departmental technical support and consultation and helps coordinate local programs and projects.

"Conservation Commissions help to define local environmental issues, and to resolve them with ecological wisdom," declares Richard J. Sullivan, commissioner of the department. "They are an increasingly vital force for meeting the complex environmental problems facing this state.

"Local governments which have formed Conservation Commissions have recognized that governmental decisions about land use cannot and should not be made without careful attention to water quality, water supply, air pollution and the basic amenities necessary for maintaining a quality environment," says Sullivan.

Morris County leads with 18 local commissions; Monmouth has 11, Somerset 10 and Hunterdon 9.

FREE EYE CHECK-UP BEING OFFERED AT 80 HOSPITALS

A free eye screening program, designed to check for such sight defects as glaucoma and cataracts, will be conducted by more than 80 hospitals throughout the state from September 12 through 18.

The program, conducted by the Medical Society of New Jersey, is held annually during "Eye Health Week" and co-sponsored by the New Jersey Commission for the Blind. Newspapers and radio stations will carry the days and times of local screening tests.

The Community Affairs Department's Office on Aging has cooperated with the Medical Society in this program for over 10 years and county and municipal Offices on Aging have complete examination schedules.

NEEDY LIVING ALONE TO RECEIVE \$4.7 MILLION ADDITIONAL WELFARE

The aged, blind and disabled who live alone and receive welfare in New Jersey will get an additional \$4.7 million a year as a result of revisions recommended by the Governor's Welfare Advisory Council.

Governor William T. Cahill has approved a 14 per cent increase in the flat-grant program for single adults, raising their monthly allowance as of this month from \$142 to \$162. The Council made the recommendation to the Governor after verifying its previous finding that the Division of Public Welfare had set the flat-grant standard too low for single adults.

Citing his previous pledge that no person genuinely in need of public assistance would be harmed by welfare revisions in New Jersey, Governor Cahill said, "we have been particularly concerned with the plight of our aged, disabled and blind citizens who must depend on public assistance for survival. This revision will help ease the financial burden and provide a more tolerable standard of living for these recipients. The recommendation by the Welfare Advisory Council now provides adequately for aged, disabled and blind New Jerseyans."

TWO NAMED TO 30-MEMBER STATE HEALTH PLANNING COUNCIL

Oscar Aquino, Wayne Township health and welfare director, and Julian K. Robinson, student affairs dean at Jersey City State College, have been appointed to the State Health Planning Council by Dr. James R. Cowan, Health Commissioner.

The 30-member Council guides comprehensive health planning for New Jersey under the Federal Partnership for Health Program.

Aquino has had 32 years in the public health field, including 17 years in Paterson and 15 in Wayne. He received his B.A. in public health administration at Rutgers University and has taken several post-graduate courses at Columbia University.

A past president of the New Jersey Health Officers Association, Aquino is president-elect of the New Jersey Public Health Association.

Robinson joined Jersey City State last year after serving as vice president of the National Scholarship Service and Fund for Negro Students, New York City, and as Jersey City's deputy commissioner of revenue and finance and later director of its Health and Welfare Department.

A native of Jersey City, he received his B.A. from Dartmouth College and his M.A. from New York University School of Education. He served with the U.S. Army in Korea and Japan.

Youngs viewing an archived copy from the New Jersey State Library

LIPMAN ELECTED NEW PRESIDENT OF STATE BOARD OF AGRICULTURE

Edward V. Lipman of New Brunswick was elected president of the State Board of Agriculture at the annual reorganization meeting. The new vice president is Stewart S. Johnson of Great Meadows.

Sworn into office as new members of the board were Mrs. Eugene Van Ness of Annandale and Lyman B. Codrington Jr. of New Providence. They succeeded John L. Hendrickson Jr. of Middletown, outgoing president, and C.W.M. Hess Jr. of Cedarville, immediate past vice president, whose four-year terms had expired.

Lipman is area manager of Ocean Spray Cranberries, Inc., with offices in Bordentown. He is also a cranberry grower, operating the Jeffrey's Branch Cranberry Company at Toms River. He is a member of the New Jersey Open Space Policy Commission, chairman of the agricultural subcommittee of the New Jersey Economic Council, a director of New Jersey Farm Bureau, and chairman of the public relations policy committee of the New Jersey Agricultural Society.

He is a past president of the American Cranberry Growers Association, the New Brunswick Board of Education and the Bordentown Chamber of Commerce. He is a graduate of Rutgers University and has a master's degree from the same institution.

Other members of the State Board of Agriculture are Joseph K. Hepner Jr. of Cedarville, a vegetable grower; Lester C. Jones of Medford, a dairyman; William H. Plenge of Asbury, a vegetable producer; and John Vaccaro of Princeton, a poultryman.

SPRINGER NAMED BUREAU CHIEF IN DEPARTMENT OF AGRICULTURE

The State Board of Agriculture has approved the appointment of Walter M. Springer of Bridgeton as chief of the Bureau of Fruit and Vegetable Service in the Department of Agriculture. He succeeds Malcolm N. Edmonston of Moorestown who retired June 30.

Springer joined the department staff in 1960 as a supervisor of fruit and vegetable standardization, a post he had held since. Earlier he worked for seven years with the U.S. Department of Agriculture as a fruit and vegetable terminal market inspector, including three years as officer in charge of the Newark office.

TWO NEW "OUTSIDE" MEMBERS NAMED TO STATE REAL ESTATE COMMISSION

Commissioner of Insurance Robert L. Clifford announced that Governor Cahill has appointed two new members to the New Jersey Real Estate Commission. As the result of recent legislation the make-up of state professional regulatory boards is to be augmented by the addition of two members outside the specific field being regulated.

Neither of the two new members is realtors; one is a "public member" the other a "state government" member. Public member is Lewis J. Gray of Watchung, Somerset County. He is proprietor of Gray's Flower Shop in Watchung, secretary to the Somerset County Board of Taxation, a director of the Somerset Trust Company and a former mayor of Watchung.

The state government appointee is Walter R. Davis Jr.,

Director of Insurance in the Department of Insurance. Davis resides in Clinton Township, Hunterdon County and is a former state Deputy Attorney General.

The New Jersey Real Estate Commission is a division of the Department of Insurance and comes under the Commissioner of Insurance. The board formerly consisted of five members.

FEDERAL OFFICIAL TO HEAD STATE'S LAW ENFORCEMENT PLANNING AGENCY

Gov. William T. Cahill on Aug. 18, 1971 announced the appointment of John J. Mullaney as Executive Director of the New Jersey State Law Enforcement Planning Agency.

Mullaney, presently Assistant Director of the Compliance Division of the U.S. Department of Commerce, will leave his regulatory post in Washington, D.C. to assume his new duties in Trenton in the near future.

Mullaney's appointment was recommended by State Attorney General George F. Kugler Jr. Mullaney, as a former special federal prosecutor with the U.S. Department of Justice, was responsible for the coordination and direction of the regional federal anti-racketeering programs in New Jersey, New York and Pennsylvania.

He is a graduate of Fordham University Law School, a veteran of the U.S. Air Force and a major in the Air Force Reserves with the Judge Advocate General's Department.

In 1968, after nomination by the Department of Justice and a national competition, he was elected a Fellow of the National Institute of Public Affairs. Mullaney also won a federal Mid-Career Executive Education Award leading to a year of resident graduate study in public administration, management and criminology at the Woodrow Wilson School of Government, University of Virginia.

He is married to the former Mary Rita Walsh and they have two daughters.

As Executive Director of the Law Enforcement Planning Agency, Mullaney will be responsible for coordinating law enforcement programs throughout the state and the allocation of federal funds to support them.

PETRELLA NAMED ASSOCIATE COUNSEL TO GOVERNOR TO FILL VACANCY

James J. Petrella has been named as Associate Counsel to Governor William T. Cahill.

On appointing him last month the Governor said, "James Petrella has, during the past 19 months as Assistant Counsel, demonstrated not only outstanding legal talent but leadership abilities. His contributions to this Administration have been invaluable. I am confident that in this sensitive and important position the Executive Branch of government and the State will have greater benefit of his skill and dedication."

Petrella replaces John L. Kraft who resigned Aug. 1 to open his own law firm.

A graduate of New York University's School of Law, Petrella is a member of the Essex County Bar Association, the New Jersey Bar and the Bar of the United States District Court of New Jersey. Before joining the Governor's staff he was associated with the Newark law firm of Pitney, Hardin and Kipp for seven years.

Petrella, 36, makes his home in North Arlington.

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NEW LAWS PROVIDE ADDED AID FOR SEVERELY HANDICAPPED

Governor William T. Cahill signed into law July 27, 1971 a package of four bills to provide greater educational and employment opportunities for the severely handicapped.

"Through these bills the State will help the handicapped to lead a more productive and satisfying life," the Governor said. "By providing educational services that meet their special needs and providing financial assistance for workshop programs, the handicapped will have greater opportunity to maintain their independence and dignity."

Under Assembly bill 2055, sponsored by Assemblyman John F. Brown (R., Ocean), \$625,000 is appropriated for existing shelter workshop employment programs. There are approximately 25 workshops in the State which provide professional services and jobs for severely handicapped who are not eligible for vocational rehabilitation services.

Senate bill 2184, sponsored by Senator Fairleigh S. Dickinson (R., Bergen), permits the establishment of county special service school districts when the Board of Freeholders determines such a need exists. Cahill noted that this type of district would insure a high quality of special education not available in some local districts and that a larger number of students could receive these services.

He added that over the years the limitations of many small school districts and the shortage of trained personnel has resulted in a significant number of handicapped children, particularly those most seriously afflicted, being placed in private schools.

The State Board of Education and the Commissioner of Education will regulate and control these special school districts. The Governor termed the new law a "significant step forward in providing improved educational programs for handicapped children."

He emphasized, however, that this legislation is not a substitute for existing educational facilities for the handicapped but is supplemental in those areas where there is need.

Senate bill 181, sponsored by Senator Michael A. Giuliano (R., Essex), requires all state, county and municipal building plans and specifications to include facilities to accommodate the physically handicapped. The bill is similar to another signed by Cahill four months earlier dealing with the construction of school buildings which requires that ramps, elevators, drinking fountains and public telephones, as well as other facilities, be of appropriate height and dimensions to accommodate those in wheel chairs.

Cahill also signed into law Senate bill 2135, sponsored by Senator Alfred N. Beadleston (R., Monmouth), which permits a school district to send a handicapped child outside the existing 400-mile radius of Trenton to treatment centers.

BASIS FOR STATE BONUS AWARDS EXPLAINED BY CIVIL SERVICE HEAD

Details of the Incentive Bonus Program for state employees have been announced by James A. Alloway, President of the New Jersey Department of Civil Service.

Awards will be in cash amounts of \$300, \$500 or \$750; department heads will make the decisions; and first awards will be made in December.

The Legislature has appropriated \$1 million for the program, which, if it achieves its objectives, will be put on an annual basis, he said.

Purpose of the program is to recognize and reward with cash bonuses individual employees who have made the greatest contribution to state government.

Eligible are state employees with at least one year of continuous service prior to Nov. 1, in classified or unclassified services, permanent or provisional, on a full or part-time basis. Ten-month academic and contract-year employees are eligible if they complete contractual terms prior to Nov. 1.

Winners must have demonstrated either sustained outstanding performance far above established standards for their job or made an outstandingly unique contribution to the accomplishment of goals and objectives of their department and the state, he said.

For the 1971 awards, it will be the responsibility of individual department heads to select employees by the most objective standards available without prejudice or bias. Gov. William T. Cahill has made it clear that he wants all job levels with the exception of cabinet members and members of the judiciary eligible if they meet established standards, with particular attention to rank and file employees at the operating level.

All awards will be made public and departments will post names of award winners and reasons for their selection.

STATE DISTRIBUTING \$5 MILLION OF NEW FUNDS TO CUT UNEMPLOYMENT

Gov. William T. Cahill announced that the State Government will receive \$5 million of the \$30.2 million in Federal funds allocated to New Jersey under the Emergency Employment Act of 1971, which will be used in the continuing effort to further decrease unemployment in New Jersey. He added that local offices of the State Training and Employment Service are taking job applications.

The Governor said that funds allotted directly to the state will be used to provide jobs for the unemployed and underemployed. Cahill stressed that "priority will be given to veterans and those receiving welfare assistance who can and should work. This will not only help reduce the state's welfare roles and costs but will provide jobs and financial independence to these person's now receiving welfare subsidies."

In addition, some ten municipalities and 17 counties will share \$25.2 million to provide public service jobs for their local unemployed and underemployed, he said.

Ronald M. Heymann, Commissioner of Labor and Industry, said the state will help expedite local programs and that state Training and Employment Service offices will serve as a clearinghouse for all job listings.

CAHILL PUSHES PROGRAM TO ACCELERATE BATTLE AGAINST AIR POLLUTION

Governor William T. Cahill has ordered a coordinated and vigorous state program to combat all forms of air pollution and is urging New Jersey's Congressional delegation to take action on the Federal level.

The Governor July 28, 1971 issued an Executive Order establishing an Interdepartmental Review Committee on Air Pollution Problems to recommend incentives for controlling the use of motor vehicles; to establish new positions in the Department of Environmental Protection for trained ecologists; to encourage research on the relationship between automotive emissions and respiratory or related diseases; and to promulgate new regulations for boats and other vehicles which may contribute to air pollution.

At the same time, Cahill sent to each member of New Jersey's Congressional delegation in Washington a letter outlining the state's concern over air pollution and a copy of last year's report by the New Jersey Clean Air Council on the "Status of Air Pollution from Mobile Sources."

In his letter, the Governor said, "I urge that each member of the New Jersey Congressional delegation support the establishment of an integrated national transportation system based on appropriate environmental protection considerations, and taking into account transportation and environmental protection priorities."

The Governor also asked the Congressmen to join him in requesting the Federal Aviation Administration to issue a manual for good practice for airport ground and flight operations to reduce pollution.

Under the Executive Order interested agencies make up the interdepartmental review committee, which will give particular attention to encouraging the use of public transportation, and encouraging industries and government to provide parking preference to car-pooled employees.

The Order also directs the Department of Environmental Protection and the Division of Motor Vehicles to evaluate present and future devices to control automotive emissions and to produce and distribute a car owner's manual on good practices in driving and maintenance to reduce automotive emissions.

The new group, through the Department of Education, the Department of Higher Education and the Department of Health as well as other appropriate agencies, will encourage research by universities and private industries into the relationship between motor vehicle pollution and health problems. The Governor noted that the state has already implemented certain regulatory programs including a motor vehicle emissions inspection system and a smoke controlling code.

"It is in the interest of the citizens of New Jersey and of the nation that every effort be made to improve the environment and the quality of life," he stated.

GOVERNOR BACKS LAW CHANGE AIMED AT CONTROLLING AIRPORT PILFERAGE

Governor William T. Cahill has been informed that a hearing will be held on broad amendments to the Bi-State Waterfront Commission Compact "immediately after" the U.S. Congress returns this month from its August recess.

Cahill was notified of the hearing in a letter from Rep.

Peter W. Rodino Jr. (D., 10th District). Rodino, a member of the House Judiciary Committee, at the Governor's request had made inquiries about the delay in receiving Congressional consent to expand the Bi-State Waterfront Commission to include airports in the metropolitan area.

The Congressman told Governor Cahill that Rep. Robert W. Kastenmeier of Wisconsin, Chairman of the Judiciary Subcommittee, has indicated he will schedule a hearing on the Airport Commission Compact immediately following the August recess "despite the lack of agency reports."

The Governor announced that he will continue to exert all possible influence to assure ratification of the legislation despite the opposition and lobbying efforts of the airlines.

Commenting on the urgent need, Cahill said: "The extent of mail thefts, pilferage, loan sharking and hijacking at our metropolitan airports is shocking. The evidence of organized crime operating in the air freight industry has been well documented in many newspaper articles as well as public hearings.

"Yet the legislation which would permit New York and New Jersey to tighten security at the airports has been before the Congress for more than a year. Reports concerning this bill still have not been received by the Subcommittee from the Departments of the Treasury, Justice, Commerce, Post Office, Labor and Transportation. In addition, the Interstate Commerce Commission and the Civil Aeronautics Board have not yet indicated to the Committee what their views are.

"The serious conditions at Kennedy, Newark and LaGuardia Airports must not be permitted to continue to deteriorate simply because of the airlines' resistance to the Airport Compact. It is vital that Congress give the Waterfront Commission the power to break the hold which organized crime exercises over the air freight industry."

LOTTERY REVENUE IN HALF YEAR MORE THAN DOUBLE EXPECTATIONS

Revenue to the state from the New Jersey Lottery during its first six months was well over double the original estimates, Gov. William T. Cahill revealed.

Against an anticipated \$15 million in revenues, the actual figure for the six months ended June 30 was \$33 million, according to a report from the Lottery Commission to the Governor.

Noting his pleasure over this success, Cahill said, "this shows the great confidence the people of New Jersey have in the lottery, and because of its success we will be able to provide for more of our young people to avail themselves of a college education."

The Governor added that during the first six months \$29.8 million in prizes were awarded, with another \$3.9 million in prize money yet unclaimed.

He noted that \$15 million of the revenues had been pledged to finance the increase of approximately 11,500 students during the 1970-71 school year in the state colleges and university. In addition, he said the state anticipates an additional increase of 17,000 students in the 1971-72 school year in institutions of higher education.

The bonus proceeds will be devoted to support of education and improved services for the mentally retarded and prison rehabilitation, as required by the law which created the state's first lottery. When decisions are reached as to these appropriations, they will be made public and submitted to the Legislature for approval, Cahill said.

STATE NEWS OF PUBLIC INTEREST

ANNOUNCE FOOTBALL GIANTS MOVING TO NORTHERN NEW JERSEY STADIUM

The New York football Giants and the New Jersey Sports and Exposition Authority have signed a long-term lease for a new 75,000-seat home stadium in New Jersey for the Giants no later than 1975.

The lease was signed Aug. 26 by Wellington T. Mara, president of the Giants, and David A. (Sonny) Werblin, chairman of the state's Sports and Exposition Authority. Gov. William T. Cahill in announcing the signing at a New York City press conference said the Giants stadium would cost up to \$40 million, to be raised through bonds issued by the Authority, rather than the State.

Site of the stadium in East Rutherford is in the Hackensack Meadowlands of Bergen County on state-owned property. The complete 750-acre sports complex to be built there will also include a race track, a separate baseball stadium and an indoor sports arena, the Governor said.

Terms of Lease

Terms of the lease are for 30 years, with an option to renew. The Giants will pay an annual rental equal to 15 per cent of the gross revenue obtained from ticket sales and share with the Authority 50-50 on concessions.

The lease calls for a minimum of 25,000 parking spaces for automobiles and 400 parking spaces for buses. The parking concession will be run by the Authority with all revenues going to the Authority; however, 4,000 parking spaces will be made available to the Giants on a reserved basis.

Cahill called the signing "a great day for the state of New Jersey, the fans of the New York Giants and for all the citizens of New Jersey."

He lauded the efforts of Joe McCrane, state treasurer of New Jersey, for his detail work in effecting the move.

And he predicted that the new stadium and sports complex would lead to an economic revival in the meadowlands.

Governor Cahill took the occasion of the signing to announce a series of planned highway improvements that will improve the accessibility of the site.

Authority Members

David A. (Sonny) Werblin, 61, chairman of the seven-member New Jersey Sports and Exposition Authority, was president of the New York Jets football team from 1963 to 1968.

From 1932 to 1965 Werblin was with the Music Corporation of America and served as president of MCA-TV from 1951 to 1965. He is president of Raritan Enterprises, Inc., New York City, and owns Elberon Farms, Inc., a racing stable. Werblin is a trustee of Rutgers University and a director of the New Jersey National Bank in Trenton.

OFFICIAL LISTING OF TITLES AVAILABLE TO CODE BUYERS

The list of Titles available in the New Jersey Administrative Code includes all 17 State Departments, with Treasury broken into two Titles for Taxation and General rules.

Title 1 — Chief Executive — also includes the general provisions of the Administrative Procedure Act, the rules of administrative procedure and the preface to the entire Code.

Six of the Departmental Titles involve such a number of rules as to require two or three volumes, with price based on a per-volume, rather than Title, basis.

Numbers in the list below are the official Title numbers now assigned to various Departments. Future Departments will be added following No. 18:

1. CHIEF EXECUTIVE
2. AGRICULTURE
3. BANKING
4. CIVIL SERVICE
5. COMMUNITY AFFAIRS - In 2 Volumes.
6. EDUCATION
7. ENVIRONMENTAL PROTECTION - In 2 Volumes.
8. HEALTH
9. HIGHER EDUCATION
10. INSTITUTIONS AND AGENCIES - In 3 Volumes.
11. INSURANCE
12. LABOR AND INDUSTRY - In 2 Volumes.
13. LAW AND PUBLIC SAFETY - In 2 Volumes.
14. PUBLIC UTILITIES
15. STATE
16. TRANSPORTATION
17. TREASURY-GENERAL
18. TREASURY-TAXATION - In 2 Volumes.

Final

Title OTHER AGENCIES, including inter-state (later).

The initial announcement of the availability of the Administrative Code is on the next page, along with the charter subscription form.

Other Authority members include State Treasurer Joseph M. McCrane; state Attorney General George F. Kugler; William B. McDowell of North Arlington, a member of the Hackensack Meadowlands Commission; Attorney Adrian M. Foley of Essex Fells, former president of the New Jersey Bar Association; and Charles Serraino of Hasbrouck Heights, former state Commissioner of Labor and Industry.

In addition, Governor Cahill has named Aubrey C. Lewis, former all-American football player at Notre Dame University. Lewis will not become an official member until the State Senate confirms his nomination when it returns later this year, but he has been taking an active part in discussions of the Authority.

