

NEW JERSEY REGISTER



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NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

OFFICE OF ADMINISTRATIVE LAW

Proposed Amend Contested Case

Howard H. Kestin, Director of the Office of Administrative Law, pursuant to authority of N.J.S.A. 52:14F-5, proposes to amend N.J.A.C. 1:1-1.5 concerning the nature of a contested case.

The purpose of this amendment is to comport the language of this section with that of the definition of "judge" in N.J.A.C. 1:1-1.4. This will clarify that a party, under N.J.A.C. 1:1-5.1, has the right to demand a hearing which will be heard by an Administrative Law Judge or the agency head, at the discretion of the agency head.

Full text of the proposed amendment follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

1:1-1.5 The nature of a contested case

(a) Pursuant to the statutory definitions, a matter is a contested case where, by virtue of statute or constitutional requirement, a hearing is required before a State agency to determine rights, duties, obligations, privileges, benefits or other legal relations of specific parties. The required hearing must be pre-eminently adjudicatory and judicial in nature and not informational or intended to provide a forum for the expression of public sentiment on proposed agency action. A matter which is susceptible to administrative resolution avoiding factual or legal dispute is not a contested case. Therefore, in order for a matter to be a contested case which must be heard by a [n administrative law] judge:

1. - 3. (No change.)

(b) Where specific parties and the general public are involved in one proceeding, both the constitutional [/] or statutory basis and the adjudicatory character requirements of contested cases are satisfied only by the specific parties who will be affected by the outcome substantially, specifically, and directly.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Burton D. Weltman, Esq.
Assistant Director for Rules Development
Office of Administrative Law
88 East State Street
Trenton, N.J. 08625

The Office of Administrative Law may thereafter adopt rules concerning this subject without further notice.

(b)

OFFICE OF ADMINISTRATIVE LAW

Proposed Amend Appearances and Representation in Contested Cases

Howard H. Kestin, Director of the Office of Administrative Law, pursuant to authority of N.J.S.A. 52:14F-5, proposes to amend N.J.A.C. 1:1-3.7 concerning appearances and representation in contested cases. This proposed amendment is submitted in place of the amendment proposed in the August, 1980, New Jersey Register at 12 N.J.R. 450(a).

The purpose of this amendment is to preserve the status quo as to representation in administrative law cases, pending further information from various concerned parties.

Full text of the proposed amendment follows (additions indicated in boldface thus).

1:1-3.7(a) All attorneys, pro se parties, or others permitted by law, by governing Federal regulations or by Rule 1:21 et seq. of the New Jersey Court Rules shall be permitted to appear in a contested case and shall be subject to this chapter. However, a non-lawyer representative of a party, including the full-time staff of a State, county or municipal agency, shall be permitted to appear in those contested cases where such appearance was permitted prior to the establishment of the Office of Administrative Law.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

NEW JERSEY REGISTER

The official publication containing notices of proposed rules and rules adopted 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. Issued monthly since September, 1969.

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Burton D. Weltman, Esq.
Assistant Director for Rules Development
Office of Administrative Law
88 East State Street
Trenton, New Jersey 08625

The Office of Administrative Law may thereafter adopt rules concerning this subject without further notice.

(a)

OFFICE OF ADMINISTRATIVE LAW

Proposed Amend Rules on Interpreters

Howard H. Kestin, Director of the Office of Administrative Law, pursuant to authority of N.J.S.A. 52:14F-5, proposes to amend N.J.A.C. 1:1-3.10 concerning interpreters at contested cases.

The purpose of this amendment is to implement by rule a requirement of the Superior Court Appellate Division that administrative tribunals assure themselves of the qualifications of proffered interpreters. (Divan v. Board of Review, A-2023-79, unpublished decision).

Full text of the proposed amendment follows (additions indicated in boldface thus).

1:1-3.10 Interpreters; payment; qualification

(a) (No change.)

(b) Taking into consideration the complexity of the issues and communications involved, the judge shall require that an interpreter be taken from an official registry of interpreters or otherwise be assured that the proposed interpreter can adequately aid and enable the witness in conveying information to the court.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Burton D. Weltman, Esq.
Assistant Director for Rules Development
Office of Administrative Law
88 East State Street
Trenton, N.J. 08625

The Office of Administrative Law may thereafter adopt rules concerning this subject without further notice.

(b)

OFFICE OF ADMINISTRATIVE LAW

Proposed Amend Finality of Procedural Decisions

Howard H. Kestin, Director of the Office of Administrative Law, pursuant to authority of N.J.S.A. 52:14F-5, proposes to amend N.J.A.C. 1:1-9.7, 11.2, 11.3, 12.4, 14.3 and 15.2 concerning rules of general application of the Office of Administrative Law.

The purpose of this amendment is to clarify the jurisdiction of agency heads to make final decisions on all substantive matters in a contested case and of administrative law judges to make final decisions on procedural matters. The amendment is designed to eliminate a developing tendency to commence proceedings in the nature of interlocutory appeals to agency heads from procedural rulings of administrative law judges. Such a practice only creates confusion and substantial delay in resolving contested cases.

It is intended that the "purpose" test will be used in defining "procedural matters". See *Hanna v. Plumer*, 380 U.S. 460 (1965), and Prof. John Hart Ely in *The Irrepressible Myth of Erie*, 8 Harv. L. Rev. 693 (1974). This is to be distinguished from the older "effects" test. As the latter test has been applied, if a judge's ruling is viewed as affecting the outcome of the case, it is determined to be "substantive". Such a focus frequently leads to confusing and inconsistent results. Any ruling may, and even must, have some effect on the outcome of a case. The "purpose" test, on the other hand, focuses on whether the ruling was intended to manage the on-going litigation or to administer the legal proceedings. In any such instance, the ruling is considered "procedural".

This amendment is also designed to clarify the process of appeal from a judge's order on matters deemed by the judge to be procedural. The amendment is based on the foregoing definition of procedural, on the Rules of Court and on the necessity for a full and fair appeal process.

Interlocutory and final reviews of procedural orders, i.e., those exclusively within the subject matter jurisdiction of the Office of Administrative Law, can not be made by other agencies but rather are subject to the Appellate Division's supervening authority under the Rules of Court. Exceptions from a judge's determination that an order was procedural may be filed with the agency head after the initial decision has issued. Thus, at this final stage of the proceedings, the question of whether an order was procedural or substantive may be considered by the agency head in its final decision.

Finally, the amendment eliminates the designations of specific areas as procedural and therefore, by definition not subject to agency head review. In the light of the amendment, these designations are superfluous and may be the source of confusion.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

1:1-9.7 Orders on motion; review by agency head; when permitted; when not permitted

(a) - (d) (No change.)

(e) [An agency head may not review any administrative law judge's order dealing primarily with procedural matters, appeals therefrom being governed by the provisions of New Jersey Court Rule 3:4-1(b) and (c).]

An agency head may not review a procedural order of an administrative law judge. A procedural order is one which relates solely to the conduct or management of a contested case while it is pending before the Office of Administrative Law and which is designed to ensure the full, fair and prompt resolution of a matter.

(f) Interlocutory appeal of any order determined by the judge to be procedural may not be taken to the agency head. Exception to the judge's determination that a matter is procedural may be filed with the agency head within 10 days after receipt of the initial decision in accordance with N.J.A.C. 1:1-16.4. Appeal of a judge's order dealing with a procedural matter may be made following the final decision in the contested case in accordance with the Rules of Court.

1:1-11.2 [(c) All discovery motions under this section when decided by an administrative law judge on a basis other than privilege are procedural and therefore not subject to review by an agency head.

(d) All discovery motions involving questions of privilege are substantive and shall be treated as required by N.J.A.C. 1:1-9.5 and 9.7(a) and (b).]

1:1-11.3 Depositions limited; time limits; generally no agency review]

(a) - (b) (No change.)

[(c) Any deposition motion when decided by an administrative law judge is procedural and therefore not subject to review by an agency head unless decided on a basis of privilege.]

1:1-12.4 [Agency review] (Reserved)

[(a) Intervention motions granted by an administrative law judge are procedural and therefore not subject to review by an agency head.

(b) Intervention motions denied by an administrative law judge shall be reviewable by an agency head pursuant to N.J.A.C. 1:1-9.5 and 9.7(b).]

1:1-14.3 Standards for consolidation; order to consolidate as procedural]

(a) (No change.)

[(b) The grant or denial of consolidation by an administrative law judge is procedural and shall not be subject to review by the agency head.]

1:1-15.2 General rules

(a) - (h) (No change.)

[(i) All rulings on the admissibility of evidence are procedural and therefore not reviewable by an agency head, except rulings based on privilege.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Burton D. Weltman, Esq.
Assistant Director for Rules Development
Office of Administrative Law
88 East State Street
Trenton, New Jersey 08625

The Office of Administrative Law may thereafter adopt rules concerning this subject without further notice.

(a)

OFFICE OF ADMINISTRATIVE LAW

Proposed Amend Hearings: Motions to Consolidate

Howard H. Kestin, Director of the Office of Administrative Law, pursuant to authority of N.J.S.A. 52:14F-1 et seq., and in particular 52:14F-5, proposes to amend N.J.A.C. 1:1-14.1 and 14.2 concerning motions to consolidate.

These amendments are for purpose of clarification and do not contain substantial changes.

The purpose of the amendment to 1:1-14.1 is to clarify who will hear and rule upon a motion to consolidate. In a situation where two or more cases have been assigned to two or more Administrative Law Judges, the judge assigned to the case first transmitted to the OAL will handle the motion to consolidate. In a situation where a motion is made to consolidate a case that is being heard by an Administrative Law Judge with a case that is being heard by an agency head, under N.J.S. 52:14F-8b, or by an exempt agency under N.J.S. 52:14F-8a, the Administrative Law Judge would have jurisdiction to hear and rule on the motion.

The purpose of the amendment to 1:1-14.2 is to eliminate superfluous language. Unless otherwise specifically exempted by rule or statute, any motion before an Administrative Law Judge would be governed by the provisions of N.J.A.C. 1:1-9.1-9.6.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

1:1-14.1(c) The judge assigned to the case first transmitted to the Office of Administrative Law shall hear and rule upon the motion to consolidate.

1:1-14.2(a) A motion to consolidate shall require the parties and the non-party agency or agencies to show why the matters should not be consolidated. [The provisions of N.J.A.C. 1:1-9.1 - 9.6 shall govern such motions.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Burton D. Weltman, Esq.
Assistant Director for Rules Development
Office of Administrative Law
88 East State Street
Trenton, N.J. 08625

The Office of Administrative Law may thereafter adopt rules concerning this subject without further notice.

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Amend Brucellosis and Tuberculosis Tests for Cattle

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-93, 22, proposes to amend N.J.A.C. 2:3-2.3 and 2:3-2.4 concerning brucellosis and tuberculosis tests for cattle.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

2:3-2.3 Negative reaction of cattle and goats to tuberculosis and brucellosis tests

(a) Cattle and goats six months of age and over shall be negative to a tuberculosis test within [30] 60 days [of] prior to entry.

(b) All cattle and goats over six months of age shall be negative to a test for brucellosis within 30 days [of] prior to entry, except officially brucellosis vaccinated [dairy] heifers under [20] 18 months of age [and heifers of the beef breeds under 24 months] need not be tested.

(c) (No change.)

(d) All cattle and goats that originate in a [county] state not [modified] certified free shall originate in herds negative to the [blood] brucellosis test within 12 months but not less than 90 days prior to entry and shall be negative to a test for brucellosis within 30 days [of] prior to entry. For such cattle and goats an import permit issued by the Director New Jersey Division of Animal Health shall be required prior to entry.

2:3-2.4 Brucellosis test for imported cattle

(a) The Department may [required] require cattle imported to be held for [a test] testing for brucellosis if in its judgment such [test] testing would be necessary to prevent the introduction of the disease.

(b) All test eligible breeding cattle and goats as defined in USDA, APHIS 91-1 from modified certified or noncertified states shall be held under quarantine separate and apart from native livestock until tested negative not less

than 45 or more than 120 days after entry into New Jersey.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the above proposal on or before January 28, 1981. Comments should be directed to:

Dr. Robert E. Horton, Director
Division of Animal Health
N.J. Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
(Telephone: 609-292-3965)

The Department of Agriculture may thereafter adopt rules concerning this subject without further notice.

(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Rule on Slaughtering of Market Cattle and Goats

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-93.22, proposes to adopt a new rule to be cited as N.J.A.C. 2:2-2.16 concerning the slaughtering of market cattle and goats.

Full text of the proposed new rule follows.

2:2-2.16 Market cattle and goats to go to immediate slaughter

All cattle exceeding 200 pounds in weight and all goats delivered to any regularly established auction market shall be consigned for immediate slaughter purposes only. The buyer will keep the above mentioned animals isolated from all other farm stock and will slaughter or present for slaughter at a recognized slaughter establishment within 15 days of the purchase date.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the above proposal on or before January 28, 1981. Comments should be directed to:

Dr. Robert E. Horton, Director
Division of Animal Health
New Jersey Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
(Telephone: (609) 292-3965)

The Department of Agriculture, may thereafter adopt rules concerning this subject without further notice.

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Amend Movement of Livestock

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:5-69, proposes to amend N.J.A.C. 2:3-4.1 concerning the movement of livestock to approved slaughtering establishments.

Full text of the proposed amendment follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

2:3-4.1 Movement of livestock to approved slaughtering establishment; waybill contents

(a) Livestock for immediate slaughter may be moved into New Jersey direct to a slaughtering establishment operating under the provision of the Meat Inspection Act of March 4, 1907, or a slaughtering establishment specifically approved for the purpose under Section [78.15(b)] 78.25(b) of Title 9 of the Code of Federal Regulations³, or to a public stockyard where federal inspection is maintained, or a stockyard approved for the purpose under Section [78.14(b)] 78.24(b) of Title 9 of the Code of Federal Regulations³ for sale to such a slaughtering establishment, if accompanied by a waybill or similar document, or a certificate signed by the owner or shipper of the livestock, stating:

1. The destination of the animals;
2. The purpose for which they are to be moved;
3. The number of animals covered by the waybill or similar document or certificate;
4. The point from which the animals are moved interstate;
5. The name and address of the owner or shipper.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the above proposal on or before January 28, 1981. Comments should be directed to:

Dr. Robert E. Horton, Director
Division of Animal Health
New Jersey Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
(Telephone: 609-292-3965)

The Department of Agriculture may thereafter adopt this regulation substantially as proposed without further notice.

(c)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Proposed Repeal: Hog Cholera Quarantines

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, proposes to repeal N.J.A.C. 2:5-1 concerning hog cholera quarantines.

Full text of the rules proposed for repeal may be found in the New Jersey Administrative Code.

Interested persons may present statements or arguments in writing, orally in person, or by telephone, relevant to the above proposal on or before January 28, 1981. Comments should be directed to:

Dr. Robert E. Horton, Director
Division of Animal Health
New Jersey Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
(Telephone: 609-292-3965)

The Department of Agriculture may thereafter adopt this regulation substantially as proposed without further notice.

(a)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Restrictions on Coupons In Milk Promotion

On December 1, 1980, Woodson W. Moffett, Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 2:48-5 concerning restrictions on the use of coupons in milk promotion as proposed in the Notice published November 6, 1980 at 12 N.J.R. 627(a).

An order adopting this rule was filed and became effective on December 2, 1980 as R.1980 d.519.

(b)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Amend Qualifications For Promotional Examinations

The New Jersey Civil Service Commission pursuant to authority of N.J.S.A. 11:5-1, proposes to amend N.J.A.C. 4:1-8.6 concerning qualifications for promotional examinations.

Full text of the proposed amendment follows (additions indicated in boldface thus).

4:1-8.6 Qualifications for promotional examinations

(a) In order to qualify for promotional examination an applicant:

1. - 2. (No change.)

3. Must be in active employment in a class as approved by the chief examiner and secretary on the announced closing date for filing applications, and remain until the employment list is issued, except that absence from such active employment shall not disqualify an applicant otherwise qualified who:

i. - viii. (No change.)

ix. Is on leave to fill an unclassified position.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1981 to:

Peter J. Calderone, Esq.
Acting Director, Administrative Practices
and Labor Relations
Department of Civil Service
215 East State Street
P.O. Box 1918
Trenton, N.J. 08625

The Civil Service Commission may thereafter adopt rules concerning this subject without further notice.

(c)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Employee Interchange (Local Jurisdiction)

On November 6, 1980, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to Subpart 20-6.101 in the Civil Service Personnel Manual (Local Jurisdiction) concerning employee interchange within the administration of the Government Employee Interchange Act of 1967.

Full text of the adoption follows (additions indicated in boldface thus).

20-6.101(b) The period of assignment shall not be less than two months nor for more than 12 months; however, the President of the Civil Service Commission is authorized to set a time period of less than two months of assignment in order to accommodate emergency situations, e.g. a call for fire wardens to help control a fire in a neighboring state.

"Emergency situations" does not allow for a reduced time period to permit a desirable, but not crisis, interchange with less than a two month assignment period.

An order adopting this rule was filed and became effective on December 8, 1980 as R.1980 d.532 (Exempt, Procedural Rule).

(d)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Employee Interchange (State Service)

On November 6, 1980, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to Subpart 20-6.101 in the Civil Service Personnel Manual (State Service) concerning employee interchange within the administration of the Government Employee Interchange Act of 1967.

Full text of the adoption follows (additions indicated in boldface thus).

20-6.101(b) The period of assignment shall not be less than two months nor for more than 12 months; however, the President of the Civil Service Commission is authorized to set a time period of less than two months of assignment in order to accommodate emergency situations, e.g. a call for fire wardens to help control a fire in a neighboring state.

"Emergency situations" does not allow for a reduced time period to permit a desirable, but not crisis, interchange with less than a two month assignment period.

An order adopting this rule was filed and became effective on December 8, 1980 as R.1980 d.533 (Exempt, Procedural Rule).

(a)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Departmental Hearings: Criminal Complaints or Indictments (State Service)

On November 6, 1980, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to Subpart 5-15.101 in the Civil Service Personnel Manual (State Service) concerning departmental hearings.

Full text of the adoption follows (deletions indicated in brackets [thus]).

5-15.101c Criminal complaints or indictments:

If a criminal complaint or indictment is brought against a classified employee a hearing by the department must still be held within 30 days[*] unless the employee, in writing, waives the hearing pending the court's disposition of indictment or complaints.

[*Police officers are exempt from prompt departmental hearings if the conditions of N.J.S.A. 40A:14-149.1 are met.]

An order adopting this rule was filed and became effective on December 8, 1980 as R.1980 d.534 (Exempt, Procedural Rule).

(b)

COMMUNITY AFFAIRS

THE COMMISSIONER

Proposed Amend Certificate of Occupancy

Joseph A. LeFante, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-119 et seq., proposes to amend N.J.A.C. 5:23-2.7 of the Uniform Construction Code concerning certificate of occupancy.

Full text of the proposed amendment follows (additions indicated in boldface thus).

5:23-2.7(b)5. No Certificate of Occupancy shall be issued for a hotel or multiple dwelling, as defined in the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-1 et seq.), except after filing by the owner with the construction official of a photocopy of a certificate of registration issued by the Bureau of Housing Inspection of the Department of Community Affairs.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 30, 1981 to:

William M. Connolly
Deputy Director
Division of Housing
Department of Community Affairs
CN 800
Trenton, New Jersey 08625

The Department of Community Affairs may thereafter adopt rules concerning this subject without further notice.

(c)

COMMUNITY AFFAIRS

THE COMMISSIONER

Maintenance of Hotels and Multiple Dwellings

On November 12, 1980, Joseph A. LeFante, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 55:13A-6e, 7 and 7.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 5:10-19.11 concerning the maintenance of hotels and multiple dwellings as proposed in the Notice published July 10, 1980 at 12 N.J.R. 384(a) but with subsequent substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on November 12, 1980 as R.1980 d.500.

(d)

COMMUNITY AFFAIRS

THE COMMISSIONER

Uniform Construction Code

On November 21, 1980, James A. Sinclair, Deputy Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-119 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 5:23 concerning the Uniform Construction Code as proposed in the Notice published December 6, 1979 at 11 N.J.R. 607(a) but with subsequent substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on November 21, 1980 as R.1980 d.508.

(e)

COMMUNITY AFFAIRS

THE COMMISSIONER

Readopt New Home Warranty and Builders' Registration

On December 4, 1980, James A. Sinclair, Deputy Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 46:3B-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, readopted N.J.A.C. 5:25 concerning new home warranty and builders' registration as proposed in the Notice published November 6, 1980 at 12 N.J.R. 631(a).

An order adopting this rule was filed December 4, 1980 to become effective on January 1, 1981 as R.1980 d.522.

(f)

COMMUNITY AFFAIRS

THE COMMISSIONER

Emergency Amend Fire Protection

On December 11, 1980, James A. Sinclair, Deputy Com-

missioner of Community Affairs, pursuant to authority of N.J.S.A. 55:13A-7.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 5:10-19.11 concerning fire protection for hotels and multiple dwellings.

Full text of the adopted emergency amendment follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

5:10-19.11(c)2.i. All smoke detectors shall be powered by an alternating current (AC), constantly active electric circuit which cannot be deactivated by the operation of any interconnected switching device and shall comply with the latest NFPA-70 (National Electrical Code) requirements. As an alternative, battery-powered single station units may be installed in dwelling units [in multiple dwellings] provided that the following conditions are met:

(1) (No change.)

(2) The owner of a multiple dwelling or his representative shall place a tag on each unit and shall place the date of inspection and his initials on the tag. Entries shall be made on the tag upon initial installation, whenever a change of occupant occurs, when any reported malfunction of unit is corrected, and when required maintenance is performed. An entry made on a tag shall constitute a certification that the unit is operating properly. Tags shall be attached or affixed so as not to impair the functioning of the unit.

(3) The owner of a multiple dwelling shall supply each occupant with a copy of the manufacturers printed instructions for the testing of the installed unit(s).

(4) An owner of a multiple dwelling who has been notified either by an occupant, or by the Bureau, that such occupant is unable to perform the required monthly testing of detector units in his dwelling or have this performed by a member of his household, shall perform such monthly testing.

(5) The owner of a hotel or his representative shall inspect each unit whenever a change of occupant occurs and shall clean the unit or replace batteries whenever necessary.

An order adopting this rule was filed and became effective on December 11, 1980 as R.1980 d.536 (Exempt, Emergency Rule).

(a)

COMMUNITY AFFAIRS

THE COMMISSIONER

Emergency Amend Uniform Construction Code

On December 11, 1980, James A. Sinclair, Deputy Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-119 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 5:23-3.3 concerning the Uniform Construction Code.

Full text of the adopted emergency amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

5:23-3.3(h) Enforcing agency classifications are:

1. (No change.)
1. (No change.)

ii. Class 2 Agency: Whenever the construction official and [all] at least three subcode officials are [certified class 1 or class 2] licensed HHS or ICS in accordance with [subchapter 5 of this chapter] N.J.A.C. 5:23-5 and the remaining subcode official is licensed RCS. In the case of an RCS subcode official, such official must be enrolled in an approved course and successfully complete such course before January 1, 1982;

iii. (No change.)

2. - 3. (No change.)

4. The Department shall issue a roster of certified class 1 and class 2 enforcing agencies quarterly.

An order adopting this rule was filed December 11, 1980 to become effective on January 1, 1981 as R.1980 d.537 (Exempt, Emergency Rule).

(b)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Amend Fees in Teacher Certification

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to amend N.J.A.C. 6:11-3.3 concerning the fees required in the rules on teacher certification.

The proposed amendment would permit a fee of \$10.00 to be charged for each evaluation request made to the Bureau of Teacher Certification. Such requests are separate from the formal application for certification which the Bureau receives routinely. Requests for evaluations to determine certification status have added greatly to the reviewing process. It is not uncommon for persons to request evaluation for several different certificates. The institution of this fee will hopefully encourage persons seeking evaluations to give careful consideration to the number of certification areas for which they would have their credentials examined.

Full text of the proposed amendment follows (additions indicated in boldface thus):

6:11-3.3 State Board of Education responsible for rules; fees required

(a) The State Board of Education may make and enforce rules and regulations for the granting of appropriate certificates or licenses to teach or to administer, direct, or supervise, the teaching, instruction or educational guidance of pupils in public schools operated by boards of education[.]. F[f]or each [of which] certificate[s], a fee of [not less than] \$20.00 shall be charged.

(b) Rules for fees for transcript evaluation include the following:

1. A request for evaluation of credentials for the purpose of obtaining information concerning qualification for issuance of any particular certificate shall be accompanied by a fee of \$10.00 for each certificate to be considered;

2. A formal application for certification shall be accompanied by a fee of \$20.00 for each certificate requested;

3. In the case of persons who file a formal application for certification and who are found not to meet certification requirements, a fee of \$10.00 shall be deducted from each separate refund to that person.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education may thereafter adopt rules concerning this subject without further notice.

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed Dam Restoration and Resource Recovery Grants

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and P.L. 1980, c. 70, proposes to adopt new rules to be cited as N.J.A.C. 7:24 and N.J.A.C. 7:26-11 concerning the awarding of grants under the provisions of the Natural Resources Bond Act of 1980, P.L. 1980, c. 70.

These proposed rules establish the basic eligibility criteria for dam restoration and resource recovery grants, the priority system for ranking eligible applicants, the materials applicants must submit, the procedure for awarding a grant, the conditions grantees must satisfy before receiving funds under a grant and the Department's remedies when a grantee fails to comply with these regulations or the grant award document.

The proposed dam restoration priority system will award points to local governments owning high hazard dam primarily on the basis of the number of people who, and property which will be protected by the dam restoration project. In addition a significant number of points will be awarded to dam restoration projects that protect dams that impound water for water supply purposes. Finally points will be awarded for projects which will protect impoundments used to control flooding or for public recreation. The Department believes this is the proper weight to give the different priorities in these times because the priority system emphasizes the protection of life and safety and water supplies. Those applicants whose projects receive the most points will be awarded grants if funds are available and they submit plans and specifications and satisfy the grant conditions in a timely manner.

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

John O'Dowd, Chief
Bureau of Flood Plain Management
Division of Water Resources
CN 029
Trenton, New Jersey 08625

The purpose of the resource recovery regulations is to describe and establish the program and procedures by which Solid Waste Management Districts may apply for Resource Recovery Construction Grants/Loans made available by the State of New Jersey under the Natural Resources Bond Issue of 1980 and administered by the Department of Environmental Protection's Solid Waste Administration. Grants/loans are made available for the

development and implementation of resource recovery projects as described within the approved District Solid Waste Management Plans developed under N.J.S.A. 13:1E-1 et seq.

Proposals shall be submitted as applications. The applications will be reviewed and evaluated against the requirements and criteria contained in these regulations. The application will be the primary basis for selection of the applicants that will ultimately receive the funding awards.

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

Michael Marrotta
Division of Environmental Quality
CN 027
Trenton, New Jersey 08625

The Department invites public comment on the proposed regulations. Written comments on the dam restoration regulations should be sent by February 23, 1981 to Mr. O'Dowd at the above address, and comments on the resource recovery regulations should be sent to Mr. Marrotta at the above address by the same date. Oral or written comments may be presented at either of the following public hearings:

Dam Restoration Regulations
February 4, 1981
Morristown Town Hall Council Room
110 South Street
Morristown, N.J. 07960
10:00 A.M.

Dam Restoration Regulations
February 10, 1981
Stockton State College
Room CC-103
Pomona, N.J. 08240
10:00 A.M.

Resource Recovery Regulations
February 20, 1981
New Jersey State Museum Auditorium
205 West State Street
Trenton, N.J. 08625
10:00 A.M.

The Department of Environmental Protection may thereafter adopt rules concerning this subject without further notice.

(b)

ENVIRONMENTAL PROTECTION

BUREAU OF RADIATION PROTECTION

Proposed Mercury Vapor Lamps

The Commission on Radiation Protection, and Jerry Fitzgerald English, Commissioner, Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq., and N.J.S.A. 26:2D-1 et seq., proposes to adopt a new rule to be cited as 7:28-41 concerning mercury vapor lamps. N.J.A.C. 7:28-26 through -40 will be marked "Reserved".

This proposal is known within the Department as Docket No. DEP 067-80-11.

Full text of this proposed new rule follows.

SUBCHAPTER 41. MERCURY VAPOR LAMPS

7:28-41.1 Purpose and scope

This subchapter applies to indoor and outdoor facilities using mercury vapor lamps for illumination and establishing safety requirements for their use.

7:28-41.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Mercury vapor lamp" means any mercury vapor or metal halide lamp incorporating a high-pressure arc discharge tube that has a fill consisting primarily of mercury and that is contained within an outer envelope (it does not include the tungsten filament self-ballasted mercury vapor or metal halide lamp).

"New facility" means any building for which a certificate of occupancy has been issued subsequent to the effective date of this subchapter.

"Non-self-extinguishing mercury vapor lamp" means a mercury vapor lamp which does not comply with the requirements for a self-extinguishing mercury vapor lamp, hereinafter defined.

"Outer envelope" means the lamp element, usually glass, surrounding a high-pressure arc discharge tube, that, when intact, attenuates the emission of ultraviolet radiation.

"Self-extinguishing mercury vapor lamp" means a mercury vapor lamp which shall cease operation within a cumulative operating time not to exceed 15 minutes following breakage or removal of at least three square centimeters of contiguous surface of the outer envelope.

"Shortwave ultraviolet radiation" means radiation with wave-lengths shorter than 320 nanometers.

7:28-41.3 General requirements for indoor installations

(a) No person shall cause, suffer, allow or permit the installation or use of a mercury vapor lamp in any indoor area which may be occupied by people unless the following requirements are met:

1. The mercury vapor lamp is of the self-extinguishing type; or
2. The mercury vapor lamp is of the non-extinguishing type provided it is installed within a totally enclosed lighting fixture with a protective shield which protects the lamp from damage and absorbs shortwave ultraviolet radiation.

(b) The provisions of this section shall be effective immediately for all new facilities and all replacements at existing facilities. For existing facilities presently utilizing mercury vapor lamps for illumination, the provisions of this section shall be fully met within one year after the effective date of this subchapter.

7:28-41.4 General requirements for outdoor installations

(a) No person shall cause, suffer, allow or permit the installation or use of a mercury vapor lamp in any outdoor area where people are likely to remain in the area of illumination for periods in excess of 15 minutes unless the following requirements are met:

1. The mercury vapor lamp is of the self-extinguishing type; or
2. The mercury vapor lamp may be of the non-self-extinguishing type provided it is installed within a totally enclosed lighting fixture with protection shield which protects the lamp from damage and absorbs shortwave ultraviolet radiation.

(b) The Department may exempt certain outdoor mercury vapor lamp installations from the provisions of (a) above, provided the Department has determined that suffi-

cient precautions have been taken to minimize the possibility of over-exposure to shortwave ultraviolet radiation.

(c) The provisions of this section shall be met within one year after the effective date of this subchapter.

Written and/or oral testimony concerning the proposed rules will be received at a public hearing to be held February 18, 1981 commencing at 9:30 A.M. and continuing until the close of testimony at:

New Jersey State Museum Auditorium
205 West State Street
Trenton, New Jersey

This hearing is being held in accordance with the provisions of the Radiation Protection Act (N.J.S.A. 26:2D-1 et seq., L. 1958, c. 116) as amended.

Copies of this notice of the proposed rules and of the basis and background document are being deposited and will be available for inspection during normal office hours until the close of the hearing record at:

N.J. Division of Environmental Quality
Room 1110, Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

N.J. Bureau of Radiation Protection
380 Scotch Road
West Trenton, New Jersey 08628

N.J. Bureau of Air Pollution Control
Metropolitan Field Office
25 Route 22
Springfield, New Jersey 07081

N.J. Bureau of Air Pollution Control
Southern Field Office
5635 Westfield Avenue
Pennsauken, New Jersey 08110

Copies of the proposal and basis therefore may be obtained from, and written testimony relating thereto will be accepted prior to February 23, 1981 by:

Frank Cosolito
Acting Chief
Bureau of Radiation
Department of Environmental Protection
380 Scotch Road
Trenton, New Jersey 08628

The Commission on Radiation Protection and the Department of Environmental Protection may thereafter adopt rules on this subject without further notice.

(a)

ENVIRONMENTAL PROTECTION

DELAWARE AND RARITAN CANAL COMMISSION

Proposed Amend Storm Drainage And Water Quality Standards

The Delaware and Raritan Canal Commission, in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:13A-14, proposes to amend N.J. A.C. 7:45-3.1 concerning storm drainage and water quality standards.

Full text of the proposed amendment follows (additions indicated in boldface thus).

7:45-3.1(b)2.xii. Whenever practicable projects and storm water detention facilities associated with these projects should be located beyond the extent of the flood hazard area of a stream as defined in N.J.A.C. 7:13-1.2. When that is not feasible, and the detention facilities are proposed to be located partially or entirely within the flood hazard area or within other areas which would be inundated by the 100 year design flood of and non-delineated stream (see N.J.S.A. 58:16A-55.3), some storm conditions will make the detention facility ineffective in providing adequate retention for storm water runoff. This will occur if the stream is already overflowing its banks and the detention basin as well, causing the basin to be filled prior to the time it is needed. In such an event, the standards established in this subchapter will be applied in a manner which gives only partial credit for the capacity of detention facilities located within a flood hazard area or within an area which would be inundated by the 100 year design flood of any non-delineated stream. The credit will vary in a ratio which is intended to reflect the amount of detention basin storage which will be available, on the average, at the time a storm occurs at the project site.

(1) When detention facilities associated with a project are located within a flood hazard area or within an area which would be inundated by the 100 year design flood of any non-delineated stream, detention storage provided below by the elevation of the flood hazard area (or the area inundated by the 100 year design flood of any non-delineated stream) will be credited as effective storage at a reduced proportion as indicated in the table below. This effective detention storage will be required to provide for the drainage of the developed land in accordance with the criteria established in this subchapter governing storm water retention.

Elevation	Size of Drainage Area		
	Less than 5 mi ²	5-100 mi ²	Greater than 100 mi ²
Less than 2' below	40%	65%	90%
Between 2' and 4' below	25%	50%	75%
Over 4' below	10%	25%	50%

For purposes of completing the calculations described in the table above, the term "drainage area" shall mean that area contributing flood waters to the flood hazard area at the project site in question. The amount of detention storage that shall be considered for purposes of this calculation shall not exceed that amount of storage required to control the storm water runoff inundating the project site as a result of a 100 year design flood.

(2) As an alternative to the requirement set forth in (b)2xii(1) above, if the applicant can demonstrate that the detention storage provided at the project site would be effective (as provided in N.J.A.C. 7:45-3.1(b)2) during runoff from a three inch, six hour storm, peaking simultaneously at the project site and on the flood hazard area, the applicant's plan will be accepted as complying with the provisions of (b)2xii(1) above.

(3) In making computations pursuant to (b)2xii(1) or (2) above, the volume of net fill resulting from a project which is deposited within the flood hazard area or within the area which would be inundated by the 100 year design flood of any non-delineated stream, will be subtracted from the amount of effective detention storage provided. For purposes of this subsection, the term "net fill" shall mean the total amount the fill created incidental to the completion of a project, less the amount of excavated material removed during completion of a project, which fill or excavation has been deposited in or removed from a flood hazard area or from that area which would be

inundated by the 100 year design flood of any non-delineated stream.

(4) Any person to whom this section applies shall be required to demonstrate compliance with the stream encroachment and flood hazard area regulations of the Department of Environmental Protection (see N.J.A.C. 7:13).

(5) Requirements of detention shall be waived for bridges and highway approaches crossing a flood hazard area from side to side, to the extent of the portion thereof within the flood hazard area.

Interested persons may present statements or arguments relevant to the proposal in writing on or before January 28, 1981 to:

Delaware and Raritan Canal Commission
Post Office Box 1390
Trenton, N.J. 08625

The Delaware and Raritan Canal Commission may thereafter adopt rules concerning this subject without further notice.

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Public Notice of State Certifications of Draft NPDES Permits

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to the "New Jersey Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq., is authorized to assess compliance of a surface water discharge with State law pertaining to discharges to the waters of the State. The Department is requested by the United States Environmental Protection Agency, as required by section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., to certify that a discharge, as described in a draft National Pollutant Discharge Elimination System permit, will not violate the requirements of State law.

The Department publishes public notice of certifications in the DEP Bulletin. Copies of the Bulletin may be obtained by calling (609) 292-3178 or writing to the Documents Distribution Center, P.O. Box 1390, Trenton, New Jersey 08625.

(b)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Preservation of Clam Resource

On December 1, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 50:1-5, 50:2-6.1 - 6.3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 7:25-12.1 concerning preservation of sea clam resource in New Jersey as proposed in the Notice published November 6, 1980 at 12 N.J.R. 641(a) but with inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed and became effective on December 3, 1980 as R.1980 d.521.

(a)

HEALTH

THE COMMISSIONER

Proposed Rules on Child Abuse and Neglect

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to adopt new rules to be cited as N.J.A.C. 8:31-26.4 and N.J.A.C. 8:43B-1.13 and to amend N.J.A.C. 8:42-1.8 and N.J.A.C. 8:43A-3.1 concerning child abuse and neglect.

Full text of the proposed new rules and amendments follows (additions indicated in boldface thus).

8:31-26.4 Child abuse and neglect

(a) The facility shall establish and implement written policies and procedures, approved by the Department and by the Division of Youth and Family Services of the New Jersey Department of Human Services, for reporting all diagnosed and/or suspected cases of child abuse and/or neglect in compliance with N.J.S.A. 9:6-1 et seq.¹

(b) The administrator shall ensure the development, implementation, and enforcement of all policies and procedures regarding the reporting on a 24-hour basis of all diagnosed and/or suspected cases of child abuse and/or neglect to the Division of Youth and Family Services.

(c) The facility shall have in effect written policies and procedures for the following.

1. The care and treatment of the child.
2. The identification of a suspected case of child abuse and/or neglect, including criteria for identifying suspected cases of child abuse and/or neglect based on "A Guide To Fulfilling Your Legal Responsibilities In Case of Suspected Child Abuse and Neglect" prepared by the Division of Youth and Family Services.¹

3. The development of a system to ensure the reporting of each diagnosed and/or suspected case of child abuse and/or neglect by the facility's personnel upon the child's visit or admission to the facility.

4. The designation of a staff member(s) to be responsible for coordinating the reporting of diagnosed and/or suspected cases of child abuse and/or neglect on a 24-hour basis. The designated staff member(s) may perform this function in addition to other assignments.

5. The reporting of each diagnosed and/or suspected case of child abuse and/or neglect within one hour by telephone to the local Division of Youth and Family Services office during business hours, as listed in the facility's policies and procedures, and to the toll-free emergency hot-line (800-792-8610) at all other times.

- i. The verbal report shall provide at least the following information: child's name, age, and address; child's present location; parent's (guardian's) name and address; nature and extent of the injury or description of the condition observed; name and address of the facility; and name of the person making the verbal report.

- ii. The date, time, and to whom the report is given shall be documented in the patient's medical record by the person making the verbal report.

6. Submitting to the local Division of Youth and Family Services office, within 48 hours of the telephone report, a written notification of each diagnosed and/or suspected case of child abuse and/or neglect which shall include a medical report if the child is examined by a physician.

- i. A copy of the written notification shall be retained in the patient's medical record.

7. The development of written protocols including at least nursing and medical protocols for the emergency

room and out-patient services, where such services exist, for admission and/or transfer to another facility and for cases of sexual abuse and failure to thrive secondary to nutritional deprivation.

8. A policy for obtaining protective custody of abused and/or neglected children through the use of hospital hold, in accordance with N.J.S.A. 9:6-8.16¹.

9. Ensuring that the facility's staff orientation plan and staff education plan include materials and contents regarding the identification and reporting of diagnosed and/or suspected cases of child abuse and/or neglect, the legal aspects, such as immunity from liability, the violations for failure to make reports, and protective custody for the child (hospital hold), and the treatment and prevention of child abuse and/or neglect.

(d) The facility shall establish a multidisciplinary child protection team consisting of at least a physician, a registered professional nurse, and a social worker which shall be responsible for, but not limited to, the following:

1. Acting as liaison between the facility and the Division of Youth and Family Services;

2. Developing criteria for the identification of a child who has or may have been abused and/or neglected and identifying indicators of child abuse and/or neglect based on "A Guide to Fulfilling Your Legal Responsibilities In Case of Suspected Child Abuse and Neglect"¹;

3. Assisting in and/or reporting suspected or diagnosed cases of child abuse and/or neglect identified within the facility to the designated staff member(s), in accordance with the facility's policies and procedures;

4. Developing policies and procedures for the functioning of the team, including goals and objectives, requirements for documentation of meetings, availability of team members, and receiving of reports of cases;

5. Assisting in the development and implementation of written protocols for the care and treatment of cases of child abuse and/or neglect;

6. Assisting in and initiating case referrals, for example, for consultation and/or evaluations, and being available to provide consultation regarding cases of child abuse and/or neglect; and

7. Assisting in the development of, and participating in, staff orientation and educational programs regarding child abuse and/or neglect, and documenting these activities.

(e) The standards herein shall not apply to the following health care facilities:

1. Long-Term Care Facilities;
2. Non-Residential Medical Day Care Facilities;
3. Residential Health Care Facilities (Boarding Homes for Sheltered Care);
4. Nursing Homes;
5. Intermediate Care Facilities;
6. Standards for Licensure of Residential and Inpatient Drug Treatment Facilities.

¹ Copies of the Law and the Guide can be obtained from the local district office of Division of Youth and Family Services (DYFS) or from the Office of Program Support, Division of Youth and Family Services, Trenton, New Jersey 08625.

8:42-1.8(q) The facility shall comply with N.J.A.C. 8:31-26.4.

8:43A-3.1(s) The facility shall comply with N.J.A.C. 8:31-26.4.

8:43B-1.13 Child abuse and neglect
The facility shall comply with N.J.A.C. 8:31-26.4.

Interested persons may present statements or arguments in writing or by telephone relevant to the proposed action on or before January 28, 1981 to:

Wanda J. Marra, Coordinator
Licensing, Certification and Standards
P.O. Box 1540
Trenton, N.J. 08625
(609) 292-5764

The Department of Health, may thereafter adopt rules concerning this subject without further notice.

(a)

HEALTH

THE COMMISSIONER

Notice of Correction

Take notice that an error appeared in the June 5 and August 7, 1980 New Jersey Register at 12 N.J.R. 315(a) and 12 N.J.R. 467(e) respecting drug manufacturers' labeling requirements. These new rules will be cited as N.J.A.C. 8:21-1.32 and 1.33, and not as N.J.A.C. 8:21-1.31 and 1.32 as originally proposed and adopted.

This Notice is published as a matter of public information.

(b)

HEALTH

PUBLIC HEALTH COUNCIL

Reportable Diseases

On November 10, 1980, Evelyn Geddes, Chairperson of the Public Health Council in the Department of Health, pursuant to authority of N.J.S.A. 26:1A-7 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:57-1 concerning reportable diseases as proposed in the Notice published October 9, 1980 at 12 N.J.R. 577(e).

An order adopting this rule was filed and became effective on November 12, 1980 as R.1980 d.498.

(c)

HEALTH

PUBLIC HEALTH COUNCIL

Repeal Mobile Home Park Rules

On November 10, 1980, Evelyn Geddes, Chairperson of the Public Health Council in the Department of Health, pursuant to authority of N.J.S.A. 26:1A-7 and in accordance with the applicable provisions of the Administrative Procedure Act, repealed N.J.A.C. 8:22-2 concerning mobile home parks as proposed in the Notice published October 9, 1980 at 12 N.J.R. 577(d).

An order adopting this rule was filed and became effective on November 12, 1980 as R.1980 d.499.

(d)

HEALTH

DIVISION OF HEALTH PLANNING AND RESOURCES DEVELOPMENT

Certification of Need and Designation of Regional Services

On December 4, 1980, Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:31-28.1 and 28.3 concerning criteria for the certification of need and designation of regional services as proposed in the Notice published September 4, 1980 at 12 N.J.R. 515(a).

An order adopting this rule was filed and became effective on December 4, 1980 as R.1980 d.528.

(e)

HEALTH

DIVISION OF HEALTH FACILITIES EVALUATION

Manual for Licensure of Residential Health Care Facilities

On December 4, 1980, Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:43-2.13 and a new rule to be cited as N.J.A.C. 8:43-6.9 concerning the Manual of Standards for Licensure of Residential Health Care Facilities as proposed in the Notice published November 6, 1980 at 12 N.J.R. 644(a).

An order adopting this rule was filed December 4, 1980 to become effective on January 8, 1981 as R.1980 d.529.

(f)

HEALTH

DIVISION OF COMMUNITY HEALTH SERVICES

Designated Fluid Milk Products

On December 9, 1980, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 24:10-57.20 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:21-10 concerning designated fluid milk products as proposed in the Notice published November 6, 1980 at 12 N.J.R. 643(c).

An order adopting this rule was filed and became effective on December 11, 1980 as R.1980 d.539.

(g)

HIGHER EDUCATION

EDUCATIONAL OPPORTUNITY FUND

Student Refunds and Repayment

On December 2, 1980, T. Edward Hollander, Chancellor

of Higher Education, pursuant to authority of N.J.S.A. 18A:71-34 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted an amendment to N.J.A.C. 9:11-1.13(c) and amended a new rule to be cited as N.J.A.C. 9:11-1.22 concerning student refunds and repayments as proposed in the Notice published September 4, 1980 at 12 N.J.R. 519(b) but with inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed and became effective on December 4, 1980 as R.1980 d.523.

(a)

HIGHER EDUCATION

BOARD OF HIGHER EDUCATION

Definition of "College"

On November 21, 1980, T. Edward Hollander, Chancellor of Higher Education, pursuant to authority of N.J.S.A. 18A:68-3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted an amendment to N.J.A.C. 9:1-1.1 concerning the definition of "college" as proposed in the Notice published September 4, 1980 at 12 N.J.R. 518(e) but with subsequent substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on December 4, 1980 as R.1980 d.524.

(b)

HIGHER EDUCATION

BOARD OF HIGHER EDUCATION

"Visiting Specialist" Title at State Colleges

On November 21, 1980, T. Edward Hollander, Chancellor of Higher Education, pursuant to authority of N.J.S.A. 18A:3-14(h) and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 9:2-2.8 concerning the provisions of appointment for visiting specialists at State Colleges as proposed in the Notice published September 4, 1980 at 12 N.J.R. 519(a).

An order adopting this rule was filed and became effective on December 4, 1980 as R.1980 d.525.

(c)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Reproposed Amend Covered and Non-covered Inpatient Hospital Services

Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq., reproposes to amend N.J.A.C. 10:52-1.2 and 10:52-1.3 in the Manual for Hospital Services concerning covered and non-covered inpatient hospital services.

Full text of the original proposal was published in the January 10, 1980 New Jersey Register at 12 N.J.R. 23(a).

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

The Department of Human Services may thereafter adopt rules concerning this subject without further notice.

(d)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Amend Hospital Services Manual

Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to amend N.J.A.C. 10:52-1.3 of the Hospital Services Manual concerning noncovered inpatient hospital services.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:52-1.3 Noncovered inpatient hospital services

(a) Benefits are not payable for any services rendered or items dispensed or furnished in connection with:

1. - 7. (No change.)

8. Inpatient hospital services rendered prior to the day it is medically necessary for the diagnostic services and/or surgical or medical treatment for which the patient is admitted[;]:

i. For patients admitted on a Friday or Saturday, inpatient hospital services rendered on that Friday and/or Saturday will not be covered;

ii. Exceptions—Friday or Saturday admissions:

(1) For emergency or obstetrical care;

(2) For elective surgery to be performed the following day;

(3) For same-day surgery in approved hospitals;

(4) Where the admitting physician documents the medical necessity for the admission.

9. - 15. (No change.)

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

The Department of Human Services may thereafter adopt rules concerning this subject without further notice.

(a)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Reproposed Out-of-State Hospital Reimbursement Rule

Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq., reproposes a new rule to be cited as N.J.A.C. 10:52-1.18 (originally cited as 1.16) concerning reimbursement for out-of-State hospitals.

Full text of the original proposal was published in the January, 1980 New Jersey Register at 12 N.J.R. 24(a).

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

The Department of Human Services may thereafter adopt rules concerning this subject without further notice.

(b)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Amend Long Term Care Manual Concerning Medicaid Eligibility

Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to amend N.J.A.C. 10:63-1.19 in the Long Term Care Services Manual concerning termination of Medicaid eligibility.

Full text of the proposed amendment follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:63-1.19(a)1. Recovery and application of income paid on behalf of a Medicaid eligible person in a long term care facility.

i. (No change.)

ii. Medicaid eligibles must be considered Medicaid patients for the full term of stay in a Long-Term Care Facility (i.e., until death or physical discharge) unless the patient loses eligibility during the stay, or the patient/authorized representative submits to the LMAU prior to death or discharge a notarized statement to terminate benefits.

iii. After a patient expires or is discharged, under no circumstances shall that patient's Medicaid billing status be terminated prior to the date of death or discharge for the purpose of avoiding utilization of available income against the cost of care.

ii.-iv. (Renumber as iv.-vi. without change in text.)

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981, to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

The Department of Human Services may thereafter adopt rules concerning this subject without further notice.

(c)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Repeal Reporting Of Criminal Offenses

Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to repeal N.J.A.C. 10:81-7.46 of the Public Assistance Manual concerning reporting of criminal offenses to law enforcement authorities.

This proposal repeals regulations relevant to the reporting of criminal offenses to law enforcement authorities based on the former N.J.S.A. 2A:97-2, which made it a misdemeanor for an individual to withhold from legal authorities information pertaining to the commission of a crime. This provision no longer appears in the New Jersey Code of Criminal Justice, N.J.S.A. 2C:1-1 et seq., effective September 1, 1979. Regulations requiring the reporting of crimes against children, set forth in N.J.A.C. 10:81-3.12 (PAM section 3262), remain in force.

Full text of the section proposed for repeal follows (deletions indicated in brackets [thus]).

10:81-7.46 [Reporting criminal offenses to law enforcement authorities] (Reserved)

[(a) Investigation of new applications or investigations for redetermination of eligibility may indicate to the county welfare board that a crime may have been committed. Allegations of the suspected commission of a crime may also be made known to the CWB through various other sources, for example, phone calls, written communications, verbal communications from individuals, and so forth. In such instances, the CWB may be under a legal obligation to report the situation to the appropriate law enforcement agency.

(b) Nature of offenses which must be reported are:

1. To local authorities:

i. Arson, manslaughter, murder or any crimes which constitute high misdemeanors, such as, atrocious assault and battery, carnal abuse, incest or rape. (Refer to legal counsel for additional information identifying high misdemeanors.);

ii. In order to afford protection to children, certain other crimes and abuses must also be reported to the proper authorities:

2. To Federal authorities: Knowledge of the actual commission of a Federal felony, unless disclosure of such information is prohibited by law (see this subchapter). (Refer to legal counsel for identification of Federal felonies.)

(c) When the county welfare board becomes aware of facts that would indicate that one of the above mentioned crimes has been or may have been committed or receives a direct allegation in any form, written, verbal or anonymous, that such a crime has been committed, it shall proceed as follows:

1. The director shall personally, and in collaboration with counsel, review whatever facts and circumstances

are immediately available in order to determine whether there is suspicion that a crime was committed.

2. If the director is satisfied that there is evidence to support an investigation as to whether a crime has been committed, he/she shall, after consultation with counsel, report the matter to the county prosecutor, or to a local police department or to the State Police if so directed by the office of the prosecutor. If such matter involves suspected child abuse or neglect, it shall also be reported to the social service unit which shall contact the Division of Youth and Family Services. (See N.J.A.C. 10:81-3.12.)

3. When a decision has been made to report the alleged or suspected commission of the crime, such report shall be made in written form to the appropriate law enforcement agency. Where a direct allegation charging commission of a crime has been made by an identified person, such person shall be advised of his/her responsibility to report this information to the proper authorities. In these instances, the report of the county welfare board shall include a statement that the individual originally making the allegation had been informed of his/her responsibility to report this information to the appropriate law enforcement agency.

4. The county welfare board shall cooperate fully with any subsequent investigation initiated by the law enforcement agency, within the limits of the policy and regulations of the Division of Public Welfare. A county welfare board staff member may sign a written complaint only upon a written request from the law enforcement agency and provided his/her information of the facts to be stated in such complaint is based upon his/her own personal knowledge and belief.]

Interested persons may present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

(a)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Amend ASH: Establishing Monthly Earnings

Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to amend N.J.A.C. 10:82-2.14 of the Assistance Standards Handbook concerning establishing monthly earnings in the determination of eligibility and grant entitlement.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:82-2.14(f) [Earned income of a teacher or other professional or nonprofessional school employee shall be considered on a yearly basis. So long as the individual is employed at the end of the school term and there is no indication that he/she will not be employed at the beginning of the following term, total earnings shall be prorated over a 12-month period regardless of frequency of payment.]

Contract earnings: Earnings payable under the terms of a renewable contract, e.g., earnings of school teachers, are to be prorated over the stated term of the contract only.

Interested persons may present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

(b)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Amend Financial Eligibility: Earned Income

Ann Klein, Commissioner, Department of Human Services, pursuant to authority of N.J.S.A. 44:8-111 proposes to amend N.J.A.C. 10:85-3.3 of the General Assistance Manual concerning "earned income" in the determination of financial eligibility and grant entitlement.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:85-3.3(c)8. [Earnings of teachers and other school employees: Earned income of a teacher or other professional or nonprofessional school employee shall be considered on a yearly basis. So long as the individual is employed at the end of the school term and there is no indication that he/she will not be employed at the beginning of the following term, total earnings shall be prorated over a 12-month period regardless of frequency of payment.]

Contract income: Earnings payable under the terms of a renewable contract, e.g., earnings of school teachers, are to be prorated over the stated term of the contract only.

Interested persons may present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

(c)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Correction

In the November 6, 1980, New Jersey Register, at 12 N.J.R. 662(b), an error was made respecting the designa-

tion of procedure codes 7314 (Lower Extremities), 7451 and 7452 (Miscellaneous Studies) as amended material. These procedure codes should have been referred to as new material amending N.J.A.C. 10:66-3.3.

This Notice is published as a matter of public information.

(a)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Suspension of Provider from Medicaid Program

On November 5, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted an amendment to N.J.A.C. 10:49-1.17 concerning suspension of a provider from the Medicaid program as proposed in the Notice published October 9, 1980 at 12 N.J.R. 581(a).

An order adopting this rule was filed and became effective on November 14, 1980 as R.1980 d.501.

(b)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Compromising Claims

On November 3, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted a new rule to be cited as N.J.A.C. 10:49-6.8 concerning compromising claims as proposed in the Notice published October 9, 1980 at 12 N.J.R. 582(a).

An order adopting this rule was filed and became effective on November 14, 1980 as R.1980 d.502.

(c)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Temporary and Acting Directors of Municipal Welfare Departments

On November 18, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-2.2 in the General Assistance Manual concerning temporary and acting directors of municipal welfare departments as proposed in the Notice published October 9, 1980 at 12 N.J.R. 584(b).

An order adopting this rule was filed and became effective on November 19, 1980 as R.1980 d.505.

(d)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Repair of Durable Medical Equipment

On November 13, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:59-1.7, 1.8, 1.10, and 2.11, and adopted a new rule to be cited as N.J.A.C. 10:59-1.11 concerning repair of durable medical equipment as proposed in the Notice published January 10, 1980 at 12 N.J.R. 25(a) but with subsequent substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed November 24, 1980 to become effective on December 1, 1980 as R.1980 d.510.

(e)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Procedure Code Manual

On November 13, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:54-3 concerning the Procedure Code Manual as proposed in the Notice published September 4, 1980 at 12 N.J.R. 520(c) but with subsequent substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on November 24, 1980 as R.1980 d.511.

(f)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Recipient Hearings

On November 13, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:49-5.3, 5.4 and 5.6 concerning recipient hearings as proposed in the Notice published October 9, 1980 at 12 N.J.R. 581(b) but with subsequent substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on November 24, 1980 as R.1980 d.512.

(a)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

GAM: Application Process

On November 21, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-3.2 concerning the general assistance application process as proposed in the Notice published October 9, 1980 at 12 N.J.R. 584(c).

An order adopting this rule was filed November 25, 1980 to become effective on January 1, 1981 as R.1980 d.514.

(b)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

GAM: Diagnostic Related Group Payments

On November 21, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-5.2 concerning use of Diagnostic Related Group (DRG) payments to hospitals when applicable as proposed in the Notice published October 9, 1980 at 12 N.J.R. 585(b) but with only inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed November 25, 1980 to become effective on January 1, 1981 as R.1980 d.515.

(c)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Submission of Form GA-18

On December 3, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-5.3 concerning the submission of Form GA-18 to the Bureau of Medical Affairs of the Division of Public Welfare for level-of-care determination as proposed in the Notice published October 9, 1980 at 12 N.J.R. 586(a) but with inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed December 5, 1980 to become effective on January 1, 1981 as R.1980 d.531.

(d)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

GAM: Emergency Grants

On December 8, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111

and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-4.6 in the General Assistance Manual as proposed in the Notice published October 9, 1980 at 12 N.J.R. 585(a).

An order adopting this rule was filed December 11, 1980 to become effective on January 1, 1981 as R.1980 d.538.

(e)

INSURANCE

THE COMMISSIONER

Proposed Amend Replacement Of Life Insurance Policies

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17B:30-1 et seq. and 17:1C-6(e), proposes to amend N.J.A.C. 11:4-2 concerning replacement of life insurance policies by deleting the current text and substituting new text therefor.

Full text of the proposed amendment follows (additions indicated in boldface thus).

SUBCHAPTER 2. REPLACEMENT OF LIFE INSURANCE POLICIES

11:4-2.1 Purpose

The purpose of this regulation is as follows:

(a) To regulate the activities of insurers and agents with respect to the replacement of existing life insurance;

(b) To protect the interests of life insurance policyowners by establishing minimum standards of conduct to be observed in the replacement or proposed replacement of existing life insurance by:

1. Assuring that the policyowner receives information with which a decision can be made in his or her own best interest;

2. Reducing the opportunity for misrepresentation and incomplete disclosures; and

3. Establishing penalties for failure to comply with the requirements of this subchapter.

11:4-2.2 Definition of replacement

"Replacement" means any transaction in which new life insurance is to be purchased, and it is known or should be known to the proposing agent, or to the proposing insurer if there is no agent, that by reason of such transaction, existing life insurance has been or is to be:

1. Lapsed, forfeited, surrendered, or otherwise terminated;

2. Converted to reduced paid-up insurance, continued as extended term insurance, or otherwise reduced in value by the use of nonforfeiture benefits or other policy values;

3. Amended so as to effect either a reduction in benefits or in the term for which coverage would otherwise remain in force or for which benefits would be paid;

4. Reissued with any reduction in cash value; or

5. Pledged as collateral or subjected to borrowing, whether in a single loan or under a schedule of borrowing over a period of time for amounts in the aggregate exceeding 25 percent of the loan value set forth in the policy.

11:4-2.3 Other definitions

"Cash dividend" means the current illustrated dividend which can be applied toward payment of the gross premium.

"Conservation" means any attempt by the existing insurer or its agent to continue existing life insurance in

force when existing insurer has received a Comparative Information Form as required by N.J.A.C. 11:4-2.6(c)4 from a replacing insurer. A conservation effort does not include routine administrative procedures like late payment reminders, late payment offers or reinstatement offers.

"Direct-response sales" means any sale of life insurance where the insurer does not utilize an agent in the sale or delivery of the policy.

"Existing insurer" means the insurance company whose policy is or will be changed or terminated in such a manner as described within the definition of "replacement".

"Existing life insurance" means any life insurance in force including life insurance under a binding or conditional receipt or a life insurance policy that is within an unconditional refund period, but excluding life insurance obtained through the exercise of a dividend option.

"Generic name" means a short title which is descriptive of the premium and benefit patterns of a policy or a rider.

"Replacing insurer" means the insurance company that issues a new policy which is a replacement of existing life insurance.

"Sales proposal" means individualized, written sales aids of all kinds, excluding Comparative Information Forms and Policy Summaries, which are used by an insurer, agent or broker in comparing existing life insurance to proposed life insurance in order to recommend the replacement or conservation of existing life insurance. Sales aids of a generally descriptive nature, which are maintained in the insurer's advertising compliance file, shall not be considered a Sales Proposal within the meaning of this definition.

11:4-2.4 Exemptions

Unless otherwise specifically included, this subchapter shall not apply to:

- (a) Annuities;
- (b) Individual credit life insurance;
- (c) Group life insurance, group credit life insurance, and life insurance policies issued in connection with a pension, profit-sharing or other benefit plan qualifying for tax deductibility of premiums, provided, however, that as to any plan described in this subsection, full and complete disclosure of all material facts shall be given to the administrator of any plan to be replaced.
- (d) Variable life insurance under which the death benefits and cash values vary in accordance with unit values of investments held in a separate account;
- (e) An application to the existing insurer that issued the existing life insurance and a contractual change or conversion privilege is being exercised;
- (f) Existing life insurance that is a non-convertible term life insurance policy which will expire in five years or less and cannot be renewed; or
- (g) Proposed life insurance that is to replace life insurance under a binding or conditional receipt issued by the same company.

11:4-2.5 Duties of agents

(a) Each agent shall submit to the replacing insurer with or as part of each application for life insurance:

1. A statement signed by the applicant as to whether or not such insurance will replace existing life insurance; and
2. A signed statement as to whether or not the agent knows replacement is or may be involved in the transaction.

(b) Where a replacement is involved, the agent shall:

1. Present to the applicant, not later than at the time of taking the application, a "Notice Regarding Replace-

ment of Life Insurance" in the form as described in Exhibits A or B, whichever is applicable, or other substantially similar form approved by the Commissioner. The Notice must be signed by and left with applicant.

2. Present to the applicant, not later than at the time of taking the application, a Comparative Information Form as described in Exhibit D. Substantially equivalent forms may be used with the prior approval of the Commissioner.

i. If more than one existing life insurance policy is to be replaced, a separate Comparative Information Form is to be provided for each such policy or separate information is to be provided in the Comparative Information Form for each such policy, and a summary of all the separate policy information to the extent possible must be included.

ii. The agent must include in the Comparative Information Form all of the information required to be in that Form, except that information concerning the existing life insurance policy that cannot be obtained from that policy itself.

iii. The Comparative Information Form must be signed by the agent and the applicant and a copy left with the applicant.

3. Leave with the applicant the original or a copy of all Sales Proposals used for presentation to the applicant.

4. Submit to the replacing insurer with the application, a copy of the "Notice Regarding Replacement of Life Insurance" signed by the applicant, a copy of the Comparative Information Form signed by the agent and the applicant, and a copy of all Sales Proposals used for presentation to the applicant.

(c) Each agent who uses a Sales Proposal when conserving existing life insurance shall:

1. Leave with the applicant the original or a copy of all Sales Proposals used in the conservation effort; and
2. Submit to the existing insurer a copy of all Sales Proposals used in the conservation effort.

11:4-2.6 Duties of replacing insurers

Each replacing insurer shall:

(a) Inform its field representatives of the requirements of this subchapter.

(b) Require with or as part of each completed application for life insurance:

1. A statement signed by the applicant as to whether or not such insurance will replace existing life insurance; and
2. A statement signed by the agent as to whether or not he or she knows replacement is or may be involved in the transaction.

(c) Where a replacement is involved:

1. Require from the agent with the application for life insurance a copy of the "Notice Regarding Replacement of Life Insurance" signed by the applicant, a copy of the Comparative Information Form signed by the agent and the applicant, and a copy of all Sales Proposals used for presentation to the applicant.

2. Verify the substantial accuracy of information concerning the proposed policy furnished to the applicant in the Comparative Information Form. If the information concerning that policy is not substantially accurate, the replacing insurer must obtain a Comparative Information Form signed by the agent and the applicant which includes substantially accurate information before it can begin to process the application for the proposed policy.

3. Unless otherwise modified by the provisions of N.J.A.C. 11:4-2.6(c)5 or 6, furnish to the applicant a Policy Summary in accordance with the provisions of the Life Insurance Solicitation regulations. (See N.J.A.C. 11:4-11.)

4. Send to the existing insurer a verified Comparative Information Form as required by N.J.A.C. 11:4-2.6(c)1 and 2 within three working days of the date the application and a substantially accurate Comparative Information Form are received at its Home or Regional Office, or the date its policy is issued, whichever is sooner.

5. Delay, if it is not also the existing insurer, the issue of its policy for 20 days after it sends the existing insurer a copy of the Policy Summary, unless it provides in its "Notice Regarding Replacement of Life Insurance" and in either its policy or in a separate written notice that is delivered with the policy that the applicant has a right to an unconditional refund of all premiums paid, which right may be exercised within a period of 20 days commencing from the date of delivery of the policy, and it sends the Policy Summary required by this section to the existing insurer within three working days of the date its policy is issued, in which event the replacing insurer may issue its policy immediately.

6. Provide, if it is also the existing insurer, the policyowner of a Policy Summary for the new policy prepared in accordance with N.J.A.C. 11:4-2.6(c)3, prior to accepting the applicant's initial premium or premium deposit, unless the replacing insurer provides in its "Notice Regarding Replacement of Life Insurance" and in either its policy or in a separate written notice that is delivered with the policy that the applicant has a right to an unconditional refund of all premiums paid, which right may be exercised within a period of 20 days commencing from the date of delivery of the policy, in which event, the replacing insurer must furnish the Policy Summary at or prior to delivery of the policy.

7. Maintain copies of the "Notice Regarding Replacement of Life Insurance", the Verified Comparative Information Form, the Policy Summary, and all Sales Proposals used, and a replacement register, cross indexed, by replacing agent and existing insurer to be replaced, for at least five years or until the conclusion of the next succeeding regular examination by the Insurance Department of its state or domicile, whichever is later.

11:4-2.7 Duties of insurers with respect to direct-response sales

Each insurer shall:

(a) Inform its responsible personnel of the requirements of this subchapter.

(b) Require with or as part of each completed application for life insurance a statement signed by the applicant as to whether or not such insurance will replace existing life insurance.

(c) Where no replacement is proposed by an insurer in the solicitation of a direct-response sale and a replacement is involved:

1. At the time the policy is mailed to the applicant, include a "Notice Regarding Replacement of Life Insurance" in a form substantially as described in Exhibit C.

(d) Where a replacement is proposed by an insurer in the solicitation of a direct-response sale and a replacement is involved:

1. Request from the applicant with or as part of the application a list of all existing life insurance to be replaced. Such existing life insurance shall be identified by name of insurer.

2. If the applicant furnishes the names of the existing insurers, then the replacing direct-response insurer shall mail the applicant a "Notice Regarding Replacement of Life Insurance" in a form substantially as described in Exhibit C within three working days after receipt of the application and shall comply with all of the provisions

of N.J.A.C. 11:4-2.6(c)3, 5, 6 and 7, except that it need not meet the requirements of this subchapter concerning Comparative Information Forms and need not maintain a replacement register required by N.J.A.C. 11:4-2.6(c)7.

3. If the applicant does not furnish the names of the existing insurers, then the replacing direct-response insurer shall at the time the policy is mailed to the applicant, include a "Notice Regarding Replacement of Life Insurance" in a form substantially as described in Exhibit C.

11:4-2.8 Duties of the existing insurer

Each existing insurer shall inform its responsible personnel of the requirements of this subchapter. Each existing insurer, or such insurer's agent, that undertakes a conservation effort shall:

(a) Within 20 days from the date the Comparative Information Form required by N.J.A.C. 11:4-2.6(c)4 is received, furnish the policyowner with the Comparative Information Form received from the replacing insurer and include in it all of the information concerning the existing life insurance that was not completed and correct any information that was inaccurately completed by the replacing agent and furnish the policyowner with a Policy Summary for the existing life insurance.

1. Such Policy Summary shall be completed in accordance with the provisions of the Life Insurance Solicitation regulation (see N.J.A.C. 11:4-11), except that information relating to premiums, cash values, death benefits and dividends, if any, shall be computed from the current policy year of the existing life insurance.

2. The Policy Summary shall include the amount of any outstanding policy indebtedness, the sum of any dividend accumulations or additions, and may include any other information that is not in violation of any regulation or statute.

3. No charge may be made by the existing insurer for furnishing the Policy Summary.

(b) Furnish the replacement insurer with a copy of the fully completed Comparative Information Form and the Policy Summary for the existing life insurance within three working days of the date that the fully completed Comparative Information Form and the Policy summary is sent by the existing insurer to either its agent or directly to the policyowner.

(c) Maintain a file containing the following:

1. Comparative Information Forms required by N.J.A.C. 11:4-2.6(c)4 and Policy Summaries required by N.J.A.C. 11:4-2.6(c)5 received from replacing insurers; and

2. Copies of fully completed Comparative Information Forms and Policy Summaries prepared pursuant to N.J.A.C. 11:4-2.8(a) and all Sales Proposals used to conserve the existing life insurance.

Note: This material shall be indexed by the replacing insurer and held for five years or until the conclusion of the next regular examination conducted by the Insurance Department of its domicile, whichever is later.

11:4-2.9 Penalties

(a) Any insurer, agent, representative, officer or employee of such insurer failing to comply with the requirements of the subchapter shall be subject to such penalties as may be appropriate under the Insurance Laws of New Jersey.

(b) This subchapter does not prohibit the use of additional material other than that which is required that is

(Continued on Page 33)

INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly listing provides an interim service for subscribers to the New Jersey Administrative Code, as a check-list of rules most recently adopted.

It includes all rules adopted from receipt of the last individual transmittals, as indicated, through December 11, 1980.

RULES NOT YET IN PRINT IN CODE: Adoption Notices may be found in N.J. Register beginning with January 10, 1980. Full text (in proposal form), if published, may be found in N.J. Register beginning with March 8, 1979.

<u>N.J.A.C. CITATION</u>		<u>DOCUMENT CITATION</u>	<u>ADOPTION NOTICE (N.J.R. CITATION)</u>
ADMINISTRATIVE LAW — TITLE 1			
1:1	Rules on administrative hearings	R.1980 d.275	12 N.J.R. 362(a)
AGRICULTURE — TITLE 2			
2:2-2.4	Amend conformity of brucellosis tests and federal standards	R.1980 d.237	12 N.J.R. 377(c)
2:2-2.4	Amend conformity of brucellosis tests with Federal standards	R.1980 d.422	12 N.J.R. 627(b)
2:6-1.3, 1.4	Amend biologic product licensing	R.1980 d.306	12 N.J.R. 451(b)
2:16	Amend seed certification requirements	R.1980 d.210	12 N.J.R. 302(a)
2:48-5	Restrictions on coupons in milk promotion	R.1980 d.519	13 N.J.R. 6(a)
2:52-2.1, 2.2, 3.1, 3.2, 4.1	Amend notices by milk dealers, processors and stores	R.1980 d.284	12 N.J.R. 450(c)
2:53-1, 3.1	Repeal minimum prices on fluid whole milk and amend sales below cost	R.1980 d.472	12 N.J.R. 686(b)
2:53-4.1	Amend notice of intent to change source of supply	R.1980 d.473	12 N.J.R. 686(c)
2:53-4.1, 4.2	Amend notices by milk dealers, processors and stores	R.1980 d.284	12 N.J.R. 450(c)
2:54	Amend milk marketing	R.1980 d.285	12 N.J.R. 450(d)
2:69-1.11	Amend commercial values of primary plant nutrients	R.1980 d.238	12 N.J.R. 378(a)
2:70-1.1, 1.8	Amend agricultural liming materials	R.1980 d.239	12 N.J.R. 378(b)
2:71-2.23—2.31	Amend fruit and vegetable inspection and grading	R.1980 d.140	12 N.J.R. 248(b)
2:72-1.1	Amend bond requirements	R.1980 d.57	12 N.J.R. 103(a)
2:90-1.3	Amend soil erosion and sediment control	R.1980 d.305	12 N.J.R. 451(a)
(Title 2, Transmittal 16 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)			
BANKING — TITLE 3			
3:1-1.1	Amend interest rates	R.1980 d.151	12 N.J.R. 249(b)
3:1-1.2	Multiple-party deposit accounts	R.1980 d.480	12 N.J.R. 686(d)
3:2	Advertising by financial institutions	R.1980 d.125	12 N.J.R. 170(a)
3:6-1	Repeal reporting of ten year dormant accounts	R.1980 d.435	12 N.J.R. 627(c)
3:6-8.1	Savings banks' deposits	R.1980 d.144	12 N.J.R. 249(a)
3:6-8.2	Escrow account limitations	R.1980 d.298	12 N.J.R. 451(c)
3:6-9.1	Maximum interest rate on small business loans	R.1980 d.204	12 N.J.R. 302(d)
3:8-3.1	Amend required reserve	R.1980 d.481	12 N.J.R. 688(a)
3:8-5	Repeal savings banks reserves	R.1980 d.482	12 N.J.R. 688(b)
3:11-2.1	Amend approved subsidiaries	R.1980 d.240	12 N.J.R. 383(a)
3:21-1.8	Loan interest rate; credit union law	R.1980 d.207	12 N.J.R. 303(a)
3:22	Insurance Premium Finance Company Act	R.1980 d.203	12 N.J.R. 302(c)
3:41	Cemetery rules	R.1980 d.449	12 N.J.R. 628(a)
(Title 3, Transmittal 15 dated January 17, 1980 includes all rules through March 6, 1980 N.J. Register.)			

CIVIL SERVICE — TITLE 4

4:1-2.1	Amend definition of immediate family	R.1980 d.60	12 N.J.R. 104(a)
4:1-9.1	Amend review of scoring key	R.1980 d.236	12 N.J.R. 383(c)
4:1-9.5	Amend performance evaluations	R.1980 d.61	12 N.J.R. 104(b)
4:1-11.7	Amend employment lists	R.1980 d.406	12 N.J.R. 628(b)
4:1-17.9	Amend disability leave and sick leave injury	R.1980 d.231	12 N.J.R. 383(b)
4:1-17.24	Unused sick leave payments	R.1980 d.398	12 N.J.R. 566(c)
4:1-20.3	Amend performance evaluation	R.1980 d.61	12 N.J.R. 104(b)

(Title 4, Transmittal 13 dated June 1, 1979 includes all rules through February 7, 1980 N.J. Register.)

COMMUNITY AFFAIRS — TITLE 5

5:10-19.11	Amend maintenance of hotels and multiple dwellings	R.1980 d.500	13 N.J.R. 7(c)
5:10-19.11	Emerg. amend fire protection	R.1980 d.536	13 N.J.R. 7(f)
5:18	Repeal rules on rentals	R.1980 d.234	12 N.J.R. 569(a)
5:19	Repeal rules of practice of Bureau of Housing Inspection	R.1980 d.205	12 N.J.R. 305(a)
5:22	Rules on exemptions from taxation	R.1980 d.206	12 N.J.R. 305(b)
5:22-1.5	Amend tax abatement	R.1980 d.334	12 N.J.R. 504(a)
5:23	Amend Uniform Construction Code	R.1980 d.316	12 N.J.R. 452(a)
5:23	Amend Uniform Construction Code	R.1980 d.508	13 N.J.R. 7(d)
5:23-2.7	Rooming and boarding houses and Uniform Code	R.1980 d.376	12 N.J.R. 569(b)
5:23-3.3	Emerg. amend Uniform Construction Code	R.1980 d.537	13 N.J.R. 8(a)
5:23-4.9	Repeal plan waivers	R.1980 d.276	12 N.J.R. 452(b)
5:23-6	Readopt solar facility tax exemption	R.1980 d.303	12 N.J.R. 452(c)
5:25	Amend new home warranty	R.1980 d.316	12 N.J.R. 452(d)
5:25	Readopt New Home Warranty and Builders' Registration	R.1981 d.522	13 N.J.R. 7(e)
5:25-1.3, 4.2, 5.5	Amend new home warranties and builders registration	R.1980 d.158	12 N.J.R. 250(a)
5:27	Rooming and boarding houses and Uniform Code	R.1980 d.376	12 N.J.R. 569(b)
5:30-17	Ratify rules concerning cooperative pricing and joint purchasing system	R.1980 d.243	12 N.J.R. 388(b)
5:37	Emerg. rules on Deferred Compensation Program for county and municipal employees	R.1980 d.456	12 N.J.R. 633(b)
5:80	Amend determining rents or carrying charges in developments financed by HFA	R.1980 d.234	12 N.J.R. 388(a)
5:100-1.6	Amend ombudsman subpoenas	R.1980 d.233	12 N.J.R. 387(a)

(Title 5, Transmittal 14 dated March 20, 1980 includes all rules through April 10, 1980 N.J. Register.)

EDUCATION — TITLE 6

6:3-1.22	Evaluation of tenured chief school administrators	R.1979 d.480	12 N.J.R. 7(a)
6:8-1.1	Amend evaluation and classification process	R.1980 d.107	12 N.J.R. 178(a)
6:8-1.1, 3.8, 4.2	Amend high school graduation requirements	R.1980 d.106	12 N.J.R. 177(b)
6:8-6.2, 7.1	Amend evaluation and classification process	R.1980 d.107	12 N.J.R. 178(a)
6:11-4.7	Amend county substitute certificate	R.1980 d.105	12 N.J.R. 177(a)
6:20-2.6(d)4	Bookkeeping and accounting in local school districts	R.1980 d.381	12 N.J.R. 569(d)
6:20-2.12	Bookkeeping and accounting in local districts	R.1980 d.427	12 N.J.R. 639(a)
6:20-3.1, 3.4	Amend tuition public schools	R.1980 d.165	12 N.J.R. 251(c)
6:20-3.1, 3.4	Amend public school tuition	R.1980 d.225	12 N.J.R. 308(a)
6:20-5.1	Repeal special State aid for children resident in institutions	R.1980 d.426	12 N.J.R. 638(b)
6:20-5.3	Repeal rules on emergency State building aid	R.1980 d.425	12 N.J.R. 638(a)
6:20-5.4	Additional State school building aid	R.1979 d.479	12 N.J.R. 6(b)
6:20-6.2, 6.8	Amend purchase and loan of textbooks	R.1980 d.163	12 N.J.R. 251(a)
6:20-7	Amend qualifications, debarment, suspension and disqualification of person(s) concerning contract administration	R.1979 d.478	12 N.J.R. 6(a)
6:20-8	Rules on public school contracts	R.1980 d.69	12 N.J.R. 107(a)
6:21-1.4	Pupil transportation: retirement of school buses	R.1980 d.382	12 N.J.R. 569(e)
6:26-3.1	Amend operation of summer schools	R.1980 d.68	12 N.J.R. 106(a)
6:27-1.4	Amend high school graduation requirements	R.1980 d.106	12 N.J.R. 177(b)
6:27-3.1	Amend operation of summer schools	R.1980 d.68	12 N.J.R. 106(a)
6:29-7.1	Family life education	R.1980 d.164	12 N.J.R. 251(b)
6:29-7.1	Amend family life education programs	R.1980 d.353	12 N.J.R. 505(c)
6:31	Amend bilingual education	R.1980 d.70	12 N.J.R. 107(b)
6:39-1.3, 1.4	Amend Statewide assessment	R.1980 d.352	12 N.J.R. 505(b)
6:68-2	Amend library incentive grant program	R.1980 d.224	12 N.J.R. 307(b)

(Title 6, Transmittal 15 dated Nov. 13, 1979 includes all rules through Dec. 6, 1979 N.J. Register.)

ENVIRONMENTAL PROTECTION — TITLE 7

7:1-3	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:1-4	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:1A	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:1C-1.2, 1.6—1.10	Amend 90-day construction permits	R.1980 d.75	12 N.J.R. 113(d)
7:1C-1.9	Amend appeals	R.1980 d.312	12 N.J.R. 462(d)
7:1D	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:1E-1.3	Amend discharges of petroleum and other hazardous substances	R.1980 d.185	12 N.J.R. 314(a)
7:1E-1.3	Amend discharges of petroleum and other hazardous substances	R.1980 d.267	12 N.J.R. 392(b)
7:1E-1.3	Amend discharge of hazardous substances	R.1980 d.326	12 N.J.R. 463(a)
7:1F	Industrial survey project	R.1980 d.129	12 N.J.R. 259(c)
7:1F	Amend industrial survey project	R.1980 d.181	12 N.J.R. 313(b)
7:1G	Pinelands Comprehensive Management Plan	R.1980 d.370	12 N.J.R. 575(c)
7:1H	County environmental health services	R.1980 d.362	12 N.J.R. 514(a)
7:4-2.2(c)	Amend N.J. Register of Historic Places	R.1980 d.241	12 N.J.R. 391(b)
7:6-8	Motor vehicles using ice-covered waters	R.1980 d.88	12 N.J.R. 114(b)
7:7	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:7-2	Waterfront and coastal resource development	R.1980 d.375	12 N.J.R. 576(a)
7:7A-1.14	Amend appeals	R.1980 d.312	12 N.J.R. 462(d)
7:7E	Waterfront and coastal resource development	R.1980 d.375	12 N.J.R. 576(a)
7:8	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:9-1.98	Delete rule on other disinfectants	R.1980 d.182	12 N.J.R. 313(c)
7:9-3	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:9-15	Grants for restoring publicly owned freshwater lakes	R.1980 d.374	12 N.J.R. 575(e)
7:12	Amend condemnation of certain shellfish beds	R.1980 d.230	12 N.J.R. 391(a)
7:12-1.4	Delete rule on condemnation of certain Atlantic Ocean waters for shellfish harvesting	R.1980 d.48	12 N.J.R. 112(b)
7:13-1.11	Amend Green Brook floodway	R.1980 d.325	12 N.J.R. 462(e)
7:13-1.11(c)	Amend flood plain delineation of the Delaware River	R.1980 d.65	12 N.J.R. 113(b)
7:13-1.11(c)	Amend flood plain delineations; North Branch Rancocas Creek and Rancocas Creek; Burlington County	R.1980 d.76	12 N.J.R. 113(e)
7:13-1.11(c)	Amend flood plain delineation within the Delaware River Basin	R.1980 d.242	12 N.J.R. 391(c)
7:13-1.11(c)	Amend delineated floodways in the Delaware Basin	R.1980 d.251	12 N.J.R. 391(e)
7:13-1.11(d)	Amend delineated floodways in the Raritan Basin	R.1980 d.99	12 N.J.R. 181(b)
7:13-1.11(d)	Amend flood plain delineation of parts of the Rockaway River and Passaic River	R.1980 d.66	12 N.J.R. 113(c)
7:14-1.4	New definition of "treatment works"	R.1980 d.424	12 N.J.R. 642(b)
7:14-2.5	Amend water pollution control act regulations	R.1980 d.49	12 N.J.R. 112(c)
7:14-2.26	Wastewater treatment report	R.1980 d.58	12 N.J.R. 113(a)
7:14-5	Septage disposal	R.1980 d.277	12 N.J.R. 462(a)
7:15	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:23	Amend flood control bond grants	R.1980 d.297	12 N.J.R. 462(b)
7:25-1.7	Penalties for shellfish law violations	R.1980 d.395	12 N.J.R. 576(d)
7:25-4.8	Amend potentially dangerous species	R.1980 d.448	12 N.J.R. 643(b)
7:25-5	1980-1981 Game Code	R.1980 d.266	12 N.J.R. 392(a)
7:25-6	1981 Fish Code	R.1980 d.400	12 N.J.R. 577(a)
7:25-7.2	Amend oyster seed beds	R.1980 d.215	12 N.J.R. 314(d)
7:25-7.3	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:25-7.4	Oyster dredging prohibition	R.1980 d.216	12 N.J.R. 314(e)
7:25-7.4	Repeal rules prohibiting oyster dredging	R.1980 d.369	12 N.J.R. 575(b)
7:25-7.13	Crab dredging	R.1980 d.396	12 N.J.R. 576(e)
7:25-9.2	Penalties for shellfish law violations	R.1980 d.395	12 N.J.R. 576(d)
7:25-9.4	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:25-10	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:25-12.1	Amend preservation of clam resource	R.1980 d.521	13 N.J.R. 11(b)
7:25-14.9	Penalties for shellfish law violations	R.1980 d.395	12 N.J.R. 576(d)
7:25-15.1	Amend relay of hard clams	R.1980 d.161	12 N.J.R. 250(a)
7:25-17	Disposal of dead deer	R.1980 d.193	12 N.J.R. 314(c)
7:25-18	Marine fisheries	R.1980 d.394	12 N.J.R. 576(c)
7:25-19.1	Atlantic Coast harvest season	R.1980 d.373	12 N.J.R. 575(d)
7:25-20.1	Temporary fishing ban	R.1980 d.177	12 N.J.R. 313(a)
7:25-20.1	Temporary fishing ban	R.1980 d.184	12 N.J.R. 313(e)
7:25-20.1	List of nongame wildlife species of New Jersey	R.1980 d.390	12 N.J.R. 576(b)
7:26-3.2, 4.7	Amend registration and fees for solid waste collector/haulers	R.1980 d.250	12 N.J.R. 391(d)
7:26-5.4	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:27-18	Amend air pollution in non-attainment areas	R.1980 d.307	12 N.J.R. 462(c)
7:27A-1.4	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:28-12	Amend transportation	R.1980 d.191	12 N.J.R. 314(b)
7:28-24.15	Amend certification fees for nuclear medicine technology	R.1980 d.87	12 N.J.R. 114(a)

7:37-1.5(d)	Delete part of rules on urban neighborhood assistance program	R.1980 d.183	12 N.J.R. 313(d)
7:38	Wild and scenic rivers	R.1980 d.401	12 N.J.R. 577(b)
7:50	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)

(Title 7, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

HEALTH — TITLE 8

8:7-1.7	Amend health officer licensure	R.1980 d.317	12 N.J.R. 467(b)
8:7-1.9(a)	Amend health officer qualifications	R.1980 d.168	12 N.J.R. 272(c)
8:19	Newborn hearing screening program	R.1980 d.173	12 N.J.R. 273(d)
8:21-1.13	Amend drug labeling	R.1980 d.320	12 N.J.R. 467(e)
8:21-1.29	Labeling, sale and distribution of cosmetics for professional use only	R.1980 d.218	12 N.J.R. 317(a)
8:21-1.32, 1.33	Amend drug labeling	R.1980 d.320	12 N.J.R. 467(e)
8:21-6	Certified milk	R.1980 d.403	12 N.J.R. 579(a)
8:21-10	Amend designated fluid milk products	R.1980 d.539	13 N.J.R. 13(f)
8:22-2	Repeal mobile home park rules	R.1980 d.499	13 N.J.R. 13(c)
8:25-3.2(a)	Amend physical examinations regarding Youth Camp Safety Act standards	R.1980 d.169	12 N.J.R. 272(d)
8:30	Amend expiration date	R.1980 d.257	12 N.J.R. 406(a)
8:30-2.2	Appointment of administrator	R.1980 d.364	12 N.J.R. 518(b)
8:30-2.3	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:31-26.3	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:31-28.1, 28.3	Amend certification of need and designation of regional services	R.1980 d.528	13 N.J.R. 13(d)
8:31-30.1	Amendments concerning plan review fee	R.1980 d.256	12 N.J.R. 405(b)
8:31A-5.5	Amend hospital cost reporting procedures	R.1980 d.271	12 N.J.R. 407(a)
8:31A-6	1981 Hospital Rate Setting Rules in SHARE Manual	R.1980 d.269	12 N.J.R. 406(d)
8:31A-7	1981 SHARE guidelines	R.1980 d.270	12 N.J.R. 406(e)
8:31B-2	Uniform bill-patient summaries (inpatient)	R.1980 d.361	12 N.J.R. 517(b)
8:31B-3	Amend hospital procedural and methodological regulations	R.1980 d.455	12 N.J.R. 645(c)
8:31B-3.48	Utilization review	R.1980 d.318	12 N.J.R. 467(c)
8:31B-4	Amend hospital financial elements and reporting regulations	R.1980 d.453	12 N.J.R. 645(a)
8:31B-5	Utilization review	R.1980 d.318	12 N.J.R. 467(c)
8:33H	Policy manual for certificate of need reviews, long term care	R.1980 d.404	12 N.J.R. 579(b)
8:34-1.29, 1.30	Administrative experience regarding nursing home administrators	R.1980 d.170	12 N.J.R. 273(a)
8:37	Amend expiration date	R.1980 d.257	12 N.J.R. 406(a)
8:37-4.4(a)	Administrators and intermediate care facilities	R.1980 d.363	12 N.J.R. 518(a)
8:37-4.5	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:39	Amend effective date	R.1980 d.257	12 N.J.R. 406(a)
8:39-1.1	Amend definition of ancillary nursing personnel	R.1980 d.171	12 N.J.R. 273(b)
8:39-1.1, 1.11	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:39-1.13(h)	Administrators, long term care facilities	R.1980 d.365	12 N.J.R. 518(c)
8:39-1.15, 1.25	Amendments to Manual of Standards for Licensure of Long-Term Care Facilities	R.1980 d.258	12 N.J.R. 406(b)
8:42-1.8, 2.1, 2.8	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:42-3	Amend expiration date of standards, alcohol abuse residential and inpatient treatment facilities	R.1980 d.272	12 N.J.R. 407(b)
8:43-1.1	Definition of boarding home	R.1980 d.366	12 N.J.R. 518(d)
8:43-1.3	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:43-2.13	Amend Manual for Licensure of Residential Health Care Facilities	R.1980 d.529	13 N.J.R. 13(e)
8:43-4.1(a)	Amendments to standards for licensure of new boarding homes for sheltered care	R.1980 d.172	12 N.J.R. 273(c)
8:43-4.6	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:43-6.9	Amend Manual for Licensure of Residential Health Care Facilities	R.1980 d.529	13 N.J.R. 13(e)
8:43-9.2	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:43A-1.72	Amend expiration date of standards	R.1980 d.273	12 N.J.R. 407(c)
8:43A-3.1, 9.3	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:43B-5.1	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:43B-15.1, 16.1, 17.4	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:43F-1.1, 3.7	Employee health examinations	R.1980 d.399	12 N.J.R. 578(c)
8:50	Repeal rules on local boards of health and personnel	R.1980 d.402	12 N.J.R. 578(d)
8:51	Amend local board of health standards	R.1980 d.321	12 N.J.R. 467(f)
8:51-1.2(a)	Amend local board of health	R.1980 d.319	12 N.J.R. 467(d)
8:57-1.1—1.18	Amend reportable disease rules	R.1980 d.498	13 N.J.R. 13(b)
8:65-5.4	Amend maintenance of records and inventories	R.1980 d.360	12 N.J.R. 517(a)
8:65-10.1	Amend controlled dangerous substances	R.1980 d.322	12 N.J.R. 467(g)
8:65-10.2	Amend controlled dangerous substances	R.1980 d.323	12 N.J.R. 468(a)
8:65-10.4	Amend controlled dangerous substances	R.1980 d.327	12 N.J.R. 468(b)
8:65-10.8	Amend exempt chemical preparations	R.1980 d.180	12 N.J.R. 316(b)

8:65-11.7	Use of Dextropropoxyphene in narcotic treatment	R.1980 d.328	12 N.J.R. 468(c)
8:71	Deletions to list of interchangeable drug products	R.1980 d.254	12 N.J.R. 394(c)
8:71	Amend list of interchangeable drug products	R.1980 d.255	12 N.J.R. 405(a)
8:71	Additions to the list of interchangeable drug products	R.1980 d.263	12 N.J.R. 406(c)
8:71	Amend interchangeable drug products	R.1980 d.454	12 N.J.R. 645(b)

(Title 8, Transmittal 13 dated March 20, 1980 includes all rules through April 10, 1980 N.J. Register.)

HIGHER EDUCATION — TITLE 9

9:1-1.1	Amend definition of "college"	R.1980 d.524	13 N.J.R. 14(a)
9:2-2.8	Amend "visiting specialist" title at State colleges	R.1980 d.525	13 N.J.R. 14(b)
9:5-1.1, 1.2, 1.3, 1.4	Resident/non-resident tuition charges at public colleges and universities	R.1980 d.428	12 N.J.R. 661(a)
9:7-2.12	Amend Tuition Aid Grant and Garden State Scholarship Programs	R.1980 d.461	12 N.J.R. 661(b)
9:7-4.1	Amend Garden State scholarship eligibility requirements	R.1980 d.212	12 N.J.R. 317(b)
9:7-4.4, -6	Graduate fellowships	R.1980 d.462	12 N.J.R. 694(d)
9:7-6	Tuition Benefit Program	R.1980 d.324	12 N.J.R. 469(b)
9:9-5.2	Amend Graduate Insured Loan procedures and policies	R.1980 d.339	12 N.J.R. 520(a)
9:9-5.4	Amend Graduate Insured Loan	R.1980 d.339	12 N.J.R. 520(a)
9:11-1.13, 1.22	Amend student refunds and repayment	R.1980 d.523	13 N.J.R. 13(g)
9:16-1	Physician/dentist Loan Advisory Committee	R.1980 d.309	12 N.J.R. 469(a)

(Title 9, Transmittal 14 dated March 20, 1980 includes all rules through May 8, 1980 N.J. Register.)

HUMAN SERVICES — TITLE 10

10:37	Amend community mental health services	R.1980 d.479	12 N.J.R. 704(g)
10:44B	Standards on regulating adult foster homes, skill development homes and supervised apartments	R.1980 d.157	12 N.J.R. 278(e)
10:49-1.3	Amend disclosure of information	R.1980 d.90	12 N.J.R. 193(b)
10:49-1.12	Amend medical assistance claims	R.1980 d.278	12 N.J.R. 481(a)
10:49-1.17	Amend suspension of provider from Medicaid program	R.1980 d.501	13 N.J.R. 17(a)
10:49-1.18, 1.23	Amend nondiscrimination of handicapped recipients	R.1980 d.247	12 N.J.R. 418(d)
10:49-5.3, 5.4	Amend recipient fair hearings	R.1980 d.512	13 N.J.R. 17(f)
10:49-5.5	Amend fair hearing	R.1980 d.33	12 N.J.R. 86(f)
10:49-5.6	Amend recipient fair hearings	R.1980 d.512	13 N.J.R. 17(f)
10:49-6.8	Compromising claims	R.1980 d.502	13 N.J.R. 17(b)
10:49-7.1	Provider reinstatement	R.1980 d.378	12 N.J.R. 599(a)
10:50-1.2—1.4, 2.2, 2.5, 2.6	Amend transportation services	R.1980 d.93	12 N.J.R. 193(e)
10:51	Amend Pharmaceutical Services Manual	R.1980 d.469	12 N.J.R. 704(b)
10:51	Amend Pharmaceutical Assistance to Aged	R.1980 d.470	12 N.J.R. 704(c)
10:51-App.B,D	Amend Pharmaceutical Services Manual	R.1980 d.471	12 N.J.R. 704(d)
10:52-1.6	Amend outpatient hospital services	R.1980 d.313	12 N.J.R. 483(c)
10:52-1.6(c)	Amend out-patient hospital services	R.1980 d.45	12 N.J.R. 125(c)
10:52-1.6(c)	Reimbursement for outpatient hospital services	R.1980 d.337	12 N.J.R. 536(a)
10:52-1.7, 1.13	Amend Hospital Services Manual	R.1980 d.139	12 N.J.R. 278(a)
10:52-1.16	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:52-1.16	Abortions	R.1980 d.264	12 N.J.R. 419(b)
10:52-2.12	Assessment of interest on overpayments	R.1980 d.47	12 N.J.R. 126(a)
10:53-1.6	Special Hospital Services Manual	R.1980 d.392	12 N.J.R. 600(c)
10:53-1.14	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:53-1.14	Abortions	R.1980 d.264	12 N.J.R. 419(b)
10:53-2.17	Assessment of interest on overpayments	R.1980 d.217	12 N.J.R. 323(c)
10:54-1.1	Definition of specialist, Physician's Services Manual	R.1980 d.463	12 N.J.R. 703(d)
10:54-1.5(b)	Amend Physician's Services Manual	R.1980 d.138	12 N.J.R. 277(c)
10:54-1.9	Amend Physicians Services Manual	R.1980 d.91	12 N.J.R. 193(c)
10:54-1.19	Definition of specialist, Physician's Services Manual	R.1980 d.463	12 N.J.R. 703(d)
10:54-1.23	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:54-1.23	Abortions	R.1980 d.264	12 N.J.R. 419(b)
10:54-3	Amend Procedure Code Manual	R.1980 d.511	13 N.J.R. 17(e)
10:55-1.5(b)3.	Amend Prosthetic and Orthotic Services Manual	R.1980 d.89	12 N.J.R. 193(a)
10:58	Repeal of Independent Clinic Services Manual	R.1980 d.351	12 N.J.R. 536(d)
10:59-1.7, 1.8, 1.10, 1.11, 2.11	Repair of durable medical equipment	R.1980 d.510	13 N.J.R. 17(d)
10:60-2.5	Assessment of interest on overpayments	R.1980 d.46	12 N.J.R. 125(d)
10:63-1.4	Amend consultations in Long Term Care Manual	R.1980 d.340	12 N.J.R. 536(c)

10:63-1.4	Amend LTCM: Prior authorization for occupational therapy services	R.1980 d.477	12 N.J.R. 704(e)
10:63-1.14	Nurses' notes in long term care facilities	R.1980 d.393	12 N.J.R. 600(d)
10:63-3	Amend longterm care facilities rate review guidelines	R.1979 d.482	12 N.J.R. 42(b)
10:63-3.1	Amend penalties for delinquent cost studies	R.1980 d.211	12 N.J.R. 323(b)
10:63-3.5	Amend long-term care manual rate review guidelines	R.1980 d.42	12 N.J.R. 125(b)
10:63-3.18, 3.19	Long term care rate review guidelines	R.1980 d.377	12 N.J.R. 586(d)
10:63-3.21	Long-term care per diem rates	R.1980 d.341	12 N.J.R. 536(b)
10:66	Amend Independent Clinic Manual	R.1980 d.249	12 N.J.R. 418(f)
10:66-1.2	Amend Independent Clinic Manual: Specialist payments	R.1980 d.478	12 N.J.R. 704(f)
10:66-1.15	Amend changes of reimbursement for independent clinics	R.1980 d.248	12 N.J.R. 418(e)
10:66-4.18	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:67-1.8	Amend Psychologists Service Manual regarding prior authorization	R.1980 d.137	12 N.J.R. 277(b)
10:81-2.7	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-3.2, 3.3	Amend determination of presumptive eligibility	R.1980 d.77	12 N.J.R. 126(b)
10:81-3.8	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-3.17	Amend ways by which continued absence from the home may be established	R.1980 d.222	12 N.J.R. 324(a)
10:81-3.21	Amend residence requirement and support rights	R.1980 d.119	12 N.J.R. 194(d)
10:81-3.27	Amend documentation in AFDC transfers	R.1980 d.330	12 N.J.R. 483(f)
10:81-3.27, 3.28	Amend transfer of cases from one county to another	R.1980 d.41	12 N.J.R. 87(a)
10:81-3.32, 3.33, 3.34	Amend temporary absence from home by a parent, parent-person or child	R.1980 d.78	12 N.J.R. 126(c)
10:81-3.37, 3.38	Amend PAM: Identification of resources	R.1980 d.450	12 N.J.R. 664(b)
10:81-3.38	Amend temporary absence from home by a parent, parent-person or child	R.1980 d.78	12 N.J.R. 126(c)
10:81-3.38, 3.40	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-3.41(a)	Amend recovery of assistance granted on behalf of a child pending settlement of a claim	R.1980 d.80	12 N.J.R. 126(e)
10:81-3.42	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-7.1	Amend transfer of cases from one county to another	R.1980 d.41	12 N.J.R. 87(a)
10:81-7.13	Amend retention and destruction of case records	R.1980 d.81	12 N.J.R. 127(a)
10:81-7.22, 7.26	Amend payment of burial and funeral costs	R.1980 d.244	12 N.J.R. 518(a)
10:81-7.32	Amend subpoena notification	R.1980 d.329	12 N.J.R. 483(e)
10:81-8.20	Amend exemption of an institutionalized individual's wages	R.1980 d.188	12 N.J.R. 322(c)
10:81-App.D.	Amend residence requirements and assignment of support rights	R.1980 d.119	12 N.J.R. 194(d)
10:82-1.2	Amend ASH: Allowances	R.1980 d.294	12 N.J.R. 481(b)
10:82-1.4	Amend cross-references to Public Assistance Manual and incorporation of existing policy into the manual	R.1980 d.120	12 N.J.R. 194(e)
10:82-1.6	Amend Assistance Standards Handbook	R.1980 d.79	12 N.J.R. 126(d)
10:82-2.3	Amend grant effective date	R.1980 d.331	12 N.J.R. 484(a)
10:82-2.6	Amend institutionalized child, homemaker service, travel expenses and emergency assistance	R.1980 d.28	12 N.J.R. 86(c)
10:82-2.9	Amend Assistance Standards Handbook	R.1980 d.79	12 N.J.R. 126(d)
10:82-2.13	Amend ASH: Allowances	R.1980 d.294	12 N.J.R. 481(b)
10:82-2.14	Amend ASH	R.1980 d.332	12 N.J.R. 484(b)
10:82-2.14(f)	Amend the determination of monthly income of AFDC clients employed on a contractual basis	R.1980 d.82	12 N.J.R. 127(b)
10:82-2.20	Amend ASH	R.1980 d.332	12 N.J.R. 484(b)
10:82-3.1	Repeal ASH: Rules on resources	R.1980 d.451	12 N.J.R. 664(c)
10:82-3.2	Inclusion of burial plots as exempt resource	R.1980 d.383	12 N.J.R. 599(b)
10:82-3.2	Amend ASH: Savings	R.1980 d.442	12 N.J.R. 663(d)
10:82-3.7	Amend cross-references to Public Assistance Manual and incorporation of existing policy into the manual	R.1980 d.120	12 N.J.R. 194(e)
10:82-4.6	Disregard of certain allowances and payments in AFDC	R.1980 d.384	12 N.J.R. 599(c)
10:82-4.9	Amend ASH	R.1980 d.332	12 N.J.R. 484(b)
10:82-4.9(c)	Amend increase in monthly rates for foster care as established by DYFS	R.1980 d.83	12 N.J.R. 127(c)
10:82-4.13	Contributions of support by legally responsible relative	R.1980 d.389	12 N.J.R. 600(a)
10:82-5.4, 5.5	Amend Assistance Standards Handbook	R.1980 d.28	12 N.J.R. 86(c)
10:82-5.10	Amend Assistance Standards Handbook	R.1980 d.28	12 N.J.R. 86(c)
10:82-5.10(d)	Amend emergency assistance and victims of domestic violence	R.1980 d.166	12 N.J.R. 278(f)
10:85	Amend forms and references to forms in the general assistance program	R.1980 d.11	12 N.J.R. 86(a)
10:85-2.2	Amend GAM: Temporary and acting directors of municipal welfare	R.1980 d.505	13 N.J.R. 17(c)
10:85-3.1, 3.2	Amend general assistance procedures for persons released from State psychiatric institutions	R.1980 d.116	12 N.J.R. 194(a)

10:85-3.2	Amendments on fair hearings and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-3.2	Amend General Assistance Manual	R.1980 d.92	12 N.J.R. 193(d)
10:85-3.2	Amend work registration procedures in general assistance program	R.1980 d.122	12 N.J.R. 195(b)
10:85-3.2	Amend application on behalf of a critically ill or hospitalized client by an authorized agent	R.1980 d.152	12 N.J.R. 278(b)
10:85-3.2	Amend workfare	R.1980 d.153	12 N.J.R. 278(c)
10:85-3.2	Amend out-of-State individuals entering New Jersey medical facilities	R.1980 d.245	12 N.J.R. 418(b)
10:85-3.2	Amend GAM	R.1980 d.252	12 N.J.R. 419(a)
10:85-3.2	Amend General Assistance application process	R.1980 d.514	13 N.J.R. 18(a)
10:85-3.3	Allowance schedule	R.1980 d.310	12 N.J.R. 483(a)
10:85-3.3	Amend General Assistance Manual	R.1980 d.311	12 N.J.R. 483(b)
10:85-3.3	Treatment of funds in trust or joint accounts in GA eligibility	R.1980 d.388	12 N.J.R. 599(f)
10:85-3.3	Amend GAM: Referral for Medicaid	R.1980 d.466	12 N.J.R. 704(a)
10:85-3.3	Amend GAM: "Immediate need"	R.1980 d.486	12 N.J.R. 724(a)
10:85-3.3(c)	Amend determination of monthly income for persons employed on a contractual basis	R.1980 d.84	12 N.J.R. 127(d)
10:85-3.3(g)	Amend allowance schedules and medically needy individuals	R.1980 d.29	12 N.J.R. 86(d)
10:85-3.4	Treatment of funds in trust or joint accounts in GA eligibility	R.1980 d.388	12 N.J.R. 599(f)
10:85-3.4	Amend GAM: Savings	R.1980 d.452	12 N.J.R. 664(d)
10:85-3.5	Amend work registration procedures in general assistance program	R.1980 d.122	12 N.J.R. 195(b)
10:85-3.5	Amend General Assistance Manual	R.1980 d.311	12 N.J.R. 483(b)
10:85-3.6	GAM: Overpayments and underpayments	R.1980 d.391	12 N.J.R. 600(b)
10:85-4.6	Amend GAM: Emergency grants	R.1980 d.538	13 N.J.R. 18(d)
10:85-4.6(b)	Amend emergency assistance and victims of domestic violence	R.1980 d.167	12 N.J.R. 279(a)
10:85-4.8	Amend payment of burial and funeral costs	R.1980 d.436	12 N.J.R. 663(c)
10:85-5.2	Amend General Assistance Manual	R.1980 d.92	12 N.J.R. 193(d)
10:85-5.2	Amend GAM: Referral for Medicaid	R.1980 d.466	12 N.J.R. 704(a)
10:85-5.2	Amend GAM: Diagnostic-Related Group payments	R.1980 d.515	13 N.J.R. 18(b)
10:85-5.2, 5.3	Amend General Assistance Manual	R.1980 d.311	12 N.J.R. 483(b)
10:85-5.3	Amend fair hearing and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-5.3	Amend submission of Form GA-18	R.1980 d.531	13 N.J.R. 18(c)
10:85-5.3, 5.4	Amend general assistance clients in certain municipalities	R.1980 d.252	12 N.J.R. 419(a)
10:85-5.3, 5.5	Amendments on medical payments	R.1979 d.495	12 N.J.R. 43(a)
10:85-5.8, 5.9	Amend general assistance clients in certain municipalities	R.1980 d.252	12 N.J.R. 419(a)
10:85-6.3	Amend General Assistance Manual	R.1980 d.92	12 N.J.R. 193(d)
10:85-6.8	Amend general assistance clients in certain municipalities	R.1980 d.252	12 N.J.R. 419(a)
10:85-7.1—7.3	Amend fair hearing and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-7.3	Amend workfare	R.1980 d.153	12 N.J.R. 278(c)
10:85-7.6	Amend fair hearing and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-8.2	Amend GAM: Referral for Medicaid	R.1980 d.466	12 N.J.R. 704(a)
10:85-10	Amend workfare	R.1980 d.153	12 N.J.R. 278(c)
10:85-App. C	Amend allowance schedules and medically needy individuals	R.1980 d.29	12 N.J.R. 86(d)
10:85-App. C	Amend GAM: Income and allowance standards	R.1980 d.295	12 N.J.R. 482(a)
10:87-2.1	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-2.21, 2.29	Amend Food Stamp Manual	R.1979 d.459	12 N.J.R. 40(c)
10:87-3.18(b)	Amend criteria for student exemption from work registration	R.1980 d.30	12 N.J.R. 86(e)
10:87-3.18, 4.7	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-4.8	Amend exclusion of resources	R.1980 d.220	12 N.J.R. 323(d)
10:87-5.8	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-5.10	Amend Food Stamp Manual	R.1979 d.459	12 N.J.R. 40(c)
10:87-5.10	FSM: Shelter cost deductions	R.1980 d.387	12 N.J.R. 599(e)
10:87-6.9, 6.11 6.13, 6.15	Amend Food Stamp Manual	R.1980 d.459	12 N.J.R. 40(c)
10:87-6.16	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-7.18, 9.1	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-9.7	Amend Food Stamp Manual	R.1979 d.459	12 N.J.R. 40(c)
10:87-10	Amend Food Stamp Manual	R.1980 d.121	12 N.J.R. 195(a)
10:87-10.1	Amend retention period for source documents	R.1980 d.117	12 N.J.R. 194(b)
10:87-11.15, 11.20	Amend Food Stamp Manual	R.1979 d.422	12 N.J.R. 559(d)
10:87-12	Amend Tables in Food Stamp Manual	R.1979 d.477	12 N.J.R. 42(a)
10:87-12	Amend Food Stamp allotment and income	R.1980 d.296	12 N.J.R. 482(b)
10:87-12.1	Amend income deduction table	R.1980 d.154	12 N.J.R. 278(d)
10:87-12.1	Emergency amend FSM: Standard utility allowance	R.1980 d.418	12 N.J.R. 663(b)
10:89	Emerg. Home Energy Assistance	R.1980 d.497	12 N.J.R. 724(b)
10:90	Repeal Handbook for Home Services	R.1980 d.208	12 N.J.R. 323(a)
10:94-4.33	Amendments concerning Medicaid Only income eligibility levels	R.1980 d.223	12 N.J.R. 324(b)
10:94-5.8	Amend living allowance deductions	R.1980 d.187	12 N.J.R. 322(b)
10:94-5.8	Amend exemption of institutionalized individual's wages	R.1980 d.188	12 N.J.R. 322(c)
10:94-5.8(a)	Amendments concerning living allowance deductions	R.1980 d.27	12 N.J.R. 86(b)

10:99	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:100-1.23	Amend SSI payments	R.1980 d.221	12 N.J.R. 323(e)
10:100-3.5, 3.6, 3.7	Amend payment of burial and funeral costs	R.1980 d.246	12 N.J.R. 418(c)
10:102	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:104-1.19	Pre-adoption home studies in cases of foreign born children	R.1979 d.457	12 N.J.R. 40(b)
10:105	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:107	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:108	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:109-App.I, II	Salary increases for county welfare agencies' employees	R.1980 d.386	12 N.J.R. 599(d)
10:120- Foreword	Amend DYFS administrative foreword	R.1980 d.308	12 N.J.R. 482(c)
10:122	Amend child care standards	R.1980 d.314	12 N.J.R. 483(d)
10:122A	Recodify AFDC Foster Care	R.1980 d.314	12 N.J.R. 483(d)
10:122B	Recodify Family Day Care	R.1980 d.314	12 N.J.R. 483(d)
10:123-2	Boarding homes	R.1980 d.371	12 N.J.R. 586(c)
10:123-3	Adopt personal needs allowance	R.1980 d.358	12 N.J.R. 536(e)
10:130	Dependent/neglected children's shelters	R.1980 d.446	12 N.J.R. 664(a)

(Title 10, Transmittal 13 dated Nov. 13, 1979 includes all rules through Dec. 6, 1979 N.J. Register.)

CORRECTIONS — TITLE 10A

10A:32	Manual of standards for juvenile detention facilities	R.1980 d.14	12 N.J.R. 87(b)
10A:33	Repeal parole regulations	R.1980 d.367	12 N.J.R. 600(e)
10A:35	Repeal parole regulations	R.1980 d.367	12 N.J.R. 600(e)
10A:70-1	Parole Board rules	R.1980 d.359	12 N.J.R. 538(a)
10A:70-1.11	Temporary postponements of certain provision of Parole Act of 1979	R.1980 d.174	12 N.J.R. 335(a)
10A:70-1.11	Parole Board rules	R.1980 d.359	12 N.J.R. 538(a)
10A:70-8.1	Parole Board rules	R.1980 d.359	12 N.J.R. 538(a)
10A:71	Parole Board rules	R.1980 d.359	12 N.J.R. 538(a)
10A:71-3	Amend State Parole Board rules	R.1980 d.434	12 N.J.R. 665(a)
10A:71-3.3, 3.4, 3.19	Amended Rules of State Parole Board	R.1980 d.226	12 N.J.R. 335(b)
10A:71-3.20—3.28	Amend State Parole Board rules	R.1980 d.488	12 N.J.R. 724(c)
10A:71-7.15	Amend State Parole Board rules	R.1980 d.434	12 N.J.R. 665(a)
10A:71-7.16	Amend State Parole Board rules	R.1980 d.226	12 N.J.R. 335(b)
10A:71-7.18	Amend State Parole Board rules	R.1980 d.434	12 N.J.R. 665(a)

(Title 10A, Transmittal 4 dated Nov. 13, 1979 includes all rules through Jan. 10, 1980 N.J. Register.)

INSURANCE — TITLE 11

11:4-16.8(b)	Minimum standards for health insurance	R.1980 d.343	12 N.J.R. 538(b)
11:4-16	Minimum standards for health insurance	R.1980 d.176	12 N.J.R. 342(c)
11:4-17.6, 17.7	Minimum standards for health insurance	R.1980 d.343	12 N.J.R. 538(b)
11:4-18	Minimum standards for health insurance	R.1980 d.176	12 N.J.R. 342(c)
11:4-21	Life insurance policies—limited death benefit as alternative to underwriting	R.1980 d.265	12 N.J.R. 423(c)
11:5-1.15	Amend real estate business cards	R.1980 d.279	12 N.J.R. 484(d)
11:5-1.15(1)	Amend advertising	R.1980 d.52	12 N.J.R. 128(a)
11:5-1.15(m)	Amend advertising	R.1980 d.213	12 N.J.R. 343(a)
11:5-1.16	Amend listing agreements and contracts of sale	R.1980 d.408	12 N.J.R. 665(c)
11:5-1.16	Emergency amend contracts of sale and listing agreements	R.1980 d.409	12 N.J.R. 665(d)
11:5-1.16(c)	Amend advertising	R.1980 d.51	12 N.J.R. 127(e)
11:5-1.16(c)	Amend listing agreements and contracts	R.1980 d.214	12 N.J.R. 342(d)
11:5-1.16(c)	Amend contracts of sale and listing agreements	R.1980 d.274	12 N.J.R. 423(d)
11:5-1.28	Amend approved schools requirements	R.1980 d.441	12 N.J.R. 665(e)
11:5-1.32	Amend rental location operations	R.1980 d.447	12 N.J.R. 666(a)

(Title 11, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

LABOR AND INDUSTRY — TITLE 12

12:15-1.5	Contribution rates of governmental entities	R.1980 d.354	12 N.J.R. 543(a)
12:15-1.3	Maximum weekly benefit rates	R.1980 d.355	12 N.J.R. 543(b)
12:15-1.4	Taxable wage base under Unemployment Compensation	R.1980 d.356	12 N.J.R. 543(c)
12:17-10	Refund of unemployment benefits	R.1980 d.468	12 N.J.R. 724(e)
12:35	Assignment of employable general assistance recipients to worksites	R.1980 d.162	12 N.J.R. 280(b)
12:57	Amend wage orders for minors	R.1980 d.431	12 N.J.R. 666(d)
12:56	Amend Wage and Hour Law	R.1980 d.430	12 N.J.R. 666(c)
12:56-7.1	Emergency amend definition of "executive"	R.1980 d.506	13 N.J.R. 37(a)

12:58	Amend child labor rules	R.1980 d.432	12 N.J.R. 666(e)
12:60	Emergency amend prevailing wage rate determination	R.1980 d.410	12 N.J.R. 666(b)
12:105	Arbitration	R.1980 d.397	12 N.J.R. 605(a)
12:200	Amend liquefied petroleum gases	R.1980 d.143	12 N.J.R. 280(a)
12:235-1.5	Amend benefit rates	R.1980 d.357	12 N.J.R. 543(d)

(Title 12, Transmittal 12 dated January 17, 1980 includes all rules through April 10, 1980 N.J. Register.)

LAW AND PUBLIC SAFETY — TITLE 13

13:2-4	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-20, -23	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-23.31	Amend employment of police officers; combination sales	R.1980 d.526	13 N.J.R. 41(c)
13:2-24	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-24.9	Amend employment of police officers; combination sales	R.1980 d.526	13 N.J.R. 41(c)
13:2-26	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-26.1	Amend Division rules	R.1980 d.72	12 N.J.R. 156(a)
13:2-33, 36	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-40	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:19-10.3	Amend driver improvement school fees	R.1980 d.494	12 N.J.R. 727(a)
13:20-28	Inspection of new passenger vehicles and motorcycles	R.1980 d.345	12 N.J.R. 551(c)
13:21-2.3	Amend motor licensing statutory interpretation	R.1980 d.495	12 N.J.R. 727(b)
13:21-4.1	Amend statements of origin	R.1980 d.112	12 N.J.R. 209(c)
13:21-8.2	Amend driver proof of identity and date of birth	R.1980 d.493	12 N.J.R. 726(e)
13:21-14	Amend bus drivers	R.1980 d.114	12 N.J.R. 209(e)
13:21-20	Motor home title certificates	R.1980 d.474	12 N.J.R. 726(b)
13:22	Amend motor vehicle race tracks	R.1980 d.464	12 N.J.R. 726(a)
13:24-4.1	Amend emergency vehicle equipment	R.1980 d.485	12 N.J.R. 726(c)
13:25-8.5	Amend motorized bicycles	R.1980 d.113	12 N.J.R. 209(d)
13:28-1.54	Amend beauty culture notice requirements	R.1980 d.94	12 N.J.R. 208(b)
13:28-1.56	Beauty shop price posting	R.1980 d.229	12 N.J.R. 433(b)
13:28-2.6	Amend names of schools	R.1980 d.261	12 N.J.R. 434(c)
13:28-2.11	Amend non-English speaking student enrollment	R.1980 d.109	12 N.J.R. 209(a)
13:28-2.24	Amend student standards and requirements	R.1980 d.262	12 N.J.R. 434(d)
13:28-2.24	Repeal of part of rule exempting male beauty students from performing manicuring and facial work	R.1980 d.228	12 N.J.R. 433(a)
13:28-2.33	Amend beauty culture curriculum	R.1980 d.94	12 N.J.R. 208(b)
13:29-3.13	Repeal competitive bidding for services	R.1980 d.429	12 N.J.R. 672(c)
13:30-8.1	Amend fee schedules	R.1980 d.527	13 N.J.R. 41(d)
13:30-8.3	Amend general anesthesia rules	R.1980 d.423	12 N.J.R. 672(b)
13:30-8.4	Announcements of practice in special area of dentistry	R.1980 d.368	12 N.J.R. 609(a)
13:30-8.8	Amend emergency dental patient records	R.1980 d.457	12 N.J.R. 672(f)
13:30-8.9	Reporting of deaths and other medical incidents	R.1980 d.503	13 N.J.R. 40(a)
13:30-8.10	Display of names in dental offices	R.1980 d.509	13 N.J.R. 41(a)
13:33-1.11, 1.12 1.15, 1.16	Amend licensure requirements	R.1980 d.201	12 N.J.R. 348(c)
13:35-1.4	Amend approval of colleges of chiropractic	R.1980 d.492	12 N.J.R. 726(d)
13:35-6.16	Uses of amphetamines and sympathomimetic amines	R.1980 d.380	12 N.J.R. 609(c)
13:35-6.16(a)	Uses of amphetamines and sympathomimetic amines	R.1980 d.379	12 N.J.R. 609(b)
13:35-6.18	Provision of radiological services	R.1980 d.344	12 N.J.R. 551(b)
13:35-9	Certified nurse/midwife	R.1980 d.535	13 N.J.R. 41(e)
13:37-3.6, 4.1	Amend rules on foreign nurses and licensure by endorsement	R.1980 d.416	12 N.J.R. 671(a)
13:38-2.2	Amend examination equipment	R.1980 d.202	12 N.J.R. 348(d)
13:39-5.7, 5.11, 5.15	Amend reciprocal licensure	R.1980 d.259	12 N.J.R. 434(a)
13:39-6.9	Availability of records	R.1980 d.260	12 N.J.R. 434(b)
13:40-6.1	Repeal engineers' and surveyors' fee for transmittal of grades or certification	R.1980 d.417	12 N.J.R. 671(b)
13:41-1.2, 1.3	Amend rules governing use of seals	R.1980 d.445	12 N.J.R. 672(e)
13:41-3.2	Annual license fees and charges	R.1980 d.179	12 N.J.R. 348(a)
13:45A-9	Amend merchandise advertising	R.1980 d.200	12 N.J.R. 348(b)
13:45A-14.4, 14.5	Amend unit pricing of consumer commodities in retail establishments	R.1980 d.444	12 N.J.R. 672(d)
13:45A-16	Home improvement practices	R.1980 d.111	12 N.J.R. 209(b)
13:47A-25.3	Amend disclosure of material terms to wire services	R.1980 d.155	12 N.J.R. 284(a)
13:47C-1.1, 3.1	Amend firewood and cordwood rules	R.1980 d.421	12 N.J.R. 672(a)
13:47C-5	Precious metals sales	R.1980 d.420	12 N.J.R. 671(c)
13:47F	Repeal live poultry rules	R.1980 d.520	13 N.J.R. 41(b)
13:70-12	Amend claiming requirements	R.1980 d.95	12 N.J.R. 208(c)
13:70-29.56	Pick-Six pool	R.1980 d.286	12 N.J.R. 494(a)

(Title 13, Transmittal 15 dated February 15, 1980 includes all rules through March 6, 1980 N.J. Register.)

PUBLIC UTILITIES — TITLE 14**ENERGY — TITLE 14A**

14:3-7.9	Amend utility bill form	R.1980 d.299	12 N.J.R. 495(d)
14:3-7.9(b)	Estimated bills for residential customers	R.1980 d.44	12 N.J.R. 156(d)
14A:3-2.2, 2.11	Amend energy conservation	R.1980 d.281	12 N.J.R. 495(a)
14A:3-4.2, 4.4	Repeal gas burning ignition	R.1980 d.280	12 N.J.R. 494(c)
14A:3-8.2, 8.4, 9.2, 9.3, 9.4	Amend energy conservation	R.1980 d.281	12 N.J.R. 495(a)
14A:3-10	Energy conservation certificate of compliance	R.1980 d.282	12 N.J.R. 495(b)
14A:3-11	Used oil	R.1980 d.283	12 N.J.R. 495(c)
14A:3-11	Amend used oil rules	R.1980 d.513	13 N.J.R. 43(c)
14A:21	Residential Energy Conservation Service (RCS) Program	R.1980 d.516	13 N.J.R. 44(a)

(Title 14, Transmittal 13 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

(Title 14A, Transmittal 5 dated January 17, 1980 includes all rules through July 10, 1980 N.J. Register.)

STATE — TITLE 15

15:15-10	Amend Administrative hearings	R.1980 d.275	12 N.J.R. 362(a)
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(Title 15, Transmittal 11 dated May 17, 1979 includes all rules through June 5, 1980 N.J. Register.)

PUBLIC ADVOCATE — TITLE 15A

(Title 15A, Transmittal 1 dated March 20, 1978 includes all rules to date.)

TRANSPORTATION — TITLE 16

16:19	Repeal Traffic Operations Program to Increase Capacity and Safety	R.1980 d.415	12 N.J.R. 675(c)
16:21	State aid to counties and municipalities	R.1980 d.127	12 N.J.R. 215(a)
16:22	Urban revitalization, special demonstration and emergency projects	R.1980 d.333	12 N.J.R. 553(b)
16:28-1.3	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28-1.11	Speed limits: Terrill Road	R.1980 d.145	12 N.J.R. 289(c)
16:28-1.72, 1.77	Speed zones on Routes U.S. 206, N.J. 29	R.1980 d.346	12 N.J.R. 553(d)
16:28-1.81	Speed zones on Route N.J. 49	R.1980 d.346	12 N.J.R. 553(d)
16:28A-1.2	Amend restricted parking on U.S. Routes 1 and 9	R.1980 d.413	12 N.J.R. 675(a)
16:28A-1.7	Amend restricted parking	R.1980 d.292	12 N.J.R. 496(d)
16:28A-1.9	Amend restricted parking	R.1980 d.289	12 N.J.R. 496(a)
16:28A-1.19	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28A-1.19, 1.20	Amend restricted parking	R.1980 d.290	12 N.J.R. 496(b)
16:28A-1.21	Amend restricted parking	R.1980 d.289	12 N.J.R. 496(a)
16:28A-1.21	Restricted parking: Route 30	R.1980 d.347	12 N.J.R. 554(a)
16:28A-1.22	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28A-1.22, 1.25	Amend restricted parking	R.1980 d.289	12 N.J.R. 496(a)
16:28A-1.26	Amend restricted parking	R.1980 d.293	12 N.J.R. 496(d)
16:28A-1.26	Amend restricted parking	R.1980 d.290	12 N.J.R. 496(b)
16:28A-1.29	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28A-1.32, 1.33	Amend restricted parking	R.1980 d.291	12 N.J.R. 496(c)
16:28A-1.33	Emerg. amend restricted parking on Route 47	R.1980 d.414	12 N.J.R. 675(b)
16:28A-1.33	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28A-1.34	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28A-1.35	Amend restricted parking	R.1980 d.293	12 N.J.R. 496(d)
16:28A-1.46, 1.51	Restricted parking: Routes 130, 168	R.1980 d.347	12 N.J.R. 554(a)
16:28A-1.55	Restricted parking and speed zones on State highways	R.1980 d.475	12 N.J.R. 727(d)
16:28A-1.61	Amend restricted parking	R.1980 d.293	12 N.J.R. 496(d)
16:28A-1.61	Restricted parking: Route 41	R.1980 d.347	12 N.J.R. 554(a)
16:28A-1.61—1.63	Amend restricted parking	R.1980 d.292	12 N.J.R. 496(d)
16:30-3.1(c)	Amend lane usage on Route 35	R.1980 d.342	12 N.J.R. 553(c)
16:30-5.1	Amend traffic and parking at Metro Park Train Station	R.1980 d.128	12 N.J.R. 289(b)
16:31-1.4, 1.7	Turns along various State highways	R.1980 d.412	12 N.J.R. 674(a)
16:31-1.15	Turns along various State highways	R.1980 d.412	12 N.J.R. 674(a)
16:31A	Amend prohibited right turns on red signals	R.1980 d.518	13 N.J.R. 44(c)

(Title 16, Transmittal 13 dated March 20, 1980 includes all rules through April 10, 1980 N.J. Register.)

TREASURY-GENERAL — TITLE 17

17:1-1.3	Amend pension reporting	R.1980 d.301	12 N.J.R. 497(c)
17:1-4.13	Amend pension cash purchase discounts	R.1980 d.302	12 N.J.R. 497(d)
17:1-8.3	Emergency rule on Social Security referendum	R.1980 d.467	12 N.J.R. 728(b)
17:1-8.7, 8.8, 8.12	Amend pension reporting	R.1980 d.301	12 N.J.R. 497(c)
17:1-11.9	Repeal dental insurance coverage for covered dependents	R.1980 d.487	12 N.J.R. 729(a)
17:3-1.4	Amend teachers' pension member-trustee election	R.1980 d.405	12 N.J.R. 678(a)
17:3-3.4	Amend contributory insurance rate of contribution	R.1980 d.175	12 N.J.R. 354(a)
17:4-1.8, 1.11 3.3, 4.10, 6.7, 6.8, 6.12, 6.14	Amend Police and Firemen's Retirement System	R.1980 d.135	12 N.J.R. 290(a)
17:5-1.7	Amend State Police Retirement System	R.1980 d.209	12 N.J.R. 355(d)
17:5-5.7, 5.8	Amend State Police Retirement	R.1980 d.209	12 N.J.R. 355(d)
17:8-1.6	Amend variable benefit account and withdrawals	R.1980 d.530	13 N.J.R. 47(b)
17:8-2.10, 2.11	Repeal Supplemental Annuity reports and remittances	R.1980 d.419	12 N.J.R. 678(b)
17:8-3.3	Amend variable benefit account and withdrawals	R.1980 d.530	13 N.J.R. 47(b)
17:9-2.15	Amend major medical reimbursement	R.1980 d.300	12 N.J.R. 497(b)
17:12-1.1, 2.4, 2.5, 2.7, 2.8, 3.3	Amend administrative procedures of Purchase Bureau	R.1980 d.142	12 N.J.R. 293(a)
17:12-7.2(a)	Amendments concerning debarment, suspension and disqualification of a person	R.1980 d.141	12 N.J.R. 292(a)
17:16-5.5	Amend fund classification	R.1980 d.315	12 N.J.R. 497(e)
17:16-31.7— 31.12	Amend common Treasury Fund A	R.1980 d.235	12 N.J.R. 436(a)
17:16-41	Amend Cash Management Fund	R.1980 d.443	12 N.J.R. 679(a)
17:20-5.10	Emergency amend agent's compensation	R.1980 d.460	12 N.J.R. 681(a)
17:21-1.4	3-Of-A-Kind Instant Lottery	R.1980 d.372	12 N.J.R. 619(b)
17:21-8.1	Emergency amend unclaimed prize money	R.1980 d.459	12 N.J.R. 680(b)
17:21-12.1, 13.1	Emergency amend Pick-It and Pick-4 Lotteries	R.1980 d.458	12 N.J.R. 680(a)
17:21-15	Pick-6 (Lotto) Lottery	R.1980 d.136	12 N.J.R. 290(b)
17:21-15	Emergency amend Pick-6 (Lotto) lottery	R.1980 d.496	12 N.J.R. 730(a)
17:21-16	Emergency rules on Jersey Jackpot Lottery	R.1980 d.507	13 N.J.R. 45(a)

(Title 17, Transmittal 14 dated March 20, 1980 includes all rules through April 10, 1980 N.J. Register.)

TREASURY-TAXATION — TITLE 18

18:5-6	Amend Cigarette Tax Act	R.1980 d.194	12 N.J.R. 354(b)
18:7-3.6	Amend Corporation Business Tax Act and method of company tax and net income base	R.1980 d.146	12 N.J.R. 293(b)
18:12-1.1	Amend categories of nonusable deed transactions	R.1980 d.62	12 N.J.R. 162(a)
18:12-6, -6A	Amend home improvement exemptions	R.1980 d.253	12 N.J.R. 436(b)
18:12-6A.6	Adoption on home improvement exemption	R.1980 d.335	12 N.J.R. 554(c)
18:12-7.12	Emergency amend Homestead Rebate filing date	R.1980 d.517	13 N.J.R. 47(a)
18:12-9	Moratorium on taxation of mobile homes as real property	R.1980 d.147	12 N.J.R. 293(c)
18:12A	Amend county boards of taxation	R.1980 d.490	12 N.J.R. 731(a)
18:12A-1.7(c)	Amend filing fees and county boards of taxation	R.1980 d.148	12 N.J.R. 293(d)
18:18-12.5	Amend the Motor Fuels Tax Act	R.1980 d.195	12 N.J.R. 354(c)
18:24-7.18	Amend sales and use tax; commercial motor vehicles	R.1980 d.197	12 N.J.R. 355(a)
18:24-7.19	Taxation of mobile homes	R.1980 d.149	12 N.J.R. 293(e)
18:24-14.3	Deletion of part of rule on hospital sales of meals	R.1980 d.196	12 N.J.R. 354(d)
18:24-15.2, 15.3, 15.6	Amend Sales and Use Tax Act	R.1980 d.489	12 N.J.R. 729(b)
18:24-16.1, 16.2 16.5—16.7	Amend coin-operated vending machines and appropriate sales tax	R.1980 d.150	12 N.J.R. 293(f)
18:24-22.1, 22.3	Amend floor covering and the Sales and Use Tax Act	R.1980 d.102	12 N.J.R. 224(d)
18:25	Emergency rules on Atlantic City Luxury Tax	R.1980 d.437	12 N.J.R. 678(c)
18:26	Amend transfer inheritance tax	R.1980 d.198	12 N.J.R. 355(b)
18:26-3.10, 5.14, 5.15	Amend transfer inheritance	R.1980 d.287	12 N.J.R. 497(a)
18:26-8.9, 9.14, 10.5, 11.15, 12.9	Amend transfer inheritance	R.1980 d.287	12 N.J.R. 497(a)
18:37	Spill Compensation and Control Act	R.1980 d.199	12 N.J.R. 355(c)
18:37	Emergency amend spill compensation and control tax	R.1980 d.484	12 N.J.R. 728(c)

(Title 18, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

TITLE 19 SUBTITLES A-L — OTHER AGENCIES (Except Casino Control Commission)

19:4-6.28	Amend district zoning regulations	R.1980 d.43	12 N.J.R. 164(a)
19:8-2.11	Amend concerning Garden State Arts Center	R.1980 d.189	12 N.J.R. 355(e)
19:8-7.3(b)	Amendments concerning inspection and obtaining authority records regarding State Police reports	R.1980 d.131	12 N.J.R. 294(a)
19:8-8	Special permits for oversize vehicles	R.1980 d.476	12 N.J.R. 732(c)
19:25	Election activity	R.1980 d.348	12 N.J.R. 557(a)
19:25	Lobbying	R.1980 d.350	12 N.J.R. 558(a)
19:25-8	Rules on lobbying disclosure	R.1980 d.349	12 N.J.R. 557(b)
19:25-16	Amend public financing of primary election for Governor	R.1980 d.491	12 N.J.R. 732(b)
19:25-19.1-19.6	Interim public financing of gubernatorial primary elections	R.1980 d.411	12 N.J.R. 681(b)

(Title 19, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

TITLE 19 SUBTITLE K — CASINO CONTROL COMMISSION

19:41-8.6	Amend withdrawal of applications	R.1980 d.159	12 N.J.R. 295(a)
19:41-8.8	Reapplication by natural persons	R.1980 d.160	12 N.J.R. 295(b)
19:41-9	Amend license fees	R.1980 d.483	12 N.J.R. 732(a)
19:45	Amend casino accounting and internal controls	R.1980 d.504	13 N.J.R. 48(a)
19:45-1.11	Amend casino licensee's organization	R.1980 d.232	12 N.J.R. 447(c)
19:47	Amend rules of the games	R.1980 d.132	12 N.J.R. 294(c)
19:47	Corrected version of amendments to rules of the games	R.1980 d.186	12 N.J.R. 357(a)
19:47-5.7(d)	Amend minimum wagers on Big-Six Wheel	R.1980 d.133	12 N.J.R. 294(d)
19:54	Amendments concerning the gross revenue tax	R.1980 d.134	12 N.J.R. 294(e)

(Title 19 Subtitle K, Transmittal 1 dated January 17, 1980 includes all rules through April 10, 1980 N.J. Register.)

(Continued from Page 20)

not in violation of this subchapter or any other New Jersey statute or regulation.

(c) Policyowners have the right to replace existing life insurance after indicating in or as part of the applications for life insurance that such is not their intention; however, patterns of such action by policyowners who purchase the replacing policies from the same agent shall be deemed prima facie evidence of the agent's knowledge that replacement was intended in connection with the sale of those policies, and such patterns of action shall be deemed prima facie evidence of the agent's intent to violate this subchapter.

11:4-2.10 Separability

If any provisions of this subchapter shall be held invalid, the remainder of the subchapter shall not be affected thereby.

EXHIBIT A

(To be used where the existing and proposed policies are written by different companies.)

(Name, address and telephone number of the insurance company)

IMPORTANT NOTICE REGARDING REPLACEMENT OF LIFE INSURANCE

Our agent is recommending to you that you purchase a life insurance policy from us. In connection with this purchase, you have indicated either as a result of his recommendation or at your own initiative, that you may terminate or change your existing policy issued by another insurance company or that you may obtain a loan from that company against your policy to pay premiums on the proposed policy. Any of these actions is a replacement of life insurance. This notice must be given to you, along with a form including preliminary information comparing the proposed policy with your existing policy to be replaced. Please read this notice and the Comparative Information Form carefully.

Whether it is to your advantage to replace your existing insurance coverage, only you can decide. It is in your best interest, however, to have adequate information before a decision to replace your present coverage becomes final so that you may understand the essential features of the proposed policy and of your existing insurance coverage.

To this end, we are required to give you a Policy Summary including complete information on the proposed policy no later than when the policy is delivered to you. In addition, we are required to notify the insurance company that issued your existing policy. That company may then furnish you with additional information concerning your existing policy. You may want to contact the company or its agent for further information and advice or discuss your purchase with other advisors. The information you receive will be of value to you in reaching a final decision.

If either the proposed policy or the existing insurance you intend to replace is a participating policy, you should be aware that dividends may materially reduce the cost of insurance and are an important factor to consider. Dividends, however, are not guaranteed.

You should also recognize that a policy which has been in existence for a period of time may have certain advantages to you over a new policy. If the policy coverages are basically similar, the premiums for a new policy may be higher because rates increase as your age increases.

Under your existing policy, the period of time during which the issuing company could contest the policy because of a material misstatement or omission on your application, or deny coverage for death caused by suicide, may have expired or may expire earlier than it will under the proposed policy. Your existing policy may have options which are not available under the policy being proposed to you or may not come into effect under the proposed policy until a later time during your life. Also, your proposed policy's cash values and dividends, if any, may grow slower initially because the company will incur the cost of issuing your new policy. On the other hand, the proposed policy may offer advantages which are more important to you.

If you are considering borrowing against your existing policy to pay the premiums on the proposed policy, you should understand that in the event of your death, the amount of any unpaid loan, including unpaid interest, will be deducted from the benefits of your existing policy thereby reducing your total insurance coverage.

After we have received your application and notified the other insurance company you will have twenty days from the date the proposed policy is delivered to you to cancel the policy issued on your application and receive back all payments you made to us.

(Alternate paragraph if a 20-day money-back guarantee is not provided.)

We are required by state regulation to delay the issuance of the policy for which you are making application for twenty days from the date on which we send your existing insurer notification that their policy will be replaced.

CAUTION:

If, after studying the information made available to you, you decide to replace the existing life insurance with our life insurance policy, you are urged not to take action to terminate or alter your existing life insurance coverage until after you have been issued the new policy, examined it and have found it to be acceptable to you. If you should terminate or otherwise materially alter your existing coverage and fail to qualify for the life insurance for which you have applied, you may find yourself unable to purchase other life insurance or able to purchase it only at substantially higher rates.

I have received and read a copy of this Replacement Notice.

(Signed) Date

EXHIBIT B

(To be used where the existing and proposed policies are written by the same company.)

(Name, address and telephone number of the insurance company)

IMPORTANT NOTICE REGARDING REPLACEMENT OF LIFE INSURANCE

Our agent is recommending to you that you purchase a life insurance policy from us. In connection with this purchase, you have indicated either as a result of his recommendation or at your own initiative, that you may terminate or change your existing policy issued by our company or that you may obtain a loan from our company against your existing policy to pay premiums on the proposed policy. Any of these actions is a replacement of life insurance. This notice must be given to you, along with a Comparative Information Form which includes

preliminary information comparing the proposed policy with your existing policy to be replaced. Please read this notice and the Comparative Information Form carefully.

Whether it is to your advantage to replace your existing insurance coverage, only you can decide. It is in your best interest, however, to have adequate information before a decision to replace your present coverage becomes final so that you may understand the essential features of the proposed policy and of your existing insurance coverage.

To this end, we are required to give you a Policy Summary including complete information on the proposed policy no later than when the policy is delivered to you. In addition, we will, at your request, furnish you additional information concerning your existing policy. You may want to discuss your purchase with other advisors. The information you receive will be of value to you in reaching a final decision.

If either the proposed policy or the existing insurance you intend to replace is a participating policy, you should be aware that dividends may materially reduce the cost of insurance and are an important factor to consider. Dividends, however, are not guaranteed.

You should also recognize that a policy which has been in existence for a period of time may have certain advantages to you over a new policy. If the policy coverages are basically similar, the premiums for a new policy may be higher because rates increase as your age increases. Under your existing policy, the period of time during which our company could contest the policy because of a material misstatement or omission on your application, or deny coverage for death by suicide, may have expired or may expire earlier than it will under the proposed policy. Your existing policy may have options which are not available under the policy being proposed to you or may not come into effect under the proposed policy until a later time during your life. Also, your proposed policy's cash values and dividends, if any, may grow slower initially because the company will incur the cost of issuing your new policy. On the other hand, the proposed policy may offer advantages which are more important to you.

If you are considering borrowing against your existing policy to pay the premiums on the proposed policy, you should understand that in the event of your death, the amount of any unpaid loan, including unpaid interest, will be deducted from the benefits of your existing policy thereby reducing your total insurance coverage.

(Additional paragraph if a 20-day money-back guarantee is provided.)

After we have issued your policy, you will have twenty days from the date the new policy is delivered to you to cancel the policy issued on your application and receive back all payments you made to us.

CAUTION:

If, after studying the information made available to you, you do decide to replace the existing life insurance with our company with a new life insurance policy issued by our company, you are urged not to take action to terminate or alter your existing life insurance coverage until after you have been issued the new policy, examined it and have found it acceptable to you. If you should terminate or otherwise materially alter your existing coverage and fail to qualify for the life insurance for which you have applied, you may find yourself unable to purchase other life insurance or able to purchase it only at substantially higher rates.

I have received and read a copy of this Replacement Notice.
(Signed) Date

EXHIBIT C

(Name, address and telephone number of insurance company)

IMPORTANT NOTICE REGARDING REPLACEMENT OF LIFE INSURANCE

You have indicated that you intend to replace an existing life insurance policy or policies in connection with the purchase of our life insurance policy. As a result, we are required to send you this notice. Please read it carefully.

Whether it is to your advantage to replace your existing insurance coverage, only you can decide. It is in your best interest, however, to have adequate information before a decision to replace your present coverage becomes final so that you may understand the essential features of the proposed policy and your existing insurance coverage.

You may want to contact your existing life insurance company or its agent for additional information and advice or discuss your purchase with other advisors. The information you received should be of value to you in reaching a final decision.

If either the proposed policy or the existing insurance you intend to replace is a participating policy, you should be aware that dividends may materially reduce the cost of insurance and are an important factor to consider. Dividends, however, are not guaranteed.

You should recognize that a policy which has been in existence for a period of time may have certain advantages to you over a new policy. If the policy coverages are basically similar, the premiums for a new policy may be higher because the rates increase as your age increases. Under your existing policy, the period of time during which the issuing company could (contest the policy because of material misrepresentation or omission concerning the medical information requested in your application, or)* deny coverage for death caused by suicide, may have expired earlier than it will under the proposed policy. Your existing policy may have options which are not available under the policy being proposed to you or may not come into effect under the proposed policy until a later time during your life. Also, your proposed policy's cash values and dividends, if any, may grow slower initially because the company will incur the cost of issuing your new policy. On the other hand, the proposed policy may offer advantages which are more important to you.

If you are considering borrowing against your existing policy to pay the premiums on the proposed policy, you should understand that in the event of your death, the amount of any unpaid loan, including unpaid interest, will be deducted from the benefits of your existing policy thereby reducing your total insurance coverage.

(Additional paragraph if direct-response insurer's solicitation proposes replacement, and a 20-day money-back guarantee is provided by the insurer.)

After we have issued your policy, you will have twenty days from the date the new policy is received by you to notify us you are cancelling the policy issued on your application and you will receive back all payments you made to us.

You are urged not to take action to terminate or alter your existing life insurance coverage until you have been issued the new policy, examined it and have found it acceptable to you.

*Use parenthetical language only when the application asks health questions.

- insurer and the policy number. In the event that a policy number has not been assigned by the existing insurer, alternative identification information such as an application or receipt number must be shown.
2. If the premium for the basic policy or any rider or benefit changes, indicate the changes; attached schedule, if necessary.
 3. If the death benefit for the basic policy or any rider or benefit changes, indicate the changes; attach schedule, if necessary.
 4. If the premium for benefits is not separable from the premium for the basic policy, insert "Included" in Basic Policy Premium.
 5. If more than one existing life insurance policy is to be replaced, a separate Comparative Information Form is to be provided for each such policy, or separate information is to be provided in one Comparative Information Form for each such policy, and a summary of all the separate policy information must also be included to the extent possible.

AGENT'S CERTIFICATION

I hereby certify that prior to taking an application for a policy, I have provided the applicant with the Notice Regarding Replacement of Life Insurance and that the information in this Comparative Information Form is true and correct to the best of my knowledge and belief.

..... (Date)
 (Signature of Agent)
 I have received and read a copy of this Comparative Information Form.
 (Date)
 (Signature of Applicant)

A public hearing on the proposed new rules will be held on Thursday, February 19, 1981, at 10:00 a.m. at the Department of Insurance, 201 East State Street, Trenton, New Jersey 08625.

Interested persons may appear at the hearing or present statements in writing relevant to the proposals on or before January 28, 1981 to Vincent Travis, Assistant Commissioner, at the above address.

The Department of Insurance may thereafter adopt rules concerning this subject without further notice.

(a)

INSURANCE

THE COMMISSIONER

Proposed Amend Life Insurance Solicitation

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17B:30-1 et seq. and 17:1C-6(e), proposes to amend N.J.A.C. 11:4-11.4, 11.5, and 11.6 concerning life insurance solicitation.

Full text of the proposed amendments follows (additions indicated in boldface thus).

11:4-11.4 Definitions

"Policy summary", for purposes of these rules, means a written statement describing elements of the policy, including but not limited to:

- 1-11. (No change.)
12. On the first page of any policy summary describing a policy containing cash values (a sticker may be attached for this purpose), the following statement:

"AN IMPORTANT NOTE ABOUT CASH VALUE POLICIES: The sale of most life insurance policies results in substantial costs to the insurance company for agent commissions, health evaluations and record keeping. Although this is a cash value policy, the cash values available in the policy's early years may be small or even nonexistent because of the company's need to recover these expenses. THIS MEANS THAT IF YOU VOLUNTARILY TERMINATE THE POLICY DURING THE FIRST FEW YEARS IT IS IN FORCE, YOU MAY INCUR A SUBSTANTIAL LOSS.

"Look carefully at the guaranteed cash surrender values shown below in this summary, and note how long it takes for the cash values to develop. If you do not plan to keep your policy in force for at least ten years, you might be well advised to return your policy for refund now and to seek a more appropriate form of life insurance."

11:4-11.5(e) For in-force premium-paying policies, policyholders shall have the right to obtain a Policy Summary at cost. The company may charge a reasonable fee for preparing this summary, not to exceed \$5.00, and may utilize reasonable assumptions in providing the cost disclosure information, so long as they are clearly disclosed. In calculating 10 and 20 year cost indexes, the initial cash value, defined as the cash value of the policy (exclusive of policy loans and the value of dividend accumulations or dividend additions but including any terminal dividend) on the policy anniversary at the beginning of the period for which the indexes are calculated, should be reflected as follows:

1. The "equivalent level death benefit" defined in N.J.A.C. 11:4-11.4 is reduced by the amount of the initial cash value;
2. The "guaranteed cash surrender value" determined in N.J.A.C. 11:4-11.4 is reduced by the amount of the initial cash value; and
3. The "equivalent level premium" determined in N.J.A.C. 11:4-11.4 is increased by 4.7619 percent of the amount of the initial cash value.

11:4-11.6(j) All advertisements, sales materials and sales presentations of individual life insurance products which fail to fully and fairly inform an applicant or prospective insured as to future premium changes, benefits, and related options, constitute a misrepresentation as to material facts.

11:4-11.6(k) With respect to life insurance products which require an additional first year premium, for which there are no comparable additional first year insurance benefits, and which also contain partial endowment benefits or their cash value equivalent, any statement or illustration in any advertisement, sales material, or sales presentation which uses such terms as "deposit", "accumulation", "interest at x percent", "double your money" and similar terms associated with fund accumulations and investment contracts is prohibited unless the insurer can demonstrate that all major characteristics customarily associated with such contracts are present. The name given to such products shall not include any term that implies a "deposit" or any similar term. No statement may be made or implied which purports to show that the partial endowment or cash value equivalent arises solely from the additional first year premium.

11:4-11.6(1) If the policy contains a provision permitting the making of voluntary deposits which will accumulate at interest, the nature thereof shall be disclosed, and such disclosure shall distinguish such deposit provision and the

insured's rights thereunder from any other premiums for the basic policy and riders.

A public hearing on these proposals will be held on Thursday, February 19, 1981, at 10:00 A.M. at the Department of Insurance, 201 East State Street, Trenton, New Jersey 08625.

Interested persons may appear at the hearing or present statements in writing relevant to the proposed amendments on or before January 28, 1981 to Vincent Travis, Assistant Commissioner, at the above address.

The Department of Insurance may thereafter adopt rules concerning this subject without further notice.

(a)

LABOR AND INDUSTRY

DIVISION OF WORKPLACE STANDARDS

Emergency Amend Definition of "Executive"

On November 20, 1980, William J. Clark, Assistant Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:11-56a and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 12:56-7.1(a)6 concerning the definition of "executive".

Full text of the adopted emergency amendment follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

12:56-7.1(a)6. Who is compensated for his services on a salary basis, exclusive of gratuities, board, lodging or other facilities, at a rate of not less than [§350] \$250.00 per week effective November [1,] 20, 1980.

An order adopting this rule was filed and became effective on November 20, 1980 as R.1980 d.506 (Exempt, Emergency Rule).

(b)

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Proposed Amend Various Regulations: Notice of Hearing

Joseph H. Lerner, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-1 et seq. proposes to amend various sections in N.J.A.C. 13:2-24, 38 and 39, and to repeal N.J.A.C. 13:2-24.4 and 13:2-41.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

13:2-24.4 [Unfair competition; credit practices] (Reserved)

[(a) Upon notice by a wholesaler or distributor of any alcoholic beverages to another wholesaler or distributor who offers for sale to retail licensees like or similar alcoholic beverage products, that a particular retail licensee is delinquent in payment for any delivery of alcoholic beverages originally sold upon credit terms in accord-

ance with N.J.A.C. 13:2-24.1(b)2, such noticed wholesaler or distributor may not sell or offer to sell like or similar alcoholic beverages to the delinquent retail licensee, except upon terms and conditions permitted by law or regulation to the noticing wholesaler or distributor. A sale or offer to sell on any terms of credit by the noticed wholesaler or distributor prior to satisfaction of delinquency shall establish that such noticed wholesaler or distributor has unfairly competed against the noticing wholesaler or distributor.

(b) In his discretion, the Director may accept an offer of a compromise in lieu of suspension for a violation of this Regulation of a fine of not less than \$750.00 for a first offense and of not less than \$1500.00 for subsequent offenses.]

13:2-24.6(a)3. i. Prices, inclusive of all discounts, allowances and differentials and other terms of sale, at which all products are offered for sale to retailers [during the calendar month following filing]; and

ii. (No change.)

[4. The Current Price List shall be filed with the Division of Alcoholic Beverage Control no later than the 15th day of each calendar month, shall become effective the first day of the following calendar month, and remain effective for that month.

5. The prices contained therein shall be filed independently by each individual filer, and no amendments or changes (except upon approval of the Director to correct bona fide clerical errors) shall be made therein prior to filing of the next monthly price list.

6. No manufacturer, supplier or wholesaler shall offer for sale, sell or deliver to any retailer and no retailer shall accept delivery from any manufacturer, supplier, or wholesaler of any alcoholic beverage upon terms other than those set forth in the seller's "Current Price List".

7. The Current Price List shall be a public record and nothing herein shall preclude any licensee selling alcoholic beverages to retailers from providing it directly to retailers by mail, through sales personnel or through publication in trade journals.]

(b) 1. Prices and other terms of sale contained in a Current Price List shall be independently established by each individual wholesale class licensee.

2. No amendment or change in a term or price of an item contained in a Current Price List shall be made within a period less than 24 hours of that term or items' last being established and no such change shall be effective until each salesperson (solicitor) employed by the trade-seller has been notified of the change in writing.

3. No licensee authorized to sell to retailers shall offer, sell or deliver to any retailer alcoholic beverages upon prices or terms other than those set forth in its effective Current Price List.

13:2-38.1 Retail Package sales hours

Subject to local option as expressed in Title 33 and N.J.A.C. 13:2-38.3, [N]no licensee shall sell or deliver, or allow, permit or suffer the sale or delivery of any alcoholic beverage at retail in its original container for consumption off the licensed premises or allow, permit or suffer the removal of any alcoholic beverage in its original or opened container from retail licensed premises [, on Sunday, or] before 9:00 A.M. or after 10:00 P.M. on any [other] day of the week; except that, whenever the sale of alcoholic beverages for consumption on the premises and off the premises or either thereof is authorized in any municipality by ordinance or rule or regulation of the Division of Alcoholic Beverage Control by the holder of a retail consumption or retail distribution license

such ordinance or rule shall authorize the sale by such licensees of malt alcoholic beverage in original bottle or can containers for consumption off the premises on the same days and during the same hours as the sale of alcoholic beverages for consumption on the premises is permitted and authorized in said municipality[.], pursuant to N.J.S.A. 33:1-40.3.

13:2-39.3 [Delinquent retailer credit notices] (Reserved)

[(a) Every wholesaler or distributor of alcoholic beverages who notices another wholesaler or distributor that an individual retail licensee is delinquent in payment for deliveries shall do so in good faith and shall:

1. Take all reasonable diligence to ascertain the accuracy of the outstanding indebtedness, including verification of same; and

2. Notify the delinquent retailer of the contents of the delinquency notice and the identity of all licensees noticed of the same, at the same time notification is given another wholesaler or distributor, or as soon thereafter as reasonably practicable; and

3. Maintain for two years a record of all wholesalers and distributors noticed, and the contents of the notice and the date thereof; and

4. Upon satisfaction of the delinquency, notice all wholesalers or distributors originally noticed of the delinquency within 3 business days, of such satisfaction by the same form and method as the original notice, and maintain proof of such notification and the contents thereof for 2 years.

(b) Any noticing wholesaler or distributor who fails to comply with the provisions of this regulation shall be presumed to have injured the business of an aggrieved retailer by discrimination, pursuant to subchapter 24 of these regulations, in terms of credit.

(c) Whenever the license of any retail licensee whose name is the subject of a delinquency notice is transferred or extended to another person, the name and address of the transferee shall be substituted by notice in the place and stead of the transferor, as of the date of license transfer, unless satisfaction of the delinquency has been made.

(d) Nothing herein is intended to preclude any action at law or equity to collect any debt or to recover for any injury to business or to preclude the creation or maintenance of credit information in a central clearing house, consistent with law.

(e) Nothing herein shall preclude a wholesaler or distributor from charging reasonable interest on delinquent accounts.]

SUBCHAPTER 41. [TRANSITIONAL PROVISIONS]

Reserved

13:2-41.1 [Power of the Director] (Reserved)

[The provisions of this subchapter are intended to provide the alcoholic beverage industry with reasonable time to comply with the newly adopted provisions of chapter 13 and to allow an orderly period of transition, following the elimination of the Wholesale Price List and Minimum Consumer Resale Price Book. Nothing herein shall be construed to limit the authority of the Director to take such other action as is necessary to protect the public interest.]

13:2-41.2 [Retail price stability] (Reserved)

[(a) During the first sixty (60) calendar days following the effective date of this regulation no retail licensee shall sell or offer to sell any alcoholic beverages in original containers for off-premises consumption at a price less than eighteen percent (18%) above the retailer's cost as defined in N.J.A.C. 13:2-24.8.

(b) During the sixty-first through the one hundred twentieth calendar days following the effective date of this regulation, no retail licensee shall sell or offer to sell any alcoholic beverages in original containers for off-premises consumption at a price less than nine percent (9%) above the retailer's cost as defined in N.J.A.C. 13:2-24.8.

(c) The provisions of this regulation shall expire upon conclusion of the period set forth in subsection (b) of this section.]

13:2-41.3 [Use of State assigned license numbers]

(Reserved)

[The provisions of N.J.A.C. 13:2-39.2 insofar as that regulation requires exclusive use of the State assigned license number on all delivery and transportation documents shall become effective ninety (90) days following the effective date of these regulations. All other provisions of N.J.A.C. 13:2-39.2 are effective immediately.]

13:2-41.4 [Sales and credit] (Reserved)

[(a) For purposes of the provisions of this chapter governing sales of alcoholic beverages to retail licensees the following provisions shall apply:

1. Where the order is placed before the effective date of these regulations and delivery occurs after the effective date, terms of sale shall be deemed to require payment within 30 days in accordance with the custom of the industry.

2. Where the order is placed and alcoholic beverages are delivered prior to the effective date of these regulations, but payment in full is not received as of the effective date, the provisions of N.J.A.C. 13:2-24.4 and 13:2-39.3 shall govern.

3. Beginning 90 days after the effective date of these regulations, no licensee privileged to sell at wholesale may sell or deliver any alcoholic beverage to any retail licensee who is delinquent in payment for transactions occurring prior to the effective date of these regulations unless the licensee selling at wholesale obtains the prior approval of the Director by the filing of a petition setting forth good cause therefor. The petition shall also include the terms and conditions of the delinquent transaction and all the terms for satisfaction thereof. In considering the petition, the Director must determine that the terms for satisfaction are under the circumstances, commercially reasonable and that such proposed terms do not otherwise violate the provisions of subchapter 24 of these regulations.]

13:2-41.5 [Emergency collection of Sales and Use tax on receipts from sale of alcoholic beverages]

(Reserved)

[(a) Pursuant to N.J.A.C. 13:2-33.3 and the provisions of this subchapter, it is found and declared that an emergency exists with respect to the collection and payment by licensees of Sales and Use Taxes on receipts from the sale of alcoholic beverages.

(b) Accordingly, the Minimum Consumer Resale Price List last previously filed with the Division and effective is continued in effect and said continuance is solely for the purpose of determining the Minimum Consumer Resale Price for the collection of Sales and Use Tax pursuant to N.J.S.A. 54:32B-2(d).]

Interested persons may present comments, statements or arguments in writing relevant to the proposed amendments on or before January 29, 1981 to the Director or orally at a public hearing to be conducted on January 20, 1981 at the offices of the Division of Alcoholic Beverage Control, Newark International Plaza (Fourth Floor), U.S. Routes 1 & 9 (Southbound), Newark, New Jersey 07114.

In addition to accepting comments with respect to the above proposed amendments, the public hearing agenda will include the credit provisions of subchapter 26 relating to cooperative purchases (N.J.A.C. 13:2-26.1(a) (6)).

The Director of the Division of Alcoholic Beverage Control may thereafter adopt the above proposed amendments without further notice.

(a)

LAW AND PUBLIC SAFETY

BOARD OF CERTIFIED PUBLIC ACCOUNTANTS

Proposed Amend Registered Municipal Accountant Examination

Daniel Weiss, President of the State Board of Certified Public Accountants in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:2B-34, proposes to amend N.J.A.C. 13:29-2.2 concerning examinations for the position of Registered Municipal Accountant.

Full text of the proposed amendment follows (deletions indicated in brackets [thus]).

13:29-2.2(a) Examinations will be held in [May and] November of each year, at a place designated by the board. Application must be filed [by March 1 for the May examination and] by September 1 for the November examination.

Interested persons may present statements or arguments in writing, orally or in person relevant to the proposed action not later than January 28, 1981 to:

John J. Meade
Executive Secretary
New Jersey State Board of
Certified Public Accountants
1100 Raymond Boulevard—Room 507A
Newark, New Jersey 07102

The Board of Certified Public Accountants may thereafter adopt this proposed regulation without further notice.

(b)

LAW AND PUBLIC SAFETY

BOARD OF OPTOMETRISTS

Proposed Advertising Regulations

Richard Appell, O.D., President of the Board of Optometrists in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:1-21 et seq., proposes to adopt new rules to be cited as N.J.A.C. 13:38-1.9 and 1.10 concerning advertising by optometrists and related matters. Rules previously proposed on this subject which are modified hereby can be found in the August 7, 1980 issue of the New Jersey Register at 12 N.J.R. 491(a).

Full text of the proposed new rules follows.

13:38-1.9 General advertising provisions

(a) An optometrist may, consistent with the provisions set forth herein, advertise to the consuming public the

availability for sale and offering of optometric services and ophthalmic goods or merchandise. In any advertising permitted by these regulations, an optometrist shall not use, employ, suffer, permit or condone any practice, statement or format which is false, fraudulent, misleading or deceptive. For the purpose of this regulation the term "advertising" shall mean any attempt directly or indirectly by publication dissemination, circulation or in any other way to induce a consumer to purchase or consider the purchase of optometric services or ophthalmic goods or merchandise.

(b) An optometrist may advertise by means of print or electronic media, including on premise signs, professional cards and appointment cards. An advertisement shall not directly or indirectly state or imply that an optometrist is licensed or regulated by the New Jersey Board of Optometrists.

(c) An optometrist may advertise fees for services to be rendered and prices for ophthalmic goods and merchandise offered for sale provided that:

1. The advertised service, goods or merchandise is provided for not more than the advertised amount;

2. All advertised fees or prices are clearly and conspicuously displayed and are set forth in the same type size;

3. Where a price is set forth for any optometric or ophthalmic device including, but not limited to, contact lenses, other lenses or eyeglass frames, the advertisement shall also contain the following:

i. A statement of the total dollar amount for the advertised merchandise, said amount to include the cost of all usual and necessary services and goods related thereto. An advertisement setting forth only a total dollar amount as authorized by this subsection shall also state the usual and necessary services included in the total amount;

ii. A statement of the separate prices for the advertised merchandise and all usual and necessary services and goods related thereto. The sum total of such statement shall be set forth and shall equal the total price to be paid for the advertised merchandise and related services and goods;

iii. Where an advertisement contains separate fees or prices, the same shall be set forth immediately adjacent to each other;

iv. A statement of a fee or price shall be set forth in a single dollar amount and shall not be stated in the form of a range of fees or prices.

(d) For the purpose of (c) above the term "usual and necessary services and goods" shall include at least the following: optometric examination and, where appropriate, contact lens evaluation fee, storage and sterilizing equipment (heat or cold method) and use instruction and follow-up care. Example:

1. John Doe, Optometrist	OR	John Doe, Optometrist	
Designer Frames	\$35.00	Designer Frames	\$95.00
Optometric Exam	35.00	(Price includes optometric exam and lenses)	
Lenses	20.00		
	\$90.00		
2. John Doe, Optometrist	OR	John Doe, Optometrist	
Contact Lenses	\$50.00	Contact Lenses	\$180.00
Contact Lens Evaluation	25.00	(Price includes optometric exam, contact lens evaluation, sterilizing equipment, instruction and follow-up care)	
Optometric Exam	50.00		
Sterilizing Equip.	30.00		
Instruction and Follow-Up Care	25.00		
	\$180.00		

Note: In both examples the total price may be set forth without specifically delineating the component services and goods contained therein. However, a "total price only" advertisement shall include and disclose the usual and necessary goods and services defined by this subsection.

(e) In the event that an advertisement contains a statement with regard to an advertiser's refund policy, such policy shall clearly and conspicuously set forth all material conditions such as relevant time periods and dollar amounts to be refunded.

(f) An advertisement offering frames or lenses shall specifically identify the type of frames or lenses being offered such as single vision, bifocal, trifocal, etc., glass, plastic or other material.

(g) An advertisement shall not directly or indirectly state or imply that the advertiser possesses professional superiority with regard to services or merchandise offered or with regard to apparatus, equipment or technology utilized by such advertiser. The use of such terms as specialist, specialty, expert or words of similar import or a listing of professional affiliation shall be deemed to indicate a claim of professional superiority.

(h) An advertisement shall not contain any statement or listing of an inactive, retired, removed or deceased optometrist or any other ocular practitioner except that for a period of not more than two years from the date of succession to the practice of another optometrist, an optometrist may use a telephone listing of such prior optometrist together with the words "succeeded by" or "successor to".

(i) An optometrist may be listed in the classified section of any directory under the classification entitled "Optometrist", "Doctors of Optometry", or any other designation which is not misleading. Such listing shall show the address or addresses for which a valid, unrevoked, active certificate has been issued to practice optometry in this State.

(j) It shall be an unlawful advertising practice for an optometrist licensed by the New Jersey Board of Optometrists to:

1. Use or employ any advertisement containing colored, flashing or neon lights;

2. Employ endorsements or personal testimonials attesting to the quality of services rendered or merchandise

3. Guarantee that services rendered will result in cures received;

of any optometric or visual abnormality;

4. Utilize any advertising format or presentation which is undignified or unprofessional in nature;

5. Engage in any form or method of advertising wherein the advertised medium limits access thereto to a closed, limited or designated class of optometrists;

6. Fail to retain a copy of any advertisement appearing in the print media and a video or audio tape of every advertisement communicated by electronic media for a period of three years following the date of publication or dissemination. Such copies or tapes shall be made available on request by the Board or its designee;

7. Fail to substantiate the truthfulness or accuracy of any assertion or representation set forth in an advertisement.

13:38-1.10 Optometric practice under assumed names; disclosure of practitioner names

(a) Except as may be authorized by the Professional Service Corporation Act, N.J.S.A. 14A:17-1 et seq., a licensed optometrist shall not practice under a name other than his own.

(b) A licensed optometrist who is also an officer of a professional service corporation which renders optometric services or sells ophthalmic merchandise shall:

1. In all advertising placed by such corporation cause to be conspicuously disclosed the names of all corporate officers who are licensed to practice optometry within this State;

2. Cause the names of all optometrists who render optometric services in connection with such corporation to be displayed in a conspicuous place at the entrance to the premises from which optometric services are rendered;

3. File with the Board of Optometrists by March 31 of each year a copy of that report required to be filed pursuant to N.J.S.A. 14A:17-15 showing the names and post office addresses of all shareholders, directors, and officers of such corporation. In addition thereto, the report shall include the names and addresses of all licensed optometrists employed by the corporation.

(c) It shall be the joint and several responsibility of all corporate officers holding licenses to secure compliance with this section.

(d) In all advertising placed by a sole practitioner of optometry or by a partnership engaged in the practice of optometry, the name of the sole practitioner and the names of all partners shall be conspicuously set forth.

(e) A sole practitioner of optometry and all licensed optometrists offering services as partners in a partnership shall cause the names of all licensees offering optometric services in connection with the sole proprietorship or the partnership to be displayed in a conspicuous place at the entrance to the premises from which optometric services are rendered.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 29, 1981 to:

Jan Flanagan, Executive Secretary
New Jersey Board of Optometrists
1100 Raymond Boulevard, Room 501
Newark, New Jersey 07102
Tel. No. (201) 648-2012

The New Jersey State Board of Optometrists may thereafter adopt rules concerning this subject without further notice.

(a)

LAW AND PUBLIC SAFETY

BOARD OF DENTISTRY

Reporting of Deaths and Other Medical Incidents

On November 14, 1980, Samuel Furman, D.D.S., President of the New Jersey State Board of Dentistry in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:6-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted a new rule to be cited as N.J.A.C. 13:30-8.9 concerning reporting of deaths and other medical incidents as proposed in the Notice published October 9, 1980 at 12 N.J.R. 607(c).

An order adopting this rule was filed and became effective on November 18, 1980 as R.1980 d.503.

(a)

LAW AND PUBLIC SAFETY BOARD OF DENTISTRY

Display of Names in Dental Offices

On November 14, 1980, Samuel E. Furman, D.D.S., President of the New Jersey State Board of Dentistry in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:6-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted a new rule to be cited as N.J.A.C. 13:30-8.10 concerning display of names in dental offices as proposed in the Notice published October 9, 1980 at 12 N.J.R. 608(a) but with inconsequential structural or language changes in the opinion of the Department.

Full text of the changed material follows (additions to proposal indicated in boldface thus; deletions from proposal indicated in brackets [thus]).

13:30-8.10(a) Every facility offering dental care to the public shall [have] legibly [displayed] display on all exterior signs or other means of exterior display **only those** [the name(s)] names of the [licensee(s)] licensees who are responsible for the administration of said facility.

An order adopting this rule was filed and became effective on November 21, 1980 as R.1980 d.509.

(b)

LAW AND PUBLIC SAFETY OFFICE OF WEIGHTS AND MEASURES

Repeal Concerning Live Poultry

On November 7, 1980, William J. Wolfe, Sr., State Superintendent of the Office of Weights and Measures in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 4:11-44 and in accordance with the applicable provisions of the Administrative Procedure Act, repealed N.J.A.C. 13:47F concerning live poultry as proposed in the Notice published October 9, 1980 at 12 N.J.R. 608(b).

An order adopting this rule was filed and became effective on December 3, 1980 as R.1980 d.520.

(c)

LAW AND PUBLIC SAFETY DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Employment of Police Officers And Combination Sales

On December 3, 1980, Joseph H. Lerner, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 13:2-23.31 and N.J.A.C. 13:2-24.9

concerning employment of police officers and combination sales as proposed in the Notice published October 9, 1980 at 12 N.J.R. 605(b) but with inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed and became effective on December 4, 1980 as R.1980 d.526.

(d)

LAW AND PUBLIC SAFETY STATE BOARD OF DENTISTRY

Fee Schedules

On October 24, 1979, Samuel E. Furman, D.D.S., President of the State Board of Dentistry in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:6-1 et seq. and in accordance with the applicable provision of the Administrative Procedure Act, adopted amendments to N.J.A.C. 13:30-8.1 concerning fee schedules as proposed in the Notice published September 6, 1979 at 11 N.J.R. 453(a).

An order adopting this rule was filed and became effective on December 4, 1980 as R.1980 d.527.

(e)

LAW AND PUBLIC SAFETY BOARD OF MEDICAL EXAMINERS

Certified Nurse/Midwife

On November 17, 1980, Edwin H. Albano, President of the Board of Medical Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-1 and 45:10-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 13:35-9 concerning the registering and regulation of the practice of certified nurse/midwife as proposed in the Notice published September 4, 1980 at 12 N.J.R. 547(b) but with subsequent substantive changes not detrimental to the public in the opinion of the Board.

Full text of the changed portions of the rule from that as originally proposed follows (additions to the proposal are indicated in boldface thus; deletions from the proposal indicated in brackets [thus]).

13:35-9.3(a)3. Standing orders for approved medications which may be dispensed by the C.N.M. which shall include identification, quantity, dosage and indications for use. [The above may include Controlled Dangerous Substances to be used only in a licensed health care facility;] **Other than parenteral local anesthesia, no Controlled Dangerous Substances may be used outside of a licensed hospital except upon prescription of the physician;**

13:35-9.3(c) Patients shall be ineligible for [care] management by a C.N.M. or by a lay midwife under certain circumstances. However, the C.N.M. **may perform all services within the scope of practice of a registered nurse acting at the direction and under the supervision of a licensed physician.** The criteria for ineligibility shall include, but are not limited to, the following:

13:35-9.5(g) The C.N.M. and the lay midwife shall perform immediate screening of the newborn; initiate im-

mediate procedures to resuscitate the newborn as necessary; report to a licensed physician all deviations from the normal which occur; record and report the birth.

13:35-9.6(b) The C.N.M. may provide postpartum care[;] and, notwithstanding the provisions of any other section of this [rule] subchapter, family planning, counseling and health screening.

An order adopting this rule was filed December 9, 1980 to become effective on January 8, 1981 as R.1980 d.535.

(a)

ENERGY

THE COMMISSIONER

Proposed State Agency Conformity with Energy Master Plan

Joel R. Jacobson, Commissioner of the Department of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq., proposes to adopt new rules to be cited as N.J.A.C. 14A:12 concerning State agency conformity with the Energy Master Plan.

This proposal implements the legislative intent expressed in the Department of Energy Act, N.J.S.A. 52:27F-1 et seq., that the actions, decisions, determinations and rulings of State Government with respect to energy shall to the maximum extent practicable and feasible conform with the Energy Master Plan.

This proposal is known within the Department of Energy and should be referred to in correspondence with the Department as Docket No. DOE 00-81-01.

The Department of Energy previously proposed rules concerning this subject on October 9, 1980 at 12 N.J.R. 610(a).

Full text of the proposal follows.

CHAPTER 12 STATE AGENCY CONFORMITY WITH THE ENERGY MASTER PLAN

SUBCHAPTER 1. ENERGY MASTER PLAN CONFORMITY DETERMINATIONS

14A:12-1.1 Purpose

(a) The purpose of this subchapter is:

1. To implement the legislative intent expressed in the Department of Energy Act, N.J.S.A. 52:27F-1 et seq., that the actions, decisions, determinations and rulings of State Government with respect to energy shall to the maximum extent practicable and feasible conform with the Energy Master Plan;

2. To describe the responsibilities of State agencies which are required to comply with the Energy Master Plan conformity provisions of the Department of Energy Act, N.J.S.A. 52:27F-1 et seq.;

3. To implement the Energy Master Plan conformity provisions in a manner which strikes a balance between the need to insure conformity of actions of State agencies with the Energy Master Plan and the need to promote efficiency in State programs; and

4. To provide procedures which foster intergovernmental cooperation and minimize duplicative effort and unnecessary delay, while making certain that the objectives of the Department of Energy Act, N.J.S.A. 52:27F-1 et seq., are satisfied.

14A:12-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Action with respect to energy" means the following when the State agency is the Board of Public Utilities: Any final action, decision, determination or ruling concerning:

1. Ratemaking determinations including the designing of provisions in a manner which strikes a balance between new rates or the modification of existing rates, but not including determinations concerning revenue requirements;

2. Rate petitions concerning landfill disposal rates and the issuance of new landfill certificates of public convenience and necessity;

3. Generic proceedings including investigations of forecasting practices, cost-of-service methodologies, and other rate structure standards and practices; and

4. Implementation of federal laws including Title I of the Public Utility Regulatory Policies Act of 1978, the fuel conversion requirements of the Powerplant and Industrial Fuel Use Act of 1978, the provisions governing pricing under the Natural Gas Policy Act of 1978, and other discretionary actions under Federal Energy Regulatory Commission and Economic Regulatory Administration rules and regulations.

"Action with respect to energy" means the following when the State agency is the Department of Environmental Protection, or the Tidelands Resources Council: Any final action, decision, determination or ruling concerning:

1. The siting of energy facilities;

2. Classification or changes in classifications of public lands as it may impact on electric transmission or pipeline corridor siting;

3. New Jersey Pollution Discharge Elimination System Permits for energy facilities;

4. Approval or certification of permits to the Environmental Protection Agency which directly or indirectly affect Prevention of Significant Deterioration (PSD) determinations of energy facilities;

5. The revised State Implementation Plan (SIP) for the attainment and maintenance of National Ambient Air Quality Standards; and

6. The sulfur in fuels regulations, N.J.A.C. 7:27-9.1 et seq. and 10.1 et seq.

"Action with respect to energy" means the following when the State agency is the Department of Transportation, any final action, decision, determination or ruling concerning any project for which the Department of Transportation prepares an environmental impact statement pursuant to either Executive Order No. 53 (1973) or the National Environmental Policy Act.

"Department" means the New Jersey Department of Energy.

"Energy Master Plan" means the New Jersey Energy Master Plan adopted by the Department pursuant to N.J.S.A. 52:27F-14.

"State agency" means the Board of Public Utilities, the New Jersey Department of Environmental Protection, and the New Jersey Department of Transportation.

14A:12-1.3 Conformity with the Energy Master Plan

No State agency shall take any action with respect to that its action is, to the maximum extent practicable and feasible, in conformity with the Energy Master Plan. energy unless the State agency makes a determination

14A:12-1.4 Conformity determinations

Whenever a State agency takes any action with respect

to energy, the State agency shall make a determination that its action is, to the maximum extent practicable and feasible, in conformity with the Energy Master Plan. The State agency shall include in any final action, decision, determination or ruling with respect to energy a statement that its action is, to the maximum extent practicable and feasible, in conformity with the Energy Master Plan. The statement shall be based upon an evaluation of the relevant provisions of the Energy Master Plan. In addition, the State agency's final action shall include information sufficient to support its conformity determination.

Interested persons may present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

Gerard Burke, Administrator
Office of Regulatory and Governmental Affairs
New Jersey Department of Energy
101 Commerce Street
Newark, New Jersey 07102

The Department of Energy may thereafter adopt rules concerning this subject substantially as proposed without further notice subject to N.J.S.A. 52:27F-25.

(a)

ENERGY

THE COMMISSIONER

Proposed Energy Audits and Energy Conserving Renovations of State Buildings

Joel R. Jacobson, Commissioner of the Department of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and the Energy Conservation Bond Act of 1980, P.L. 1980, c. 68, proposes to adopt new rules to be cited as N.J.A.C. 14A:13 concerning energy audits and energy conserving renovations of State buildings. This proposal implements the Energy Conservation Bond Act of 1980. The purpose of the proposal is to provide for energy audits and energy conserving renovations of State buildings in order to achieve a net reduction in energy consumption.

The Commissioner of the Department of Energy will annually submit to the State Treasurer and the Commission on Capital Budgeting and Planning a plan for the expenditures of funds from the Energy Conservation Fund established pursuant to section 14 of the Energy Conservation Bond Act of 1980. The Commissioner will also submit a copy of the plan to the Legislature.

The proposal (1) sets forth procedures for departments to submit requests for funding of energy audits and energy conserving renovations; (2) establishes criteria for ranking requests for energy audits and energy conserving renovations; (3) lists the energy conserving renovations eligible for funding; and (4) prescribes the contents of energy audits.

This proposal is known within the Department of Energy and should be referred to in correspondence with the Department as Docket No. DOE 002-81-01.

Full text of the proposed new rule can be obtained from the person and address below.

Interested persons may present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

Gerard Burke, Administrator
Office of Regulatory and Governmental Affairs
New Jersey Department of Energy
101 Commerce Street
Newark, New Jersey 07102

The Department of Energy may thereafter adopt rules concerning this subject substantially as proposed without further notice subject to N.J.S.A. 52:27F-25.

(b)

ENERGY

THE COMMISSIONER

Notice of Public Hearing on New Jersey Energy Master Plan

Please take notice that the New Jersey Department of Energy (NJDOE) intends to conduct a public hearing on the content of the Energy Master Plan. The Department of Energy Act requires the Energy Master Plan to be revised and updated at least every three years. N.J.S.A. 52:27F-14. The NJDOE adopted the present plan in October 1978. The purpose of this hearing is to solicit public input on the content and form of the updated Energy Master Plan.

The NJDOE will hold this public hearing on January 29, 1981 at 10:00 A.M. at:

New Jersey State Library
Archives Room
West State Street
Trenton, New Jersey

Persons who wish to speak at the hearing should contact the Office of Planning and Policy Analysis at (201) 648-3430 by January 23, 1981. Presentations will be limited to 15 minutes. Persons who request an opportunity to speak will be notified of their scheduled time. Persons scheduled to speak should bring five copies of their testimony to the hearing location on the date of the hearing.

Interested persons are also invited to submit written statements on the content and form of the updated Energy Master Plan by January 29, 1981 to:

Edward J. Linky, Administrator
Office of Planning and Policy Analysis
New Jersey Department of Energy
Room 507
101 Commerce Street
Newark, New Jersey 07102

This Notice is published as a matter of public information.

(c)

ENERGY

THE COMMISSIONER

Used Oil

On November 21, 1980, Joel R. Jacobson, Commissioner of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 14A:3-11 concerning the collection, storage, recycling, use and disposal of used oil as proposed in the Notice published October 9, 1980 at 12 N.J.R. 609(d).

An order adopting this rule was filed November 25, 1980 to become effective on January 26, 1981 as R.1980 d.513.

(a)

ENERGY

THE COMMISSIONER

Residential Energy Conservation Service (RCS) Program

On November 21, 1980, Joel R. Jacobson, Commissioner of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 14A:21 concerning the Residential Energy Conservation Service (RCS) Program as proposed in the Notice published October 9, 1980 at 12 N.J.R. 611(a) but with subsequent substantive changes not detrimental to the public, and inconsequential structural or language changes in the opinion of the Department.

A summary of the substantive changes from the rules as originally proposed follows.

1. N.J.A.C. 14A:21-1.2. Floor insulation has been added as an energy conservation measure. The references to materials which are now included in the definition of floor insulation have been deleted from the definition of rim joist insulation.

2. N.J.A.C. 14A:21-1.2. "Any other energy conservation measure designated by the Department and approved by the U.S. Department of Energy which saves energy" has been deleted as an energy conservation measure. The Department will provide notice and an opportunity for comment before including any additional energy conservation measures.

3. N.J.A.C. 14A:21-1.2. The following language has been deleted from the definition of payback: "This calculation procedure is subject to change if the Department develops or discovers a more efficient or informative method for calculating payback."

4. N.J.A.C. 14A:21-2.1. The beginning of the cycling period for sending program announcements has been delayed from January 1, 1981 until January 26, 1981.

5. N.J.A.C. 14A:21-3.6(b). An applicability criterion for rim joint insulation has been added.

6. N.J.A.C. 14A:21-8.2(a). Random inspections must be made of all program measures installed by participating installers except those measures listed in N.J.A.C. 14A:21-8.1(a), not just batt and blanket insulation.

7. N.J.A.C. 14A:21-9.2(a)(6). The amount of comprehensive public liability insurance which an installer must carry in order to participate in the program is now specified. The amount of insurance must not be less than \$100,000 for bodily injury for each person, \$300,000 for bodily injury for each occurrence plus \$100,000 for property damage for each occurrence.

8. N.J.A.C. 14A:21-9.8(b). Exclusion or removal from the Master Record no longer constitutes final agency action.

9. N.J.A.C. 14A:21-10.3(b). Lists of lenders must contain the following additional statement:

"THE STATE OF NEW JERSEY OFFERS LOW INTEREST HOME IMPROVEMENT LOANS FOR ENERGY CONSERVATION AND RENEWABLE RESOURCE MEASURES. ASK ONE OF THE LISTED LENDERS FOR ELIGIBILITY CRITERIA AND OTHER REQUIREMENTS."

10. N.J.A.C. 14A:21-14.4(b). Any covered utility which wishes to engage in the supply or installation of any energy conservation measure pursuant to the exception

contained in N.J.A.C. 14A:21-14.4(a) must submit a description of its program to the Board of Public Utilities in addition to the Department.

An order adopting this rule was filed November 25, 1980 to become effective on January 26, 1981 as R.1980 d.516.

(b)

TRANSPORTATION

THE COMMISSIONER

Notice of Correction

Take notice that N.J.A.C. 16:30-3.5 as it appears in the New Jersey Administrative Code should be numbered N.J.A.C. 16:30-3.6 and that N.J.A.C. 16:30-3.5 as it should have appeared was omitted. N.J.A.C. 16:30-3.5 can be found at 11 N.J.R. 471(c).

This Notice is published as a matter of public information.

(c)

TRANSPORTATION

THE COMMISSIONER

Prohibited Right Turns on Red Signals

On December 1, 1980, Louis J. Gambaccini, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:1A-5 and 39:4-183.27 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 16:31A concerning right turns on red signals prohibited as proposed in the Notice published November 6, 1980 at 12 N.J.R. 673(a).

An order adopting this rule was filed and became effective on December 2, 1980 as R.1980 d.518.

(d)

TREASURY

DIVISION OF TAXATION

Proposed Amend County Boards of Taxation

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:3-14, proposes to amend N.J.A.C. 18:12A-1.20 concerning county boards of taxation.

18:12A-1.20 [Effective date] Appeals; late filing

[These rules and regulations shall take effect upon filing with the Division of Administrative Procedure.] Where a petition of appeal to a county board of taxation is actually received by the board after August 15 of the tax year (except if August 15 shall fall on a Saturday, Sunday or holiday, then after the first business day immediately thereafter), the county board of taxation or the county tax administrator, if authorized by the board by resolution, shall not accept said petition of appeal for filing but shall forthwith return the same to the person filing it, together with the filing fee, if the filing fee accompanied said petition or was otherwise paid. The petition to be returned shall have endorsed thereon the date

of receipt and a statement "Petition is returned by reason of late filing", and shall be accompanied by a judgment of dismissal by the county board of taxation for late filing.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

Mr. J. Henry Ditmars
 Superintendent
 Local Property Tax Branch
 Division of Taxation
 West State and Willow Streets
 Trenton, New Jersey 08646

The Department of the Treasury may thereafter adopt these rules substantially as proposed without further notice.

(a)

TREASURY

STATE LOTTERY COMMISSION

**Emergency Rules on
 "Jersey Jackpot" Lottery**

On November 13, 1980, Gloria A. Decker, Executive Director of the State Lottery Commission in the Department of the Treasury, pursuant to authority of N.J.S.A. 5:9-7 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency new rules to be cited as N.J.A.C. 17:21-16 concerning the "Jersey Jackpot" lottery.

Sale of "Jersey Jackpot" tickets will commence on a date to be announced by the Executive Director and shall terminate approximately fifty-two weeks thereafter.

Full text of the emergency new rule follows.

**CHAPTER 21
 LOTTERIES**

...

SUBCHAPTER 16. JERSEY JACKPOT LOTTERY

17:21-16.1 Ticket description

(a) The game shall be known as the "Jersey Jackpot"; tickets to be issued for this game shall be clearly identified with the name of the game.

(b) The ticket will be multicolored, 1.6" x 4.0". The tickets will be packaged in lots of 100 per pack and distributed through the banking network to licensed agents.

(c) The ticket will contain on the front, a single five-digit number in large positive font and will have a small positive caption spelling out each digit beneath the digit.

17:21-16.2 Ticket pool and consignment

(a) One-hundred thousand tickets will constitute a pool. The Executive Director will determine the number of pools in excess of one to be issued on the date designated by the Executive Director.

(b) Licensed agents will accept on consignment pack(s) of tickets every Wednesday from the bank. The full settlement for all tickets consigned must be made at the bank. Failure to settle for the consignment on the appointed day will constitute a breach of agreement.

(c) Settlements for all tickets consigned, sold or unsold, will be prepared by the bank and forwarded to the New Jersey State Lottery Office in Trenton.

(d) The ticket price is \$0.50. The selling agent will be entitled to a five percent commission for each ticket sold. Banks will receive one percent commission on the gross sales generated by the agents.

(e) All issues of previously consigned tickets must be settled for in their entirety before any additional consignments are allowed. The banks will accept settlement for partially sold packs of tickets.

17:21-16.3 Determination of prizes

(a) Every Wednesday evening, a drawing shall be conducted to select a five-digit winning number.

(b) For each Lottery pool of 100,000 tickets, the following prizes shall be offered:

Lottery Number	Number of Prizes Per Pool	Prize Tier	Total Cost Per Pool
12345	1	\$5,000 (plus entry into G.P.D.)	\$5,000
x2345	9	\$ 100	\$ 900
xx345	90	\$ 50	\$4,500
xxx45	900	\$ 5	\$4,500
xxxx5	9,000	1 ticket	—

17:21-16.4 Claiming of prizes

(a) The winner of a prize shall be entitled only to the award of the largest prize for which he is eligible, as evidenced by his winning numbers. He shall be eliminated from lesser awards in the same drawing.

(b) Persons holding winning "Jersey Jackpot" free ticket and \$5,000 prizes may claim at any participating sales agent.

(c) N.J. Lottery Claim Centers are duly authorized to accept claims on all prize tiers. Prizes of \$50.00, \$100.00 or \$5,000 require claim form filing.

(d) All prizes must be claimed within one year of the drawing date. The Lottery reserves the right to change the date and method of the drawing if conditions so warrant. All winners, tickets, and transactions are subject to New Jersey State Lottery rules and regulations and State Law. All prize awards are subject to claim procedures, validation tests, and other applicable requirements of the New Jersey State Lottery. Tickets are void if:

1. Unissued;
2. Stolen;
3. Unreadable;
4. Mutilated;
5. Altered;
6. Counterfeit in whole or in part;
7. Misregistered;
8. Defective;
9. Miscut;
10. Printed or produced in error;
11. Multiply printed;
12. Blank or partially blank;
13. If anything other than exactly one five-digit number appears as a lottery number in gray ink;
14. If any digit is inconsistent with its caption;
15. If a five-digit number is not confirmed by the Lot-ID-Pool serial number; or
16. If a ticket fails any of the Lottery's other validation tests.

(e) Liability for void or nonconforming tickets, if any, is limited to the retail sales price of the ticket. The Commission is not responsible or accountable for lost or stolen tickets.

(f) In a pool consisting of 100,000 tickets, there can be realized 10,000 winners. The detailed breakdown can be found in Appendix A.

17:21-16.5 Jersey Jackpot Grand Prize Drawing

(a) If a "Jersey Jackpot" ticket holder for that drawing date has all five digits in the exact order, that person wins at least \$5,000 with a chance to win up to an additional \$500,000, by qualifying for the Jersey Jackpot Grand Prize Drawing.

(b) A Jersey Jackpot \$500,000 Grand Prize Drawing may be held when sales approximate 4 million tickets, or when 40 claims of \$5,000 are filed. Any variation of these requirements is at the sole discretion of the Executive Director.

(c) The \$5,000 claimants will be invited to attend the next scheduled Jersey Jackpot Grand Prize Drawing. The date and place will be announced by the Executive Director of the Lottery.

1. On that date, the \$5,000 claimants will have a chance to win:

i. Grand Prize, \$500,000 (\$50,000 a year for 10 years guaranteed);

ii. Second Prize, \$25,000 Cash;

iii. Third Prize, \$5,000 Cash;

iv. Fourth Prize, \$5,000 Cash;

v. Fifth Prize, \$5,000 Cash.

(d) The Jersey Jackpot Grand Drawing prizes in (c)1 above will be awarded in addition to the guaranteed \$5,000 prize won in the Weekly Jersey Jackpot Drawings.

(e) After announced termination of "Jersey Jackpot" sales, all winners of \$5,000 must file claim within 30 days of the final Drawing Date to be eligible to participate in the final \$500,000 Jersey Jackpot Grand Prize Drawing. If not claimed within 30 days, the winner is entitled to \$5,000 prize only.

(f) The \$500,000 prize (\$50,000 a year for 10 years) will be paid starting on the date of the drawing when the winner of said prize is determined. A minimum of \$500,000 is guaranteed to the Grand Prize Winner, or his or her estate. The prize will be paid yearly on or about the anniversary date of the Drawing.

(g) In addition to the prize structure set forth in this subchapter, incentive prize award bonuses shall be awarded to the lottery agents as per the following:

1. The agent selling the winning \$5,000 weekly prize ticket which ultimately wins the \$500,000 Grand Prize shall receive a bonus of \$5,000.

(h) The difference between the total amount of money available for awarding as cash prizes and 49.065 percent of the total revenues generated from the sale of lottery tickets in each lottery pool may be allocated to a fund for appropriation to the prize pool of past or future weekly lotteries, the next ensuing grand prize drawing, or as

otherwise directed by the Lottery Commission.

17:21-16.6 Grand Prize Drawing procedure

(a) All winners of \$5,000 will make claim with a lottery claim center agent. The agent will forward the claim to Lottery Headquarters via the banking network. The winner will sign the back of his ticket, and will surrender the ticket to the agent. The agent will provide the claimant with a copy of the claim form for his records.

(b) It is the responsibility of the agent to promptly turn into the Lottery, through the banking system, all \$5,000 winning tickets so that the winners are assured entry into the Grand Prize Drawing. The failure of a lottery agent to make timely returns of such claimed winning tickets shall be cause for disciplinary action and the imposition of appropriate penalties. The Lottery will provide for the safekeeping of all such winning tickets and claims until the date and time for the Grand Prize Drawing is designated by the Executive Director of the Lottery Commission.

(c) At the Grand Prize Drawing each of the names of the 40 finalists, having been previously validated, will be inserted into a ball and all of the balls will be placed in a plexi-glass sphere. The sphere will be given a thorough mix. Five balls will be drawn out and assigned to post positions, one through five, in the order in which they are drawn. The final determination of the top prize winner will be made as a result of drawing five envelopes from a drum. These envelopes shall contain the official results of five horse races, the winner of each race having a different post position, designated from one to five, inclusive. The first three envelopes drawn shall determine the winners of the third prize of \$5,000.00; the fourth envelope drawn shall determine the winner of the first prize of \$500,000; and the fifth and last envelope drawn shall determine the winner of the second prize of \$25,000.00.

(d) All determinations of winners shall be made by the Director of the Division of Lottery, whose judgment of said determinations shall be final.

17:21-16.7 Manner of conducting Jersey Jackpot Weekly Drawing

(a) A five-digit number shall be randomly selected by the spinning of five cylinders numbered zero to nine.

(b) The above five-digit selected number will compile the first, second, third, fourth and fifth digits, reading from left to right, of the five-digit winning number.

(c) In the event that the Jersey Jackpot Weekly Drawing cannot be conducted as prescribed above, the Executive Director shall have the authority to determine an alternate drawing procedure.

APPENDIX A
NEW JERSEY STATE LOTTERY
"JERSEY JACKPOT" WEEKLY GAME
PRIZE STRUCTURE

PER 4,000,000 - 50¢ TICKETS SOLD - \$1,820,000 REVENUE - \$888,000 PRIZE FUND (48.79%)

OCTOBER 3, 1980 - VERSION F

GET	PRIZE	ODDS	NUMBER OF WINNERS IN 1 POOL (100,000)	PRIZE COST IN 1 POOL (100,000)	PERCENT OF PRIZE MONEY
Last Digit	1 Ticket	1:11.1	9,000	\$	0.0%
Last 2 Digits	\$5	1:111.1	900	4,500	20.3%
Last 3 Digits	\$50	1:1,111	90	\$ 4,500	20.3%
Last 4 Digits	\$100	1:11,111	9	\$ 900	4.0%
Last 5 Digits	\$5,000 (plus entry into G.P.D.)	1:100,000	1	\$ 5,000	22.5%
	SUBTOTAL	1:10	10,000	\$ 14,900	67.1%

GRAND DRAWING (Held each time 40 - \$5,000 Prizes are Claimed)

GRAND PRIZE	\$500,000	1:4,000,000	1	\$252,000	28.4%
2ND PRIZE	\$25,000	1:4,000,000	1	\$ 25,000	2.8%
3RD PRIZE	\$5,000	1:1,333,333	3	\$ 15,000	1.7%
SUBTOTAL		1:800,000	5	\$292,000 x 1/40	32.9%
					TOTAL 100.0%

SUBTOTAL - Weekly Prizes = \$14,900 cost per 100,000 Tickets
 G.P.D. SUBTOTAL \$292,000 x 1/40 = \$7,300 cost per 100,000 Tickets
 = \$22,200 cost per 100,000 Tickets (48.79%)

An order adopting this rule was filed and became effective on November 20, 1980 as R.1980 d.507 (Exempt, Emergency Rule).

(a)

TREASURY

DIVISION OF TAXATION

Emergency Amend Homestead Rebate Filing Date

On December 1, 1980, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of P.L. 1976, c. 72 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted an emergency amendment to N.J.A.C. 18:12-7.12 concerning the extension of the filing date for homestead rebates.

Full text of the adopted emergency amendment follows (additions indicated in boldface thus).

18:12-7.12(d) The time for property owners to file their applications for a homestead rebate payable in 1981 pursuant to P.L. 1976, c. 72, including applications by shareholders in cooperative associations and those residing in properties of certain mutual housing corporations, has been extended to March 2, 1981.

An order adopting this rule was filed and became effective on December 1, 1980 as R.1980 d.517 (Exempt, Emergency Rule).

(b)

TREASURY

COUNCIL OF THE SUPPLEMENTAL ANNUITY COLLECTIVE TRUST

Variable Benefit Account and Withdrawals

On December 1, 1980, William J. Joseph, Secretary, Council of the Supplemental Annuity Collective Trust in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-107 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:8-1.6 and 17:8-3.3 concerning the variable benefit account and withdrawals as proposed in the Notice published November 6, 1980 at 12 N.J.R. 675(e).

An order adopting this rule was filed and became effective on December 5, 1980 as R.1980 d.530.

(c)

CASINO CONTROL COMMISSION

Proposed Amend Accounting and Internal Controls

Joseph P. Lordi, Chairman of the New Jersey Casino Control Commission, pursuant to authority of N.J.S.A. 5:12-1 et seq., proposes to amend N.J.A.C. 19:45-1.3, 1.8, 1.24 and 1.45 concerning accounting and internal controls.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

19:45-1.3 Licensee's system of internal control

(a) - (c) (No change.)

(d) The submission required by [subsection] (a) and (c) above [of this section] shall be accompanied by a report of an independent certified public accountant licensed to practice in New Jersey stating that the submitted system or changes thereto conform[s] in all respects to the standards of internal control set forth in the Casino Control Act and this regulation or in what respects the system or changes thereto do[es] not conform.

3. The licensee shall prepare a written response to the independent certified public accountant's reports required by (e) 1 and 2 above. The response shall indicate, in detail, the corrective actions taken. Such response shall be submitted to the Commission and Division within 90 days from receipt of the independent certified public accountants reports.

(f) - (i) (No change.)

19:45-1.8 Junkets

(a) (No change.)

(b) Each licensee involved in organizing and operating junkets shall file with the Commission and the Division either:

1. A report in advance of each junket, filed not less than 15 calendar days prior to the arrival date of the junket participants at the licensee's premises, and including but not limited to a listing of the names and addresses of the participants, scheduled arrival and departure dates, deposits required from the participants, complimentary services to be offered, the junket origin, and organizing junket representatives. If any of the participants change from the report originally submitted, notice of any new or substituted participants must be given to the Commission and Division prior to the arrival of the junket.

2. (No change.)

(c) (No change.)

19:45-1.24 Procedure for acceptance, accounting for and redemption of patrons cash deposits

(a) (No change.)

(b) A file for each patron shall be prepared manually or by computer prior to the acceptance of a cash deposit from a patron by a general cage cashier and such file shall include, at a minimum, the following:

1. The name of the patron accompanied by the signature of the general cashier indicating examination of the identification credentials;

2. The date and amount of each cash deposit initially accepted from the patron;

3. The date and amount of each check initially accepted from the patron, as a draw against a cash deposit;

4. The date and amount of each cash deposit redemption.

(b) - (p) (Renumber as (c) - (q) without change in text.)

19:45-1.45 Signatures

(a) Signatures shall:

1. - 3. (No change.)

4. Signify that the signer required by this [regulation] chapter to count or observe gaming chips and plaques has counted or observed the count of such chips and plaques and such count was made by breaking down stacks of chips to the extent necessary [, except in counts required under sections 19:45-1.21, 19:45-1.30 and 19:45-1.31 of this regulation].

(b) Signature records shall be prepared for each person required by the regulation to sign [or initial forms,] records and documents and shall include specimens of signatures [and initials] and titles of signers. Such signa-

ture records shall be maintained on a dated signature card filed alphabetically by name within a department. The signature records shall be adjusted, on a timely basis to reflect changes of personnel.

(c) (No change.)

Interested persons may present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

Joseph P. Lordi, Chairman
Casino Control Commission
379 West State Street
Trenton, New Jersey 08625

The New Jersey Casino Control Commission may thereafter adopt rules concerning this subject without further notice.

(a)

CASINO CONTROL COMMISSION

Accounting and Internal Controls

On November 17, 1980, Joseph P. Lordi, Chairman of the Casino Control Commission, pursuant to authority of N.J.S.A. 5:12-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to various sections in N.J.A.C. 19:45 concerning accounting and internal controls as proposed in the Notice published July 10, 1980 at 12 N.J.R. 447(b) but with inconsequential structural or language changes in the opinion of the Commission.

An order adopting this rule was filed and became effective on November 18, 1980 as R.1980 d.504.

(a)

ELECTION LAW ENFORCEMENT COMMISSION

Proposed Amend Public Financing of General Election for Governor

The New Jersey Election Law Enforcement Commission, pursuant to authority of N.J.S.A. 19:44A-6 and 19:44A-38, proposes to recodify N.J.A.C. 19:25-15.38 and 19:25-15.39 as sections 1 and 2 of a new subchapter 18 (Political Action Committees), and further proposes to amend the balance of N.J.A.C. 19:25-15 concerning public financing of the general election for the office of Governor by deleting the existing text and adopting new text therefor.

Copies of the 16 pages of the full text of this proposal may be obtained from or made available for review by contacting the Election Law Enforcement Commission at the address listed below.

A public hearing will be held February 9, 1981 at 10:00 A.M. at the offices of the Commission, National State Bank Building, Suite 1110, 28 West State Street, Trenton, New Jersey. Persons wishing to testify shall contact Gregory E. Nagy, Esq. at (609) 292-8700.

Interested persons may also present statements or arguments in writing relevant to the proposal on or before January 28, 1981 to:

Gregory E. Nagy, Esq.
New Jersey Election Law Enforcement Commission
28 West State Street, Suite 1114
Trenton, New Jersey 08608

The Election Law Enforcement Commission may thereafter adopt rules concerning this subject without further notice.

(b)

NEW JERSEY HIGHWAY AUTHORITY

Proposed Amend Towing Rates

The New Jersey Turnpike Authority, pursuant to authority of N.J.S.A. 27:23-29, proposes to amend N.J.A.C. 19:9-3.1 concerning towing rates.

Full text of the proposed amendment follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

19:9-3.1 Towing rates

(a) The towing rates are as follows:

1. Class 1 vehicles (24 hours):

i. Service charge, ~~20.00~~ **25.00**;

ii. ~~1.00~~ **1.50** per mile on Turnpike to a maximum of ~~30.00~~ **40.00**;

iii. (No change.)

2. Class 2-~~4~~**6** vehicles:

i. Service charge, ~~30.00~~ **45.00**;

ii. ~~2.00~~ **2.50** per mile on Turnpike (maximum of ~~ten~~ **10** miles) to a maximum of ~~50.00~~ **70.00**;

iii. An additional charge of ~~10.00~~ **10.00** for connecting air lines or removing axles; and

iv. An additional charge of ~~15.00~~ **15.00** for disconnecting drive shaft or removing chrome bumper.

[3. Class 5-6 vehicles:

i. Service charge, ~~40.00~~ **40.00**;

ii. ~~2.00~~ **2.00** per mile on Turnpike (maximum of ~~ten~~ **ten** miles) to a maximum charge of ~~60.00~~ **60.00**;

iii. An additional charge of ~~10.00~~ **10.00** for connecting air lines, disconnecting shafts or removing axles.]

[4]3. Winching and wrecking:

i. ~~20.00~~ **30.00** per hour for a light wrecker;

ii. ~~40.00~~ **60.00** per hour for a heavy wrecker;

iii. ~~100.00~~ **150.00** per hour for cranes in excess of 50,000 pounds.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1981 to:

New Jersey Turnpike Authority
New Brunswick, New Jersey 08903

The New Jersey Turnpike Authority may thereafter adopt rules concerning this subject without further notice.

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