

NEW JERSEY



REGISTER

**IN THIS ISSUE—
“INDEX OF ADOPTED RULES”**

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The New Jersey Register supplements the New Jersey Administrative Code. See the Index of Adopted Rules on Page 44 for the Registers that should be retained as an update to the Administrative Code.

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RULE PROPOSALS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Hearing Rules of Special Applicability Special Education Program

Proposed New Rule: N.J.A.C. 1:6A-5.5 Proposed Amendments: N.J.A.C. 1:6A-2.1, 2.2 and 4.2

Authorized By: Howard H. Kestin, Director, Office of
Administrative Law.
Authority: N.J.S.A. 52:14F-5e, f, g, h, n, o, and p.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

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

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-12.

The agency proposal follows:

Summary

These proposed amendments are in response to comments received on the Special Education hearing rules promulgated in this Register.

The proposed amendment to N.J.A.C. 1:6A-2.1(a)2 would raise from 30 days to 45 days the time in which a school board must re-

spond to a parent's request for some special education change for his or her child. Representatives of school boards contended that 30 days was too little time to evaluate the request adequately, and that such a short time limit might require school boards either to deny some meritorious requests, or to fail to issue the required notice.

The proposed amendment to N.J.A.C. 1:6A-2.2(b) is designed to rectify the situation where a school board has failed to issue the notice required by N.J.A.C. 1:6A-2.1(a)2. Failure to issue the notice required by N.J.A.C. 1:6A-2.1(a)2, might reflect, at the hearing, on the good faith of the school board in the action proposed, or might result in sanctions under N.J.A.C. 1:1-3.5. Failure to issue the notice required by N.J.A.C. 1:6A-2.2(b) could result, at the hearing, in a judgment against the school board, or in other sanctions under N.J.A.C. 1:1-3.5.

The amendments in N.J.A.C. 1:6A-4.2 set forth the guidelines for non-lawyer appearances in special education hearings. The rules are designed to fulfill the requirements of the Federal statute (20 USCA 1415(d)(1)) and the Federal regulations (34 CFR 300.508(a)(1)), and to ensure that parties will have the opportunity to be effectively assisted by qualified non-lawyers. At the same time, the rules provide some appropriate standards and controls for non-lawyer activities, consistent with the Federal law and the existing Office of Administrative Law rules and practice (N.J.A.C. 1:1-3.7(a), N.J.A.C. 1:1-3(b), and N.J.A.C. 1:1-3.5).

In general, the proposed rules recognize and incorporate the legal and ethical obligations of licensed attorneys. They also require of non-lawyers the same fair play and courtesy which are required of lawyers by the Supreme Court in its Disciplinary Rules of the Code of Professional Responsibility (Rules Governing the Courts of the State of New Jersey, p. 207 (1983)). The rules also establish some standards and controls in an attempt to address some special situations presented by the participation of non-lawyers in this capacity.

The Federal law provides that a qualified non-lawyer may appear with a party at a hearing, and therein act for the party. As such, the Federal law provides for non-lawyer activities at the hearing and in the presence of the party. In implementing the intent of the controlling Federal provisions, the proposed OAL rules also provide for certain non-lawyer activities outside of the hearing. The OAL rules are primarily concerned with assuring that any activities of a non-lawyer are properly controlled and, especially, that any communications by a non-lawyer are properly authorized.

The standards of conduct for lawyers are established and enforced by the New Jersey Supreme Court through its exclusive au-

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thority over the licensing and discipline of lawyers. N.J. Const., Art. 6, §2, P3. These proposed OAL rules attempt to establish some standards of proper non-lawyer behavior, attended by controls. The proposed rules clarify that non-lawyers, along with lawyers, will be subject to the case-oriented sanctions of N.J.A.C. 1:1-3.5, which include assessment of costs, if they engage in obstructive behavior. Non-lawyers will also be subject to exclusion from a hearing if they engage in obstructive behavior.

Under the proposed rules, communications by non-lawyers outside of the hearing will also be subject to appropriate controls. Communications and representations by lawyers are regulated by rule and by law. They are controlled by the New Jersey Supreme Court in exercise of its disciplinary authority. Presumption of authenticity exists for any communication or representation by a lawyer on behalf of a party. See *N.J. Highway Authority v. Renner* 32 N.J. Super 197, 200, aff'd, 18 N.J. 485 (1954). The law provides no such presumption nor any disciplinary procedure for non-lawyers. Therefore, some affirmative authorization of any non-lawyer communication is required, consisting of the party's presence at any oral communication and the party's signature on any written communication.

The amendments in N.J.A.C. 1:6A-5.5 set forth the procedure for reopening a hearing after the decision. The rule is based on the Rules of Court (R4:50-1).

Social Impact

The proposed amendments to N.J.A.C. 1:6A-2.1(a)2 and N.J.A.C. 1:6A-2.2(b) are intended to facilitate more thorough evaluation of parental requests, while ensuring a prompt response to those requests. The amendments attempt to balance the competing concerns of school boards, which need adequate time for their professional staffs to perform their responsibilities, and of parents, who require speedy resolution of their children's problems.

The proposed amendments to N.J.A.C. 1:6A-4.2 attempt to provide some standards and controls for non-lawyers, who appear at hearings, comparable to those already established for lawyers. The ability of the OAL to resolve special education cases fairly and efficiently is largely dependent on the behavior of the persons who appear at the hearings. While no person should be unduly limited in effectively appearing on behalf of a parent, no such individual can be permitted to impede the orderly, full and fair conduct of these matters to resolution.

The amendments of N.J.A.C. 1:6A-5.5 attempt to set standards for reopening a decision in order to alleviate the necessity for appeal in some situations. The rule attempts to balance the need for prompt, final resolution of a dispute, in the interests of the child, and the need for a decision to be reconsidered where it might work an injustice and injury to that child.

Economic Impact

The proposed amendments to N.J.A.C. 1:6A-2.1(a)2, N.J.A.C. 1:6A-2.2(b), and N.J.A.C. 1:6A-4.2 do not impose any new financial burdens on parties or State agencies.

The proposed amendment to N.J.A.C. 1:6A-5.5 could save the cost of an appeal where the reopening of a prior hearing might instead suffice as a means for reaching a satisfactory result. The rule contains factors for determining when reopening a hearing might be appropriate.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]). The full text of Chapter 6A (Special Education Program: Hearing Rules of Special Applicability) can be found at 15 N.J.R. 25(b), this issue.

1:6A-2.1 Commencement of matter by a board of education, parent or guardian: notice of action

(a) With respect to the referral, evaluation, classification or educational placement of a pupil, or to the provision of a free and appropriate education to a pupil under N.J.A.C. 6:28-1:

1. (No change.)

2. When a board of education is requested by a parent or guardian to make any change with regard to a pupil, the board shall send a written notice to the parent(s) or guardian of the pupil forthwith upon approving or denying the request, and in no event more than [30] **45** days from the date of the request.

1:6A-2.2 Hearing request by parent, guardian or board of education

(a) (No change.)

(b) When a board has failed to issue a notice of action pursuant to N.J.A.C. 1:6A-2.1(a)2, and a parent or guardian has requested a hearing, the board shall issue a notice of action no later than five days from receiving notice of the hearing request.

[(b)] (c) (No change in text.)

[(c)] (d) (No change in text.)

[(d)] (e) (No change in text.)

1:6A-4.2 Representation

(a) At a hearing, any party may be accompanied and advised by legal counsel or by individuals with special knowledge or training with respect to handicapped pupils and their educational needs, or both. **A person who accompanies and advises a party may, at the hearing, submit evidence, speak, make oral arguments, conduct direct and cross examinations and perform other similar activities for the party.**

(b) Any person who accompanies and advises a party shall be bound by these rules and shall comport himself or herself in a manner appropriate to the orderly conduct of a hearing. Any person who does not so act shall be subject to sanctions provided in N.J.A.C. 1:1-3.5. For an attorney at law, sanctions for obstructive behavior, under the appropriate provisions of N.J.A.C. 1:1-3.5, may include referral to the appropriate forum for discipline of the legal profession. For a non-lawyer, sanctions for obstructive behavior may include, in addition to the provisions of N.J.A.C. 1:1-3.5, appropriate limitations on the extent of participation including, where warranted, exclusion by the presiding judge from any participation in the case.

(c) Any written communication on behalf of a party shall be signed by the party or the party's lawyer. All oral communications by a person accompanying and advising a party shall be made in the presence of the party, except if made by the party's lawyer.

1:6A-5.5 Motion to reopen hearing

(a) Any party may file with the presiding judge, and serve on each other party, a motion to reopen the hearing no later than 10 days following the issuance of the decision.

(b) The judge may reopen the hearing for reasons of:

1. Mistake, inadvertence, surprise or excusable neglect;
2. Newly discovered evidence which would probably alter the decision and which, by due diligence, could not have been discovered in time for the hearing; or

3. Fraud, misrepresentation or misconduct of another party.

BANKING

(a)

DIVISION OF ADMINISTRATION

Home Mortgage Disclosure

Proposed Amendments: N.J.A.C. 3:1-9.4 through 9.21

Authorized By: Michael M. Horn, Commissioner,
Department of Banking.

Authority: N.J.S.A. 17:1-8.1 and 17:16F-11.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Dominick A. Mazzagetti, Deputy Commissioner
Department of Banking
CN 040
Trenton, NJ 08625

The Department of Banking thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-9.

The agency proposal follows:

Summary

The existing regulations of the Department of Banking require depository institutions to compile on a quarterly basis certain data for each mortgage loan application on residential real property located within the State of New Jersey or any Standard Metropolitan Statistical Area (SMSA) which encompasses portions of New Jersey. The regulations also provide that the depository institutions shall file compiled data with the Department on a quarterly basis, and that the Department will prepare for each institution the annual public disclosure statement required to be prepared.

The proposed amendments will remove some of the quarterly data compilation and filing requirements which are not necessary to satisfy State and Federal reporting requirements. The amendments will eliminate the Department's role in the preparation of the annual public disclosure statement whose function has been curtailed because of staff and budget reductions.

Social Impact

The Department will no longer prepare the annual public disclosure statements for depository institutions. The institutions will now be responsible for submitting this information, however, rather than having to prepare specific data for each mortgage application received, the institution can prepare aggregate data based on a SMSA instead.

The regulations will however continue to provide a mechanism by which the lending practices of depository institutions can be monitored by the Department.

Economic Impact

The Department will experience a cost savings resulting from the elimination of the Department's role in processing, analyzing and compiling the data filed with the Department.

The depository institutions will experience a savings in processing costs and time since they no longer have to prepare specific data for each application, however, these savings will be

offset by their having to prepare the annual public disclosure report which had previously been done by the Department.

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

3:1-9.4 Compilation of mortgage and home improvement loan data

(a) [Rules concerning data to be compiled are as follows.] **Data to be compiled:**

[1. For each mortgage loan application on residential real property located within the State of New Jersey or any SMSA which encompasses portions of New Jersey, each depository institution shall list by calendar quarter the following data upon final disposition of the application by the depository institution, in the format prescribed by section 5 of this subchapter:

- i. The Department codes for the county and municipality in which the residential real property is located;
- ii. The Department code for the SMSA in which the residential real property is located;
- iii. The number of the census tract in which the residential real property is located;
- iv. Whether the mortgage loan was originated or purchased;
- v. Whether the mortgage loan was closed, the commitment expired or was denied;
- vi. Whether the residential real property is to be owner or non-owner occupied;
- vii. Whether the mortgage loan is a residential mortgage loan or a home improvement loan;
- viii. Whether the property is either a one to four family dwelling or a multi-family (over 4 dwelling unit) dwelling;
- ix. Whether the mortgage loan is Federally guaranteed, conventional or a New Jersey Mortgage Finance Agency loan;
- x. The principal amount of the residential mortgage or home improvement loan;
- xi. The purchase price of the residential real property securing the residential mortgage loan; in lieu of purchase price, the appraised or assessed value of the residential real property may be used when the purchase price is not available or not representative of value (permanent construction loans, refinancings, nominal familial transfers).
- xii. The interest rate:

(1) The contract interest rate offered on each residential mortgage loan commitment that has expired; established on each residential mortgage loan that has been closed; requested on each denied residential mortgage loan; or

(2) The annual percentage rate offered on each home improvement loan commitment that has expired; established on each home improvement loan that has been closed; requested on each denied home improvement loan.

- xiii. The maturity in months for each mortgage loan; and
- xiv. The estimated age in years of the dwelling unit, or units.

2. Data relating to mortgage loan applications on residential real property which is not located either in the State of New Jersey nor a SMSA which encompasses portions of New Jersey shall include only the information requested in and be in the format prescribed by section 6 of this subchapter.

3. The Department shall encode each municipality, county SMSA and states other than New Jersey for the purposes of subsections (a) and (b) of this section and of this subchapter. The code and subsequent changes shall be forwarded to each depository institution.]

1. To satisfy the public disclosure requirements of the Act and N.J.A.C. 3:1-9.5, the data shall be compiled in the format prescribed by N.J.A.C. 3:1-9.5(c). Such data shall be compiled and aggregated to a calendar year.

2. To satisfy the filing requirements of the Act and N.J.A.C. 3:1-9.6(a), the data shall be compiled in the format prescribed by N.J.A.C. 3:1-9.5(c). Such data shall be compiled and aggregated to a calendar quarter.

(b) (No change.)

[(c) Each depository institution except national banks shall maintain a log of all oral-in-person requests for information regarding mortgage loans. The log may be in the format of paragraph D of the section, or that of the FDIC Fair Housing Lending Home Loan Inquiry and Application Log Sheet (12 CFR Part 338.4) or that of the FHLBB Loan Inquiry and Application Register (12 CFR Part 528.6).

1. The depository institution shall attempt to collect that information required in subsection (c) of this section during the initial contact with the applicant. If the applicant refuses to furnish all or part of this information, the institution shall note the fact on the form used for recording the information.

2. The depository institution may advise the applicant that the information required to be logged is being requested to enable the New Jersey Department of Banking to monitor compliance with the state's geographic nondiscrimination law.]

OFFICE OF ADMINISTRATIVE LAW NOTE: A Mortgage/Home Improvement Loan Oral Inquiry Register sample form was filed with the Office of Administrative Law as part of this section, but was not reproduced in the Code.

[3:1-9.5 Loan Disclosure Statement Data for Loans in New Jersey SMSA's and Counties]

OFFICE OF ADMINISTRATIVE LAW NOTE: A sample form was filed with the Office of Administrative Law as the text of this section but was not reproduced in the Code. Data submission form BLD-003A is no longer required to be submitted.

[3:1-9.6 Mortgage and Home Improvement Loan Disclosure Non New Jersey SMSA Loans]

OFFICE OF ADMINISTRATIVE LAW NOTE: A sample form was filed with the Office of Administrative Law as the text of this section but was not reproduced in the Code. Data submission form BLD-003B is no longer required to be submitted.

3:1-9.[7] 5 Disclosure to public

(a) [Rules concerning dates disclosure statements due are as follows.] **Dates disclosure statements due:**

1. Each depository institution shall make available to the public, in the format prescribed [by subsection (c) of this section] **below**, the mortgage loan disclosure statements required to be compiled pursuant to the Act and N.J.A.C. 3:1-9.4(a) within 90 days of the end of the calendar year during which the data were compiled.

2.-4. (No change.)

(b) (No change.)

OFFICE OF ADMINISTRATIVE LAW NOTE: A sample format of Public Disclosure Statement was filed with the Office of Administrative Law as part of this section but was not reproduced in the Code. The mortgage disclosure form is no longer required to be filed. However, a Home Financing Loan Disclosure Statement is now required. A sample Format of the Home Financing Loan Disclosure Statement was filed as part of this proposal but is not reproduced herein. Copies can be obtained from the Department of Banking, CN 040, Trenton, New Jersey 08625.

3:1-9.[8] 6 Filing requirements; processing fee

(a) [Rules concerning filings are as follows.] **Filings:**

[1. In 1979 and 1980, every depository institution shall file with the Department of Banking on January 15, the preceding year's mortgage loan data required by N.J.A.C. 3:1-9.4(a).

2. In 1979 and 1980, every depository institution shall file with the Department of Banking on March 31 the preceding year's mortgage loan data required by section 7 of this subchapter.]

[3.] 1. For purposes of this section, the mortgage loan data shall

be deemed to be filed if it is either delivered in person or postmarked by the [above] **required** dates. All information so filed shall be submitted on forms or in the format prescribed by the Department.

[4] 2. Every depository institution shall file with the Department of Banking the data required by N.J.A.C. [3:1-9.4(a) and (c)] **3:1-9.5** for the calendar year [1980] **1982** and every subsequent year on a quarterly basis on April 30, July 30, October 30, and January 15 for the preceding calendar quarter's mortgage loan applications [and oral-in-person requests].

(b) (No change.)

(c) [A processing fee of \$150.00 shall accompany each annual report required by section 4 of this subchapter.] A processing fee of \$25.00 shall accompany each quarterly report [required by section 4 of this subchapter]. The fee shall be made payable to the Treasurer, State of New Jersey.

[(d) A depository institution may, in lieu of required annual filings pursuant to subsection (a) of this section, submit the mortgage loan data required by section 4 of this subchapter on a quarterly basis. The reporting dates for voluntary submissions are April 30, July 30, October 30, and January 15 for the preceding calendar quarter's data. A processing fee of \$25.00 shall accompany each quarterly report when it is filed with the Department of Banking.

1. The Department of Banking will prepare for each institution which reports quarterly the annual public disclosure statement required by section 7 of this subchapter and provide the respective institutions with a copy of the annual public disclosure report within ninety days of the end of the calendar year to be used for compliance with section 7 of this subchapter as well as Federal Reserve Board Regulation C.

(e) For fiscal years ending on or before December 31, 1977 copies of the public disclosure statement required by Regulation C shall be deemed compliance with the Act and this regulation. The processing fee the submission of the 1976 and 1977 annual reports shall be \$25.00.

(f) Mortgage loan data for fiscal year 1976 shall be submitted to the Department no later than September 30, 1977.

(g) Mortgage loan data for fiscal year 1977 shall be submitted to the Department no later than ninety days after the end of the institution's fiscal year 1977.

(h) All depository institutions not on calendar fiscal year will be required to submit their mortgage loan data required by section 4 of this subchapter for every month of their fiscal year 1978 that occurs in 1977. The data filing schedule will be established by the Commissioner after consultation with the respective institutions.]

(d) Every depository institution shall file three copies of each disclosure statement containing the preceding calendar year's mortgage loan data with the Department of Banking by March 31 starting with the data for calendar year 1982. This is to comply with Federal requirements for data aggregation and dissemination to data repositories.

Renumber 3:1-9.9 as **3:1-9.7** (No change in text.)

3:1-9.[10] 8 Powers of the Commissioner; Investigations and hearings

(a) In order to aid in determining whether the Act or N.J.A.C. 3:1-9.[9] 7 hereof has been violated by a depository institution other than a national bank, the Commissioner of Banking shall have the power to hold hearings, issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before him.

(b)-(c) (No change.)

3:1-9.[11] 9 Orders; grounds; content; hearing; service

(a) If the Commissioner determines that a depository institution is in violation of the Act or [section 9 of this subchapter] **N.J.A.C. 3:1-9.7** he shall:

1.-2. (No change.)

(b)-(e) (No change.)

Renumber 3:1-9.12 through 3:1-9.17 as **3:1-9.10** through **3:1-9.15** (No change in text.)

3:1-9.[18]**16** Continued violation of Act; penalty
(a) A depository institution which continues to violate the provisions of the Act or [section 9 of this subchapter] **N.J.A.C. 3:1-9.7** after being ordered by the Commissioner to cease such practices shall be liable to a penalty of \$5,000 for each offence. Such penalty shall be in addition to and not in lieu of any other provisions of law applicable upon a depository institution's failure to comply with an order of the Commissioner.
(b) (No change.)

Renumber 3:1-9.19 as **3:1-9.17** (No change in text.)

3:1-9.[20]**18** **Hearing procedure**
The hearing shall be conducted in accordance with the provisions of [sections 12 through 17 of this subchapter] **N.J.A.C. 3:1-9.10** through **3:1-9.15** of these regulations.

Renumber 3:1-9.21 as **3:1-9.19** (No change in text.)

(a)

DIVISION OF BANKING

**Foreign Banks
Biennial Fee**

Proposed New Rule: N.J.A.C. 3:6-14

Authorized By: Michael M. Horn, Commissioner,
Department of Banking.
Authority: N.J.S.A. 17:1-8.1 and 17:9A-334 and P.L.
1981 c.321.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Roger F. Wagner, Deputy Commissioner
Department of Banking
Division of Banking
Trenton, NJ 08625

The Department of Banking thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-5.

The agency proposal follows:

Summary

The Legislature adopted Assembly Bill 2206 and the Governor signed the bill into law December 3, 1981 as Chapter 321 of the P.L. of 1981, effective February 1, 1982. This bill removed the specified annual fee of \$250.00 to be charged foreign banks for the issuance of a certificate of authority or a certificate of renewal of a certificate of authority. The legislation now provides that the Commissioner of Banking shall charge such fee as he shall prescribe by rule or regulation, not to exceed \$1,500. The certificate shall run from the date of issuance to the end of the biennial period. The certificate fee for a certificate issued in the second year of a biennial period shall be in the amount equal to one half of the fee for the biennial certification period.

The establishing of an increased ceiling within which the

Commissioner may set a biennial fee provides him with the flexibility to set a fee that is appropriate in the event of changing economic conditions. At the present time, the Commissioner proposes to increase the biennial fee to \$800.00. In order to provide for the fee and to provide for the new biennial period, this regulation is necessary.

Social Impact

There is no anticipated social impact. This regulation will merely set the fee charged foreign banks for a certificate of authority and provide that it be collected on a biennial basis.

Economic Impact

At the present time, there will be a nominal economic impact with the adoption of this regulation, since the increased fee will generate approximately \$7,500 in additional income to the State from foreign banks. Further, the legislation gives the Commissioner of Banking the authority to change the fee when it is warranted and therefore, he will be able to avoid the impact of any future negative economic conditions by moving the fee in line with economic needs. The extent of future increases in fees cannot be determined at this time.

Full text of the proposed new rule follows.

SUBCHAPTER 14. FOREIGN BANKS

3:6-14.1 Biennial fee

The biennial fee for the issuance of a certificate of authority or a certificate of renewal of a certificate of authority for a foreign bank shall be \$800.00. The certificate shall run from the date of issuance to the end of the biennial period. When the initial certificate is issued in the second year of the biennial certificate period, the certificate fee shall be an amount equal to one half of the fee for the biennial certificate period. The first biennial period shall commence as of April 1, 1983. Certificates issued during the period April 1, 1982 to April 1, 1983 will bear a fee equal to one half of the \$800.00 biennial fee.

COMMUNITY AFFAIRS

(b)

DIVISION OF HOUSING

**Relocation Assistance
Fire Displacement; Emergency Relocation**

**Proposed Amendments: N.J.A.C. 5:11-2.1
and 3.11**

Authorized By: John P. Renna, Commissioner, Department
of Community Affairs.
Authority: N.J.S.A. 52:31B-10, 20:4-10 and P.L. 1981
c.491.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Michael L. Ticktin, Esq.
Administrative Practice Officer
Division of Housing
CN 804
Trenton, NJ 08625

(a)

DIVISION OF HOUSING

Rooming and Boarding Houses
License Fees

Proposed Amendment: N.J.A.C. 5:27-1.6

Authorized By: John P. Renna, Commissioner, Department
of Community Affairs.

Authority: N.J.S.A. 55:13B-4, 55:13B-5 and 55:13B-7.

Interested persons may submit in writing, data, views or
arguments relevant to the proposal on or before February 3, 1983.
These submissions, and any inquiries about submissions and
responses, should be addressed to:

Michael L. Ticktin, Esq.
Administrative Practice Officer
Division of Housing
CN 804
Trenton, NJ 08625

The Department of Community Affairs thereafter may adopt this
proposal without further notice (see: N.J.A.C. 1:30-3.5). The
adoption becomes effective upon publication in the Register of a
notice of adoption.

This proposal is known as PRN 1983-8.

The agency proposal follows:

Summary

This proposal concerns fees charged for Class A, B and C
rooming and boarding facilities in the State of New Jersey. The base
fee for a Class C boarding house license is reduced from \$120.00
to \$100.00 and the base fee for a Class A rooming house license
is increased from \$75.00 to \$80.00. To the base fees for all classes
of licenses there is added a fee based upon the number of residents
after the first five, to the statutory maximum of \$150.00. The
additional fee does not apply to corporations, partnerships and
associations because they already pay the statutory maximum.
Occupancy beyond the capacity for which a license fee has been
paid is forbidden.

Social Impact

This proposal will impact on owners or operators of Class A, B
or C facilities throughout the State. Also, the Department of
Community Affairs will be affected by the proposal since the
amount of work required to perform a facility evaluation varies with
the size of the facility as well as with the class and the new fees
will more fairly reflect the Department's costs.

Economic Impact

There will be an increase in fees for individuals owning or
operating either Class A facilities or Class B or C facilities with over
five residents. There will be a decrease in fees for individual Class
C owners and operators with fewer than six residents. The
Department of Community Affairs will realize an economic
advantage by receiving fees reflecting true costs of performing
facility evaluations.

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

5:27-1.6 Licenses

(a) No person shall own or operate a rooming or boarding house
without a license from the Bureau allowing him to own or operate
a rooming or boarding house providing the services therein
provided and housing the number of residents therein housed.

The Department of Community Affairs thereafter may adopt this
proposal without further notice (see: N.J.A.C. 1:30-3.5). The
adoption becomes effective upon publication in the Register of a
notice of adoption.

This proposal is known as PRN 1983-4.

The agency proposal follows:

Summary

Pursuant to P.L. 1981, c.491, the Relocation Assistance rules,
N.J.A.C. 5:11, are being amended. The legislation provides that
municipalities may provide relocation assistance to tenants residing
in a structure of two dwelling units or more who are displaced
because of a fire but the municipalities will receive no State
reimbursement for doing so unless specifically permitted by the
annual appropriations act. The proposed amendment concerning
emergency relocation makes it clear that emergency relocation
benefits represent an advance to be charged against the total benefits
to which the displaced person is entitled, whatever that amount may
be.

Social Impact

The amendment clarifies that municipalities will not be
reimbursed if they assist in relocating fire victims. No substantive
change results from this amendment since this has been the past
practice.

Economic Impact

The proposal does not change current practice which does not
permit State reimbursement to municipalities which provide
relocation assistance. Therefore, municipalities will have to bear
this economic burden themselves.

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

5:11-2.1 Building, housing, health and zoning code
enforcement; displacement by fire

- (a) (No change.)
- (b) Whenever the displacement occurs because of an order to
vacate issued by a State Agency or unit of local government as a
direct result of an "Act of God" such as, but not limited to, fire,
there shall be no relocation benefits due the displacees; **provided,**
however, that a municipality may provide such benefits to fire
victims but shall receive no reimbursement through any State
grant-in-aid for the cost of doing so.
- (c) (No change.)

5:11-3.11 Emergency relocation

In the event a displacing agency causes a displacement that
required emergency relocation, the displacing agency shall provide
[, in addition to the other benefits available herein,] a lump sum
payment in the amount of \$500.00 so that the displacee may obtain
living quarters until permanently relocated. This payment shall be
available immediately upon the displacement and shall be
[includable in] **charged against the total amount payable in**
accordance with the statute [statutory payment of \$4,500].

- (b) (No change.)
- (c) The annual fees for licenses shall be as follows:
 1. Class A license: [\$75.00] **\$80.00 plus the amount determined in accordance with (c)5 below;**
 2. Class B license: \$90.00 **plus the amount determined in accordance with (c)5 below;**
 3. Class C license: [\$120.00] **\$100.00 plus the amount determined in accordance with (c)5 below;**
 4. (No change.)
 5. **Except as otherwise provided in (c)6 below, the fee for any license other than a license issued to a corporation, partnership or association shall include the following additional fee if the facility (or facilities) is (or are) occupied by, or intended to be occupied by, six or more residents:**
 - i. **Six-10 residents – \$25.00;**
 - ii. **Eleven-15 residents – \$50.00;**
 - iii. **Sixteen or more residents – \$70.00.**
 6. **The total fee for any license shall in no case exceed \$150.00.**
- (d)–(i) (No change.)

HEALTH

(a)

DIVISION OF HEALTH FACILITIES EVALUATION

Standards for Licensure of Residential Health Care Facilities Building Occupancy

Proposed Amendment: N.J.A.C. 8:43-2.6 Proposed Repeal: N.J.A.C. 8:43-7.1

Authorized By: Allen N. Koplin, M.D., M.P.H., Acting
Commissioner, Department of Health (with approval
of Health Care Administration Board).
Authority: N.J.S.A. 26:2H-1 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Dr. Solomon Goldberg, Director
Licensing, Certification and Standards
Division of Health Facilities Evaluation
New Jersey Department of Health
CN 367
Trenton, NJ 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-15.

The agency proposal follows:

Summary

The proposed amendment to N.J.A.C. 8:43-2.6(d) will allow residents of residential health care facilities to occupy the third floor of a non-fire-resistive building, if occupancy is requested by the facility's operator and if certain requirements are met. The proposed amendment establishes specific criteria for compliance in order to protect the health and safety of the facility residents. This

amendment supersedes N.J.A.C. 8:43-7.1 which is being repealed because it is inconsistent with several provisions of the Residential Health Care Facilities Manual and pertinent provision of the proposed amendment.

Social Impact

This proposed amendment will increase the availability of beds in residential health care facilities, thus allowing the residents to be placed in safe and adequate surroundings on the third floor of the facility.

Economic Impact

There will be no economic impact for those facilities which already meet the proposed requirements. Those facilities which do not meet these requirements would have to undergo major renovations if they decided to house residents on their third floor.

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

8:43-2.6 Building occupancy

(a)–(c) (No change.)

(d) Resident occupancy above the second floor shall be prohibited unless the building is of fire-resistive construction. **However, third floor occupancy may be permitted in buildings of non-fire-resistive construction if requested by the operator of the facility and if the building meets the following requirements:**

1. A comprehensive automatic sprinkler system shall be provided throughout the building in accordance with the National Fire Protection Association–13 (N.F.P.A.).

2. All floors above the first level shall be subdivided into two sections by a one-hour fire-resistive wall with doors equipped with magnetic hold-open devices activated by smoke detectors.

i. An exit to a means of egress that leads directly to an outside place of refuge, as defined in Section 5-1221 and A-5-1221 of the 1973 Life Safety Code 101 of the N.F.P.A., shall be provided from each subdivision.

ii. The yards, courts, or other open spaces to which exits discharge shall provide a minimum of three square feet per person and shall be at least 35 feet from the building.

3. The building shall have two means of egress of Class "B" construction, as defined in Section 5-3111 through Section 5-3178 of the 1973 Life Safety Code 101 of the N.F.P.A., that lead directly to an outside place of refuge.

i. All interior stairways not approved by the Department as a means of egress to the outside shall be protected on all floor levels with Class "B" construction.

ii. Doors in this construction shall be equipped with magnetic hold-open devices activated by smoke detectors.

4. The maximum number of residents per means of egress shall comply with Section 10-1221 of the 1973 Life Safety Code 101 of the N.F.P.A.

5. Access to exits shall comply with Section 10-1232 of the 1973 Life Safety Code 101 of the N.F.P.A.

6. All exposed wood construction in the basement shall be protected with one-hour fire-resistant materials. All exposed wood construction shall mean the basement ceiling and all structural members.

7. All exit routes shall have a fire-resistive rating of at least one hour.

8. Illuminated signs shall be provided at all approved exits in the building. Approved exits shall be those in accordance with the requirements of N.J.A.C. 8:43-3.4.

9. Emergency lighting shall be available at all times in hallways, corridors, and stairways. An automatic standby generator is preferred, but self-charging battery type emergency lights are acceptable.

10. The operator of the facility shall assign a staff member to the third floor, whenever that floor is occupied by one or more

residents, in addition to at least one staff member assigned to the first and/or second floor(s) 24 hours per day

11. If the building is of non-protected combustible construction Type 4B, as defined by the Building Officials and Code Administrators (BOCA), resident occupancy above the second floor shall be prohibited.

(e)-(f) (No change.)

SUBCHAPTER 7. [RESIDENT OCCUPANCY] RESERVED

[8:43-7.1 General provisions

(a) All currently licensed facilities with resident occupancy above the second floor level in non-fire-resistant buildings must comply with the following recommendations by July 1, 1974. Such regulations were adopted by the Department of Health with an effective date of January 1, 1974:

- 1. A comprehensive automatic sprinkler system is to be provided.
 - 2. All floors above the first level are to be subdivided into two sections by a one-hour fire-resistant wall and doors equipped with magnetic hold-open devices, connected to smoke detectors. A means of egress that leads directly to an outside place of refuge must be provided from each subdivision. An outside place of refuge is defined in Section 5-1221 and A-5-1221 of the Life Safety Code 101 of the National Fire Protection Association. The yards, courts or other open spaces to which exits discharge shall be of such size as to provide a minimum of three square feet per person and such area shall be at least 35 feet from the building.
 - 3. Facilities with occupancy above the third floor are to provide two means of egress of Class "B" construction from each subdivision that leads directly to an outside place of refuge. Class "B" construction is defined in Section 5-3111 through Section 5-3:76, inclusive of the Life Safety Code 101 of the National Fire Protection Association. All interior stairways, determined not to be an acceptable means of egress to the outside, are to be protected on all floor levels with Class "B" construction. Doors in this construction are to be equipped with magnetic hold-open devices connected to smoke detectors.
 - 4. All exposed wood construction in the basement is to be protected with one-hour fire-resistant materials. All exposed wood construction shall mean the basement ceiling and all structural members.
 - 5. Illuminated signs are to be provided at all approved exits in the building. Approved exits shall be those in accordance with the requirements of Chapter III, Section IV, of the Manual of Standards for Boarding Homes for Sheltered Care.
 - 6. Emergency lighting is to be available at all times, in hallways, corridors and stairways, to enable residents to make their way out of the facility in the event of an emergency. An automatic standby generator is preferred, but self-charging battery type emergency lights are acceptable.
- (b) An alternative to compliance with the above regulations would be to remove all residents above the second floor level of your facility.
- (c) Failure of the licensee to comply with the fire protection regulations listed above or to remove all residents from above the second floor level will constitute a violation of the regulations and the licensee will be subject to penalties outlined in the Health Care Facilities Planning Act.]

(a)

DIVISION OF HEALTH FACILITIES EVALUATION

Standards for Licensure of Ambulatory Care Facilities Surgical Services

Proposed Amendment: N.J.A.C. 8:43A-8.1

Authorized By: Allen N. Koplin, M.D., M.P.H., Acting Commissioner, Department of Health (with approval of Health Care Administration Board).

Authority: N.J.S.A. 26:2H-1 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Wanda J. Marra, Coordinator
Standards Program
Division of Health Facilities Evaluation
CN 367
Trenton, NJ 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-13.

The agency proposal follows:

Summary

This proposed amendment to N.J.A.C. 8:43A-8.1 allows the governing authority and medical staff of a facility to determine those surgical and anesthesia services to be performed in an ambulatory care facility without the approval of the Department of Health. The proposed amendment requires the facility to establish medical staff bylaws, as well as policies and procedures for providing surgical and anesthesia services. The proposed amendment also requires the facility to establish a program whereby the highest quality membership of the medical staff will assure the utmost competence in providing surgical and anesthetic services.

Social Impact

The proposed amendment will allow greater flexibility in determining the surgical and anesthesia services that will be available in an ambulatory care setting and will impact upon the governing authority, administrator and the medical staff of the facility. In addition to allowing facilities to determine which procedures will be performed in the facility, the medical staff and administrator will also be required to recommend to the governing authority the education, training, experience, and the current competence of the medical staff in determining the medical staff membership and privileges. The medical staff will also be responsible for establishing and implementing a system ensuring quality assurance of surgical and anesthesia services to patients and evaluating the services performed at the facility. The amendment will hopefully beneficially impact upon patients by providing a greater and a wider range of services depending upon the resources of the particular facility.

Economic Impact

This proposed amendment will have no discernible economic impact for the Department of Health. The increased availability of surgical services in an ambulatory care setting could reduce the

number of hospital inpatient days for patients, thus affecting reimbursement cost.

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

8:43A-8.1 [General] **Surgical services quality assurance requirements**

(a) (No change.)

(b) The surgical services provided may include the following procedures:

1. Abortion (below 12 weeks gestation): Beyond the first trimester and within a period of gestation not exceeding 16 menstrual weeks and/or 14 gestational weeks' size as determined by a physician, termination of pregnancy using the dilation and evacuation procedure may be performed in a licensed ambulatory care facility;
2. Oral surgery;
3. Tonsillectomy and adenoidectomy;
4. Herniorrhaphy;
5. Incision and drainage;
6. Minor cosmetic surgery (for example, sebaceous cysts, plastic surgery, skin tumors);
7. Simple fractures;
8. Skin sutures and removal;
9. Repeat transfusions;
10. Chemotherapy; and
11. Treatment of first and second degree burns.

(c) Any other surgical procedures shall be performed only with special written permission from the department.]

(b) **The surgical and anesthesia services performed in the facility shall be limited to those procedures approved by the governing authority and medical staff of the facility.**

(c) **The medical staff of the facility, with the approval of the governing authority, shall adopt bylaws, rules, regulations, policies, and procedures governing the provision of surgical and anesthesia services in the facility.**

(d) **The medical staff bylaws shall include provision for medical staff membership and privileges, including, but not limited to, the following:**

1. Medical staff requirements for membership, privileges, credentials, education, training, experience, current competence, appointments, reappointments, reduction or withdrawal of privileges, duration of appointments, corrective action, and suspension of medical staff members.

(e) **The medical staff shall develop and implement written policies and procedures for surgical and anesthesia services, in accordance with the governing authority and medical staff bylaws. The policies and procedures shall be reviewed annually and revised as necessary and shall include at least the following:**

1. Delineation of the surgical and anesthesia services which may be performed in the facility;

2. Delineation of the responsibilities of medical staff members in providing care to patients;

3. Designation of persons responsible for completing a medical history, physical examination, and diagnostic and laboratory tests;

4. Designation of persons responsible for administering anesthesia;

5. Delineation of responsibilities, qualifications, and degree of supervision required for persons responsible for administering anesthesia;

6. Designation of an anesthesiologist or other physician qualified in resuscitative techniques to be present to all patients requiring surgery until their discharge;

7. Requirements for written documentation of surgical procedures performed including complete findings and techniques used, to be completed immediately following the procedure by the physician performing the surgery and incorporated into the patient's medical record;

8. Evaluation of each patient by a physician after the patient's recovery from anesthesia, if anesthesia was given, and before the patient's discharge; and

9. Procedures for a systematic review and evaluation of patient care and surgical and anesthesia practices and techniques, as part of the audit and evaluation system.

(f) **The facility shall maintain a chronological register of all surgical procedures performed which shall include the type of procedure performed, operative diagnosis, type of anesthesia used, personnel participating, postoperative diagnosis, and any unusual or untoward occurrence.**

(g) **Abortion (below 12 weeks gestation): Beyond the first trimester and within a period of gestation not exceeding 16 menstrual weeks and/or 14 gestational weeks' size as determined by a physician, termination of pregnancy using the dilation and evacuation procedure may be performed in a licensed ambulatory care facility.**

Renumber old (d)-(f) as (h)-(j) (No change in text.)

(a)

DIVISION OF HEALTH FACILITIES EVALUATION

Standards for Licensure of Ambulatory Care Facilities Drug Abuse Treatment Services

Proposed Amendment: N.J.A.C. 8:43A-9.9

Authorized By: Allen N. Koplin, M.D., M.P.H., Acting
Commissioner, Department of Health (with Approval
of Health Care Administration Board)
Authority: N.J.S.A. 26:2H-1 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Dr. Solomon Goldberg, Director
Licensing, Certification and Standards
Division of Health Facilities Evaluation
New Jersey Department of Health
CN 367
Trenton, NJ 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-18.

The agency proposal follows:

Summary

This proposed amendment to the Standards for Licensure of Ambulatory Care Facilities, Drug Abuse Treatment Services, N.J.A.C. 8:43A-9.9, will revise the existing regulations as follows:

Outpatient methadone detoxification and outpatient drug-free programs will provide a minimum of one counseling session, rather than one hour of counseling, per week to each patient during the first four months after initiation of treatment and at least one counseling session, rather than one hour of counseling, every two weeks thereafter.

Outpatient methadone maintenance programs will assign each patient to one of four phase levels of treatment and provide

counseling in accordance with a specific time frame for each phase level.

Patients receiving treatment in an outpatient methadone maintenance program who become symptomatic of drug or alcohol abuse will receive treatment and counseling within a specific time frame and phase level of treatment.

Social Impact

Differentiation has been made between the counseling requirements of outpatient detoxification and outpatient drug-free programs and the counseling requirements of out-patient methadone maintenance programs. Since outpatient methadone maintenance is a long-term treatment process, the required counseling should be related to the patient's symptoms rather than given in accordance with a certain number of mandated hours. Thus, for patients in outpatient methadone maintenance programs, placement in a phase system which consists of four phase levels of treatment and counseling according to a specific time frame, including patients who are symptomatic of drug or alcohol abuse, has been established.

Outpatient methadone detoxification and outpatient drug-free programs will continue to provide counseling to each patient according to a specific time frame, however, the length of each counseling session is no longer mandated.

Economic Impact

This proposal will reduce the cost which drug abuse treatment centers incur in providing counseling services. The proposal will have no economic effect on the patients.

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

8:43A-9.9 Counseling

(a) All facilities shall provide counseling services performed by personnel approved by the Division of Narcotic and Drug Abuse Control, and shall utilize the individual family or group counseling techniques which best meet the needs of the patient. Counseling personnel not meeting the qualifications of a mental health professional, as set forth in this subchapter, shall be under the direct supervision of a qualified mental health professional:

1. All outpatient methadone detoxification [, methadone maintenance,] and outpatient drug-free programs shall provide a minimum of one [hour of] counseling session per week to each patient during the first four months after initiation of treatment and at least one [hour of] counseling session every two weeks thereafter.

2. All outpatient methadone maintenance programs shall assign each patient to one of the following phase levels and provide counseling to the patient in accordance with the following minimum standards:

i. One counseling session per week during the first three months of treatment;

ii. One counseling session every two weeks from the beginning of the fourth month to the end of the ninth month of treatment;

iii. One counseling session per month from the beginning of the 10th month to the end of the second year of treatment;

iv. One counseling session every three months after completion of two years or more of treatment.

3. Patients in outpatient methadone maintenance programs who become symptomatic of drug or alcohol abuse for the first time shall return to a minimum of one counseling session per week until symptoms cease and shall remain in their present phase level of treatment.

4. Patients in outpatient methadone maintenance programs who become symptomatic of drug or alcohol abuse a second time shall return to a minimum of one counseling session per week and shall be treated as new patients.

Renumber old 2. as 5. (No change in text.)

(a)

DIVISION OF HEALTH FACILITIES EVALUATION

Non-Residential Medical Day Care Facilities Additional Construction and Equipment Requirements

Proposed Amendment: N.J.A.C. 8:43F-3.26

Authorized By: Allen N. Koplin, M.D., M.P.H., Acting
Commissioner, Department of Health (with approval
of Health Care Administration Board).

Authority: N.J.S.A. 26:2H-1 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Dr. Solomon Goldberg, Director
Licensing, Certification and Standards
Division of Health Facilities Evaluation
New Jersey Department of Health
CN 367
Trenton, NJ 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-14.

The agency proposal follows:

Summary

Currently, both the long-term care facility and the non-residential medical day care facility have a separate set of licensure standards. The proposed amendment to N.J.A.C. 8:43F-3.26 will allow a long-term care facility, depending upon its choice, to provide non-residential medical day care services within the facility by sharing the existing areas or space such as general purpose examination room(s), janitor's closets, dietary services, and toilet facilities.

Social Impact

The proposed amendment will allow long-term care facilities providing non-residential medical day care services to share general purpose examination room(s), janitor's closets, dietary services, and toilet facilities within the facility. By eliminating the existing requirements for physical plant construction in a long-term care facility, the proposed amendment will hopefully increase the availability and accessibility of non-residential medical day care services to the community.

Economic Impact

The proposed amendment by allowing the sharing of the space and area within the long-term care facilities providing non-residential medical day care services will eliminate the need for separate construction of a general purpose examination room(s), janitor's closets, dietary services, and toilet facilities thus reducing the current requirements for costly construction expenditures.

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

8:43F-3.26 Additional construction and equipment
requirements

(a) (No change.)

(b) Toilet facilities - There shall be one water closet and lavatory for every eight patients. **In facilities with 17 or more patients, the toilet facilities may be shared with existing facilities in a long-term care facility.**

(c)-(d) (No change.)

(e) The requirements in [paragraphs 2, 3, 4iii and iv, 6, 7, 10, 12, and 14 of subsection (a) of this section] **(a)2, 3, 4i, iii and iv, 5, 6, 7, 10, 12, 13 and 14 above** may be shared with existing facilities in a long-term care facility.

HUMAN SERVICES

(a)

DIVISION OF PUBLIC WELFARE

Food Stamp Program Student Eligibility

Proposed Amendment: N.J.A.C. 10:87-3.23

Authorized By: George J. Albanese, Commissioner,
Department of Human Services.

Authority: N.J.S.A. 30:4B-2, the 1980 Amendments to
the Food Stamp Act of 1977 (Public Law 96-249), 7
CFR 271.2 and 7 CFR 273.5.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-2.

The agency proposal follows:

Summary

The proposed amendment implements provisions of the 1980 Amendments to the Food Stamp Act of 1977 (Public Law 96-249) which modify policies regarding student eligibility. This proposal defines "institution of higher education" and "enrollment" for Food Stamp Program purposes. Additionally, student eligibility criteria are being amended to conform with Federal regulations that clarify existing student eligibility requirements. Specifically, the proposed amendment addresses hours of paid employment and hours and wage requirements for self-employed students, indicate what constitutes a "Federally" financed work-study program and clarify participation in the Work Incentive Program (WIN) under Title IV of the Social Security Act. Additionally, the Federal regulations eliminate reference to "head of household" in the student eligibility determinations since the term as used in legislation meant the primary wage earner responsible for support of the household. This terminology does not coincide with the Food Stamp Program "head of household" definition which is an adult household member designated by the household, to be head of household for Food Stamp purposes. This change eliminates the possibility of the term being subject to two interpretations concerning the eligibility of students.

Social Impact

Since the proposal clarifies student eligibility requirements, the social impact will be evidenced through ensuring equitable application of policy for all potentially eligible students and facilitation of administration of the program.

Economic Impact

The proposed amendments will have no economic impact on State or local agencies administering the Food Stamp Program. A small number of students may gain eligibility due to clarification of these regulations and subsequently derive an economic benefit through participation in the program. Any increase in program participation will result in increased Federal expenditures in this State.

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

10:87-3.23 Procedures for students in an institution of higher education

(a) Student in an institution of higher education defined: Any person who is between the ages of 18 and 60 who is physically and mentally fit and is enrolled at least half time in an institution of higher education. Excluded from this definition are persons who are attending high school, participating in on-the-job training programs and training programs which are not institutions of higher education.

1. Institution of higher education defined: An institution of higher education is any institution which normally requires a high school diploma or equivalency certificate for enrollment, including, but not limited to, colleges, universities and vocational or technical schools at the post-high school level.

2. Enrollment defined: A student shall be considered "enrolled" in an institution of higher education beginning on the first day of the school term. Such enrollment shall be deemed to continue through normal periods of class attendance, vacation and recess, unless the student graduates, is suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer school).

[i.] **(b) Student eligibility requirements:** In order to be eligible to participate in the Food Stamp Program, any student (as defined in (a) above) must meet at least one of the following criteria:

[i.] **1. Be employed [at least] for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receive weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours;**

[ii.] **2. Participate in a federally financed work study program (funded in full or in part under Title IV-C of the Higher Education Act of 1965 as amended) during the regular school year;**

[iii.] **3. Be enrolled in an institution of higher education as a result of participation in the Work Incentive Program (WIN) under Title IV of the Social Security Act, as amended (42 U.S.C. 602); or**

[iv.] **4. [Be the head of household or married to the head of a household which contains one or more other persons dependent on the household head because he/she supplies more than half of their support.] Provide more than half the support of one or more dependent household members (see subsection (c) below) or be the spouse of a person who provides more than half the support of one or more dependent household members.**

[2.] **(c) [Head of household] Support of dependent concept:** In determining [whether a head of] **if a household member** furnishes more than half of the support of a dependent, the following principles apply:

[i.] **1. [The head of household must furnish over half of the dependent's total support during the calendar year. Total support is the sum of the fair rental value of lodging furnished, all items**

of expenses paid or incurred directly by or for the dependent, such as clothing, food, transportation, education, recreation, dental and medical expenses; and a proportionate share of expenses that cannot be attributed directly to a particular individual, such as cost of food for the entire household.] **If the dependent is a spouse, a minor child under the control of the student or spouse, such as a parent or grandparent, and that relative has little or no income of their own, the student shall be considered as providing the support for that person over the certification period regardless of the income sources from which the student derives that support.**

[ii.]2. [The person providing the support is the person to be evaluated for head of household status. Need-based Federal, State or local assistance payments on behalf of a household member are considered as being provided by the person receiving such payments in determining head of household status. For example, a mother with a five year old child would qualify for the head of household exemption, even if the primary source of income is AFDC.] **In the case of other dependents, such as unrelated adults, minor children not under the parental control of the student or spouse, or related adults who have their own source of income, the CWA shall make a case-by-case determination as to whether or not the student or spouse is providing these individuals with half of their support during the certification period. In making this determination, the following shall apply:**

i. The student or spouse must provide from their own funds on in-kind contributions for over half of the individual's support needs, regardless of the source of the funds;

ii. Total support is the sum of the fair rental value of lodging furnished, all expenses paid or incurred directly by or for the dependent, such as food, clothing, medical expenses and dental care, recreation, transportation, and similar necessities, and a proportionate share of these or similar expenses that cannot be attributed directly to a particular individual such as the cost of food bought in common for the entire household.

[iii.]3. The only restriction on who may be claimed as a dependent is that the dependent must be a member of the same household as the student or spouse. [A person can claim a spouse as a dependent.]

[iv. Circumstances not covered by these general principles are to be evaluated with reference to Sections 151 and 152 of the Internal Revenue Code.]

(d) Ineligible student living with household: The income and resources of an ineligible student living with a household shall not be considered in determining eligibility or level of benefits of the household (see N.J.A.C. 10:87-5.9(a)9).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

John F. Vassallo, Jr., Director
Division of Alcoholic Beverage Control
Routes 1 and 9 (Southbound)
Newark International Plaza
Newark, NJ 07114

The Director, Division of Alcoholic Beverage Control thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-16.

The agency proposal follows:

Summary

Prior to the effective implementation of broad ranged regulatory changes centered around the elimination of retail price maintenance, commonly referred to as "deregulation", on March 10, 1980, a regulation, now repealed, but which was designated as N.J.A.C. 13:2-36.5, allowed wholesalers to inspect the then quarterly price filings of other wholesalers and to raise or lower their own prices "to meet a higher or lower and competing price." In the "deregulation" regulatory amendments, N.J.A.C. 13:2-24.6(a)3, was adopted, changing the wholesale price posting system to a monthly basis and eliminating the ability of wholesalers to examine others' filed price lists and raise or lower their own posted prices to meet a higher or lower and competing price. The objective of change was to permit and promote price competition among wholesalers.

In practice, however, the desired wholesale price competition has not come about. This is in large part due to wholesalers' fears of being uncompetitive in their price filings as compared to others and the consequences of not being able to move products. The result is conservative wholesale price filing on the part of most, if not all, wholesalers, and the wholesaler's price is often based upon suppliers' legally suggested resale prices.

In an attempt to achieve the desired wholesale price competition, the proposed amendment, N.J.A.C. 13:2-24.6(b), will again allow the lowering of a previously filed price (or the raising of a discount or allowance) in order to meet competition or any other lawful purpose, provided it is done within three business days of the filing. The amendment will not, however, permit the raising of prices as the previous regulation did. It is felt that the overall effect will be to create lower wholesale prices, promote competition, and eliminate apparent unlawful trade practices the current system has fostered. It will permit greater distribution of discounted products and reduce wholesalers' operational costs that now reflect in the basic filed price.

The amendment noted as N.J.A.C. 13:2-24.6(a)(3)(i)(1) also seeks to promote competition among wholesalers by allowing special prices, discounts or allowances to be offered for a lesser period than the entire calendar month covered by the filing. This will permit bona fide specials for such purposes as to clear excessive inventory without the risk that after its clearance newly acquired product would have to also be sold at the special clearance price. The consumer should benefit from the availability of more special prices.

The amendment cited as N.J.A.C. 13:2-24.6(a)(3)(i)(2) provides for all discounts or allowances to be offered only as a percentage of the invoice price, excluding taxes, thereby eliminating the current practice of offering "free" cases or "cents off per case" upon the purchase of a stated quantity. The "free" cases may be misleading and can be utilized to avoid wholesale taxes. A uniform method of discount or allowance posting will facilitate Division review of competition and enable retailers to more easily compare competing prices.

LAW AND PUBLIC SAFETY

(a)

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Regulation of Contents of Current Price Lists by Product Manufacturers, Suppliers and Distributors

Proposed Amendment: N.J.A.C. 13:2-24.6

Authorized By: John F. Vassallo, Jr., Director, Division of Alcoholic Beverage Control.
Authority: N.J.S.A. 33:1-39.

The change to N.J.A.C. 13:2-24.6(a)(7), recodified as N.J.A.C. 13:2-24.6(d), deletes the reference to the filed Current Price List as a "public record" since the same is surplusage. It also adds that the licensee or registrant who files the prices, etc., must make available its price and discount information, in conformity with its filing list, to its potential retail customers at least by the sixth business day following the filing deadline. It also permits the use of price listing services provided they publish on a statewide basis.

Other changes to N.J.A.C. 13:2-24.6(a)(3)(4)(5)(6) and (7) recodify the paragraph structuring and thereby the designation, without changing the content of the current regulations other than as noted.

Social Impact

It is anticipated that the regulatory amendment will enhance and promote wholesaler and distributor competition, while at the same time contributing to industry stability. Pricing to the consumer should also be enhanced, while at the same time there will not be an abandonment of the purpose to promote temperance.

Economic Impact

No additional costs should occur for the Division because it already receives and reviews the Current Price List filings. On the consumer level, more competitive prices should result from the filtering down of increased wholesale competition. Industry stability will also be promoted, thereby protecting the economic investment of the industry in the State. Tax collection should be strengthened by the elimination of "free" goods.

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

13:2-24.6 Required records

(a) Every licensee or registrant privileged and intending to sell alcoholic beverages to retailers in this State shall maintain upon its licensed premises for a period of three years the following records:

1. A "Historical Price List" which shall contain the price at which all products by brand, type, proof, age and size were offered for sale, inclusive of all discounts, allowances or differentials and which may be maintained in any "readily retrievable" fashion pursuant to Subchapter 29; and

2. A "Marketing Manual", which shall be maintained in a separate book or ledger and shall contain, by category, on a chronological basis all offered or available services, facilities, equipment, advertising and promotional items and programs; and

3. A "Current Price List" maintained in a separate book or ledger, [containing;] **which shall contain:**

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]

(1) Prices, discounts, allowances, differentials and other terms of sale may be offered for a lesser period than the calendar month, provided the inclusion dates for such are clearly stated. Unless so limited, all filings shall apply to the entire calendar month following filing; and

(2) Any discount, rebate or allowance shall be stated only in terms of a percentage of the total invoice price, excluding all taxes, and no such discount, rebate, or allowance shall be used to reduce the amount of tax due to the State of New Jersey; and

ii. The correct brand or trade name of the product, its nature and type, size and age and proof of alcoholic content when stated on the label, the standard number of unit containers per standard case and the capacity of each unit container.

(b) [4.] The Current Price List shall also be filed in duplicate with the Division of Alcoholic Beverage Control no later than the 15th day of each calendar month, or the next business day if the 15th is a Saturday, Sunday or holiday, and shall become effective the first day of the following calendar month and remain effective for that month.

1. [5.] The prices contained therein shall be filed independently by each individual [filer,] licensee or registrant, and no amendments or changes [(except upon approval of the Director to correct bona fide clerical errors)] shall be made therein prior to the filing of the next monthly **Current [price] Price [list] List; except that within three business days after the filing deadline there may be made amendments to prices, discounts, allowances, differentials or other terms of sale which:**

i. **Decrease the previously filed price or increase the previously listed discount or allowance in order to meet competition or for any other lawful purpose, except that such decrease in price or increase in discount or allowance may not exceed that originally filed by any other licensee or registrant; or**

ii. **Increase the previously filed price or decrease the previously listed discount or allowance to correct a bona fide clerical error, but only upon approval of the Director; or**

iii. **Add new listings for products inadvertently omitted or newly acquired, but only upon the approval of the Director.**

(c) [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."

(d) [7.] The Current Price List [shall be a public record], **or such other notice or listing which shall adequately provide the information contained therein, shall be made available by licensees or registrants to the retailers and wholesalers to whom the product will be offered no later than the sixth business day after the filing deadline.** [and] [n] Nothing herein shall preclude any licensee or registrant [selling alcoholic beverages to retailers] from providing [it] **the price information** directly to retailers or other wholesalers by mail, through sales personnel, or through publication in trade journals[,] **or price listing services publishing on a statewide basis, provided that a copy of such trade journal or price listing publication shall also be made available to the Division.**

STATE

(a)

DIVISION OF COMMERCIAL RECORDING

Expedited Service

Proposed New Rule: N.J.A.C. 15:2

Authorized By: Jane Burgio, Secretary of State.
Authority: Public Law of 1982, c.150.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles C. Hager
Assistant Counsel
Department of State
CN 300
Trenton, NJ 08625

The Secretary of State thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-17.

The agency proposal follows:

Summary

This proposal establishes guidelines and fees for expedited service in the Commercial Recording Division of the Department of State. Presently, persons who require commercial recording information from the Department typically request such information in writing. Since the turnaround time in responding to such requests has been increasing because of the greater number of requests being received by the Department, interested persons have taken to telephoning for such information. Although the information is received sooner through telephoning, the turnaround time for answering telephone and written requests has increased creating a backlog. It is anticipated that the proposed expedited service will alleviate these problems and provide more efficient and quicker service.

Social Impact

This proposal will provide a mechanism for prompt response to commercial inquiries, searches and filings to those seeking such information. It is expected that those who will benefit from this proposal will be: 1. Attorneys searching corporate names for corporate clients; 2. Corporate search firms which conduct searches for other corporations requesting such information; and 3. Individuals who need general information on how to establish a corporation.

Economic Impact

Prior to this proposal, no changes were assessed for information provided by telephone. However, fees were charged for written information sent through the mail. The proposal will have an economic impact on those persons who request services from the Commercial Recording Division on an expedited basis. The economic burden will probably be more than outweighed by the savings in time between requesting and receiving such information.

The Department's collection of the fees will cover the costs of the program.

Full text of the proposed new rule follows.

CHAPTER 2
DIVISION OF COMMERCIAL RECORDING

SUBCHAPTER 1. EXPEDITED SERVICES

15:2-1.1 Services which will be provided on an expedited basis

(a) The Division of Commercial Recording shall provide expedited over the counter corporate services for the following requests:

1. Any information contained in the annual report of a corporation;
2. A certificate of standing, either long form, short form, or certificate listing charter documents;
3. A certified or uncertified copy of any document filed with the Division of Commercial Recording;
4. A certificate as to the existence or nonexistence of any facts on record with the Division of Commercial Recording;
5. The availability of a corporate name under N.J.S.A. 14A:2-2;
6. Filing a certificate of incorporation and all other corporate filings;
7. The name and address of the registered agent of a corporation;
8. The date of incorporation of a domestic corporation or the date of qualification of a foreign corporation;
9. The name and address of the corporation's registered agent which has filed a fictitious name certificate pursuant to N.J.S.A. 14A:2-2.1;
10. A U.C.C. 1 filing pursuant to N.J.S.A. 12A:9-401 et seq.;
11. A U.C.C. 3 filing pursuant to N.J.S.A. 12A:9-401 et seq.;
12. A U.C.C. 11 search pursuant to N.J.S.A. 12A:9-401 et seq., provided that the U.C.C. 11 search shall not exceed 20 filings. Searches over 20 filings can be expedited but may not be completed within the same day.

(b) The Division of Commercial Recording shall provide expedited telephone service for the following requests:

1. The availability of a corporate name under N.J.S.A. 14A:2-2;
2. Whether or not a corporation's certificate of incorporation or authority has been voided or revoked;
3. The name and address of the registered agent of a corporation;
4. The date of incorporation of a domestic corporation or the date of qualification of a foreign corporation;
5. The name and address of the registered agent of a corporation which has filed a fictitious name certificate pursuant to N.J.S.A. 14A:2-2.1;
6. The date when the last annual report was filed.

15:2-1.2 Definitions

(a) "Expedited service" means priority same day service effected in a fast and efficient manner.

"Same day" means as soon as possible but no later than 8 1/2 business hours from the time the request is received. The business day runs from 8:30 A.M. to 5:00 P.M. on all weekdays other than State holidays.

15:2-1.3 Exception: computer breakdown

Expedited service shall be rendered as soon as possible but may extend beyond the same day if the computer system utilized by the corporate recording division is down, making response impossible.

15:2-1.4 Fees for expedited service

(a) Fees for over the counter corporation service shall be as follows:

1. Filing of document:
 - i. Without certified copy: statutory fee plus \$5.00;
 - ii. With copy to be certified: statutory filing fee, certification fee of \$15.00 plus \$5.00.
2. Request for copy of annual report requested at the same time:
 - i. One report - \$2.00 plus \$5.00;
 - ii. Two reports - \$4.00 plus \$5.00;
 - iii. Three reports - \$6.00 plus \$5.00;
 - iv. Four reports - \$8.00 plus \$10.00;
 - v. Five reports - \$10.00 plus \$10.00;
 - vi. Six reports - \$12.00 plus \$10.00;
 - vii. Seven reports - \$14.00 plus \$15.00;
 - viii. Eight reports - \$16.00 plus \$15.00;
 - ix. Nine reports - \$18.00 plus \$15.00;
 - x. Ten reports - \$20.00 plus \$20.00.
3. Certificate of standing:
 - i. Short form standing certificate which includes registered agent and registered office: \$15.00 plus \$5.00;
 - ii. Long form standing certificate which includes registered agent, registered office, incorporators, officers, directors, and number of authorized shares: \$25.00 plus \$5.00.
4. Status reports which includes name availability, the name and address of the registered agent, corporation name, whether corporation charter is still valid, and whether corporation has filed a fictitious name. Fees for report(s) requested, at the same time are as follows:
 - i. One report - \$2.00 plus \$5.00;
 - ii. Two reports - \$4.00 plus \$5.00;
 - iii. Three reports - \$6.00 plus \$5.00;
 - iv. Four reports - \$8.00 plus \$10.00;
 - v. Five reports - \$10.00 plus \$10.00;
 - vi. Six reports - \$12.00 plus \$10.00;
 - vii. Seven reports - \$14.00 plus \$15.00;
 - viii. Eight reports - \$16.00 plus \$15.00;
 - ix. Nine reports - \$18.00 plus \$15.00;
 - x. Ten reports - \$20.00 plus \$20.00.
5. Certificate of name availability one to three names: \$10.00 plus \$5.00.
6. For each page photocopied: \$1.00 per page.
7. For each request for an uncertified copy of a document filed

with this office, other than the annual report, the fee is \$5.00 plus \$1.00 per page photocopied.

8. There shall be an additional charge of \$15.00 to certify any document.

(b) Fees for over the counter U.C.C. service shall be as follows:

1. Filings of a U.C.C. 1, a U.C.C. 1 with assignment, U.C.C. 3 or a separate assignment: \$10.00 plus \$5.00;

2. Search request: \$15.00 plus \$5.00;

3. Search request and photocopies: \$15.00 plus \$5.00 plus \$1.00 per page photostated;

4. Request for copy(ies): \$5.00 plus \$1.00 per page photocopied;

5. Filing U.C.C. 1 and search request to reflect filing: \$25.00 plus \$5.00.

(c) Expedited telephone service shall be provided for:

1. Status reports which include:

i. Availability of a corporate name under N.J.S.A. 14A:2-2;

ii. Whether a corporation's certificate of incorporation has been voided or revoked;

iii. The date of incorporation or the date of qualification of a foreign corporation;

iv. The name and address of the registered agent of a corporation which has filed a fictitious name certificate;

v. The corporation's number;

vi. The date when the last annual report was filed.

2. The fees for status report(s) requested at the same time are as follows:

i. One report - \$2.00 plus \$5.00;

ii. Two reports - \$4.00 plus \$5.00;

iii. Three reports - \$6.00 plus \$5.00;

iv. Four reports - \$8.00 plus \$10.00;

v. Five reports - \$10.00 plus \$10.00;

vi. Six reports - \$12.00 plus \$10.00;

vii. Seven reports - \$14.00 plus \$15.00;

viii. Eight reports - \$16.00 plus \$15.00;

ix. Nine reports - \$18.00 plus \$15.00;

x. Ten reports - \$20.00 plus \$20.00.

TREASURY-GENERAL

(a)

DIVISION OF PENSIONS

Public Employees' Retirement System Insurance Liability for Unenrolled Members

Proposed Repeal: N.J.A.C. 17:2-3.9

Authorized By: Board of Trustees of the Public Employees' Retirement System, John P. Olender, Secretary.

Authority: N.J.S.A. 43:15A-17 et seq.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

John P. Olender, Secretary
Public Employees' Retirement System
20 West Front Street
CN 295
Trenton, NJ 08625

The Board of Trustees of the Public Employees' Retirement System thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-1.

The agency proposal follows:

Summary

This proposal repeals the current rule concerning the insurance liability for unenrolled members who die while employed. Such repeal is being made upon advice from the Attorney General's office which has determined that the Pension System will be liable for a larger portion of the insurance benefit amount while the employer will have to contribute a lesser sum. Therefore, the amount a beneficiary receives will not change but the source from which they come will.

Social Impact

This proposal will affect current and future members of the retirement system and designated beneficiaries of the members. The proposal also affects the Pension System and public employers who ultimately pay out insurance benefits to beneficiaries.

Economic Impact

The retirement system and public employers may experience economic effects as a result of this proposal. Both may be liable for a portion of certain death benefits payable to deceased employees who were not enrolled in the retirement system in a timely manner. The benefits payable to the deceased employee's beneficiaries are not affected by this proposal.

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

17:2-3.9 [Insurance liability for unenrolled members]
(Reserved)

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

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

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

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

4. When a contributory insurance benefit is payable under (a)2 and 3 above, contributions will be collected from the beneficiary for premiums covering the period the member would have normally contributed before the benefit is paid.]

OTHER AGENCIES

(b)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

New Planned Park Zone

Proposed New Rules: N.J.A.C. 19:4-4.18A,
4.19A, 4.20A, 4.21A, 4.22A, 4.23A, 4.24A,
4.25A, 4.26A and 4.27A

Authorized By: Hackensack Meadowlands Development Commission, Anthony Scardino, Jr., Executive Director.

PROPOSALS**OTHER AGENCIES**

Authority: N.J.S.A. 13:17-1 et seq.

A **public hearing** concerning this rule will be held on January 25, 1983 at or after 9:30 A.M. at:

Hackensack Meadowlands Development
Commission
One DeKorte Park Plaza
Lyndhurst, NJ

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Chester Mattson, Director
Environmental Programs and Planning
Hackensack Meadowlands Development
Commission
One DeKorte Park Plaza
Lyndhurst, NJ 07071

The Hackensack Meadowlands Development Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-10.

The agency proposal follows:

Summary

This proposed new rule would create a zoning change in a 77-acre tract of land in North Arlington, County of Bergen, New Jersey, known as Block 190, Lot 1A, and Block 191, Lot 1A. As part of the DeKorte State Park Master Plan, a complex of recreational uses was planned for this tract, based on the belief that the State's riparian claim would withstand challenge by the owner of record, Land Reserve/Franklin Construction (LRFC). In 1978, LRFC challenged the State's ownership and eventually won the case in court. Simultaneous with this ownership suit, HMDC's Park and Recreation zoning for this tract was also challenged by LRFC. The proposed new rule is the culmination of land use planning and zoning settlement negotiations between HMDC and LRFC.

The land uses detailed in the zoning change proposal represents a mix of uses which the landowner can build in stages and which are compatible with DeKorte State Park.

Social Impact

The development of this site is important both visually and functionally to DeKorte State Park. Unless the LRFC tract is zoned and planned sensitively with respect to the Park's uses, development of this tract could both visually and functionally disrupt the Park.

Economic Impact

Development which is compatible with the Park will provide substantial benefits in terms of private sector financed infrastructure elements such as access roads, water, utilities, sewage collection systems, etc. The LRFC tract offers an excellent opportunity for public and/or private joint venturing.

Full text of the proposed new rule follows.

19:4-4.18A Planned park zone 1; purposes

This zone is intended to permit certain residential and commercial development on privately owned, non-riparian claimed property located within the geographic area designated as DeKorte State Park. This zone recognizes that certain residential and commercial uses can be developed in a manner so as to complement park development and also recognizes that certain portions of the zone have been landfilled with both solid waste and clean fill.

19:4-4.19A Planned park zone 1; permitted uses

(a) Residential uses: Townhouses and/or multi-family units shall not exceed 900 dwelling units for the entire zone.

(b) Hotel or motel and vacation villas uses: Hotel or motel development shall not exceed 500 rental units for the entire zone and including such accessory uses as restaurants, drugstores, gift shops, cocktail lounges and recreational facilities. Within the allotted number of permitted units, there may be included vacation villas which may use some or all of the hotel-motel support and service facilities.

(c) Retail and service use: Local retail and service uses shall not exceed 35,000 square feet for the entire zone (except that which is accessory to a hotel use).

(d) Commercial recreation uses: Such indoor uses may include theaters, health clubs, indoor athletic and recreational facilities, restaurants and similar uses intended to compliment other outdoor park and recreational activities provided for in the DeKorte State Park Master Plan. Such uses shall not exceed 100,000 square feet for the entire zone.

(e) Outdoor park and recreation uses: Outdoor park and recreation uses shall be related to the needs of the anticipated population of the zone and DeKorte State Park. Such uses shall be consistent with the type of recreational activities provided for in the DeKorte State Park Master Plan which include, but are not limited to, an equestrian center, swim clubs, skating centers, marinas, and bicycle rental facilities. Such uses, but not their associated structure or off-street parking, shall be deemed open space for the purpose of satisfying the provisions of N.J.A.C. 19:4-4.23.

19:4-4.20A Planned park zone 1; special exceptions

(a) The following special exceptions shall apply:

1. Office facilities, provided that the total combined floor area of offices and/or commercial recreational facilities do not exceed the total of 100,000 square feet for the entire zone.

2. Primary and secondary schools.

3. Residential uses as provided in N.J.A.C. 19:4-4.19 where the developer exceeds 900 dwelling units for the entire zone.

19:4-4.21A Planned park zone 1; use limitations

(a) Commercial and recreation uses may be provided on one or more lots and in one or more buildings.

(b) One or more principal uses and/or buildings may be permitted on a single lot.

19:4-4.22A Planned park zone 1; lot area requirements

There shall be no minimum lot area or width requirements for the planned park zone; except that such a lot size with width shall be governed by compliance with all other requirements of these regulations.

19:4-4.23A Planned park zone 1; bulk regulations

(a) The bulk regulations for the planned park zone are:

1. Maximum lot coverage: 35 percent of the entire zone.

2. No building or structure shall exceed 108 feet measured from National Vertical Geodetic Datum to the top of any structure or building.

3. Setbacks and Yards:

i. Minimum road setback is 75 feet along any major north-south roadway which borders the development in this zone on the west; and 35 feet along any easement or internal non-dedicated private roadway.

ii. No minimum side or rear yard shall be required, except as may be reasonably required at the time of the review procedures.

4. Minimum open space is 35 percent of the entire zone. Also, no less than 10 acres of the open space requirement for the entire zone shall be located in a continuous band no less than 75 feet in width in areas adjacent to zone borders bounded by water. The placing of such open space may follow an irregular configuration to best adapt to natural features and good planning practices.

5. Minimum final finished floor elevation of all places of public accommodation and dwelling units: ten feet mean sea level based on National Vertical Geodetic Datum.

19:4-4.24A Planned park zone 1; environmental performance standards

(a) All uses in the planned park zone shall comply with the following environmental performance standard categories of N.J.A.C. 19:4-6.

1. All Category-A environmental performance standards shall apply.
2. All water quality standards shall apply.

19:4-4.25A Planned park zone 1; design of structures and other improvements

The design of all structures and other improvements shall comply with the requirements of N.J.A.C. 19:4-6.18.

19:4-4.26A Planned park zone 1; buffer strip requirements

Where any of the development borders the Hackensack River or any of its tributaries, there shall be at a minimum a 75-foot wide strip of landscaped open space.

19:4-4.27A Planned park zone 1; procedure

An application for development within this zone shall be processed in accordance with N.J.A.C. 19:4-4 regarding zones.

(a)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Flood Plain Management

Proposed New Rule: N.J.A.C. 19:4A

Authorized By: Hackensack Meadowlands Development Commission, Anthony Scardino, Jr., Executive Director.

Authority: N.J.S.A. 13:17-1 et seq.

A public hearing concerning this rule will be held on January 25, 1983 at or after 9:30 A.M. at:

Hackensack Meadowlands Development Commission
One DeKorte Park Plaza
Lyndhurst, NJ 07071

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Fred P. Platt, Jr., P.E., P.P.
Deputy Chief Engineer, Development
Hackensack Meadowlands Development Commission
One DeKorte Park Plaza
Lyndhurst, NJ 07071

The Hackensack Meadowlands Development Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-11.

The agency proposal follows:

Summary

Since 1974, the Hackensack Meadowlands Development Commission has participated in the National Flood Insurance Program, and since that time has been enforcing flood plain management standards on new construction in the District under the Emergency Flood Insurance Program.

Pursuant to Section 1910.3(d) of the Program's regulations (24 CFR 1909 etc.), the Commission is required to convert from the Emergency Program to the Regular Flood Insurance Program.

It is also a requirement that the Commission adopt flood plain management regulations to effectuate the Regular Program.

The purpose of this proposal is to establish the flood management regulations that would govern development and use of land within the Hackensack Meadowlands District.

Social Impact

This proposal would provide added flood protection in the Hackensack Meadowlands District by establishing standards that would require new construction to be built above the flood plain in those areas that have been identified by the Federal Emergency Management Agency as special flood hazard areas.

Economic Impact

Enforcement of these regulations may increase the cost of new construction in the flood areas. Public improvements may also be more costly for road or drainage structures. However, the long term economic impact, would be a minimum of damage and resultant cost to property due to water hazards, by requiring that uses vulnerable to floods be protected against flood damage at the time of initial construction.

Full text of the proposed new rule follows.

CHAPTER 4A FLOOD PLAIN MANAGEMENT REGULATIONS

SUBCHAPTER 1. TITLE

19:4A-1.1 Chapter title

This chapter shall be known and may be referred to as the Flood Plain Management Regulations of the Hackensack Meadowlands District.

SUBCHAPTER 2. PURPOSE

19:4A-2.1 Purposes enumerated

This chapter sets forth procedures, engineering and planning standards, rules and regulations in accordance with which the Commission shall review and approve or disapprove applications for the development or use of land within the District. It is designed to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed: To protect human life and health; to minimize expenditure of public money for costly flood control projects; to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public; to minimize prolonged business interruptions; to minimize damage to new and existing construction; to minimize damage to public and private facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard; to help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas; to insure that potential buyers are notified that property is in an area of special flood hazard; to ensure that those who own or occupy the areas of special flood hazard assume responsibility for their actions; and generally to provide for the exercise of the powers regarding the review and regulation of land use and development conferred upon the Commission by Chapter 404 of the Laws of

1968. In order to accomplish its purpose, this chapter includes methods and provisions for: Restricting or prohibiting uses which are dangerous to health, safety and property due to water hazards, or which result in damaging increases in flood heights; requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; controlling the alteration of natural flood plains, stream channels, and natural protective barriers which help accommodate or channel flood waters; controlling filling, grading, dredging and other development which may increase flood damage; and, preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SUBCHAPTER 3. DEFINITIONS

19:4A-3.1 Words and phrases defined

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

“Appeal” means a request for a review of the Commission’s interpretation of any provision of this chapter or a request for a variance.

“Area of shallow flooding” means a designated AO or VO Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.

“Area of special flood hazard” means the land in the flood plain within a community subject to a one percent or greater change of flooding in any given year.

“Base flood” means the flood having a one percent chance of being equalled or exceeded in any given year.

“Chief engineer” means a professional engineer registered in the State of New Jersey appointed by the Commission having responsible charge of all matters carried out by the Office of the Chief Engineer as expressed or implied in accordance with Chapter 404 of the Laws of 1968.

“Commission” means the Hackensack Meadowlands Development Commission or any board, body, commission, department or officer succeeding to the principal functions thereof or to whom the powers and duties conferred upon the Commission shall be given by law.

“Development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations within the area of special flood hazard.

“District” means the Hackensack Meadowlands District as defined in Chapter 404 of the Laws of 1968.

“Existing mobile home park or mobile home subdivision” means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this regulation.

“Expansion to an existing mobile home park or mobile home subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation utilities, either final site grading or pouring of concrete or the construction of streets).

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal water and/or;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Insurance Rate Map” (FIRM) means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood insurance study” means the official report provided in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Maps and the water surface elevation to the base flood.

“Habitable floor” means any floor useable for living purposes, which include working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a “habitable floor”.

“Mobile home” means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

“New construction” means structures for which the “start of construction” commenced on or after the effective date of this regulation.

“New mobile home park or mobile home subdivision” means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this chapter.

“Office of the Chief Engineer” means the Office of the Chief Engineer of the Hackensack Meadowlands Development Commission.

“Secretary” means the Secretary of the Hackensack Meadowlands Development Commission.

“Start of construction” means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearings, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the “start of construction” includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile park or mobile home subdivision, “start of construction” means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

“Structure” means a walled and roofed building, a mobile home, or a gas or liquid storage tank, that is principally above ground.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvements or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirement of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

SUBCHAPTER 4. GENERAL PROVISIONS

19:4A-4.1 Lands to which this chapter applies

This chapter shall apply to all areas of special flood hazards within the boundaries of the Hackensack Meadowlands District.

19:4A-4.2 Basis for establishing the areas of special flood hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "Flood Insurance Study, Hackensack Meadowlands District, New Jersey, Bergen and Hudson Counties" dated June 15, 1982, with accompanying Flood Insurance Rate Maps, Number 340570, is hereby adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file in the Office of the Chief Engineer, Hackensack Meadowlands Development Commission, One DeKorte Park Plaza, Lyndhurst, New Jersey, 07071.

19:4A-4.3 Fees

Any requests for flood hazard certification or variances and appeals, and copies of the regulations, study, or maps submitted to the Office of the Chief Engineer shall be accompanied by such fee as shall be specified from time to time by resolution of the Commission.

19:4A-4.4 Penalties and enforcement

(a) No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Any person who violates the provisions of this chapter or fails to comply with any of its requirements shall be subject to a fine not to exceed \$200.00 or to imprisonment for not more than 30 days. Each day such violation or failure to comply is permitted to exist after notification thereof shall constitute a separate offense. In addition to the foregoing, the Commission may, in the case of any such violation or threat of such violation, institute civil action:

1. For injunctive relief;
2. To set aside and invalidate any conveyance or lease made pursuant to contract or sale or otherwise in violation of this chapter;
3. To prevent such unlawful sale or lease;
4. To restrain, correct, or abate such violation;
5. To prevent occupancy of land; and
6. To prevent any illegal act, conduct, business, or use in or about such premises.

19:4A-4.5 Other permits

No building permit, zoning certificate, occupancy certificate, subdivision plat approval, or implementation plan approval shall be issued by any official or agency of the Commission on any land that is within an area of special flood hazard until there has been compliance with all of the provisions of this chapter. Any approvals issued in conflict with this chapter shall be null and void.

19:4A-4.6 Abrogation and greater restrictions

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another regulation conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

19:4A-4.7 Warning and disclaimer of liability

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on

scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the Hackensack Meadowlands Development Commission, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

SUBCHAPTER 5. ADMINISTRATION

19:4A-5.1 Development permit required

No construction, use or development shall commence within any area of special flood hazard established in N.J.A.C. 19:4A-4.2 unless a zoning certificate, construction permit, occupancy certificate, subdivision plat approval, implementation plan approval, sanitary landfill approval, or other development permit approvals as required by Chapter 404 of the Laws of 1968 shall first have been obtained from the Commission certifying that the proposed construction, use or development complies with the applicable provisions of this chapter.

19:4A-5.2 Administration

The administration and implementation of this chapter in accordance with its provisions is vested in the Office of the Chief Engineer.

19:4A-5.3 Duties and responsibilities of the Office of the Chief Engineer

(a) The Office of the Chief Engineer shall administer the provisions of this chapter in the manner set forth herein and in furtherance of such authority, shall, but not be limited to:

1. Maintain permanent and current records with respect to this regulation, including amendments thereto;
2. Review and approve or disapprove all development permits after determining that the requirements of this regulation have or have not been satisfied;
3. Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard.
 - i. If it is determined that there is no adverse effect, then the permit shall be granted consistent with the provisions of this regulation.
 - ii. If it is determined that there is an adverse effect, then flood damage mitigation measures shall be made a condition of the permit; if such mitigation cannot be accomplished, the permit shall be denied.
4. Maintain for public inspection all records pertaining to development permits, including: obtaining and recording the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement; verifying and recording the actual elevation (in relation to mean sea level) and maintaining flood proofing certifications for all new or substantially improved flood proofed structures;
5. Notify adjacent communities and the State Coordinating Agency for the National Flood Insurance Program and FEMA prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA; requires that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished;
6. When base flood elevation data has not been provided in accordance with N.J.A.C. 19:4A-4.2, the Office of the Chief Engineer shall obtain, review, and reasonably utilize any base flood data available from a Federal, State, or other source, in order to administer N.J.A.C. 19:4A-6.2.
7. Make interpretations where needed as to the exact location of the boundaries of the areas of special flood hazards (for example,

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where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in N.J.A.C. 19:4A-5.4.

19:4A-5.4 Variances

(a) In cases in which there is unwarranted hardship in carrying out the literal provision of this chapter, whether because of conflicting requirements or otherwise, the Office of the Chief Engineer may grant a variance from such provision. In passing upon requests for variances, the Chief Engineer shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and

1. The danger that materials may be swept onto other lands, to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage to the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and flood plain management program of that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

19:4A-5.5 Standards for the granting of variances

(a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in N.J.A.C. 19:4A-5.4(a)1-11 have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(b) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

(c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(e) Variances shall only be issued upon:

1. A showing of good and sufficient cause;
2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in N.J.A.C. 19:4A-4.4, or conflict with existing local laws or ordinances.

(f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the

cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

19:4A-5.6 Conditions

Upon consideration of the factors of N.J.A.C. 19:4A-5.4(a)1-11 and the purposes of this chapter, the Office of the Chief Engineer may attach such conditions to the granting of variances as it deems necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of this chapter. Failure to comply with any of the conditions or restrictions placed on a variance shall constitute a violation of this chapter.

19:4A-5.7 Written decision and records

A written decision on an application for a variance shall be rendered within 10 weeks of the date of the application. The Office of the Chief Engineer shall maintain complete records of all actions with respect to applications for variances, including technical information, and shall report any variances to the Federal Emergency Management Agency upon request.

19:4A-5.8 Appeals

An appeal from an adverse decision of the Chief Engineer made pursuant to this chapter may be taken to the Commission by any party, or, in the discretion of the Commission, by anyone adversely affected by such decision. Appeals shall be taken within 15 days after the date of notification of an adverse decision by filing a notice of appeal, by certified mail, with the Office of the Chief Engineer. The notice of appeal shall specify the grounds for such appeal. Upon receipt of a notice of appeal, the Secretary of the Commission shall transmit to the Office of Administrative Law all of the papers constituting the record upon which the decision being appealed was based. An appeal shall stay all proceedings in furtherance of the action in respect to which the decision appealed from was made and shall toll all applicable time limits. The Commission shall decide each appeal within 45 days of receipt of the decision of the administrative law judge.

SUBCHAPTER 6. DESIGN STANDARDS**19:4A-6.1 Scope**

In all areas of special flood hazards where base elevation data have been provided as set forth in N.J.A.C. 19:4A-4.2 and 19:4A-5.3(a)6 regarding use of other base flood data, the standards in this subchapter are required.

19:4A-6.2 Buildings

(a) Residential construction: New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

(b) Non-residential construction: New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities shall:

1. Be floodproofed so that, below the base flood level, the structure is watertight with walls substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer that the standards of this subsection are satisfied.

(c) Mobile homes shall be governed by the following:

1. Mobile homes shall be anchored in accordance with N.J.A.C. 19:4A-6.5.
2. For new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home

subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, standards required that:

- i. Stand or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;
- ii. Adequate surface drainage and access for a hauler are provided; and
- iii. In the instance of elevation on pilings, that:
 - (1) Lots are large enough to permit steps;
 - (2) Piling foundations are placed in stable soil no more than 10 feet apart; and
 - (3) Reinforcement is provided for pilings more than six feet above the ground level.

19:4A-6.3 Building sites

- (a) All building site construction, including but not limited to parking lots, driveways, sidewalks, truck maneuvering areas, and landscaped areas, shall be consistent with the need to minimize flood hazards and damage.
- (b) All building site construction shall have public utilities and facilities such as sewer, gas, electric, and water systems located and constructed to minimize flood hazards and damage.
- (c) Base flood elevation data shall be provided for building site proposals which contain at least three acres.

19:4A-6.4 Subdivision improvements

- (a) All subdivision proposals, including roads, culverts, bridges, and tide gates shall be consistent with the need to minimize flood hazards and damage.
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electric, and water systems located and constructed to minimize flood hazards and damage.
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (d) Base flood elevation data shall be provided for subdivision proposals which contain at least three lots or three acres (whichever is less).

19:4A-6.5 Anchoring

- (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (b) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Special requirements shall be that:
 1. Over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side;
 2. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side;
 3. All components of the anchoring system be capable of carrying a force of 4,800 pounds; and
 4. Any additions to the mobile home be similarly anchored.

19:4A-6.6 Construction material and methods

- (a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

19:4A-6.7 Utilities

- (a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
- (c) On-site water disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

RULE ADOPTIONS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Jurisdiction of the Office of Administrative Law

Adopted Amendment: N.J.A.C. 1:1-2.2

Proposed: June 7, 1982, at 14 N.J.R. 486(a).
Adopted: December 14, 1982 by Howard H. Kestin,
Director, Office of Administrative Law.
Filed: December 14, 1982 as R.1982 d.467, **with
substantive and technical changes** not requiring
additional public notice and comment (see N.J.A.C.
1:30-3.5).

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: January 3, 1983.
Expiration Date pursuant to Executive Order No. 66 (1978):
June 19, 1985.

Summary of Public Comments and Agency Responses and Changes Upon Adoption:

This proposal was the subject of extensive comment and discussion, which are summarized here.

Written comments were received from the Departments of Environmental Protection, Civil Service, the Public Advocate, and the Board of Public Utilities (BPU), as well as from the American Insurance Association (AIA), the Jersey Central Power and Light Company (JCP&L), the Public Service Electric and Gas Company (PSE&G), the South Jersey Gas Company and several private attorneys primarily concerned with utility regulation. Each of the written comments was responded to individually.

Also the proposal was placed on agenda for discussion several times by the Assembly Judiciary, Law, Public Safety and Defense Committee, as part of the Legislature's oversight responsibilities. Testimony was presented to the Committee by representatives of the Office of Administrative Law (OAL), the BPU, the Public Advocate and JCP&L. At the request of the Assembly Committee, the OAL held a public hearing on the proposal. At the July 21, 1982 hearing, testimony was received from the BPU, the Public Advocate, the Department of Civil Service, JCP&L, and PSE&G. After deliberating, the Committee issued a unanimous report containing a recommended modification of the rule. The rule, as adopted, incorporates the recommendations of the Assembly Committee.

In general, the report of the Assembly Committee, and the comments of the Public Advocate and the Department of Environmental Protection, were supportive of the proposal, while the comments from the BPU, Department of Civil Service, private attorneys, A.I.A. and utilities were in opposition. The various

comments were concerned with: (A) The statutory authority of the OAL to promulgate the rule; (B) The authority of an Administrative Law Judge (ALJ) to make a ruling pursuant to the rule; and (C) The practicality and practical operation of the rule.

(A) As to the authority of the OAL to promulgate the rule, the critical comments generally argued that the rule would interfere with an agency head's statutory authority, under N.J.S.A. 52:14F-7a., to determine whether a case is contested and to make the final administrative decision on all issues of a case. These commentators cited as authority for their positions the recent Supreme Court decision in **In The Matter of the Appeal of Certain Sections of the Uniform Administrative Procedural Rules NJ** (1982) (hereafter cited as the Rules Decision). The BPU cited that portion of the Rules Decision which states that "...the OAL may not adopt rules that nullify or frustrate the essential decisional authority of the agency itself..." (Letter of July 9, 1982 to Assembly Committee, p.3, citing slip opinion at p.13).

The supportive comments generally argued that the rule would further the statutory obligations of the OAL to "Develop uniform standards, rules of evidence, and procedures ...to regulate the conduct of contested cases and the rendering of administrative adjudications" (N.J.S.A. 52:14F-5e), and to "Administer and supervise the procedures relating to the conduct of contested cases and the making of administrative adjudications..." (N.J.S.A. 52:14F-5g). The supportive comments also cited the Rules Decision as authority for their positions. The Public Advocate cited that portion of the Rules Decision which states that "The Office of Administrative Law is fully empowered to formulate rules and regulations that promote efficiency, uniformity, consistency and independence in the handling of contested cases" (Testimony at July 21, 1982 public hearing, citing slip opinion at p. 33).

It is the position of the OAL that the statutory authority for this rule exists, and that the rule does not detract from but, instead, enhances the decisional authority of agency heads. The rule is also designed to recognize the fact that once issue is joined and is transmitted to OAL, the parties as well as the agency head acquire an important interest in full, dependable, speedy and efficient resolution of all features of the controversy. As was explained in the summary of the proposed rule, at 14 N.J.R. 486(a), the purpose of the rule is merely to regularize the process, and to ensure the full development of an adequate record upon which an agency head can productively exercise decisional authority pursuant to N.J.S.A. 52:14B-10(d). Furthermore, the rule does not invest an ALJ with any final decision-making authority, or in any other way undermine the agency head's authority in the contested case process.

(B) As to the authority of an ALJ to rule on the question of retaining an issue which an agency head wants returned or hearing an issue which an agency head does not want heard, the critical comments generally argued that such a ruling would intrude upon the agency head's authority to determine what is a contested case, pursuant to N.J.S.A. 52:14F-7a. The Department of Civil Service argued that, under the statute and the Rules Decision, the agency "determines what is a contested case and the reviewable issues" (Letter of July 2, 1982, pg. 1).

The supportive comments generally argued that once a case is transmitted to the OAL, considerations of fairness and efficiency require that all the issues be heard by the ALJ, and that the agency head can finally determine each of the issues either interlocutorily or at the end of the case. In supporting the proposal, the Department of Environmental Protection stated that "the intent of the rules is simply to insure that all the issues in a contested case are before the OAL..." (Letter of July 8, 1982).

The OAL feels that the role of an ALJ under N.J.A.C. 1:1-2.2(a)

does not conflict with the decisional authority of an agency head, and does not conflict with an agency head's legitimate authority to decide whether a case or an issue is contested pursuant to N.J.S.A. 52:14F-7a, as interpreted by the Rules Decision. In the Rules Decision, the Court stated that:

"The statute is somewhat misleading when it speaks of the agency head's ability to decide "whether a case is contested." N.J.S.A. 52:14F-7(a). The obvious purpose of this provision is to confirm the discretionary power of the agency head to hear contested cases directly. The Legislature clearly intended to preserve the agency head's power to hear, as well as decide, a contested case. *Unemployed-Employed Council of New Jersey v. Horn*, 85 N.J. 646 (1980). The agency head exercises this discretionary authority to hear a contested matter directly by determining that the case is "not contested." He does so solely for the purpose of withholding the case from the OAL, but he is not in any sense changing the contested character of the case." (Slip opinion, footnote 8 at p.29.)

Thus an agency head may not preclude a contested case hearing for an issue or a case by merely labeling that issue or case as not "contested." All contested cases, whether heard directly by an agency head or by an ALJ, are subject to the Administrative Procedure Act (APA), and to the APA's requirement that an agency head's decision must be based on the record of a full and fair hearing (N.J.S.A. 52:14B-10). N.J.A.C. 1:1-2.2(d) is an attempt to regularize the process of fulfilling that requirement.

At the same time, rulings of ALJs, including rulings pursuant to N.J.A.C. 1:1-2.2(d), are subject to review by the agency head, either interlocutorily or at the end of a case, as appropriate. (See Rules Decision, Slip Opinion p.23; and N.J.A.C. 1:1-9.7, newly adopted at 15 N.J.R. 25(a), text proposed at 14 N.J.R. 1182(a)). Thus the OAL feels that the needs of all concerned for an orderly and stable procedure, and the needs of an agency head for a full record upon which to exercise decisional authority, are fostered by N.J.A.C. 1:1-2.2(d).

(C) As to the practicability and practical operation of the rule, the critical comments generally argued that the rule would result in unnecessary delay in the resolution of many issues. They argue that where one of the parties and/or the agency head desires a quick decision on an issue, the agency head should be able to make that decision without waiting for and wading through an ALJ's hearing record and initial decision. PSE&G argued that an agency head should be able to retain "an issue of key importance to the public interest which should be decided directly by the agency without waiting for a recommendation from the OAL" (Letter of June 16, 1982, submitted July 15, 1982).

The supportive comments generally argued that a single adjudication of all the key issues in a case is the most fair and efficient procedure, and is a basic purpose underlying the OAL statute. The Public Advocate argued that: "The problem which the rule addresses is the distressing frequency with which administrative agencies have begun to interfere in the efforts of administrative law judges ("ALJs") to adjudicate the contested cases which come before them. They do so by transmitting cases shorn of important, often linchpin issues, with no assurance to any of the parties as to when, how or indeed if ever they will hear these issues. In the meantime, the parties are forced to litigate only the fraction of the case left intact—while forced to lobby, cajole, and plead with the parent agency for consideration of the "lost" issues. For practitioners and members of the public this can be a frustrating and expensive experience which serves no one's interest—certainly not the public interest.

"Similarly, the same agencies have begun to retract important issues even as the case before the ALJ is in full progress, and to do so totally on their own initiative, without so much as hearing from the parties on whether it is wise to do so. Thus, much like a

medieval sorcerer, agencies can make issues disappear only to reappear again (if the parties are lucky) in some other guise at some undefined time in the future. But this often occurs only after the parties have been forced to fully litigate their claim—absent the retracted issues—before a gravely handicapped ALJ." (Written testimony of July 21, 1982 p. 1-2, emphasis in original.)

The OAL feels that the rule is practical and promotes a full and efficient process. Under the rule, an agency head may retain and decide an issue prior to transmission of the case to OAL. Under the newly adopted OAL Emergency Relief rule (N.J.A.C. 1:1-9.6, adopted at 15 N.J.R. 25(a), proposed at 14 N.J.R. 1182(a)), a party may apply directly to the agency head for any immediate, emergency relief. Finally, under the rule, as clarified by the provision recommended by the Assembly Committee, the OAL is obliged to relinquish jurisdiction over any issue at the request of the agency head with the agreement of the parties. An individual judge may also return an issue where warranted by the circumstances of the case and where requested by a party and accepted by the agency head. As a result, the public interest in single, full adjudication of controversies is balanced with the public interest in speedy adjudication of emergent disputes, without undermining the decisional authority of any agency head, or the individual interests of the parties.

The rule has been adopted with a clarification suggested by Assemblyman Martin A. Herman, Chairperson of the Assembly Judiciary, Law, Public Safety and Defense Committee, at the June 17, 1982 Committee meeting and subsequently finalized as the Recommendations of the Committee. The suggestion was thereafter discussed with interested parties and at the July 21, 1982 public hearing. The modification clarifies the intent of the rule as proposed, which is to help guarantee to the parties a full, fair and efficient hearing. The rule attempts to protect against the possibility of disruption or disjunction of a case resulting from unilateral and arbitrary actions of one party and/or an agency head. The Assembly Committee supported this intent, "and recognizes the need for all parties to have their interest considered in the decision of how contested cases will proceed" (Letter of November 15, 1982, pg. 4). At the same time, if all parties to the case and the agency head agree to the retention or return of any or all issues, then the parties' interests are served by the retention by the agency head or return by the ALJ of the issues. The suggestion, adopted by the OAL, recognizes and clarifies this latter situation.

The rule has also been adopted with a brief articulation of the discretionary authority of an ALJ, under the rule, to return any or all issues to the agency head where the ALJ determines that would be warranted. The provision explains that, upon motion of a party, and with the agreement of the agency head, the ALJ may decide to return an issue, even though the other party objects. This provision complements the suggestion of the Assembly Committee, and more fully articulates the intent and effect of the rule.

Finally, the adoption of this rule eliminates the need for the proposed N.J.A.C. 1:1-17.3, 14 N.J.R. 4(b), which is hereby withdrawn. The essential concepts involved in proposed N.J.A.C. 1:1-17.3 are subsumed in the rule being promulgated herein.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

1:1-2.2 Jurisdiction of the Office of Administrative Law
(a)-(c) (No change.)

(d) Upon transmission *of a case*, the Office of Administrative Law shall acquire jurisdiction to hear all issues in the case *[which were]* lawfully before the transmitting agency and which have not been finally decided by the agency head, *except that:

1. The agency head may exercise the discretion to retain and hear personally an application for emergency relief pursuant to N.J.A.C. 1:1-9.6 (Emergency Relief);

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2. Upon request of the agency head and agreement of the parties, the Office of Administrative Law shall relinquish jurisdiction over any or all issues in a case to the transmitting agency, so that the agency head may personally hear those issues; and

3. Upon motion of a party and agreement of the agency head, an administrative law judge may return any or all issues in a case to the transmitting agency, so that the agency head may personally hear those issues.*

(a)

OFFICE OF ADMINISTRATIVE LAW

**Uniform Administrative Procedure Rules of Practice
Jurisdiction of the Office of Administrative Law**

Adopted New Rules: N.J.A.C. 1:1-9.6 and 9.7

Adopted Amendments: N.J.A.C. 1:1-9.1, 9.2, 13.2, 13.3 and 14.5

Adopted Repeals: N.J.A.C. 1:1-9.6 and 9.7

Proposed: November 1, 1982 at 14 N.J.R. 1182(a).

Adopted: December 15, 1982 by Howard H. Kestin, Director, Office of Administrative Law.

Filed: December 15, 1982 as R.1982 d.472, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978): June 19, 1985.

Summary of Public Comments and Agency Responses and Changes Upon Adoption:

Comments on the proposed rule were received from the Attorney General, the Department of Civil Service, the Board of Public Utilities and Jersey Central Power and Light Company.

The Attorney General's comments were directed primarily to the practical operation of N.J.A.C. 1:1-9.6 (Emergency relief) and 1:1-9.7 (Interlocutory review). As to N.J.A.C. 1:1-9.6 and 9.7, the Attorney General suggested several ways in which the rules might be clarified, but which the Office of Administrative Law (OAL) does not regard as necessary. The Attorney General also suggested that N.J.A.C. 1:1-9.6 and 9.7, be amended to permit an agency head to delay OAL hearings when the agency head is reviewing an emergency relief order or interlocutory order. The OAL regards this change as unnecessary, and thinks that it is more workable, and more fully in compliance with the underlying policies of N.J.S.A. 52:14F-1 et seq., for the administrative law judge, who fully understands the needs of the whole case and who is in direct communication with the parties, to determine whether to delay the OAL proceedings. The Attorney General suggested including in N.J.A.C. 1:1-9.6 a procedure similar to Court Rule 4:52-1(a), permitting a quick motion for speedy dissolution of temporary restraints. Such a provision would be similar to the repealed N.J.A.C. 1:1-9.6(d) of the previous rules. This suggestion was also made by the Jersey Central Power and Light Company. The OAL

agrees with this suggestion, and will propose such an amendment in the near future. The Attorney General also suggested clarifying, in N.J.A.C. 1:1-9.7(b), that a copy of the order in question must be included with a party's interlocutory appeal. The OAL agrees with this suggestion, and the suggested language is included in the rule as promulgated herein.

The Department of Civil Service had two basic criticisms of N.J.A.C. 1:1-9.7. First, the Department felt that an agency head should have 45 days to review an interlocutory order. The OAL feels that the 20 day period contained in the rule, and which was previously recommended by the Attorney General, provides a proper balance between the need for adequate review time and the need to expedite administrative proceedings.

Second, the Department of Civil Service suggested that an administrative law judge should be required to provide a written memorandum for every interlocutory order, rather than leaving the matter to the judge's discretion. Motions for interlocutory appeal are disfavored, and are characterized by a heavy burden of persuasion as to their appropriateness. See **In the Matter of the Appeal of Certain Sections of the Uniform Administrative Procedural Rules NJ** (1982), Slip Opinion at pp 20 and 22. Interlocutory appeals create the possibility of significant delay and disruption of proceedings. Requiring a memorandum on each appeal would create even more possibilities for delay. It is OAL's position that the entire responsibility for presentation is most efficiently and fairly placed upon the parties, not on the judge. Accordingly, on the recommendation of the Attorney General, the appellant will be required to file a copy of the order with the agency head when the appeal is submitted. If a written decision was required on each matter submitted for interlocutory appeal, the judges would be unnecessarily overburdened with writing, further impinging on the time spent hearing cases. Additionally, such requirement would enable a recalcitrant party to disrupt and extend a contested case proceeding unduly.

The Board of Public Utilities (BPU) endorsed the provisions of N.J.A.C. 1:1-9.7. The BPU felt, however, that the provisions of N.J.A.C. 1:1-9.6(e) through (g) interfered with an agency head's statutory right to mold substantive emergency relief. The OAL does not view the rule as infringing on the agency head's substantive jurisdiction or regulating any substantive requirements for relief. Rather, it merely regulates the procedures in an effort to promote efficiency, uniformity and consistency.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

1:1-9.7 Interlocutory review

(a) (No change from proposal.)

(b) Any request for interlocutory review shall be made to the agency head no later than five working days from the date of the order or ruling. Any request for interlocutory review shall be in writing by memorandum, letter or motion ***[; and copies]* ***and shall include a copy of the ruling, decision, holding or order sought to be reviewed. Copies of all documents submitted***** shall be filed with the judge and clerk.

(c)-(i) (No change from proposal.)

(b)

OFFICE OF ADMINISTRATIVE LAW

**Hearing Rules of Special Applicability
Special Education Program**

Adopted New Rule: N.J.A.C. 1:6A

Proposed: September 7, 1982 at 14 N.J.R. 930(a).

Adopted: November 18, 1982, by Howard H. Kestin, Director, Office of Administrative Law.
 Filed: December 7, 1982 as R. 1982 d. 462, with **substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 52:14F-5e, f, g, h, n, o and p.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978):
 January 1, 1988.

Summary of Public Comments and Agency Responses:

These rules for special education hearings are adopted following considerable legal activity and opportunity for public comment, including: ongoing discussions between the OAL and the Department of Education beginning in early 1980; a preliminary Federal District Court ruling of April 5, 1982 which invalidated the existing Department hearing procedure; a pre-proposal of new OAL hearing rules on July 6, 1982 (14 N.J.R. 675(a)); a final Federal District Court decision of July 7, 1982 invalidating the existing Department procedure; a public hearing on July 21, 1982 on the OAL's pre-proposal; a formal request on July 23, 1982 from the Commissioner of Education for OAL to assume the special education hearings; and the proposal of these OAL rules on September 7, 1982 (14 N.J.R. 390(a)).

Considerable public comment was received at each step of the process. Each written comment was responded to individually. The comments on the proposals were of two types: (1) **specific** practical and technical concerns and suggestions on the rules from parents, from public interest groups, and from lawyers; (2) **general** concerns expressed by parents and public interest groups whether the OAL is a fit and proper forum for these hearings.

(1) Most of the **specific** suggestions were accepted, and are reflected in the changes upon adoption of the rules and in the proposed amendments to the rules which appear in this Register at 15 N.J.R. 2(a). The changes upon adoption help clarify the intent of the proposal, without substantially altering its effect. The remaining provisions would entail significant changes from the proposal and must therefore be proposed as amendments to these rules. The specific changes upon adoption, which were suggested by the public include:

(a) A waiver of the 15 day notice requirement in N.J.A.C. 1:6A-2.1(a)1., where the parents agree to the proposal and therefore do not need 15 days to prepare an objection;

(b) Deleting the words "represented" and "assisted" and inserting the words "accompanied and advised" in N.J.A.C. 1:6A-2.1(b)4iii and N.J.A.C. 1:6A-4.2(a), in order to conform the language with the precise wording of the Federal statute (20 USCA 1415(d));

(c) Ensuring that the parties receive a copy of the Department's transmittal form to OAL, under N.J.A.C. 1:6A-2.2(a), so that the parties can address its accuracy;

(d) Clarifying that a parent's hearing request should specify what the parent seeks for his or her child, under N.J.A.C. 1:6A-2.2(b), so that the settlement conference and hearing are properly focused;

(e) Specifying in N.J.A.C. 1:6A-2.2(e), the Federal requirement that parents be offered information about legal and other relevant services;

(f) A statement of the standard for emergency relief in N.J.A.C. 1:6A-3.1(e), derived from the case law;

(g) Clarifying that the 5-day disclosure requirement for evidence under N.J.A.C. 1:6A-3.3(c), may be relaxed by the judge where necessary and appropriate;

(h) Clarifying that evidence offered at a departmental review, under N.J.A.C. 1:6A-4.1(d), may be offered at a hearing; and

(i) Specifying, in N.J.A.C. 1:6A-5.2, the use of initials in the judge's decision, in order to ensure confidentiality for the child.

A specific concern of several commentators was the relationship

between the Federal regulations and the OAL rules. The response to this concern is the addition of N.J.A.C. 1:6A-1.1(b) and (c), and the addition of citations to appropriate Federal regulations following key provisions of the OAL rules.

In addition to the modifications made at the suggestion of the commentators, several other clarifying changes have been made in this adoption, including:

(a) For the purpose of eliminating some possible occasions for confusion or delay, a requirement in N.J.A.C. 1:6A-3.1(f) that all preliminary motions be included with the transmittal of the case by the Department;

(b) A statement of the time limit for a judge's decision, in N.J.A.C. 1:6A-5.1(a), which is derived from adding the various time limits for the other stages of the hearing process, and subtracting the total from the 45 day time limit for the whole process; and

(c) An addition to the "stay" provision in N.J.A.C. 1:6A-5.4, in order to more clearly conform that rule with Federal law, at 20 USCA 1416 and 34 CFR 300.513.

Specific suggestions which were not accepted, and the reasons for not accepting them, include the following:

(a) The suggested deletion of the word "relevant" or "pertinent" from N.J.A.C. 1:6A-2.1(b)4i and N.J.A.C. 1:6A-2.2(c). The OAL does not have the authority to open up all school records to parents. The Federal statute specifically provides access only to "relevant" records (20 USCA 1415(b)(1)(A)), and the Federal regulations provide a mechanism for access to records "related" to the special education of the child (34 CFR 300.562 et seq., implemented by N.J.A.C. 6:28-1.10).

(b) The suggested specification, in N.J.A.C. 1:6A-4.1, of which party has the burden of going forward and which party has the burden of persuasion. As to the burden of going forward, although the general rule of procedure is that the plaintiff opens, a general exception exists whereunder the party with the informational and evidentiary advantage may be ordered to go first. The local Board of Education commonly has such an advantage in special education cases. Furthermore, where one party has an attorney, and the other does not, it may be conducive to a better and more orderly hearing to have the represented party open the presentation of proofs. In any event, because of the unusually thorough discovery opportunities provided in these rules, neither party will be at a substantial disadvantage if required to go first.

Therefore, the rules leave the resolution of this procedural question to the informed discretion of the judge presiding at trial.

As to the burden of persuasion, where the standard of proof is a "preponderance of the evidence," as presently pertains to all of these cases, it is rare for the evidence to be in perfect equipoise. Thus, a decision based solely on the location of the burden of proof is unlikely, and it is important in every matter for each party to make an effort to prove its side of the case.

(2) Most of all the **general** concerns from parents and public interest groups about whether the OAL is a fit and proper forum for these hearings focused on two issues:

(a) Since OAL has been appointed and is being paid by the Commissioner to do these hearings, is an Administrative Law Judge (ALJ) the "independent" hearer required by Federal law?

(b) Do ALJs have the expertise and the sensitivity to handle these cases?

1. As to the independence of the OAL and the ALJs, the OAL is not dependent financially or otherwise on the hearing of these special education cases. Likewise, no ALJ is dependent upon these cases in order to justify or maintain his/her position. Furthermore, no ALJ is under the supervision of the Department of Education. Each ALJ's salary, status and tenure are governed by uniform standards of performance developed by OAL. These standards are applied to all ALJs in all cases with substantial care so as not to impair the decisional independence of the judges. Finally, the funding for these cases is paid to the OAL, and not to any ALJ, and the OAL is not being paid by the Commissioner. Rather the

Commissioner is a conduit for Federal monies appropriated to fund the fair hearing process. These monies are transferred into the general revenue of the OAL. ALJ's salaries are paid from the general appropriations and revenue of the OAL.

These factors distinguish the OAL and the ALJs from the Bureau of Special Education and the Bureau's hearing examiners which are within the Department of Education and under its authority. These factors also effectively guarantee the independence of the OAL and the ALJs from the Department, required by the Federal statute (20 USCA 1415(e)(2)) as interpreted and applied by the Federal District Court in East Brunswick Bd. of Ed. v. N.J. State Bd. of Ed., et al, Oral Opinion, July 7, 1982).

2. As to the issue of expertise and sensitivity, many administrative law judges are highly experienced in trying and deciding both educational and social services cases. Several administrative law judges were once hearing examiners at the Department of Education, with decades of total experience in hearing educational matters. Others have, in excellent manner, presided over the trial of education cases for the past 3 1/2 years. All administrative law judges regularly preside over cases in other subject matter fields which involve issues and situations similar to those in Special Education cases.

The ALJs assigned to these special education cases will have had considerable experience in dealing successfully with matters of special sensitivity, requiring the deepest concern for the litigants and their unique situations. Nevertheless, these special education cases, require unusual attention to the best interests of children with special needs in the context of determining "appropriate" educational programs. They arise in the context of competing claims for the scarce monetary resources of both school districts and parents. Because of these considerations, the special education cases present particularly difficult challenges for the ALJs. Therefore, it is eminently appropriate that the hearing procedure embodied in these rules, as a required improvement on the former system, involves both the Bureau of Special Education and the OAL. The legal resources and staff of the OAL are added to the special qualifications and resources of the Bureau and its staff.

Finally, in cooperation with the Department of Education, the OAL has been undertaking an intense orientation and training program in special education matters for ALJs.

As a result, the OAL hopes and believes that it can fairly and efficiently handle these matters with the special sensitivity they require.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets ***[thus]***).

SUBCHAPTER 1. APPLICABILITY

1:6A-1.1 Applicability

(a) The following rules shall apply to the notice and hearing of matters arising out of the Special Education Program of the Department of Education, as described in N.J.A.C. 6:28-1.1 et seq. Any aspect of notice or hearing not covered by these rules of special applicability shall be governed by the Uniform Administrative Procedure Rules (UAPR) contained in N.J.A.C. 1:1-1.1 et seq. To the extent that these rules of special applicability are inconsistent with the UAPR, these rules shall apply. ***[For reference see 20 N.J.S.A. 1415 and 45 CFR 121a500 et seq.]***

***(b) These rules are established in implementation of Federal law, at 20 U.S.C.A. 1514 et seq. and 34 CFR 300 et seq. These rules do not duplicate each provision of Federal law, but highlight some of the key Federal provisions which form the source or authority for these rules. Where appropriate, the Federal source or authority for a rule or Federal elaboration of a rule will be indicated in brackets following the rule. In any case where these rules could be construed as conflicting with Federal requirements, the Federal requirements shall apply.**

(c) Since these rules are established in implementation of Federal law, they may not be relaxed except as specifically provided herein or pursuant to Federal law.*

SUBCHAPTER 2. COMMENCEMENT OF MATTER

1:6A-2.1 Commencement of matter by a board of education, parent or guardian: notice of action

(a) With respect to the referral, evaluation, classification, or educational placement of a pupil, or to the provision of a free and appropriate education to a pupil under N.J.A.C. 6:28-1*[.1 et seq.]*:

1. When a board of education proposes to act or to make any change with regard to a pupil, the board shall send a written notice to the parent(s) or guardian of the pupil no later than 15 days after making such a determination, ***[but]* *and*** in no event less than 15 days prior to the date for implementing the proposed action or change ***unless the parent(s) or guardian otherwise consents to the proposal***.

2. When a board of education is requested by a parent or guardian to make any change with regard to a pupil, the board shall send a written notice to the parent(s) or guardian of the pupil forthwith upon approving or denying the request, and in no event more than 30 days from the date of the request.

(b) Each notice shall be clearly and simply written and shall include:

1. A description of the action proposed or denied by the board of education, an explanation for the proposal or denial, a description of the other options considered and a rationale for the rejection of those options ***(34 CFR 300.505 (a)(2))***;

2. A description of the procedures and factors used by the board of education in determining whether to propose or deny an action, including each test, record or report the board used as a basis for the proposal or denial ***(34 CFR 300.505(a)(3) and (4))***;

3. A request for parental or guardian consent to any action proposed by the board of education, as described in N.J.A.C. 6:28 ***(34 CFR 300.500 and 34 CFR 300.504)***; and

4. A copy and explanation of the procedures, described in this subchapter and in N.J.A.C. 6:28, ***20 U.S.C.A. 1415 et seq. and 34 CFR 300 et seq.***, for appealing the board's proposal or denial, including a clear statement of:

i. The right to examine all relevant records with respect to the pupil;

ii. The right to a hearing at the Office of Administrative Law on the proposal or denial;

iii. The right, at the hearing, to be ***[represented]* *accompanied and advised*** by counsel ***[and assisted]* *or*** by individuals with special knowledge or training in the problems of handicapped children ***, or both***.

(c) The notice shall be communicated in the native language of the parent(s) or guardian. If a written form of communication is clearly not ***[feasible]* *feasible***, another appropriate form of communication may be used.

(d) The board of education shall take appropriate steps to insure that the parent(s) or guardian receives and understands the notice, and shall maintain a record of all steps it has taken in this regard.

1:6A-2.2 Hearing request by parent, guardian or board of education

(a) A parent, guardian or board of education may, in writing, request a hearing at any time after the board of education has sent a written notice of action or after 30 days have elapsed from the date of a parent's or guardian's request for change with regard to a pupil. A hearing request shall be addressed to the Department of Education ***with a copy to each other party in the dispute***. The Department shall acknowledge receipt of the request and shall forthwith send each party a copy of the ***[hearing request]* *acknowledgement***.

(b) A hearing request shall specify, as nearly as practical, the

issues in dispute. A hearing request from a parent or guardian shall specify whether the dispute concerns the classification of the pupil, the placement of the pupil, the contents of the pupil's * [Individualized Education Program]* ***individualized education program***, or such other issue as may be clearly specified *, **and the specific relief or action sought by the parent or guardian ***.

(c) Upon receiving *[from]* the Department of Education's* acknowledgement or notice of a hearing request, the parties shall immediately begin to exchange information, in preparation for a settlement conference. The board of education shall provide all * [pertinent]* ***relevant*** records ***and information*** to the parent or guardian. The parent or guardian shall provide *[pertinent]* ***relevant*** information requested by the board. ***The exchange of information shall be completed pursuant to the time limits in N.J.A.C. 1:6A-3.3 (Time for discovery).***

***[d) In its acknowledgement, the Department of Education shall inform the parties of any free or low-cost legal and other relevant services available, including:**

1. The Division of Advocacy for the Developmentally Disabled in the Department of the Public Advocate;

2. The New Jersey State Bar Association and county bar association lawyer referral services;

3. The Association of Trial Lawyers-New Jersey lawyer referral service; and

4. The Legal Aid and Legal Services offices in New Jersey (34 CFR 300.506(c)).*

SUBCHAPTER 3. EMERGENCY RELIEF, SETTLEMENT AND SCHEDULING OF HEARING

1:6A-3.1 Emergency relief pending settlement or decision

(a) As part of a hearing request, or at any time after a hearing is requested, the affected parent(s), guardian or board may apply in writing for emergency relief pending a settlement or decision on the matter.

(b) Prior to the transmittal of the hearing request to the Office of Administrative Law, application for emergency relief shall be addressed to the Department of Education, with a copy to the other party. The Department shall forward the matter forthwith to the Office of Administrative Law.

(c) After transmittal, application for emergency relief must be made to the Office of Administrative Law, with a copy to the other party.

(d) The OAL shall process any application for emergency relief*, * and shall schedule on an expedited basis[,] any hearing deemed necessary. Other than in extraordinary circumstances, emergency relief shall not be granted until all parties have had an opportunity to be heard.

[e) Where irreparable harm might otherwise result, emergency relief pending the full hearing decision may be granted.

1:6A-3.2 Settlement conference by the Department of Education

(a) Within seven days of receipt of any hearing request, the Department of Education shall conduct and all parties shall attend a settlement conference at a time and place convenient to the parent or guardian. ***[The conference shall be recorded verbatim.]***

(b) The purpose of the settlement conference is to attempt to settle the dispute and to assist the parties in defining issues, identifying evidence, exchanging information, stipulating facts and listing possible witnesses for a hearing in the event that settlement cannot be reached. ***The terms of any settlement or other agreement and the assent of the parties shall be contemporaneously recorded.***

(c) If a settlement is reached, the terms shall be reduced to writing within three days, and signed by the parties and the representative of the Department of Education.

(d) If ***a*** settlement is not reached, the Department of Education shall prepare within three days a written document that specifies the issues in dispute, any stipulations, and witness lists for each party. This document shall be included with the transmittal of the matter to the OAL, and ***a copy of it and the transmittal form*** shall be sent to the parties. Any exhibits that both parties agree are admissible may be attached to the document.

(e) Where the hearing has been requested by a board of education, the parent or guardian may request and shall receive an adjournment of the settlement conference for up to 15 days. For good cause, the Department of Education may otherwise adjourn a settlement conference or schedule another settlement conference. Any adjournment of the settlement conference or scheduling of another conference shall extend the deadline for decision on the matter*, **as established in N.J.A.C. 1:6A-5.1 (Deadline for decision),*** by an amount of time equal to the adjournment or rescheduling.

[f) The Department of Education shall include with the transmittal any unsettled jurisdictional matters, notice problems, or other preliminary motions from the parties.

1:6A-3.3 Time for discovery

(a) All requests for information, records or other discovery shall be made before or at the settlement conference. All responses to these requests shall be completed no later than five days before the date of the hearing.

(b) Each party shall disclose to the other party any documentary evidence and summaries of testimony intended to be introduced at the hearing.

(c) Upon application of a party the judge shall exclude any evidence at hearing that has not been disclosed to that party at least five days before the hearing *, **unless the judge determines that the evidence could not reasonably have been disclosed within that time*.**

1:6A-3.4 Scheduling of hearing by Office of Administrative Law

[(a)] If the matter is not fully resolved at the settlement conference, as required in N.J.A.C. 1:6A-3.2, the representative of the Department at the Conference shall, in the presence of the parties, telephone the Clerk of the Office of Administrative Law and the Clerk shall assign ***[for them]*** a peremptory hearing date. The hearing date shall, to the greatest extent possible, be convenient to all parties but shall be no later than 14 days from the date of the conference, unless a later date is agreed upon by all parties. If a later date is agreed upon, the deadline for decision *, **as established in N.J.A.C. 1:6A-5.1 (Deadline for decision),*** shall be extended by ***[the]* ***a time equal to the***** amount of delay. The Commissioner of Education shall, no later than three business days after the settlement conference, transmit the matter to the Office of Administrative Law. Copies of all notices, requests, pleadings, filings, stipulations of issues and facts, and witness lists compiled at the settlement conference and a description of the position of each party shall be included with the standard OAL transmittal form. In addition, the transmittal shall include the dates of all settlement conferences, including any which were adjourned.

1:6A-3.5 Ongoing settlement efforts

(a) The scheduling of a hearing ***[does]* ***shall***** not preclude voluntary ongoing efforts by the parties to settle the matter before or at the hearing.

(b) Any administrative review by the Department or ongoing settlement efforts by the parties shall not delay, interfere with, or otherwise impede a request for a hearing or the progress thereof, nor be grounds for adjournment of a hearing, unless consented to by the party requesting the hearing. Any ***[such]*** delay or adjournment ***by consent*** shall extend the deadline for decision *, **as established in N.J.A.C. 1:6A-5.1 (Deadline for decision),*** by an amount of time equal to the delay or adjournment.

SUBCHAPTER 4. HEARING

1:6A-4.1 Procedures for hearing

(a) To the greatest extent possible, the hearing shall be conducted at a time and place convenient to the parent(s) or guardian.

(b) For good cause shown on the record, the judge may adjourn the hearing, and the deadline for decision *, as established in N.J.A.C. 1:6A-5.1 (Deadline for decision),* will be extended by *[the]* *an* amount of time *[of]* *equal to* the adjournment.

(c) A verbatim record shall be made of the hearing.

(d) Unless consented to by both parties, any findings and recommendations made as a result of an administrative review provided by rules of the Department of Education may not be introduced as evidence or made part of the record at hearing. * However, any evidence developed or disclosed at the administrative review may be offered for inclusion into the hearing record.*

(e) The judge's decision shall be based on the preponderance of the credible evidence, and the proposed action of the Board of Education shall not be accorded any presumption of correctness.

1:6A-4.2 Representation

(a) At a hearing, any party may be *[represented]* * accompanied and advised* by legal counsel or *[assisted]* by individuals with special knowledge or training with respect to handicapped pupils and their educational needs, or both.

1:6A-4.3 Interpreters

Where necessary, the judge may require the Department of Education to provide an interpreter at the hearing or written translation of the hearing decision *, or both,* at no cost to the parent(s) or guardian.

1:6A-4.4 Independent educational evaluation

(a) For good cause and after giving the parties an opportunity to be heard, the judge may order an independent evaluation of the pupil. The evaluation shall be conducted in accordance with N.J.A.C. 6:28-[1.6]**1.1* by an appropriately certified or licensed professional examiner(s) who is not employed by and does not routinely provide evaluations for the board of education responsible for the education of the pupil to be evaluated. The judge shall choose an independent evaluator from a list approved by the Department of Education and order the board of education to pay for the independent evaluation at no cost to the parent(s) or guardian. *(34 CFR 300.503)*

(b) Where an independent educational evaluation is ordered, the judge may adjourn the hearing, and the deadline for decision *, as established in N.J.A.C. 1:6A-5.1 (Deadline for decision),* will be extended by *[the]* *an* amount of time *[of]* *equal to* the adjournment.

SUBCHAPTER 5. DECISION AND APPEAL

1:6A-5.1 Deadline for decision

(a) The judge shall issue a written decision no later than 21 days from the close of the hearing record.

(b) Subject to any adjournments reasonably granted or other postponements agreed to by the parties and due to unusual circumstances stated on the record, the judge shall render *[a]* *this* decision no later than 45 days from the date of the hearing request.

*1:6A-5.2 Confidentiality

In the written decision, the judge shall use initials rather than full names when referring to the child and the parent(s) or guardian, and may take other necessary and appropriate steps, in order to preserve their interest in privacy.*

1:6A-5. *[2]**3* Appeal

Any party may appeal the decision of the judge either to the Superior Court of New Jersey, pursuant to the Rules Governing the Courts of the State of New Jersey, or to a district court of the United States pursuant to 20 U.S.C.A. 1415(e)(3).

1:6A-5. *[3]**4* Stay of implementation upon appeal

(a) Unless the parties otherwise agree, the educational placement of the pupil shall not be changed during the pendency of the hearing and of any appeal, pursuant to 34 CFR 300.513.

(b) Where a party appeals *any portion of* the decision *not involving a change in the pupil's educational placement,* and upon request by any party, the judge may stay implementation of the decision*[,]* if he finds that immediate implementation would *be* likely *to* result in serious harm to the pupil or other pupils in the event that *[his or her]* *the* decision is rejected or modified upon appeal.

(a)

OFFICE OF ADMINISTRATIVE LAW

Rules for Agency Rulemaking

Adopted Amendment: N.J.A.C. 1:30

Proposed: August 2, 1982 at 14 N.J.R. 780(a).

Adopted: December 14, 1982 by Howard H. Kestin,
Director, Office of Administrative Law.

Filed: December 14, 1982 as R.1982 d.466, with
substantive and technical changes not requiring
additional public notice and comment (see N.J.A.C.
1:30-3.5).

Authority: N.J.S.A. 52:14B-7(g) and 52:14F-5f.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978):
March 6, 1986.

Summary of Public Comments and Agency Responses
and Changes Upon Adoption:

The OAL received technical comments and suggested language changes from the Departments of Transportation, Human Services and Civil Service, as well as from OAL staff. Most of these suggestions were adopted, and are reflected in the changes upon adoption of the rule.

The OAL also received substantive comments from the Departments of Human Services and Civil Service.

The main concerns of the Department of Human Services were:

1. What is the statutory authority for OAL to "veto" rules under N.J.A.C. 1:30-1.12? Response: The OAL does not claim any right to "veto" any rule of any agency. The Administrative Procedure Act (APA) charges the OAL with the responsibility to ensure that proposed rules comport with the standards established in the APA. This basic function is not new; rather it has existed since 1968. When the legislature in P.L. 1981, c.27 articulated, modified and expanded standards governing rulemaking, the OAL's responsibilities were necessarily broadened. These enhanced responsibilities do not authorize OAL to reject a rule because of policy disagreement, but only because the formal and technical requirements of the APA have not been met. When an agency rule is found not to be in compliance, OAL's first obligation, under N.J.A.C. 1:30-1.12, is to give "recommendations for compliance." OAL staff is always available to assist agencies in this respect.

2. Whether N.J.A.C. 1:30-3.7 requires that a State agency rule replicate the wording of a Federal rule in order to qualify as a "Federally Required Rule?" Response: The standard for whether a rule is "Federally required" is based on the substance of the rule, and not its wording. The reference in N.J.A.C. 1:30-3.7 to the "provisions" of a rule establishes such a standard. "Provisions" means that which a rule provides or establishes, its substance and not merely its wording. Where a Federal requirement mandates the promulgation of a rule but does not dictate its substance, leaving the character of the rule to the discretion of the State agency, the provision should not be deemed to be a Federally required rule. To regard it as such would frustrate the legislative intent in P.L. 1981, c.27.

3. What sort of statements are required for rules re-proposed pursuant to Executive Order No. 66 (1978)? Response: A main purpose of Executive Order No. 66 (1978) seems to be to require agencies periodically to re-examine the need for the impact of their rules, in the light of changing social and economic circumstances. Only after such a review can an agency justify the re-proposal of a rule which would otherwise expire. Having conducted its review, the agency should articulate its analysis and conclusions in the statements to the re-proposed rule. This procedure seems designed to assure thoughtful and well-founded agency action, and to encourage a public perception of responsive and responsible agency action. The statements to the re-proposed rules are significant evidence of whether the procedure mandated by Executive Order No. 66 is working.

4. What is the legal authority and the rationale for requiring the retention of a record of public comments, N.J.A.C. 1:30-34? Response: N.J.S.A. 52:14B-4(a)(4) specifically requires the creation of such a record. Aside from this requirement, the right to seek judicial review of agency rulemaking would be unduly limited without some retention of rulemaking records by agencies. Furthermore, the Appellate Division will be greatly assisted by rulemaking records in rendering decisions in such declaratory judgment proceedings (N.J.S.A. 52:14B-4(d)). Pursuant to the OAL's rulemaking authority, and with the advice of the Division of State Library Archives and History, the record retention rule has been developed to meet the statute's requirements.

The concerns of the Department of Civil Service overlapped those of the Department of Human Services, but also included:

1. What is the legal authority for OAL rulemaking rules? Response: The authority of the Director of the OAL to "promulgate and enforce" rules implementing the Administrative Procedure Act (APA) is established in N.J.S.A. 52:14B-7(g), enacted in 1968, and repeated in N.J.S.A. 52:14F-5(f), enacted in 1978. The statutory requirements of the APA provide the structure for any OAL rulemaking. The proposed rules are supported by that structure.

2. What is the affect of **The General Assembly etc. v. Byrne et al** N.J. (1982) on the APA and the OAL's rulemaking rules? Response: In that decision, the Supreme Court specifically invalidated the "Legislature's veto by resolution" provision of the APA, established by P.L. 1981, c.27. By fair implication the Court also invalidated any substantial legislative interference by non-legislative acts in an agency's decision-making process in the adoption of rules. However, the Court did not invalidate any of the specific rulemaking procedures which are established by P.L. 1981, c.27. In fact, in recent decisions the Court has commented on and used these procedures. See **Texter, Etc, et al v. Department of Human Services, et al** N.J. (1982). Thus, modified legislative standards governing rulemakings, such as the extension of the period for public comment from 20 days to 30 days, seem intact. The provisions for notice to the Legislature and legislative review of rules seem likewise intact, shorn of those provisions which conferred the authority to veto, suspend or delay individual rules.

The established rules of statutory construction and appellate court review require that "If any provision of an act or the

application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application..." (N.J.S.A. 52:14B-14). The Court's decision did not invalidate the 60 day review and comment period for the Legislature provided for in the statute and in the OAL rules. The Court's decision only invalidated any veto, delay or suspension which the Legislature might unilaterally attempt as a result of its review. Even without the specific statutory language of P.L. 1981, c.27, the OAL has authority to refer proposed rules to the Legislature, as was proposed in February, 1981 (13 N.J.R. 54, 58), before the effective date of P.L. 1981, c.27. In any case, the 60 day period for legislative review and comment terminates at essentially the same time as the 30 day period for public review and comment, and therefore imposes no special burden on the agencies.

When these rulemaking rules were first promulgated in March, 1981, the OAL did not address any of the provisions subsequently held to be unconstitutional. Thus, the Supreme Court's decision itself, does not require them to be revised.

3. What is the legal authority and rationale for N.J.A.C. 1:30-2.4(a)? Response: Rules have presumptive validity and the force and effect of law. Rulemaking is not ordinary "agency work." As established by the APA, various authorizing statutes, and case law, an agency's rulemaking authority is generally vested in a specific officer or official body at the head of the agency, and not in the agency as an entity. This is not accidental. Rather, the statutory intent is to focus responsibility for this most important exercise of legal, policymaking authority onto a specifically responsible individual or body. Significant harm could occur if a subordinate "adopted" a rule, mistakenly thinking that an agency head had authorized it. See the summary appearing at 14 N.J.R. 780(a). The "notice of adoption" is the official State record of a rule's adoption under the APA. Unless a statute specifically permits delegation of the rulemaking authority, the responsibility for final agency action in the adoption of rules seems to rest with the agency head alone. The rule contains a more permissive standard for proposals, as the potential for harm does not exist in respect of mere rule proposals, nor are basic questions of legal authority implicated in this preliminary context.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

1:30-1.7 ***[Headings not to be used in construing rule]* *Use of headings***

Title, subtitle, chapter, subchapter, section, article, group, part and division headings contained in the Register or Code shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of any provision of the Register or Code.

1:30-1.9 Copies of documents; fees

(a) Any person shall be provided copies of filed documents pursuant to ***the provisions and fee schedules of*** N.J.S.A. 47:1A-2.

(b) The original of a filed document shall not be released from the custody of the Office of Administrative Law.

1:30-2.5 Effect of statement for proposed rule

The statement ***s*** for a proposed rule ***[**, as described in (N.J.A.C. 1:30-3.1(a)3, shall be an] *** (N.J.A.C. 1:30-3.1(a)3) and for any changes upon adoption of a rule (N.J.A.C. 1:30-4.1(a)5) are not part of the rule, but are*** intrinsic part ***s*** of the proposal *** [contained in a notice of proposed rule.]*** and ***adoption as published in the Register. As such, these statements*** may be used ***[as an extrinsic aid]*** in interpreting the rule.

1:30-2.7 Administrative correction

(a) Upon agreement of the adopting agency and the Office of Administrative Law, ~~the~~ Office of Administrative Law may

administratively correct a promulgated rule. An administrative correction may contain:

1. (No change from proposal.)
 2. A correction **or subtraction** of codification; or
 3. An addition of a **[missing]** word or phrase which does not change the substance of a rule and which could be implied from the text and context of the notice of proposed rule or notice of adopted rule.
- (b) An administrative correction shall be made by **[inserting]** **making** the correction on the official copy of the rule contained on file at the Office of Administrative Law. The OAL employee authorized to make an administrative correction shall date and initial any correction.
- (c)–(d) (No change from proposal.)

1:30-3.1 Notice of proposed rule

(a) Where the law requires that an agency give notice of **its** rulemaking proceedings, the agency shall prepare a “notice of proposed rule” and submit the notice to the OAL. The notice of proposed rule shall include:

1. The name of the adopting agency head and agency and the signature of the adopting agency head or agency employee duly authorized by the agency head to propose **a** rule (see N.J.A.C. 1:30-2.4).
2. The text of the proposed rule, or a description of the proposed rulemaking action detailed and specific enough to identify: who and what will be affected by the proposed action; how, when and where the **effect** will occur; what is being prescribed, proscribed or otherwise mandated; what enforcement mechanisms and sanctions may be involved; **and**, any other key provisions. The notice shall include the text of any existing rule that is being amended, specifically indicating additions, deletions, and the identity of any rule being repealed or renumbered.
3. A brief statement for the proposed rule, which shall include:
 - i.–iv. (No change from proposal.)
 - v. A proposed code citation for it, according to a format proposed and distributed by Administrative Publications and Filings, **or** **and** the Code citation of any rule affected, amended or repealed by it; and
 - vi. (No change from proposal.)
4. (No change from proposal.)

(b) Upon acceptance of the notice by the director:

1. (No change from proposal.)
2. The OAL shall publish the notice of proposed rule in the New Jersey Register. Pursuant to N.J.S.A. 52:14B-7(c), an unduly cumbersome proposed rule may not be printed full text in the Register, but may be summarized in the Register and made available upon request**[,]**;
3. The OAL shall mail the notice of proposed rule, as accepted by the Director, to those persons who have made timely request of the agency for notice of its rulemaking actions; and,
4. (No change from proposal.)

1:30-3.2 Notice of pre-proposal for a rule

- (a) Where pursuant to N.J.S.A. 52:14B-4(e), an agency determines to conduct a preliminary, deliberative proceeding with respect to a contemplated rulemaking proceeding, the agency shall submit a “notice of pre-proposal for a rule” to the OAL for publication in the New Jersey Register at least 30 days prior to submission of any notice of proposed rule on the same subject.
- (b) (No change from proposal.)

1:30-3.3 Opportunity to be heard

- (a) Written submission: As part of any proceeding for a pre-proposal, under N.J.A.C. 1:30-3.2, or for a proposed rule, under N.J.A.C. 1:30-3.1, the agency shall accept **[these]** written submissions for at least 30 days following publication in the Register of the notice of pre-proposal or proposed rule.
- (b)–(c) (No change from proposal.)

1:30-3.4 Record of the public^[’s] opportunity to be heard[]] **comment**

(a) **[Prior to either the submission of a proposed rule resulting from a pre-proposal proceeding (see N.J.A.C. 1:30-3.2) or the adoption of a proposed rule (see N.J.A.C. 1:30-3.1), the agency shall prepare a record of any written, oral, or other material submitted in response to the notice of proposed rule or pre-proposal during the period affording interested persons an opportunity to be heard.]** **The agency shall retain a record of any comments or other material received in response to a pre-proposal (N.J.A.C. 1:30-3.2) or a proposal (N.J.A.C. 1:30-3.1).** The record shall include the following:

1. (No change from proposal.)
 2. A description of the public comments on the notice of proposed rule or pre-proposal including:
 - i. **[A list]** **The names** of the persons commenting on the notice of proposed rule or pre-proposal for a rule;
 - ii.–iii. (No change from proposal.)
 - iv. The certificate of the adopting officer attesting that all submissions were examined and that due consideration was given their merits prior to **[the submission or]** adoption of the proposed rule^[,], as the case may be^[,];
 - v.–vi. (No change from proposal.)
 3. A description of any public hearing or other proceeding which was held as a result of the **pre-proposal or** proposed rule, including:
 - i.–iv. (No change from proposal.)
 - (b) **[Each]** **The** agency shall **[maintain]** **retain** for each rule adopted by it the record of the **[opportunity to be heard]** **public comment** for a period of not less than three years from the effective date of the subject rule.
- (c) The record constitutes an official document of the administrative agency, is evidence of its compliance with the legislative mandate to provide opportunity **[to be heard]** **for public comment**, and shall be available for public inspection at the agency.

1:30-3.6 Notice of petition for a rule

- (a) When a person petitions an agency to begin a rulemaking proceeding, pursuant to N.J.S.A. 52:14B-4(f), the agency shall forthwith file a notice of **the** petition with the Office of Administrative Law, shall include:
- 1.–4. (No change from proposal.)
 - (b) (No change from proposal.)
 - (c) Agency action on a petition may include:
 - 1.–2. (No change from proposal.)
 3. Referring the matter for further deliberations, the nature of which shall be specified and which shall conclude upon a **specified** date **[certain]**. The results of these further deliberations shall be mailed to petitioner and submitted to the OAL for publication in the Register.
 - (d) (No change from proposal.)

1:30-4.1 Requirements for filing an adopted rule

- (a) With each adopted rule submitted for filing the adopting agency shall include:
1. Certification by the adopting agency head **,** **or other person authorized by statute to adopt rules,** that the rule was duly adopted according to law and in compliance with the requirements of the Administrative Procedure Act, P.L. 1968, c.410, as amended by P.L. 1978, c.67 and P.L. 1981, c.21, and of this chapter;
 - 2.–5. (No change from proposal.)
 6. A brief description of the public’s opportunity to be heard, including:
 - i.–ii. (No change from proposal.)
 - iii. Where and how the record of **[the opportunity to be heard]** **public comments** can be inspected **[,]** and a statement^[] **;** a **summary** of the **[principle]** **principal comments and** points of controversy **[revealed]** **developed** during the rulemaking proceeding

***including comments received from State, local or other governmental agencies which are not subject to attorney-client or other legal privilege; *and* the reasons for adoption of the public views accepted*;* and *reasons* for rejection of the public views rejected;**

7.-8. (No change from proposal.)

1:30-4.2 Time for filing an adopted rule

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

(c) Any ***[document]* *adopted rule*** submitted for filing shall be accepted or rejected by the Office of Administrative Law not more than three business days following the receipt of the document by the Office of Administrative Law.

(d) (No change from proposal.)

1:30-4.4 Certificate for emergency adoption

(a) Any agency adopting an emergency rule pursuant to N.J.S.A. 52:14B-4(c) shall prepare and present to the Office of Administrative Law at the time of submitting the rule for filing, a certificate of emergency which shall include the following:

1. (No change from proposal.)

2. A written statement specifically describing the reasons for the agency head's finding that there is an imminent peril and that the peril necessitates emergency proceedings. The specific reasons shall contain facts upon which a reasonable person could conclude the existence and nature of the harm to the public which necessitates immediate rulemaking action or which would result if normal rulemaking requirements were complied with, and shall not be merely ***[conclusory]* *conclusionary*** statements or repetition of statutory language. Specific reasons may include the immediate need to conform rules to the requirements of Federal or State statutes, Federal regulations, or court orders;

3.-7. (No change from proposal.)

(b)-(e) (No change from proposal.)

COMMUNITY AFFAIRS

(a)

DIVISION OF HOUSING

Uniform Construction Code Departmental Periodic Reinspection Fees

Adopted Amendment: N.J.A.C. 5:23-4.20

Proposed: October 18, 1982 at 14 N.J.R. 1129(a).
Adopted: December 3, 1982 by John P. Renna,
Commissioner, Department of Community Affairs.
Filed: December 9, 1982 as R.1982 d.463, **without change.**

Authority: N.J.S.A. 52:27D-124.

Effective Date: December 20, 1982.

Expiration Date pursuant to Executive Order No. 66(1978):
May 19, 1983.

Summary of Comments and Agency Responses:

A comment was received from a representative of the New Jersey Association of Plumbing-Heating-Cooling Contractors, Inc. protesting both the reference in the proposal to "testing" and the alleged failure of the Department to refer the proposal to the

Plumbing Subcode Advisory Board. In response, the Department pointed out that the proposed regulation establishes a fee for reinspection by the Department of equipment subject to testing and does not, in itself, impose any testing requirement. As far as submission to the Plumbing Subcode Advisory Board is concerned, this is done at the discretion of the Construction Code Advisory Board. The Department submits all proposed amendments to the Uniform Construction Code regulations to the Construction Code Advisory Board and receives that Board's recommendations prior to any adoption. This proposal was submitted to the Construction Code Advisory Board and was considered at its October 15, 1982 meeting. The Board made no recommendations to the proposal.

ENVIRONMENTAL PROTECTION

(b)

DIVISION OF WATER RESOURCES

Flood Hazard Area Delineations Delineated Floodways along Foulerton Brook

Adopted Amendment: N.J.A.C. 7:13-1.11

Proposed: September 20, 1982 at 14 N.J.R. 1027(a).
Adopted: December 14, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection.

Filed: December 15, 1982 as R.1982 d.478, **without change.**

Authority: N.J.S.A. 13:1D-1 et seq. and 58:16A-50 et seq.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978):
July 19, 1983.

DEP Docket No. 038-82-08.

Summary of Public Comments and Agency Responses:

The Department held an October 14, 1982 public hearing concerning the adopted amendment at the Roseland Borough Municipal Building, Roseland, New Jersey. Representatives from the Department presented the adopted amendment to those in attendance and expressed support for the adopted amendment.

Representatives of a proposed development project appeared in support of the adopted amendment. No public comments were offered in opposition to the adopted amendment. The Department received no written comments concerning the adopted amendment during the comment period.

(c)

BOARD OF PUBLIC UTILITIES

Notice of Corrections: N.J.A.C. 7:26-6

Please take notice that N.J.A.C. 7:26-6 (Interdistrict and Intradistrict Solid Waste Flow) as published in the December 6, 1982 Register (14 N.J.R. 1368 to 1385) contained technical and

editorial errors. These errors will be fully identified and corrected in the New Jersey Register at the earliest feasible date. The Department of Environmental Protection has notified persons who, to the best of its knowledge, are affected by these errors. Any person not so notified who believes him or herself to be affected by these errors should contact the Department or the Board for clarification of the rules. The persons to contact are:

Bart Carhart
Department of Environmental Protection
Division of Waste Management
32 East Hanover Street
Trenton, NJ 08625; or

Eugene Byrne
Board of Public Utilities
1100 Raymond Boulevard
Newark, NJ 07102

HEALTH

(a)

CONSUMER HEALTH SERVICES

Youth Camp Safety Act Standards Youth Camp Certification Fee Schedule

Adopted New Rule: N.J.A.C. 8:25-6.12

Proposed: November 1, 1982 at 14 N.J.R. 1191(a).
Adopted: December 14, 1982 by Allen N. Koplin, M.D.,
M.P.H., Acting State Commissioner, Department of
Health.

Filed: December 15, 1982 as R.1982 d.476, **without
change.**

Authority: N.J.S.A. 26:12-6.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978):
May 22, 1983.

Summary of Public Comments and Agency Responses:

COMMENTS: Two public comments were received suggesting the certification fee or portion thereof be given to local or county health departments for inspection activities.

RESPONSE: The comments refer to P.L. 1973, Chapter 375 supplementing Title 26 of the New Jersey Revised Statutes which permit the Department of Health to collect a fee for certification. There is no provision in the statute for part of the fee to be paid to the county or local health departments for inspection activities. The comments do not significantly affect the proposal and is adopted without change.

(b)

DRUG UTILIZATION REVIEW COUNCIL

Interchangeable Drug Products

Notice of Correction: N.J.A.C. 8:71

An error appears in the December 6, 1982 issue of the New Jersey Register at 14 N.J.R. 1392(a) concerning interchangeable drug products. N.J.A.C. 8:71 should have appeared as follows:

The following products and their respective manufacturers were adopted:

Butobarbital tabs 15, 30 mg	Chelsea
Methyclothiazide tabs 2.5, 5 mg	Bolar

HUMAN SERVICES

(c)

THE COMMISSIONER

Communication with Communities Regarding the Development of Group Homes

Adopted New Rule: N.J.A.C. 10:4

Proposed: November 1, 1982 at 14 N.J.R. 1192(a).
Adopted: December 15, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: December 15, 1982 as R.1982 d.475, **with
substantive changes** not requiring additional public
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:1-12.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978):
January 3, 1988.

Summary of Public Comments and Agency Responses:

Timely comments were received from Serv Centers of New Jersey, Inc., Middlesex County Legal Services and the Department of the Public Advocate. Two objections were raised as to the establishment of the Citizens Advisory Boards and their corresponding responsibilities. It was stated that (1) the boards were not necessary due to their limited authority over operational matters, and (2) their responsibility for reviewing the admission and discharge of the clients should be eliminated.

One commentator advised that the State legislators should not be notified as they had no authority to act on behalf of a municipality. Further, through this notification it was implied that someone other than the Department of Human Services had the final authority for site selection.

An objection was raised by the provider agency that it would prove cumbersome to notify every targeted community that could provide a potential group home site. The final comment received suggested that the two required meetings, prior to site selection and after site selection, be incorporated into one meeting.

In response to the comments on the Citizen Advisory Boards, the Department maintains that positive benefits can be derived from the established liaison between the community and the group homes.

The responsibilities and purpose of the Citizens Advisory Boards are clearly listed in N.J.A.C. 10:4-2.6(f). N.J.A.C 10:4-2.6(f)4 has been revised to reflect the intent of that particular responsibility. The possibility of duplicating functions between Citizens Advisory Boards and existing Board of Directors has been addressed in N.J.A.C. 10:4-2.6(d). The Citizens Advisory Boards provide an important function for the group home without having direct authority over the operations.

In response to notifying State legislators, the Department feels that these public authorities have the right to be notified of significant developments in their districts. This notification does not imply that they have authority over site selection in homes developed by the Department of Human Services.

This chapter does not require that every municipality within a targeted county be notified of the provider agency's intentions. It states that once a general area is selected notification begins. This means that a provider agency must exercise appropriate judgment in determining the general area they are targeting for group home development.

In response to the comment that duplication occurs by holding two public meetings, the Department takes the position that the intent of this chapter would not be met if the meetings were combined. The first meeting must take place prior to the selection of the site and the Department maintains that general information on group homes would be beneficial to the community. The second meeting would be held for the municipality chosen for the group home location and the information given at this meeting will be pertinent primarily to that community as their concerns and questions will be much more specific.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

10:4-2.6 Group Home Citizens Advisory Board

(a)-(e) (No change from proposal.)

(f) The responsibilities of the Citizens Advisory Board will include, but not be limited to, the following:

1.-3. (No change from proposal.)

[4. Reviewing admission and discharge of clients against criteria for admission and continued stay;]

4. Being familiar and knowledgeable with the group home operation and its clients.

5.-6. (No change from proposal.)

(a)

DIVISION OF PUBLIC WELFARE

**Food Stamp Program
Group Living Arrangements and Shelters for
Battered Women**

**Adopted New Rule: N.J.A.C. 10:87-7.17
Adopted Amendments: N.J.A.C. 10:87-2.4,
2.7, 2.8, 2.34, 3.2, 3.12, 4.4, 4.19, 7.16
and 9.7**

Proposed: September 20, 1982 at 14 N.J.R. 1037(a).
Adopted: December 14, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: December 15, 1982 as R.1982 d.473, **with
substantive changes** not requiring additional public
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:4B-2 and 7CFR Chapter II,
Subchapter C.

Effective Date: January 3, 1983.

Expiration Date Pursuant to Executive Order No. 66(1978):
March 1, 1984.

**Summary of Public Comments and Agency Responses:
No comments received.**

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

10:87-2.4 Residents of institutions

(a) Individuals shall be considered residents of an institution when the institution provides them with the majority of their meals ***(over 50 percent of three meals daily)*** as part of the institution's normal services and the institution has not been authorized to accept coupons. Residents of institutions are not eligible for participation in the Food Stamp Program, with the following exceptions:

1.-2. (No change from proposal.)

3. Group living arrangements: Blind and/or disabled individuals who receive benefits under Title II (Retirement, Survivors, Disability Insurance benefits) or Title XVI (SSI) of the Social Security Act and who reside in *a* public or private nonprofit group living arrangement that serves no more than 16 residents (see N.J.A.C. 10:87-2.7(a)4); and

4. Shelters for battered women and children: Women or women with their children temporarily residing in a shelter for battered women and children shall be considered individual household units for the purpose of applying for and participating in the program.

i. Shelters for battered women and children defined: A shelter for battered women and children shall be defined as a public or private nonprofit residential facility that serves battered women and their children *and* which may be authorized by FNS to accept and redeem food coupons. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and children.

ii. (No change from proposal.)

10:87-2.7 Authorized representatives

(a) The head of the household, spouse, or any other responsible member of the household may designate an authorized representative to act on behalf of the household in one or all of the following capacities:

1.-3. (No change from proposal.)

4. Drug or alcoholic treatment centers as authorized representatives: Narcotics addicts or alcoholics who regularly participate in a drug or alcoholic treatment program on a resident basis may elect to participate in the Food Stamp Program. The resident shall apply and be certified for program participation through the use of an authorized representative who shall be an employee of and designated by *[an authorized representative who shall be an employee of and designated by]* the private nonprofit organization or institution which is administering the treatment and rehabilitation program. The organization or institution shall apply on behalf of each addict or alcoholic and shall receive and spend the coupon allotment for food prepared by and/or served to the addict or alcoholic. The organization or institution shall also be responsible *for complying*** with the requirements set forth in N.J.A.C. 10:87-7.*[18]* ***16***.**

i.-ii. (No change from proposal.)

5. (No change from proposal.)

10:87-2.8 Nonhousehold member as authorized representative
In the event the only adult living with a household is classified as a nonhousehold member as defined in [section 3 of this subchapter]

N.J.A.C. 10:87-2.3, that individual may be the authorized representative for ***the*** minor household members.

10:87-7.16 Residents of drug/alcoholic treatment and rehabilitation programs **and group living arrangements**

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

(d) Reporting requirements of the **drug/alcoholic treatment center and group living arrangement facility**: [The treatment center shall notify the CWA of changes in the household's income or other household circumstances and of when the addict or alcoholic leaves the treatment center. The treatment center shall return to the CWA a household's ATP or coupons received after the household has left the center.] **The treatment center or group*[*s]* living arrangement facility shall be responsible for reporting changes to the CWA in accordance with the following:**

1.-2. (No change from proposal.)

(e) Responsibilities upon a resident's leaving: [The treatment center shall provide resident addicts or alcoholics with their ID card and any untransacted ATP cards issued for the household when the household leaves the treatment and rehabilitation program. If the ATP card has already been transacted and the household leaves the treatment and rehabilitation program prior to the 16th day of the month, the treatment center shall provide the household with one-half of its monthly coupon allotment. Once the household leaves the treatment center, the center is no longer allowed to act as the household's authorized representative. The center shall, if possible, provide the household with a Change Report Form to report, to the CWA, the individual's new address and other circumstances after leaving the center, and shall advise the household to return the form to the appropriate office of the CWA within 10 days.] **When a resident of an addict or alcoholic treatment center or group living arrangement facility leaves the treatment center or group living facility, the following provisions shall apply:**

1. (No change from proposal.)

2. **The treatment center/group living facility must return to a departing household its full allotment of food coupons if already issued and no coupons were spent on behalf of that individual household.**

***i. If a household, for whom the center/facility is acting as an authorized representative, leaves the treatment center/group living arrangement prior to the 16th day of the month and any portion of the coupons have been spent on behalf of the individual, the treatment center/group living arrangement shall provide the household with one-half of its monthly coupon allotment. If the household leaves after the 16th day of the month and the coupons have already been used, the household does not receive any coupons.**

ii. If a group of residents in a group living arrangement have been certified as one household, and have returned the coupons to the facility to use, the departing resident(s) shall be given a pro rata share of one-half of the household's monthly coupon allotment if leaving prior to the 16th day of the month. If the household leaves after the 16th day of the month and the coupons have already been used, the household does not receive any coupons.*

3.-4. (No change from proposal.)

5. **The treatment center/group living facility shall, if possible, provide the household with a Change Report Form to report, to the CWA, the individual's new address and other circumstances after leaving the center/facility, and shall advise*[d]* the household to return the form to the appropriate office of the CWA within 10 days.**

(f) Fraud and misrepresentation: The organization [or], institution, **treatment center or group living facility** is responsible for any misrepresentation or fraud which it knowingly commits in the certification of center or facility residents. As an authorized representative, the organization [or], institution, **treatment center, or group living facility** must be knowledgeable

about the household's circumstances and should carefully review those circumstances with residents prior to applying on their behalf. The organization [or], institution, **treatment center or group living facility acting in the capacity of an authorized representative** is strictly liable for all losses ***[of]**or*** misuse of food coupons held on behalf of resident households and for all overissuances which occur while the households are residents of the treatment center **or group living facility. A resident or a group of residents of a facility who applied and were certified on their own behalf, are liable for any overissuance.**

(g) (No change from proposal.)

(h) Claims for overissuance: The CWA shall establish ***a claim*** against the treatment center **or group living arrangement facility** for overissuance of food coupons held on behalf of resident clients if any overissuances are discovered during ***[and]**an*** investigation or hearing procedure for redemption violations.

(i) Disqualified treatment center or group living arrangement facility: If FNS disqualifies an organization [or], institution, **treatment center, or group living facility** as an authorized retail food store, the CWA shall suspend its authorized ***[retail food store, the CWA shall suspend its authorized]*** representative status for the same period. **If the treatment center or group living arrangement facility loses its authorization from FNS to accept and redeem coupons or loses its certification from the appropriate State agency, the residents of the center or facility are no longer eligible to participate in the program and are not entitled to a notice of adverse action but shall receive a written notice explaining the termination and when it will become effective. However, residents of group living arrangements applying on their own behalf are still eligible to participate.**

10:87-7.17 Residents of shelters for battered women and **their* children**

(a)-(e) (No change from proposal.)

(a)

DIVISION OF PUBLIC WELFARE

Food Stamp Program

Replacement of Lost, Stolen, Nondelivered or Destroyed ATPs or Food Stamp Coupons

Adopted New Rule: N.J.A.C. 10:87-9.16

Adopted Repeal: N.J.A.C. 10:87-9.16

Proposed: October 4, 1982 at 14 N.J.R. 1081(b).

Adopted: December 14, 1982 by George J. Albanese, Commissioner, Department of Human Services.

Filed: December 15, 1982 as R.1982 d.474, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:4B-2, the Food Stamp Act of 1977 (P.L. 95-113) and 7 CFR Parts 272, 273 and 274.

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978): March 1, 1984.

**Summary of Public Comments and Agency Responses:
No comments received.**

Full text of the changes between proposal and adoption follows

(additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

10:87-9.16 [Emergency replacement] **Replacement of lost, stolen, nondelivered or destroyed ATPs or food stamp coupons**

(a)—(i) (No change from proposal.)

(j) **Coupons lost in the mail prior to receipt (direct mail issuance only):**

1. **Coupons are "in the mail" when deposited with the Postal Service. When a household reports the nondelivery of *[the]* *an* allotment of coupons issued through the mail, the CWA shall determine if the coupons were validly issued, actually mailed, and if sufficient time has elapsed for delivery. If delivery of a partial allotment is reported, the CWA shall determine:**

i.—ii. (No change from proposal.)

2.—4. (No change from proposal.)

5. **Provide replacement in no more than 10 days after the report*[ing]* of nondelivery has been received.**

6.—8. (No change from proposal.)

(k) (No change from proposal.)

LABOR

(a)

DIVISION OF WORKPLACE STANDARDS

Wage and Hour Definition of "Administrative"

Adopted Amendment: N.J.A.C. 12:56-7.2

Proposed: October 18, 1982, at 14 N.J.R. 1145(a).
Adopted: December 10, 1982 by Roger A. Bodman,
Commissioner, Department of Labor.
Filed: December 14, 1982 as R.1982 d.468, **without change.**

Authority: N.J.S.A. 34:11-56a.

Effective Date: January 3, 1983.
Expiration Date pursuant to Executive Order No. 66 (1978):
November 1, 1985.

Summary of Public Comments and Agency Responses:

There were no comments made at the public hearing. One comment letter was received from the Employers Association of New Jersey, which stated that the proposed amendment is a step in the right direction. The commentator suggested, however, that substantial differences between State and Federal definitions of "executive" and "professional" still exist.

Response: Since the commentator is satisfied with the amendment, no change need be made to the adoption. Further rulemaking proceedings, however, would be required on the definitions of "executive" and "professional".

TREASURY—GENERAL

(b)

DIVISION OF PENSIONS

General Administration Minimum Adjustments; Audit Differences

Adopted Amendment: N.J.A.C. 17:1-1.10

Proposed: November 1, 1982 at 14 N.J.R. 1200(a).
Adopted: December 9, 1982 by William J. Joseph, Director,
Division of Pensions.
Filed: December 14, 1982 as R.1982 d.470, **without change.**

Authority: N.J.S.A. 52:18A-96.

Effective Date: January 3, 1983.
Expiration Date pursuant to Executive Order No. 66 (1978):
May 15, 1983.

Summary of Public Comments and Agency Responses: No comments received.

(c)

DIVISION OF PENSIONS

Administrative Practices Purchases, Service Credits, Loans

Adopted New Rules: N.J.A.C. 17:1-4.34 and 12.2

Adopted Amendment: N.J.A.C. 17:1-4.13

Proposed: November 1, 1982 at 14 N.J.R. 1201(b).
Adopted: December 9, 1982 by William J. Joseph, Director,
Division of Pensions.
Filed: December 14, 1982 as R.1982 d.469, **without change.**

Authority: N.J.S.A. 52:18A-96.

Effective Date: January 3, 1983.
Expiration Date pursuant to Executive Order No. 66 (1978):
May 15, 1983.

Summary of Public Comments and Agency Responses: No comments received.

ADOPTIONS

OTHER AGENCIES

(a)

DIVISION OF PENSIONS

**Social Security
Late Filing Penalties**

Adopted Amendment: N.J.A.C. 17:1-8.12

Proposed: November 1, 1982 at 14 N.J.R. 1202(a).
Adopted: December 9, 1982 by William J. Joseph, Director,
Division of Pensions.
Filed: December 14, 1982 as R.1982 d.471, **without
change.**

Authority: N.J.S.A. 52:18A-96 and 43:22-5(d).

Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978):
May 15, 1983.

Summary of Public Comments and Agency Responses:
No comments received.

TREASURY-TAXATION

(b)

DIVISION OF TAXATION

**Gross Income Tax
Setoff of Individual Liability**

**Adopted Amendments: N.J.A.C. 18:35-2.3,
2.4, 2.5 and 2.7**

Proposed: July 6, 1982 at 14 N.J.R. 705(b).
Adopted: December 16, 1982 by Sidney Glaser, Director,
Division of Taxation.
Filed: December 16, 1982 as R.1982 d.479, **with
substantive changes** not requiring additional public
notice and comment (see: N.J.A.C. 1:30-3.5).
Authority: N.J.S.A. 54A:9-8.1-8.3 and 54A:9-17(a).
Effective Date: January 3, 1983.

Expiration Date pursuant to Executive Order No. 66 (1978):
May 17, 1987.

Summary of Public Comments and Agency Responses:

Agency comment was directed toward the mechanics of making a setoff in contested matters where the setoff is the result of a judgment by a New Jersey civil or criminal court. The question was raised whether the Office of Administrative Law is the proper forum in which a judgment debtor should appeal the propriety of a proposed setoff in every instance.

The setoff rules provide for the most expeditious handling of the vast majority of setoff cases for various State agencies. The rules do not take away from an alleged debtor rights that he may have from other sources or authorities. He would be free to seek review in such forum as may be appropriate in his particular situation according to the rules applicable to such proceeding. Where the setoff is based upon a court judgment, one place for the alleged debtor to seek relief would be in the court that issued the judgment and pursuant to its rules. The alleged debtor could seek such relief upon his own responsibility and initiative.

The existing rules currently describe the most efficient manner for securing review in the majority of instances of setoff including, for example, instances where the issue is one of identity. However, the proposed rules are amplified and legal principles restated for the benefit of the alleged debtor and of State agencies to make explicit the manner of addressing setoffs where they may be the result of a court judgment.

Full text of the changes between proposal and adoption follows (additions to the proposal shown in boldface ***thus***).

18:35-2.7 Agency procedure; administrative resolution;
hearing

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

(c) No issues may be considered at the hearing which have been previously litigated. In cases where a legal judgment is in effect, the alleged debtor shall seek relief by returning to the court which produced the judgment.

OTHER AGENCIES

(c)

**PORT AUTHORITY OF NEW YORK AND
NEW JERSEY**

**Schedule of Charges
Admission Fees to the Observation Deck of
the World Trade Center**

Adopted: November 10, 1982 by Board of Commissioners of the Port Authority of New York and New Jersey.
Filed: December 9, 1982 as R.1982 d.464, (**Exempt from Administrative Procedure Act** as "exempt agency", see: N.J.S.A. 52:14B-2(a)).

Full text of the adoption follows:

The World Trade Center Observation Deck: Revision of Schedule of Charges for Admission

RESOLVED, that the Schedule of Charges for the use of the Observation Deck at The World Trade Center, adopted by the Committee at its meeting on September 24, 1975 as subsequently amended by and the same is hereby amended, effective January 1, 1983 except as noted as follows:

Type of Admission	Rates*
1. Adult	\$2.95
2. Child (ages 6 thru 12)	1.50
3. Pre-booked adult groups (10 or more)	2.40
4. Pre-booked children's groups (10 or more, 6-12 years of age)	1.35
5. Pre-booked arrangements by representatives of the travel industry accredited by the Port Authority	
Adult	2.00

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	Child	1.25
6.	Senior Citizens and Physically Disabled Persons	1.50
7.	Special Rates - WTC Tenants PA employees and designated community groups	
	Adult	1.65
	Child	.85

Intermediate	\$ 2.00 for 1st 2 hrs. or part
Central Terminal Area (Except Lot No. 6)	\$ 1.00 for third hr. or part \$ 1.00 per 2 hrs. or part thereafter \$10.00 maximum to 24 hrs. \$ 1.00 per 2 hrs. or part thereafter \$10.00 maximum each 24 hrs.
Remote Reduce Rate	\$ 4.00 for 1st 24 hrs. or part
Long Term (Lots No. 8 & 9)	\$ 1.00 per 6 hrs. or part thereafter \$ 4.00 maximum each 24 hrs.

*Inclusive of 8 1/4% of New York City Sales Tax

and it is further

RESOLVED, that the Executive Director be and he hereby is authorized to revise the Schedule of Charges from time to time, in his discretion, when he determines that it is necessary and appropriate; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized to waive parking revenue at any Port Authority facility in order to provide free parking for certain employees, in cases where he determines that it is necessary and appropriate.

2. By revising the rates relative to Newark International Airport as follows:

Premium Lots ("Hourly" Lots A, B & C)	\$ 2.00 for 1st 2 hrs. or part \$ 1.00 per hr. or part thereafter \$18.00 maximum to 24 hrs. \$ 1.00 per hour or part thereafter \$18.00 maximum each 24 hrs.
Intermediate Lots ("Daily" Lots A, B & C)	\$ 2.00 for 1st 2 hrs. or part \$ 1.00 for third hour or part \$ 1.00 per 2 hrs. or part thereafter \$ 9.00 maximum to 24 hrs. \$ 1.00 per 2 hrs. or part thereafter \$ 9.00 maximum each 24 hrs.
Remote Reduced Rate Long Term Lots (Lots, D., 2, 3 & 4)	\$ 2.00 for 1st 2 hrs. or part \$ 1.00 for third hour or part \$ 1.00 per 2 hrs. or part thereafter \$ 4.00 maximum to 24 hrs. \$ 1.00 per 6 hrs. or part thereafter \$ 4.00 maximum each 24 hrs.
North Terminal Intermediate ("Daily" Lot No. 1)	\$ 2.00 for 1st 2 hrs. or part \$ 1.00 for third hour or part \$ 1.00 per 2 hrs. or part thereafter \$ 9.00 maximum to 24 hrs. \$ 1.00 per 2 hrs. or part thereafter \$ 9.00 maximum each 24 hrs.

(a)

PORT AUTHORITY OF NEW YORK AND NEW JERSEY

**Schedule of Charges
Public Vehicular Parking Fees at Kennedy and Newark International Airports**

Adopted: November 10, 1982 by Board of Commissioners of the Port Authority of New York and New Jersey.
Filed: December 9, 1982 as R.1982 d.464, (Exempt from Administrative Procedure Act as "exempt agency", see: N.J.S.A. 52:14B-2(a)).

Full text of the adoption follows:

Kennedy and Newark International Airports: Revision of Schedule of Charges, Public Vehicular Parking Fees

RESOLVED, that the resolution establishing fees for parking vehicles on public vehicular parking areas at Port Authority Air Terminals, adopted by the Board at its meeting on March 11, 1948, as subsequently amended, by and the same is hereby amended, effective January 10, 1983, as follows:

1. By revising the rates relatives to Kennedy International Airport as follows:

Premium	\$ 2.00 for 1st 2 hrs. or part
Pan Am Rooftop (Lot No. 6)	\$ 1.00 per hr. or part thereafter \$18.00 maximum to 24 hrs. \$ 1.00 per hr. or part thereafter \$18.00 maximum each 24 hrs.

All rates include applicable tax on parking.

and it is further

RESOLVED, that the authority granted to the Executive Director by this Committee, at its meeting on November 25, 1981, with respect to the long-term rate at LaGuardia Airport be entended through 1983.

EMERGENCY

ADOPTIONS

ENVIRONMENTAL PROTECTION

(a)

OFFICE OF CANCER AND TOXIC SUBSTANCES RESEARCH

Fisheries Closures and Advisories for Striped Bass, American Eel, Bluefish, White Perch and White Catfish Taken from the Northeast Region of the State

Adopted Emergency New Rule and Concurrent Proposal: N.J.A.C. 7:25-18A

Emergency New Rule Adopted: December 15, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Emergency New Rule Filed: December 15, 1982 as R.1982 d.477.

Authority: Marine Fisheries Management and Commercial Fisheries Act, N.J.S.A. 23:2B-1 et seq.

Emergency New Rule Effective Date: December 15, 1982.

Emergency New Rule Expiration Date: February 14, 1983.

DEP Docket No 060-82-12.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Thomas Burke, Director
Office of Cancer and Toxic
Substances Research
CN 402
190 West State Street
Trenton, NJ 08625

This new rule was adopted on an emergency basis and became effective upon acceptance for filing by the Office of Administrative Law (see N.J.S.A. 52:14B-4(c) as implemented by N.J.A.C. 1:30-4.4). Concurrently, the provisions of this emergency new rule are being proposed for readoption in compliance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The readopted rule becomes effective upon acceptance for filing by the Office of Administrative Law (see N.J.A.C. 1:30-4.4(d)).

The concurrent proposal is known as PRN 1983-20.

The agency emergency adoption and concurrent proposal follows:

Summary

The toxicity of polychlorinated biphenols ("PCB's") has been known for many years. PCB's are a suspected human carcinogen. Birth defects and a wide range of acute and chronic health affects have been attributed to PCB's which bioaccumulate in humans. Virtually, everyone has some level of PCB's in their body. Recent

surveys by the Federal Drug Administration ("FDA") indicate that fish are the most significant source of dietary exposure.

Since 1976, the Office of Cancer and Toxic Substances Research and the Division of Fish, Game and Wildlife within the New Jersey Department of Environmental Protection have been conducting a comprehensive survey of possible PCB's contamination of finfish and shellfish throughout the State. The three main objectives of the Department's PCB Project has been to determine: 1) the degree of PCB contamination of aquatic animals caught in the State; 2) how the PCB levels of aquatic animals vary due to geographic factors; and 3) the suitability of aquatic animals for human consumption. Only "edible fillets" of all fish caught were analyzed. The Department determined edible fillet testing to be the most appropriate health risk indicator for New Jersey's consumers. The fish were analyzed for "Aroclor 1254", the most persistent and toxic mixture of PCB's, and, recently, for "Aroclor 1248". All analyses were carried out by the New Jersey Department of Health laboratories. Sampling locations were selected to incorporate areas of known or suspected PCB contamination, areas important to commercial or recreational fisheries and areas of major drainage basins. Indicator aquatic organisms included species of commercial and recreational importance and other ecological indicators.

The results of these efforts have been presented in a Departmental report entitled "Polychlorinated Biphenyls (Aroclor 1254) in Fish Tissues Throughout the State of New Jersey: A Comprehensive Survey". The study finds that a substantial proportion of the finfish and shellfish analyzed had detectable levels of PCB's in their edible flesh (75 percent and 50 percent respectively). A smaller percentage, 2.4 percent of the finfish, had levels exceeding the existing FDA action level of 5.0 ug/g (parts per million). The FDA has proposed lowering the action level to 2.0 ug/g (ppm). A total of 11.1 percent of the finfish exceeded the proposed level. None of the shellfish had contaminant concentrations greater than the proposed 2 ug/g action level.

The data also shows that those fish which are highly contaminated represent only a few species, with the freshwater groups being much lower in PCB's compared to the saltwater and migratory fish. The study results show that six species of fish have concentrations at or exceeding the five parts per million level. The White Catfish, a freshwater species, is much lower in PCB on the average, than are the Striped Bass, White Perch, American Eel, and Atlantic Sturgeon, all diadromous or migratory fishes, and the Bluefish, a marine fish.

The geographical analysis indicates that some drainages and/or geographic subregions tend to have more highly contaminated fish than others and that the heavily urbanized northeastern corner of the State, within the Hudson-Newark-Raritan Bay Complex, is especially impacted. The term "Northeast Region" has been defined for the purposes of this emergency rule as that region encompassing the New Jersey portion of Sandy Hook and Raritan Bays; the tidal portion of the Raritan River upstream to the Route 1 Bridge in New Brunswick; the Arthur Kill and Newark Bay; the Passaic River up to Dundee Dam; the Hackensack River up to Oradell Dam; the Kill Van Kull and Upper New York Bay; and the Hudson River up to the New Jersey-New York Border, approximately four miles above Alpine, New Jersey. The Hudson River appears to be the most severely contaminated drainage within State waters and although the mean PCB level for its fish has declined since the mid 1970's the combined levels of several PCB compounds for many Hudson River fish are still above the existing action level of 5 ug/g (ppm).

The Department realizes the importance of commercial and recreational fisheries to the economy and enjoyment of the citizens of the State. Furthermore, the Department understands the broad

ENVIRONMENTAL PROTECTION

EMERGENCY ADOPTIONS

range public health threat associated with the contamination of fisheries. Human health remains extremely sensitive to aquatic releases of toxic chemicals.

Therefore, the Department finds that an imminent peril of serious public health problems exists due to PCB contamination in certain species of finfish in particular areas of the State's waters, necessitating the following emergency action by the Department.

Prohibition of the sale of Striped Bass (*Morone saxatilis*) taken from the Hudson River, Upper New York Bay, Newark Bay, Lower Passaic River, Lower Hackensack River, Arthur Kill and Kill Van Kull. Also, an advisory to "limit consumption" of Striped Bass taken from the Northeast Region and the offshore State waters in the northern coastal area of the State. ("Limited consumption" for the purposes of this emergency rule means that in order to reduce exposure to and accumulation of PCB's, persons of high risk, such as pregnant women, nursing mothers, women of child-bearing age and young children, should not eat any fish taken from the regions designated above and all other citizens should consume not more than one meal per week of such fish.)

Prohibition of the sale of American Eels (*Anguilla rostrata*) taken from the Hudson River, Upper New York Bay, Newark Bay, Lower Passaic and Hackensack River, the Arthur Kill and Kill Van Kull. Also an advisory to limit consumption of American Eels taken from the entire State, especially the Northeast Region.

An advisory to limit consumption of Bluefish (*Pomatomus saltatrix*) taken from the Northeast Region, including the offshore State waters in the northern coastal area of the State. The advisory has primary relevance to Bluefish exceeding 24 inches in length or six pounds in weight.

An advisory to limit consumption of White Perch (*Morone americanus*) taken from the Northeast Region.

An advisory to limit consumption of White Catfish (*Ictalurus catus*) taken from the Northeast Region.

The Department shall utilize all reasonable and effective methods to publicize and educate the citizens of the State concerning the contents of this emergency rule. The Department shall utilize press conferences, press releases, Departmental mailing lists, public notice in State newspapers, and posting of signs in appropriate locations. Copies of the adopted emergency rule shall be made available to the public upon request.

Social Impact

A major positive social impact will result from the adopted emergency rule. Imminent public health problems due to PCB contamination of Striped Bass, American Eel, Bluefish, White Perch and White Catfish taken from the Northeast Regions of the State by citizens of the State shall be eliminated due to citizen compliance with the closures and advisories established in the adopted emergency rule. The bioaccumulation of PCB's in the fish consuming public of the State shall be substantially decreased, thus reducing the risk of cancer and other serious health problems.

Economic Impact

An adverse economic impact of the adopted emergency rule will be caused by the prohibition of the sale of Striped Bass and American Eel in the Northeast Region of the State and by the reduction of consumption advised for Striped Bass, American Eel, Bluefish, White Perch and White Catfish taken from the Northeast Region of the State. This negative economic impact (upon commercial and recreational fishing) will, however, be offset by the overall public health benefit of reducing the consumption of PCB contaminated fish taken from the Northeast Region of the State.

Environmental Impact

The adopted emergency rule shall have the positive environmental impact of reducing the consumption by humans of PCB contaminated fish. A serious environmental health problem shall be substantially reduced.

Full text of the emergency adoption and concurrent proposal follows:

SUBCHAPTER 18A. FISHERIES CLOSURES AND ADVISORIES FOR STRIPED BASS, AMERICAN EEL, BLUEFISH, WHITE PERCH AND WHITE CATFISH TAKEN FROM THE NORTHEAST REGION OF THE STATE

7:25-18A.1 Authority

This subchapter has been promulgated pursuant to the Marine Fisheries Management and Commercial Fisheries Act, N.J.S.A. 23:2B-1 et seq.

7:25-18A.2 Scope and construction

(a) The following shall constitute the rules governing the issuance by the Department, of fisheries closures and advisories concerning PCB contaminated fish taken from the waters of the Northeast Region of the State.

(b) These rules shall be liberally construed to permit the Department to effectuate the purpose of these rules.

7:25-18A.3 Definitions

"Advisory" means a Departmental warning to limit consumption of designated fish species taken from designated regions of the State's waters.

"Closure" or "closed" means prohibition of sales of designated fish species taken from designated regions of the State's waters.

"Commissioner" means the Commissioner of the Department of Environmental Protection.

"Department" means the Department of Environmental Protection.

"Limited consumption" or "limit consumption" means that in order to reduce exposure to and bioaccumulation of PCB's persons of high risk, including but not limited to pregnant women, nursing mothers, women of child-bearing age, and young children, should not eat any designated fish species taken from designated regions of the State's waters and all other persons should not consume more than one meal per week of any designated fish taken from designated regions of the State's waters.

"Northeast Region" means the region encompassing the New Jersey portion of Sandy Hook and Raritan Bay; the tidal portions of the Raritan River upstream to the Route 1 Bridge in New Brunswick; the Arthur Kill and Newark Bay; the Passaic River upstream to the Dundee Dam; the Hackensack River up to Oradell Dam; the Kill Van Kull and Upper New York Bay; and the Hudson River upstream to the New Jersey-New York State border, approximately four miles above Alpine, New Jersey.

"PCB's" means polychlorinated biphenyls.

7:25-18A.4 Closure of fisheries

(a) The Commissioner finds, based upon scientific investigation, that to protect the public health of the citizens of the State the following designated regions of the State's waters shall be closed and the sale prohibited of the following designated fish species:

1. Prohibition of the sale of Striped Bass (*Morone saxatilis*) taken from the Hudson River, Upper New York Bay, Newark Bay, Lower Passaic River, Lower Hackensack River, Arthur Kill and Kill Van Kull; and

2. Prohibition of the sale of American Eels (*Anguilla rostrata*) taken from the Hudson River, Upper New York Bay, Newark Bay, Lower Passaic River, Lower Hackensack River, Arthur Kill and Kill Van Kull.

7:25-18A.5 Public advisories concerning fisheries

(a) The Commissioner finds, based upon scientific investigation, that to protect the citizens of the State, the following advisories concerning the taking of designated fish species from designated regions of the State's waters shall be set forth below:

EMERGENCY ADOPTIONS

1. Advisory for the limited consumption of Striped Bass (*Morone saxatilis*) taken from the Northeast Region, including offshore State waters in the northern coastal area;

2. Advisory for the limited consumption of American Eel (*Anguilla rostrata*) taken from the entire State, especially the Northeast Region;

3. Advisory for the limited consumption of Bluefish (*Pomatomus saltatrix*) taken from the Northeast Region, including offshore State waters in the northern coastal area;

4. Advisory for the limited consumption of White Perch (*Morone americanus*) from the Northeast Region; and

5. Advisory for the limited consumption of White Catfish (*Ictalurus catus*) from the Northeast Region.

(b) The Department further advises that even said designated fish species to be consumed not more than one meal per week should be carefully prepared as set forth below:

1. Remove fat areas from designated fish species, for example, fish belly flaps or abdomens and dark meat portions; and

2. Bake or broil fish on an elevated rack, which allows PCB contaminated fat areas to drip free and away from the fish.

7:25-18A.6 Public notice of fisheries closures and advisories

(a) The Department shall utilize all reasonable and effective methods to publicize and educate the citizens of the State concerning all fishery closures and advisories pursuant to this subchapter, including but not limited to the following:

1. Schedule appropriate press conference;
2. Prepare and distribute appropriate press releases;
3. Post informational notices and signs in appropriate locations;
4. Advertise public notices in State newspapers for a reasonable period of time;

5. Distribute public informational notices according to appropriate Departmental mailing lists; and

6. Compliance with notification requirements of the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the regulations promulgated thereto.

7:25-18A.7 Violations

Any person who violates any provision of this subchapter shall be liable to the full range of penalties set forth in Section 14 of the Marine Fisheries Management and Commercial Fisheries Act, N.J.S.A. 23:2B-14.

TRANSPORTATION

(a)

TRANSPORTATION OPERATIONS

Speed Limits for State Highways

School Speed Zone on Route 18

Adopted Emergency Amendment and Concurrent Proposal: N.J.A.C. 16:28-1.23

Emergency Amendment Adopted: December 2, 1982 by John P. Sheridan, Jr., Commissioner, Department of Transportation.

Gubernatorial Approval (N.J.S.A. 52:14B-4(c)): December 10, 1982.

Emergency Amendment Filed: December 13, 1982 as R.1982 d.465.

Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:4-98.

Emergency Amendment Effective Date: December 13, 1982.

Emergency Amendment Expiration Date: February 11, 1983.

TRANSPORTATION

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before February 3, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

This amendment was adopted on an emergency basis and became effective upon acceptance for filing by the Office of Administrative Law (see: N.J.S.A. 52:14B-4(c) as implemented by N.J.A.C. 1:30-4.4). Concurrently, the provisions of this emergency amendment are being proposed for re-adoption in compliance with the normal rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. The re-adopted rule becomes effective upon acceptance for filing by the Office of Administrative Law (see: N.J.A.C. 1:30-4.4(d)).

The concurrent proposal is known as PRN1983-19.

The agency emergency adoption and concurrent proposal follows:

Summary

The Commissioner of Transportation, by the provisions of N.J.S.A. 39:4-6, proposes the adoption of an emergency amendment to N.J.A.C. 16:28-1.23, establishing a school speed zone for the southbound direction only in the vicinity of the Saint Thomas The Apostle School, Old Bridge Township, Middlesex County. Concurrently, these same rules are proposed for re-adoption on a non-emergent basis.

The Department of Transportation as the result of a complaint concerning traffic conditions conducted traffic engineering studies and recommended the establishment of a school speed zone in the vicinity of the Saint Thomas The Apostle School. This was accomplished with the intent of enhancing public safety along a heavily travelled route by a reduction of speed limit.

Enforcement of the school speed zone restrictions must also be on a high level, because without a highly visible and active police effort, the violations of the regulation could be at an unacceptable high level. This is critical to preserve the safety and continuity of efficient traffic flow.

Therefore, to meet the emergent demands created by traffic along Route 18 in Old Bridge Township and to maintain the integrity and efficient operation of traffic and the enhancement of safety, this amendment is submitted on an emergency basis. Public harm would result from the delay caused by the normal rulemaking processing.

This emergency amendment will therefore establish school speed zone for southbound traffic only along Route 18 in Old Bridge Township, Middlesex County by establishing a 40 mile per hour speed limit in the vicinity of the Saint Thomas The Apostle School during recess or while children are going to or leaving school, during opening or closing hours. Appropriate signs will be installed to advise the motoring public.

Social Impact

This amendment will reduce the speed limit in the area designated along Route 18 for the protection and safety of the children proceeding to and returning from school, and the enhancement of safety.

Economic Impact

The Department will incur direct and indirect costs for its workforce and the placement of appropriate signs. Costs are dependent upon mileage, personnel and equipment requirements.

TRANSPORTATION

EMERGENCY ADOPTIONS

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

16:28-1.23 Route 18

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

(c) The rate of speed designated for the certain part of State highway Route 18 described in (c) of this section shall be established and adopted as the maximum legal rate of speed thereat:

1.-2. (No change.)

3. For the southbound traffic in Old Bridge Township, Middlesex County:

i. School speed zone:

(1) Forty miles per hour school speed zone, for the southbound direction only, within the Saint Thomas The Apostle School zone, during recess or while children are going to or leaving school, during opening or closing hours.

MISCELLANEOUS NOTICES

HEALTH

6. (No change.)

(a)

HEALTH ECONOMICS SERVICES

Procedural and Methodological Regulations New Comment Period

Proposed Amendment: N.J.A.C. 8:31B-3

The comment period for the RIM Methodology, as published in the New Jersey Register on July 19, 1982 at 14 N.J.R. 737(a), was scheduled to end on September 17, 1982.

Computer priorities delayed the printing of the generic Nursing Management Report and the Department believed that this document was necessary to allow a knowledgeable evaluation by the industry and nursing community.

As published in the New Jersey Register on October 4, 1982, the comment period for the RIM Methodology was extended to 30 days following the issuance of the Nursing Management Report. Copies of the report are now available and may be obtained by writing to:

James R. Hub, Director
Health Economic Services
Room 600
Department of Health
CN 360
Trenton, NJ 08625

Comments on the Report will be accepted through February 3, 1983.

LABOR

(b)

DIVISION OF WORKPLACE STANDARDS

Exemptions from the Statutory Minimum Wage Rates

Notice of Correction: N.J.A.C. 12:56-3.2

An error appears in the New Jersey Administrative Code at N.J.A.C. 12:56-3.2, Exemptions from the statutory minimum wage rates. The text should read as follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

12:56-3.2 Exemptions from the statutory minimum wage rates

(a) Employees in the following occupations shall be exempt from the statutory minimum wage rates:

- 1.-4. (No change.)
- 5. Minors under 18 years of age except as provided in N.J.A.C. [12:57-10 through 14;] **12:56-10, 12:56-11, 12:56-13 and 12:56-14** and N.J.A.C. 10:57, Wage Orders for Minors; and

INDEX OF ADOPTED RULES

The *Index of Adopted Rules* contains rules which have been promulgated subsequent to the most recent update of the New Jersey Administrative Code. Rules which are being promulgated in this Register, and which appear in the *Table of Rules* in this issue, do not appear in this index. These rules will appear in next month's Index of Adopted Rules.

The rules in this index are listed in order of their N.J.A.C. citations. Accompanying the N.J.A.C. citation for each rule is a brief description of the rule's content, the Register citation for its proposal notice, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL), and the Register citation for its adoption.

An N.J.A.C. citation which includes a **section** number, such as 1:30-1.1, means that only that section has been modified. An N.J.A.C. citation which includes a **subchapter** number, such as 5:23-3, *but no section designation*, or which includes only title and **chapter**, such as 1:30, means that there have been extensive changes involving all or most sections of that subchapter or chapter.

At the bottom of the listing for each Title is the date of the most recent Code update for that Title.

The *Index of Adopted Rules* appears in the first Register of each month, complementing the *Index of Proposed Rules* which appears in the second Register of each month. Together, these indices make available to a Code and Register subscriber all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

Administrative Filings
CN 301
Trenton, New Jersey 08625

To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with October 4, 1979.

N.J.A.C. CITATION

ADMINISTRATIVE LAW—TITLE 1

N.J.A.C. CITATION	DESCRIPTION	PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
1:1-3.3	Pre-hearing conferences and tape-recording	14 N.J.R. 606(a)	R. 1982 d. 297	14 N.J.R. 975(a)
1:1-3.11	Succession of parties in contested cases	14 N.J.R. 606(b)	R. 1982 d. 295	14 N.J.R. 975(b)
1:1-14.1	Consolidation of cases	14 N.J.R. 674(b)	R. 1982 d. 296	14 N.J.R. 975(c)
1:1-16.5	Substantiation of final decisions	14 N.J.R. 608(a)	R. 1982 d. 292	14 N.J.R. 975(d)
1:31	Organization of OAL	Organizational	R. 1982 d. 291	14 N.J.R. 976(a)
15:15-8.1, 8.2	Repeal rules on Register and Code	14 N.J.R. 366(a)	R. 1982 d. 339	14 N.J.R. 1163(b)

(Title 1, Transmittal 2 dated June 21, 1982)

AGRICULTURE—TITLE 2

2:2-2.1, 2.6, 2.10, 2.13, 2.14, 2.15, 2.17, 2.18	Swine brucellosis control	14 N.J.R. 487(b)	R. 1982 d. 237	14 N.J.R. 833(a)
2:2-2.2	Official calfhood brucella vaccination	13 N.J.R. 114(b)	R. 1981 d. 173	13 N.J.R. 318(a)
2:2-2.3	Vaccination of female bovines	13 N.J.R. 256(a)	R. 1981 d. 288	13 N.J.R. 471(a)
2:2-2.3	Calfhood brucellosis vaccination	14 N.J.R. 487(a)	R. 1982 d. 234	14 N.J.R. 833(b)
2:2-2.16	Slaughtering of market cattle and goats	13 N.J.R. 5(a)	R. 1981 d. 40	13 N.J.R. 115(b)
2:2-2.19	Brucellosis testing for intrastate movement	14 N.J.R. 865(a)	R. 1982 d. 360	14 N.J.R. 1154(a)
2:3-2.3, 2.4	Brucellosis and tuberculosis tests for cattle	13 N.J.R. 4(b)	R. 1981 d. 39	13 N.J.R. 115(a)
2:3-3.7	Swine brucellosis control	14 N.J.R. 487(b)	R. 1982 d. 237	14 N.J.R. 833(a)
2:3-4.1	Movement of livestock	13 N.J.R. 5(b)	R. 1981 d. 41	13 N.J.R. 115(c)
2:3-6.2	Goats for exhibition: Disease testing	14 N.J.R. 489(a)	R. 1982 d. 235	14 N.J.R. 833(c)
2:3-6.2	Goats for exhibition: Disease testing	14 N.J.R. 489(a)	R. 1982 d. 235	14 N.J.R. 833(c)
2:5-1	Repeal hog cholera quarantines	13 N.J.R. 5(c)	R. 1981 d. 42	13 N.J.R. 115(d)
2:22-2	Mediterranean fruit fly control	13 N.J.R. 550(a)	R. 1981 d. 508	14 N.J.R. 101(a)
2:48-5.1	Use of coupons in milk promotion	13 N.J.R. 181(b)	R. 1981 d. 166	13 N.J.R. 318(b)
2:50-1.1	Dairy farmers and relief from notice of intent	14 N.J.R. 489(b)	R. 1982 d. 238	14 N.J.R. 833(d)
2:54-1.1	Milk marketing order	13 N.J.R. 551(a)	R. 1981 d. 416	13 N.J.R. 753(a)
2:54-1.1, 2.1	Milk Marketing Order 57-3 and Order 63-1	13 N.J.R. 798(a)	R. 1981 d. 512	14 N.J.R. 101(b)
2:69-1.6	Slow-release nitrogen products	14 N.J.R. 258(a)	R. 1982 d. 159	14 N.J.R. 471(b)
2:69-1.11	Commercial values of primary plant nutrients	13 N.J.R. 114(c)	R. 1981 d. 172	13 N.J.R. 318(c)
2:69-1.11	Commercial values of fertilizers	14 N.J.R. 402(a)	R. 1982 d. 236	14 N.J.R. 833(e)
2:71-2.28, 2.29, 2.31	Farm products inspection and grading fees	14 N.J.R. 66(a)	R. 1982 d. 75	14 N.J.R. 277(a)

(Title 2, Transmittal 18 dated January 14, 1981)

BANKING—TITLE 3

3:1-1.1	Interest rates	Emergency	R. 1981 d. 429	13 N.J.R. 753(b)
3:1-1.1	Readoption: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d. 511	14 N.J.R. 101(c)
3:1-1.1	Correction: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d. 511	14 N.J.R. 205(a)
3:1-2	Procedural rules	13 N.J.R. 182(a)	R. 1981 d. 258	13 N.J.R. 382(b)
3:1-10.1	Real property transactions: Executive officer defined	14 N.J.R. 490(a)	R. 1982 d. 242	14 N.J.R. 834(a)

N.J.A.C. CITATION	PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
3:1-11	"Executive officer" and affiliated persons	14 N.J.R. 490(b)	R. 1982 d. 243 14 N.J.R. 834(b)
3:2-2	Repealed: Plain language review of contracts	14 N.J.R. 454(a)	R. 1982 d. 213 14 N.J.R. 755(a)
3:2-2.1-2.3	Plain language in consumer contracts	13 N.J.R. 184(a)	R. 1981 d. 259 13 N.J.R. 383(a)
3:6-1.1	Savings bank parity rule	13 N.J.R. 383(b)	R. 1981 d. 352 13 N.J.R. 551(b)
3:6-3	Standardization of executive officer classification	14 N.J.R. 491(a)	R. 1982 d. 244 14 N.J.R. 834(c)
3:6-7, -9	Class II and Small Business Loans	14 N.J.R. 182(a)	R. 1982 d. 126 14 N.J.R. 383(b)
3:6-7.1-7.8	Mutual savings banks: Investment restatement accounting	14 N.J.R. 676(a)	R. 1982 d. 307 14 N.J.R. 988(a)
3:6-12.1	Commercial bank parity	13 N.J.R. 383(c)	R. 1981 d. 351 13 N.J.R. 552(a)
3:7-5, 5.1-5.5	Statement of interest: Officers defined	14 N.J.R. 492(a)	R. 1982 d. 245 14 N.J.R. 834(d)
3:8-3, -4	Nonmember commercial bank reserves	14 N.J.R. 183(a)	R. 1982 d. 125 14 N.J.R. 383(c)
3:11-2.1	Commercial bank lending: Approved subsidiaries	13 N.J.R. 799(a)	R. 1981 d. 516 14 N.J.R. 101(d)
3:11-7.7	Time deposit balances and 10 percent limitation	14 N.J.R. 608(b)	R. 1982 d. 263 14 N.J.R. 909(a)
3:11-10.1, 10.2	Savings banks participation in credit card operations	13 N.J.R. 61(b)	R. 1981 d. 91 13 N.J.R. 185(b)
3:17-4.4, -7	Small loan licensees	13 N.J.R. 115(e)	R. 1981 d. 257 13 N.J.R. 384(a)
3:17-7.1, 7.3	Permits to small loan licensees	13 N.J.R. 471(b)	R. 1981 d. 430 13 N.J.R. 754(a)
3:19-2	Emergency rules on home repair financing	Emergency	R. 1981 d. 29 13 N.J.R. 116(a)
3:21-2	State chartered credit unions	13 N.J.R. 522(b)	R. 1981 d. 414 13 N.J.R. 754(b)
3:23	License fees for credit sales and loan businesses	Emergency	R. 1982 d. 76 14 N.J.R. 277(b)
3:23	Readopted: License fees for credit and lending	14 N.J.R. 277(b)	R. 1982 d. 158 14 N.J.R. 471(c)
3:26-4.1	Parity with federally-chartered savings and loan	13 N.J.R. 634(a)	R. 1981 d. 506 14 N.J.R. 40(a)
3:27-6	Repealed: Variable rate mortgage rules	13 N.J.R. 715(a)	R. 1981 d. 507 14 N.J.R. 40(b)
3:28-5.1-5.7	Mutual savings and loan: Investment restatement accounting	14 N.J.R. 678(a)	R. 1982 d. 306 14 N.J.R. 989(a)
3:30-2.1	Reserve requirements	13 N.J.R. 61(c)	R. 1981 d. 90 13 N.J.R. 185(a)
3:38-1	Licensing of mortgage bankers and brokers	Emergency	R. 1981 d. 165 14 N.J.R. 571(a)
3:38-1	Licensing of mortgage bankers and brokers	14 N.J.R. 571(a)	R. 1982 d. 302 14 N.J.R. 977(a)
3:38-1.1	Mortgage bankers and brokers license fees	13 N.J.R. 256(c)	R. 1981 d. 260 13 N.J.R. 384(b)
3:38-2, 3, 4, 5, 6	Mortgage bankers and brokers: Rules of operation	14 N.J.R. 493(a)	R. 1982 d. 303 14 N.J.R. 977(b)

(Title 3, Transmittal 17 dated January 14, 1981)

CIVIL SERVICE—TITLE 4

4:1-2.1	"Base salary" defined	14 N.J.R. 679(a)	R. 1982 d. 331 14 N.J.R. 1089(a)
4:1-8.8B	Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d. 326 14 N.J.R. 1089(b)
4:1-13.4	Police and firefighters: Working test periods	14 N.J.R. 115(a)	R. 1982 d. 204 14 N.J.R. 709(a)
4:1-17.16	Advancing of sick leave (State)	14 N.J.R. 299(a)	R. 1982 d. 300 14 N.J.R. 978(a)
4:2-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d. 326 14 N.J.R. 1089(b)
4:2-17.14	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d. 300 14 N.J.R. 978(a)
4:3-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d. 326 14 N.J.R. 1089(b)
4:3-13.1	Repealed: Formerly CSPM (Local) 13-4.101	14 N.J.R. 115(a)	R. 1982 d. 204 14 N.J.R. 709(a)
4:3-17.6	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d. 300 14 N.J.R. 978(a)

(Title 4, Transmittal 16 dated June 21, 1982)

COMMUNITY AFFAIRS—TITLE 5

5:10-1.3, 2.2	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d. 363 13 N.J.R. 704(a)
5:10-1.17	Hotel and multiple dwelling inspection fees	Emergency	R. 1982 d. 259 14 N.J.R. 909(b)
5:10-1.17	Readopted: Hotel and multiple dwelling inspection fees	14 N.J.R. 909(b)	R. 1982 d. 334 14 N.J.R. 1089(c)
5:10-2.2, 25.3	Standards for hotels and multiple dwellings	14 N.J.R. 119(a)	R. 1982 d. 253 14 N.J.R. 910(a)
5:10-25.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d. 363 13 N.J.R. 704(a)
5:11-3.2	Duplicate rental assistance	14 N.J.R. 72(a)	R. 1982 d. 71 14 N.J.R. 278(a)
5:11-9.2	Relocation assistance hearings	13 N.J.R. 186(d)	R. 1981 d. 183 13 N.J.R. 332(a)
5:12	Repeal State aid for urban renewal projects	13 N.J.R. 187(a)	R. 1981 d. 180 13 N.J.R. 333(a)
5:12	Plain language review of residential leases	13 N.J.R. 473(a)	R. 1981 d. 424 13 N.J.R. 782(b)
5:12	Repealed: Plain language review of leases	14 N.J.R. 222(a)	R. 1982 d. 139 14 N.J.R. 426(a)
5:17	Expiration date for retirement community disclosure	13 N.J.R. 560(d)	R. 1981 d. 425 13 N.J.R. 782(c)
5:21	Repealed: Uniform standards for mobile homes	13 N.J.R. 717(a)	R. 1982 d. 7 14 N.J.R. 142(a)
5:22-2.6	Multiple dwelling exemptions and tax list designations (joint adoption, see 18:12-6A.8)	14 N.J.R. 72(b)	R. 1982 d. 78 14 N.J.R. 278(b)
5:23-1.4	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7 14 N.J.R. 142(a)
5:23-1.4, -2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d. 134 13 N.J.R. 258(b)
5:23-2.5	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133 13 N.J.R. 258(c)
5:23-2.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d. 462 13 N.J.R. 885(d)
5:23-2.6	Uniform Construction Code inspections	13 N.J.R. 187(b)	R. 1981 d. 182 13 N.J.R. 333(b)
5:23-2.8	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7 14 N.J.R. 142(a)
5:23-2.38	Licensing	14 N.J.R. 734(a)	R. 1982 d. 436 14 N.J.R. 1449(a)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R. 1981 d. 132 13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133 13 N.J.R. 258(c)
5:23-3.3	Uniform Construction Code interpretations	13 N.J.R. 561(a)	R. 1981 d. 454 13 N.J.R. 886(a)
5:23-3.3	Uniform Construction Code: Casino hotels	13 N.J.R. 561(b)	R. 1981 d. 455 13 N.J.R. 886(b)
5:23-3.9	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7 14 N.J.R. 142(a)
5:23-4.3	Temporary appointments of municipal code officials	13 N.J.R. 863(a)	R. 1982 d. 23 14 N.J.R. 142(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
5:23-4.6	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.8	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d.133	13 N.J.R. 258(c)
5:23-4.8	Interlocal Construction Code enforcement (recodified as 5:23-4.17(d))	14 N.J.R. 495(a)	R. 1982 d.401	14 N.J.R. 1300(a)
5:23-4.8(c)	Now codified as 5:23-4.19	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.8, 4.10	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.10A	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.42	14 N.J.R. 233(a)
5:23-4.10A	Recodified as 5:23-4.25A	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-4.15, 4.26	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-4.17, 4.20	UCC enforcing agency fees	14 N.J.R. 943(a)	R. 1982 d.402	14 N.J.R. 1300(b)
5:23-4.19	Remitting of UCC training fees	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.25A	Manufactured homes standards	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-5.2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:23-5.2, 5.9, 5.11	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-5.3, 5.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d.462	13 N.J.R. 885(d)
5:23-5.5	Uniform Construction Code	13 N.J.R. 635(a)	R. 1981 d.463	13 N.J.R. 886(c)
5:23-5.5	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.5	Fire subcode officials and construction licensing	14 N.J.R. 8(a)	R. 1982 d.56	14 N.J.R. 234(a)
5:23-5.5, 5.6, 5.7	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.8, 5.9	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.11	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.11	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:24-1.3	Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 258(e)
5:24-1.3	Correction: Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	13 N.J.R. 392(a)	R. 1981 d.354	13 N.J.R. 562(a)
5:24-2	Protected tenancy for disabled and seniors	13 N.J.R. 802(a)	R. 1982 d.9	14 N.J.R. 144(a)
5:25-2.8	Restoration of builders' registrations	14 N.J.R. 9(a)	R. 1982 d.55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	13 N.J.R. 863(b)	R. 1982 d.22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	13 N.J.R. 187(c)	R. 1981 d.181	13 N.J.R. 333(d)
5:25-5.5	Warranty coverage claims	14 N.J.R. 944(a)	R. 1982 d.386	14 N.J.R. 1210(a)
5:26	Planned real estate development full disclosure	12 N.J.R. 631(b)	R. 1981 d.130	13 N.J.R. 259(a)
5:26-2.4	Registration fees for planned developments	14 N.J.R. 609(a)	R. 1982 d.260	14 N.J.R. 912(a)
5:26-2.4, 3.1, 10.5	Planned real estate development full disclosure	13 N.J.R. 474(a)	R. 1981 d.365	13 N.J.R. 704(b)
5:27	Rooming and boarding houses	13 N.J.R. 393(a)	R. 1981 d.359	13 N.J.R. 704(c)
5:27-1.6, 2.1	Multi-building rooming and boarding houses	14 N.J.R. 1075(a)	R. 1982 d.422	14 N.J.R. 1365(d)
5:27-1.6, 3.2	Rooming and boarding houses and discrimination	13 N.J.R. 562(b)	R. 1981 d.435	13 N.J.R. 842(e)
5:27-2.1, 4.8, 5.1-5.3, 5.8, 5.9	Fire safety in boarding house; safety improvement loans	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:27-3.5, 10.6	Boarding houses: Non-ambulatory residents; self-administration of medicine	14 N.J.R. 499(a)	R. 1982 d.379	14 N.J.R. 1211(a)
5:27-5.3	Correction: Fire safety in boarding houses	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1300(c)
5:27-12	Safety improvement loans	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:29	Petitions for rules	13 N.J.R. 259(b)	R. 1981 d.242	13 N.J.R. 395(a)
5:30-1.11	Realized revenue analysis report	13 N.J.R. 475(a)	R. 1981 d.381	13 N.J.R. 755(a)
5:30-3.3	"Dedication by rider" to local budgets	14 N.J.R. 301(a)	R. 1982 d.186	14 N.J.R. 654(a)
5:30-3.4	Filing of municipal budget amendments	13 N.J.R. 188(a)	R. 1981 d.216	13 N.J.R. 395(b)
5:30-9.2	Form of tax collection record	13 N.J.R. 121(b)	R. 1981 d.122	13 N.J.R. 260(a)
5:30-9.3	Tax collector examination	13 N.J.R. 70(d)	R. 1981 d.121	13 N.J.R. 260(b)
5:70	Congregate Housing Services Program	14 N.J.R. 609(b)	R. 1982 d.272	14 N.J.R. 912(b)
5:71	County offices on aging	13 N.J.R. 395(c)	R. 1981 d.356	13 N.J.R. 563(a)
5:80-4.1	NJHFA: Debarment and suspension	12 N.J.R. 385(a)	R. 1981 d.255	13 N.J.R. 397(a)
5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d.288	14 N.J.R. 983(a)

(Title 5, Transmittal 16 dated March 19, 1981)

EDUCATION-TITLE 6

6:2-1.1, 1.2, 1.7-1.19	Filing appeals before State Board	14 N.J.R. 261(a)	R. 1982 d.268	14 N.J.R. 913(a)
6:11-3.3	Teacher certification fees	13 N.J.R. 8(b)	R. 1981 d.82	13 N.J.R. 191(a)
6:11-3.7	Revocation of teaching certificate	14 N.J.R. 73(a)	R. 1982 d.122	14 N.J.R. 383(d)
6:11-3.18	Teacher education and academic credentials	12 N.J.R. 452(e)	R. 1981 d.22	13 N.J.R. 123(b)
6:11-7	Repealed existing subchapter	14 N.J.R. 456(b)	R. 1982 d.269	14 N.J.R. 914(a)
6:11-7.1	State Approval of Teacher Education	14 N.J.R. 456(b)	R. 1982 d.269	14 N.J.R. 914(a)
6:20-2.3	Budget and cost distribution records	13 N.J.R. 333(e)	R. 1981 d.353	13 N.J.R. 563(b)
6:20-2.3	Program-oriented budgeting format	14 N.J.R. 309(a)	R. 1982 d.194	14 N.J.R. 654(b)
6:20-3.1	Building use charge by receiving districts	14 N.J.R. 499(b)	R. 1982 d.270	14 N.J.R. 914(b)
6:20-3.1	Correction: Operative date of building use charge	14 N.J.R. 499(b)	R. 1982 d.270	14 N.J.R. 978(b)
6:21-10.4	Private auto use for pupil transportation	13 N.J.R. 914(a)	R. 1982 d.121	14 N.J.R. 384(a)
6:22-1.14, 1.19	Inspection fees for school facilities	14 N.J.R. 74(a)	R. 1982 d.119	14 N.J.R. 384(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
6:24-1.3	Format of petition for controversies and disputes	13 N.J.R. 190(a)	R. 1981 d. 265	13 N.J.R. 397(b)
6:24-1.3	Correction: Petition format	13 N.J.R. 190(a)	R. 1981 d. 265	13 N.J.R. 481(a)
6:28-5.10, 5.11, 6.10, 6.11	Approval of auxiliary services for private school students	14 N.J.R. 617(a)	R. 1982 d. 316	14 N.J.R. 1054(a)
6:29-4.2	Tuberculosis testing	13 N.J.R. 914(b)	R. 1982 d. 120	14 N.J.R. 385(a)
6:29-8.1, 8.2	Hearing screening of pupils	14 N.J.R. 108(a)	R. 1982 d. 195	14 N.J.R. 654(c)
6:30	Adult diploma requirements	13 N.J.R. 721(a)	R. 1982 d. 39	14 N.J.R. 205(c)
6:44-6,-7	Recodified as 6:30	13 N.J.R. 721(a)	R. 1982 d. 39	14 N.J.R. 205(c)
6:46-1.1	"Technical education" in local area districts	14 N.J.R. 9(b)	R. 1982 d. 118	14 N.J.R. 385(b)
6:46-1.1-1.5	Local area vocational school districts	13 N.J.R. 635(b)	R. 1981 d. 495	14 N.J.R. 41(c)
6:53	Vocational education safety standards	14 N.J.R. 619(a)	R. 1982 d. 368	14 N.J.R. 1154(b)
6:66	Archives and history records management	13 N.J.R. 190(b)	R. 1981 d. 202	13 N.J.R. 397(c)

(Title 6, Transmittal 17 dated November 10, 1980)**ENVIRONMENTAL PROTECTION-TITLE 7**

7:1A	Water Supply Bond Act loans	14 N.J.R. 10(a)	R. 1982 d. 167	14 N.J.R. 573(c)
7:1A	Extension of application closing date	Public Notice	R. 1982 d. 167	14 N.J.R. 1172(a)
7:1A-2.5, 2.12, 2.13	Water Supply Bond Act loans	14 N.J.R. 499(c)	R. 1982 d. 281	14 N.J.R. 915(a)
7:1C-1.5	Fees for 90-day construction permits	13 N.J.R. 123(c)	R. 1981 d. 187	13 N.J.R. 334(b)
7:1C-1.5	Maximum fees for waterfront development permits	13 N.J.R. 564(a)	R. 1981 d. 473	13 N.J.R. 943(b)
7:1C-1.13	90-day construction permits	Procedural	R. 1981 d. 48	13 N.J.R. 128(b)
7:7-2	Waterfront development permits	13 N.J.R. 73(c)	R. 1981 d. 355	13 N.J.R. 564(b)
7:7A-1.13	Correction to Code: Wetlands maps			14 N.J.R. 1403(a)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	13 N.J.R. 75(a)	R. 1981 d. 267	13 N.J.R. 401(b)
7:7E	Coastal resource and development policies	13 N.J.R. 76(a)	R. 1981 d. 186	13 N.J.R. 338(a)
7:7E	Coastal Management Program: "Routine implementation" determination			14 N.J.R. 1467(b)
7:7E-3.10, 3.30, 3.33, 3.37, 4.10, 4.11, 5.5	Coastal resources and development policies	13 N.J.R. 565(a)	R. 1982 d. 114	14 N.J.R. 385(c)
7:7E-5.5	Correction: Coastal resources and development	13 N.J.R. 565(a)	R. 1982 d. 114	14 N.J.R. 1155(a)
7:7E-7.2	Affordable housing and coastal development	13 N.J.R. 864(a)	R. 1982 d. 31	14 N.J.R. 206(a)
7:7E-8.7, 8.16, 8.17	Coastal resources and development policies	13 N.J.R. 565(a)	R. 1982 d. 114	14 N.J.R. 385(c)
7:7F	Shore Protection Program	14 N.J.R. 865(b)	R. 1982 d. 421	14 N.J.R. 1365(b)
7:9-4, -5, -6	Water quality standards	12 N.J.R. 108(c)	R. 1981 d. 80	13 N.J.R. 194(b)
7:9-8, -11, -14	Repealed	12 N.J.R. 108(c)	R. 1981 d. 80	13 N.J.R. 194(b)
7:9-10.2, 10.3, 10.9	Pinelands and coastal area sewerage approval	14 N.J.R. 504(a)	R. 1982 d. 298	14 N.J.R. 979(a)
7:9-10.4, 10.5, 10.6	One-year suspension of rules	14 N.J.R. 504(a)	R. 1982 d. 298	14 N.J.R. 979(a)
7:9-13.3, 13.5, 13.6	Sewer extension ban	12 N.J.R. 639(b)	R. 1981 d. 224	13 N.J.R. 402(a)
7:10-8	Repealed: See 7:18	13 N.J.R. 260(d)	R. 1981 d. 279	13 N.J.R. 481(c)
7:11-2, -4	Water rate schedule: D and R, Spruce Run- Round Valley	14 N.J.R. 681(a)	R. 1982 d. 455	14 N.J.R. 1449(b)
7:12-1.1, 1.3,	Condemnation of certain shellfish beds	13 N.J.R. 191(b)	R. 1981 d. 190	13 N.J.R. 339(b)
7:12-1.2-1.5	Shellfish beds: Reclassification	14 N.J.R. 310(a)	R. 1982 d. 182	14 N.J.R. 655(a)
7:12-1.3	Condemnation of certain shellfish areas	13 N.J.R. 566(a)	R. 1981 d. 431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	13 N.J.R. 191(b)	R. 1981 d. 190	13 N.J.R. 339(b)
7:13-1.11	Flood plain delineation of Great Egg Harbor River	12 N.J.R. 506(a)	R. 1981 d. 88	13 N.J.R. 194(d)
7:13-1.11	Flood plain delineations of Mullica River and tributaries	12 N.J.R. 506(b)	R. 1981 d. 89	13 N.J.R. 194(e)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(b)	R. 1981 d. 144	13 N.J.R. 339(c)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(a)	R. 1981 d. 145	13 N.J.R. 340(a)
7:13-1.11	Delaware Basin floodway delineations	13 N.J.R. 805(a)	R. 1982 d. 154	14 N.J.R. 472(b)
7:13-1.11	Floodway delineations along Tuckahoe River	13 N.J.R. 921(a)	R. 1982 d. 155	14 N.J.R. 473(a)
7:13-1.11	Floodway delineations in Hackensack basin	14 N.J.R. 19(a)	R. 1982 d. 156	14 N.J.R. 473(b)
7:13-1.11	Floodway delineations: Woodbridge and Rahway rivers	13 N.J.R. 920(a)	R. 1982 d. 157	14 N.J.R. 473(c)
7:13-1.11	Delineated streams along Upper Mullica River	14 N.J.R. 367(b)	R. 1982 d. 209	14 N.J.R. 755(c)
7:13-1.11	Delineated streams in Somerset County	14 N.J.R. 367(a)	R. 1982 d. 392	14 N.J.R. 1211(b)
7:13-1.11	Floodway delineations in Union County	14 N.J.R. 870(a)	R. 1982 d. 428	14 N.J.R. 1365(a)
7:13-1.11	Floodway delineations along Cedar Creek, Lacey Twp.	14 N.J.R. 683(a)	R. 1982 d. 430	14 N.J.R. 1365(c)
7:13-1.11	Floodway delineations along Big Timber Creek	14 N.J.R. 505(a)	R. 1982 d. 431	14 N.J.R. 1366(a)
7:13-1.11	Floodway delineations along Pond Run Mercer County	14 N.J.R. 506(a)	R. 1982 d. 432	14 N.J.R. 1366(b)
7:13-1.11	Floodway delineations in Morris County	14 N.J.R. 870(b)	R. 1982 d. 453	14 N.J.R. 145(a)
7:14	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:14-2	Construction of wastewater treatment facilities	14 N.J.R. 75(a)	R. 1982 d. 338	14 N.J.R. 1155(b)
7:14-5, App. A	Statewide septage management	13 N.J.R. 124(a)	R. 1982 d. 82	14 N.J.R. 336(c)
7:14A	Conditions for users of DTW	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:14A-4	Industrial waste management facilities	12 N.J.R. 569(f)	R. 1981 d. 373	13 N.J.R. 705(a)
7:14A-4.3	"Wastewater treatment unit" defined	14 N.J.R. 506(b)	R. 1982 d. 310	14 N.J.R. 1054(b)
7:14A-11, 13.1	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)

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7:14A-13.4	Pollutant discharge and waste management	13 N.J.R. 89(a)	R. 1981 d. 214	13 N.J.R. 403(a)
7:17	Hard clam depuration pilot plant program	12 N.J.R. 253(a)	R. 1981 d. 56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	13 N.J.R. 260(d)	R. 1981 d. 279	13 N.J.R. 481(c)
7:19	Water diversion and water supply allocation permits	13 N.J.R. 639(a)	R. 1981 d. 488	14 N.J.R. 42(a)
7:19-3	Water diversion fees for non-growing use	14 N.J.R. 459(a)	R. 1982 d. 239	14 N.J.R. 834(f)
7:21	Water policy and supply council	Organizational	R. 1981 d. 366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	13 N.J.R. 481(d)	R. 1981 d. 456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	13 N.J.R. 192(a)	R. 1981 d. 223	13 N.J.R. 403(b)
7:24	Dam restoration grants	13 N.J.R. 9(a)	R. 1981 d. 104	13 N.J.R. 195(b)
7:25-4.6	Nongame and exotic wildlife inspection	13 N.J.R. 806(a)	R. 1981 d. 513	14 N.J.R. 102(a)
7:25-5	Game Code	13 N.J.R. 262(a)	R. 1981 d. 253	13 N.J.R. 403(c)
7:25-5	1982-83 Game Code	14 N.J.R. 402(b)	R. 1982 d. 212	14 N.J.R. 755(d)
7:25-5.13, 5.28, 5.29	1982-83 Game Code changes	14 N.J.R. 871(a)	R. 1982 d. 351	14 N.J.R. 1158(a)
7:25-6	1982-1983 Fish Code	13 N.J.R. 483(a)	R. 1981 d. 470	13 N.J.R. 887(a)
7:25-6	1983 Fish Code	14 N.J.R. 872(a)	R. 1982 d. 429	14 N.J.R. 1366(c)
7:25-7.2	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d. 189	13 N.J.R. 340(b)
7:25-7.10	Taking of oysters	13 N.J.R. 125(a)	R. 1981 d. 199	13 N.J.R. 403(d)
7:25-7.10	Senior citizen's oyster license	14 N.J.R. 629(a)	R. 1982 d. 337	14 N.J.R. 1158(b)
7:25-7.13	Crab dredging	13 N.J.R. 125(b)	R. 1981 d. 200	13 N.J.R. 404(a)
7:25-9.2	Hard clam harvest penalties	13 N.J.R. 404(b)	R. 1981 d. 362	13 N.J.R. 706(a)
7:25-9.4	Bay scallops	13 N.J.R. 126(a)	R. 1981 d. 256	13 N.J.R. 404(c)
7:25-12.1	Sea clam harvesting (emergency adoption)	Emergency	R. 1981 d. 448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	13 N.J.R. 613(a)	R. 1981 d. 486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	Emergency	R. 1982 d. 80	14 N.J.R. 288(a)
7:25-12.1	Sea clam harvest	14 N.J.R. 881(a)	R. 1982 d. 393	14 N.J.R. 1213(a)
7:25-14	Atlantic Coast crabbing	13 N.J.R. 262(b)	R. 1981 d. 299	13 N.J.R. 546(a)
7:25-14.8-14.10	Crab harvesting	13 N.J.R. 645(a)	R. 1982 d. 169	14 N.J.R. 578(a)
7:25-15.1	Hard clam relay program	13 N.J.R. 645(b)	R. 1982 d. 117	14 N.J.R. 387(a)
7:25-15.1	Relay of hard clams	Emergency	R. 1982 d. 309	14 N.J.R. 1055(a)
7:25-15.1	Readopted: Relay of hard clams	14 N.J.R. 1055(a)	R. 1982 d. 411	14 N.J.R. 1300(d)
7:25-16.1	Upstream line revisions	13 N.J.R. 484(a)	R. 1981 d. 469	13 N.J.R. 887(b)
7:25-16.1	Upstream fishing lines	14 N.J.R. 882(a)	R. 1982 d. 454	14 N.J.R. 1451(b)
7:25-21	Terrapin	13 N.J.R. 126(b)	R. 1981 d. 198	13 N.J.R. 405(a)
7:25A-1.1	Emergency: Oyster dredging license moratorium	Emergency	R. 1981 d. 94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	13 N.J.R. 192(b)	R. 1981 d. 188	13 N.J.R. 340(c)
7:25A-2.1-2.7	Oyster management in Delaware Bay	13 N.J.R. 192(c)	R. 1981 d. 197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d. 189	13 N.J.R. 340(b)
7:25A-3.1	1982 seed oyster season	14 N.J.R. 264(a)	R. 1982 d. 148	14 N.J.R. 426(b)
7:26-1	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d. 281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-1.1	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:26-1.1, 1.4, 1.7, 2.14, 3.8, 5.5	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d. 433	14 N.J.R. 1367(a)
7:26-1.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d. 324	14 N.J.R. 1089(d)
7:26-1.8	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-3.2,4.7	Solid waste collection and haulage	Procedural	R. 1981 d. 49	13 N.J.R. 129(a)
7:26-4.7	Registration of hazardous waste collector/haulers	14 N.J.R. 368(a)	R. 1982 d. 289	14 N.J.R. 979(b)
7:26-6	Interdistrict and intradistrict solid waste flow	14 N.J.R. 1027(b)	R. 1982 d. 434	14 N.J.R. 1368(a)
7:26-7, -8	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d. 281	13 N.J.R. 484(b)
7:26-7.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d. 324	14 N.J.R. 1089(d)
7:26-7.6, 8.16, 9.1, 9.5, 9.9	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d. 433	14 N.J.R. 1367(a)
7:26-9	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-9.1, 9.2, 9.4,-10, 11.2, 11.3, 11.5, 11.7, 12.1, 12.2	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d. 324	14 N.J.R. 1089(d)
7:26-11	Resource recovery grants	13 N.J.R. 9(a)	R. 1981 d. 184	13 N.J.R. 340(d)
7:26-11, -12	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-12.2	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:3-15)	13 N.J.R. 865(a)	R. 1982 d. 32	14 N.J.R. 206(b)
7:27-2	Control and prohibition of open burning	12 N.J.R. 690(a)	R. 1981 d. 135	13 N.J.R. 264(a)
7:27-9	Sulfur in fuels	13 N.J.R. 870(a)	R. 1982 d. 456	14 N.J.R. 1452(a)
7:27-10	Sulfur in coal	12 N.J.R. 571(a)	R. 1981 d. 185	13 N.J.R. 341(a)
7:27-16	Air pollution control: Volatile organic substances	13 N.J.R. 127(a)	R. 1982 d. 3	14 N.J.R. 145(b)
7:28-24	Licensing of nuclear medicine technologists	14 N.J.R. 507(a)	R. 1982 d. 457	14 N.J.R. 1455(a)
7:28-41	Mercury vapor lamps	13 N.J.R. 9(b)	R. 1981 d. 464	13 N.J.R. 887(c)

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7:29B	Noise measurement	13 N.J.R. 127(b)	R. 1982 d.81	14 N.J.R. 339(a)
7:30-1, -2, -4, -8	State Pesticide Control Code	14 N.J.R. 787(a)	R. 1982 d.435	14 N.J.R. 1385(a)
7:36-3.1	Green Acres reimbursement	14 N.J.R. 461(a)	R. 1982 d.231	14 N.J.R. 835(a)
7:38-1.17	Wild and scenic rivers addition	13 N.J.R. 568(a)	R. 1982 d.2	14 N.J.R. 147(a)
7:50	Pinelands Comprehensive Management Plan	12 N.J.R. 513(b)	R. 1981 d.13	13 N.J.R. 91(e)
7:50	Pinelands management	13 N.J.R. 569(a)	R. 1982 d.131	14 N.J.R. 388(a)
7:50	Pinelands Comprehensive Management Plan and Sunset Provision	Public Notice	_____	14 N.J.R. 1102(b)
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HEALTH-TITLE 8				
8:13-2.1, 2.3, 2.4, 2.7-2.9, 2.11, 2.13-2.15	Soft-shell clam depuration	14 N.J.R. 415(a)	R. 1982 d.241	14 N.J.R. 835(b)
8:21-3.23	Legal animal repellants	14 N.J.R. 79(a)	R. 1982 d.123	14 N.J.R. 389(a)
8:21-3.24	Ingredients for human self-defense sprays	14 N.J.R. 1029(a)	R. 1982 d.451	14 N.J.R. 1456(a)
8:21-10	Designated fluid milk products	12 N.J.R. 643(c)	R. 1980 d.539	13 N.J.R. 13(f)
8:22-1	State Sanitary Code—Campgrounds	13 N.J.R. 130(a)	R. 1981 d.161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	12 N.J.R. 577(d)	R. 1980 d.499	13 N.J.R. 13(c)
8:30	Expiration date	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:30	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:31-22.1	Doctors' offices in medical facilities	13 N.J.R. 807(a)	R. 1982 d.273	14 N.J.R. 915(b)
8:31-23.1	Parking garage standards	13 N.J.R. 807(b)	R. 1982 d.274	14 N.J.R. 916(a)
8:31-24.1	Hospital personnel housing	13 N.J.R. 808(a)	R. 1982 d.275	14 N.J.R. 916(b)
8:31-26.4	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 756(a)
8:31-27	Megavoltage radiation (recodified as 8:33I)	13 N.J.R. 406(b)	R. 1981 d.406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Need and designation of regional services	12 N.J.R. 515(a)	R. 1980 d.528	13 N.J.R. 13(d)
8:31-30.1	Plan Review Fee multiplier	13 N.J.R. 265(b)	R. 1981 d.284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	13 N.J.R. 266(a)	R. 1981 d.325	13 N.J.R. 571(c)
8:31A-7	SHARE Manual: 1983 rate review guidelines	14 N.J.R. 887(a)	R. 1982 d.452	14 N.J.R. 1456(b)
8:31A-9.2	Correction to Code: SHARE Manual	10 N.J.R. 534(c)	R. 1979 d.25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d.38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (Inpatient)	13 N.J.R. 410(a)	R. 1981 d.404	13 N.J.R. 756(c)
8:31B-3	Hospital procedural and methodological regulations	12 N.J.R. 515(b)	R. 1980 d.455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	13 N.J.R. 486(b)	R. 1981 d.494	14 N.J.R. 45(a)
8:31B-3	Hospital rate setting: RIM and other 1983 changes	14 N.J.R. 737(a)	R. 1982 d.427	14 N.J.R. 1389(a)
8:31B-3.20D	Rate of return: For-profit hospitals	13 N.J.R. 266(b)	R. 1981 d.290	13 N.J.R. 486(c)
8:31B-4	Hospital financial elements and reporting regulations	12 N.J.R. 516(a)	R. 1980 d.453	12 N.J.R. 645(a)
8:31B-4.44, 4.46	1983 Financial Elements and Reporting	14 N.J.R. 946(b)	R. 1982 d.449	14 N.J.R. 1457(a)
8:31B-4.62	Excluded health care services	12 N.J.R. 643(d)	R. 1981 d.10	13 N.J.R. 92(a)
8:31B-5.1, 5.2, 5.3	Diagnostic related groups	13 N.J.R. 726(b)	R. 1982 d.27	14 N.J.R. 147(b)
8:31B-6.1-6.5	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d.38	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	13 N.J.R. 267(a)	R. 1981 d.296	13 N.J.R. 487(b)
8:33D-1.3	Regional hemophilia care centers	13 N.J.R. 727(a)	R. 1982 d.26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	13 N.J.R. 649(a)	R. 1982 d.24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	13 N.J.R. 651(a)	R. 1982 d.25	14 N.J.R. 147(e)
8:33F-1.1-1.4, 1.6, 1.7	Regional end-stage renal services	13 N.J.R. 922(b)	R. 1982 d.143	14 N.J.R. 426(c)
8:33G	Certificate of Need reviews: CT scanners	13 N.J.R. 487(c)	R. 1981 d.472	13 N.J.R. 944(a)
8:33H-3.3	Medicare and Medicaid beds in long-term care	14 N.J.R. 191(a)	R. 1982 d.180	14 N.J.R. 578(b)
8:33I	Megavoltage radiation units (recodified from 8:31-27)	13 N.J.R. 406(b)	R. 1981 d.406	13 N.J.R. 756(b)
8:37	Expiration date	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:37	Intermediate care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:39-Foreword	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:39-1	Foreword: Amend operational dates	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:39-1.1	Long term care standards	13 N.J.R. 268(a)	R. 1981 d.285	13 N.J.R. 495(a)
8:39-1.1, 1.16-1.21	Long-term care facilities: Licensure standards	14 N.J.R. 193(a)	R. 1982 d.146	14 N.J.R. 427(a)
8:39-1.33	LTC facilities: Construction standards	13 N.J.R. 809(a)	R. 1982 d.276	14 N.J.R. 916(c)
8:39-1.34	LTC facilities: Additional standards	13 N.J.R. 809(b)	R. 1982 d.277	14 N.J.R. 916(d)
8:39-1.35	Operational dates	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:39-1.35	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:42-1.8	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
8:42-2	Readopted: Inpatient drug treatment facilities	14 N.J.R. 812(a)	R. 1982 d.391	14 N.J.R. 1214(a)
8:42A	Alcoholism treatment facilities	13 N.J.R. 217(b)	R. 1981 d.236	13 N.J.R. 411(a)
8:43-2.13	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d.529	13 N.J.R. 13(e)
8:43-3.3, 3.20,	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d.297	13 N.J.R. 495(b)

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8:43-3.22	Residential health care: Fire protection	13 N.J.R. 495(c)	R. 1981 d. 402	13 N.J.R. 756(d)
8:43-3.22	Fire safety in residential care homes	14 N.J.R. 194(a)	R. 1982 d. 145	14 N.J.R. 427(b)
8:43-4.13, 4.14	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d. 297	13 N.J.R. 495(b)
8:43-6.9	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d. 529	13 N.J.R. 13(e)
8:43A-2.1, 2.2	Ambulatory care facilities: Construction standards	13 N.J.R. 810(a)	R. 1982 d. 278	14 N.J.R. 916(e)
8:43A-3.1	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:43A-9.4, 9.7, 9.11	Drug abuse treatment centers	14 N.J.R. 529(a)	R. 1982 d. 390	14 N.J.R. 1214(b)
8:43B-1.13	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:43B-3.1, 3.1A	Hospital construction standards	13 N.J.R. 811(a)	R. 1982 d. 279	14 N.J.R. 916(f)
8:43B-15.12, 15.12A	Renal dialysis services: Construction standards	13 N.J.R. 812(a)	R. 1982 d. 280	14 N.J.R. 917(a)
8:45-1.3	Licensure of clinical laboratories	13 N.J.R. 653(a)	R. 1981 d. 493	14 N.J.R. 45(b)
8:57-1.1-1.18	Reportable disease rules	12 N.J.R. 577(e)	R. 1980 d. 498	13 N.J.R. 13(b)
8:57-4.5, 4.10, 4.12, 4.13, 4.15, 4.16	Immunization of pupils in school	13 N.J.R. 738(a)	R. 1981 d. 502	14 N.J.R. 45(c)
8:65-7.8	CDS prescription filling requirements	13 N.J.R. 130(b)	R. 1981 d. 452	13 N.J.R. 845(a)
8:65-7.10	CDS: Prescriptions in LTCF's	13 N.J.R. 130(c)	R. 1981 d. 453	13 N.J.R. 845(b)
8:65-7.14, 7.18	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d. 124	14 N.J.R. 389(b)
8:65-8.7	Controlled dangerous substances	13 N.J.R. 131(a)	R. 1981 d. 238	13 N.J.R. 411(b)
8:65-10.1, 10.2	Controlled dangerous substances	Emergency	R. 1981 d. 50	13 N.J.R. 132(b)
8:65-10.1, 10.2	Rescheduling of methaqualone	14 N.J.R. 1029(b)	R. 1982 d. 450	14 N.J.R. 1457(b)
8:65-10.1, 10.3, 10.4	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d. 124	14 N.J.R. 389(b)
8:65-10.4, 10.8	Controlled dangerous substances	Emergency	R. 1981 d. 50	13 N.J.R. 132(b)
8:71	Interchangeable drug products	12 N.J.R. 465(a)	R. 1980 d. 454	12 N.J.R. 645(b)
8:71	Interchangeable drug products	12 N.J.R. 516(b)	R. 1981 d. 25	13 N.J.R. 131(b)
8:71	Interchangeable drug products	12 N.J.R. 465(b)	R. 1981 d. 26	13 N.J.R. 131(c)
8:71	Interchangeable drug products	Emergency	R. 1981 d. 27	13 N.J.R. 132(a)
8:71	Interchangeable drug products	12 N.J.R. 644(b)	R. 1981 d. 81	13 N.J.R. 217(d)
8:71	Interchangeable drug product list	13 N.J.R. 269(a)	R. 1981 d. 364	13 N.J.R. 706(c)
8:71	Interchangeable drug list	12 N.J.R. 644(b)	R. 1981 d. 405	13 N.J.R. 757(a)
8:71	List of interchangeable drugs	13 N.J.R. 354(a)	R. 1981 d. 403	13 N.J.R. 757(b)
8:71	Interchangeable drug products	13 N.J.R. 654(a)	R. 1981 d. 503	14 N.J.R. 45(d)
8:71	Correction: Generic drug list	13 N.J.R. 654(a)	R. 1981 d. 503	14 N.J.R. 102(b)
8:71	Generic drug list additions	13 N.J.R. 217(c)	R. 1982 d. 58	14 N.J.R. 235(a)
8:71	Amitriptyline addition	14 N.J.R. 22(b)	R. 1982 d. 106	14 N.J.R. 342(a)
8:71	Generic drug list additions	14 N.J.R. 22(a)	R. 1982 d. 115	14 N.J.R. 389(c)
8:71	Additions to generic drug list	14 N.J.R. 22(a)	R. 1982 d. 197	14 N.J.R. 655(b)
8:71	Additions to generic drug list	14 N.J.R. 369(a)	R. 1982 d. 240	14 N.J.R. 836(a)
8:71	Correction: Generic drug list	14 N.J.R. 369(a)	R. 1982 d. 240	14 N.J.R. 980(a)
8:71	Generic drug list changes	14 N.J.R. 22(a)	R. 1982 d. 371	14 N.J.R. 1159(a)
8:71	Generic drug list changes	13 N.J.R. 645(a)	R. 1982 d. 372	14 N.J.R. 1159(b)
8:71	Generic drug list changes	14 N.J.R. 369(a)	R. 1982 d. 373	14 N.J.R. 1160(a)
8:71	Generic drug list changes	14 N.J.R. 690(a)	R. 1982 d. 374	14 N.J.R. 1160(b)
8:71	Generic drug list changes	14 N.J.R. 690(a)	R. 1982 d. 426	14 N.J.R. 1392(a)
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9:1-6.1, 6.4	Petitions from out-of-state institutions	14 N.J.R. 372(a)	R. 1982 d. 219	14 N.J.R. 756(a)
9:2-2.25	Mandatory retirement at State colleges	14 N.J.R. 947(a)	R. 1982 d. 444	14 N.J.R. 1458(a)
9:4-1.5	County colleges: Chargebacks to sending counties	14 N.J.R. 690(b)	R. 1982 d. 335	14 N.J.R. 1099(a)
9:4-3.1, 3.10	County college annual audit	14 N.J.R. 318(a)	R. 1982 d. 218	14 N.J.R. 757(a)
9:11-1	Educational Opportunity Fund Program	14 N.J.R. 691(a)	R. 1982 d. 385	14 N.J.R. 1214(c)
9:12-1, -2	Educational Opportunity Fund Program	14 N.J.R. 691(a)	R. 1982 d. 385	14 N.J.R. 1214(c)
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HUMAN SERVICES--TITLE 10				
10:38	Interim Assistance Procedures Manual	13 N.J.R. 220(d)	R. 1981 d. 225	13 N.J.R. 412(c)
10:49-1.2	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d. 549	13 N.J.R. 100(c)
10:49-1.2	Medicaid ID: Special Status Card	14 N.J.R. 418(a)	R. 1982 d. 261	14 N.J.R. 917(b)
10:49-1.3	Provider participation	13 N.J.R. 496(c)	R. 1981 d. 393	13 N.J.R. 758(c)
10:49-1.3, 1.4	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d. 415	14 N.J.R. 1393(a)
10:49-1.5	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d. 549	13 N.J.R. 100(c)
10:49-1.5	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d. 329	13 N.J.R. 574(b)
10:49-1.7	Utilization of insurance benefits	12 N.J.R. 187(c)	R. 1981 d. 123	13 N.J.R. 272(a)
10:49-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d. 52	14 N.J.R. 235(b)
10:49-1.13, 1.14	Providers using management agencies	13 N.J.R. 272(b)	R. 1981 d. 246	13 N.J.R. 412(d)
10:49-1.17	Suspension of provider from Medicaid program	12 N.J.R. 581(a)	R. 1980 d. 501	13 N.J.R. 17(a)
10:49-1.17	Suspended providers	13 N.J.R. 222(a)	R. 1981 d. 315	13 N.J.R. 574(c)

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10:49-1.17	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.26	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:49-1.27	Final audits	13 N.J.R. 133(c)	R. 1981 d.114	13 N.J.R. 273(a)
10:49-5.3,5.4	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-5.6	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-6.5	Medicaid: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:49-6.8	Compromising claims	12 N.J.R. 582(a)	R. 1980 d.502	13 N.J.R. 17(b)
10:50	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:50-2.7	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:51	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:51-1	Pharmacy Manual: Appendices B, C, and D	14 N.J.R. 1142(a)	R. 1982 d.458	14 N.J.R. 1458(b)
10:51-1.13, 1.14	Emergency amend "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.13, 1.14	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1.17	Legend drug dispensing fee	13 N.J.R. 575(c)	R. 1981 d.411	13 N.J.R. 758(d)
10:51-1.19	Emergency amendment: "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1(App.B,D)	Pharmaceutical Services Manual	13 N.J.R. 134(a)	R. 1981 d.124	13 N.J.R. 274(a)
10:51-1(App.B,D)	Non-legend drugs and legend services	13 N.J.R. 739(a)	R. 1981 d.505	14 N.J.R. 46(a)
10:51-1(App.E)	Pharmacy Manual: Protein replacements	14 N.J.R. 418(b)	R. 1982 d.211	14 N.J.R. 757(b)
10:51-2	Pharmacy Manual billing procedures	13 N.J.R. 274(b)	R. 1981 d.247	13 N.J.R. 415(a)
10:51-2.6	Reporting chemotherapy injectable drugs	14 N.J.R. 813(a)	R. 1982 d.340	14 N.J.R. 1161(a)
10:51-3	Pharmaceutical services in LTC facilities	13 N.J.R. 415(b)	R. 1981 d.344	13 N.J.R. 577(a)
10:51-3.15	Capitation of fee for legend drugs dispensed by LTC pharmacy providers	13 N.J.R. 577(b)	R. 1981 d.465	13 N.J.R. 887(d)
10:51-4.5	Repeal payments for pharmaceutical consultants	12 N.J.R. 410(a)	R. 1981 d.101	13 N.J.R. 228(c)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	13 N.J.R. 289(a)	R. 1981 d.248	13 N.J.R. 415(c)
10:52	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:52-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.1	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415	14 N.J.R. 1393(a)
10:52-1.3	Non-covered hospital services	13 N.J.R. 14(d)	R. 1981 d.126	13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:52-1.3	Second opinion requirement or certain surgery	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:52-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:52-1.17	Out-of-State inpatient hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	13 N.J.R. 359(a)	R. 1981 d.293	13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	13 N.J.R. 93(a)	R. 1982 d.13	14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:53-1.3	Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:53-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-2.18	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-1.2	Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:54-1.3	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:54-1.5	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:54-1.6	Reimbursement for anesthesia time	12 N.J.R. 413(a)	R. 1981 d.220	13 N.J.R. 417(b)
10:54-1.22	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-2.4, 2.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-3	Procedure Code Manual	12 N.J.R. 520(c)	R. 1980 d.511	13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 95(a)	R. 1981 d.111	13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 223(a)	R. 1981 d.211	13 N.J.R. 418(c)
10:54-3	Procedure codes for pacemakers	13 N.J.R. 297(a)	R. 1981 d.251	13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	13 N.J.R. 298(b)	R. 1981 d.314	13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	13 N.J.R. 578(d)	R. 1981 d.475	13 N.J.R. 946(b)
10:54-3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-3	Procedure codes: Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:54-3	Procedure codes: Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415	14 N.J.R. 1393(a)

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10:55	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56-1.8,1.12	Dental Services Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:56-1.14, 1.15	Limitations on diagnostic dental services	13 N.J.R. 875(a)	R. 1982 d.403	14 N.J.R. 1301(a)
10:56-3.15	Orthodontics	13 N.J.R. 134(b)	R. 1981 d.113	13 N.J.R. 299(b)
10:57-1.4	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-1.9	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:58	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415	14 N.J.R. 1393(a)
10:59	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:59-1.7,1.8	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.9	Medical Supplier Manual	13 N.J.R. 430(c)	R. 1981 d.376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	13 N.J.R. 223(b)	R. 1981 d.328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:60	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:60-1, 2.1-2.3	Home Health Services Manual revisions	14 N.J.R. 264(b)	R. 1982 d.199	14 N.J.R. 656(a)
10:60-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	13 N.J.R. 95(b)	R. 1981 d.110	13 N.J.R. 299(c)
10:61-1.4	Physician orders for laboratory services	13 N.J.R. 430(d)	R. 1981 d.342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:62	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	13 N.J.R. 299(d)	R. 1981 d.280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.2	Rehabilitation in long-term care	14 N.J.R. 420(a)	R. 1982 d.210	14 N.J.R. 757(c)
10:63-1.4	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.4	Special equipment in long-term care	13 N.J.R. 877(a)	R. 1982 d.110	14 N.J.R. 391(a)
10:63-1.5	Inspection of long-term care	14 N.J.R. 81(a)	R. 1982 d.72	14 N.J.R. 279(a)
10:63-1.6	Level III care in LTC facilities	14 N.J.R. 462(a)	R. 1982 d.264	14 N.J.R. 917(c)
10:63-1.8	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.8	Clinical records in long-term care facilities	12 N.J.R. 701(a)	R. 1981 d.33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	13 N.J.R. 431(a)	R. 1981 d.345	13 N.J.R. 579(d)
10:63-1.19	LTCISM: Termination of Medicaid eligibility	13 N.J.R. 15(b)	R. 1981 d.62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	12 N.J.R. 701(a)	R. 1981 d.23	13 N.J.R. 146(a)
10:63-3.1	Reimbursement to Long Term Care Facilities	12 N.J.R. 702(a)	R. 1981 d.87	13 N.J.R. 227(a)
10:63-3.8	LTC's nursing care costs	13 N.J.R. 360(b)	R. 1981 d.326	13 N.J.R. 579(e)
10:63-3.21	Rescission: Long-term care per diem reduction	13 N.J.R. 498(a)	R. 1981 d.375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	14 N.J.R. 413(a)	R. 1982 d.74	14 N.J.R. 279(b)
10:65	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:65-2.1	Medical day care rates	13 N.J.R. 362(a)	R. 1981 d.318	13 N.J.R. 580(a)
10:66	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	13 N.J.R. 363(a)	R. 1981 d.313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	12 N.J.R. 662(b)	R. 1981 d.112	13 N.J.R. 299(e)
10:66-3.3	Independent Clinic Services Manual	13 N.J.R. 224(a)	R. 1981 d.212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-3.3	Family planning procedure codes	13 N.J.R. 663(a)	R. 1982 d.84	14 N.J.R. 343(b)
10:67-1.2	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-1.8	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:67-2.5,2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:68-2.5,2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:69A-2.1	Pharmaceutical Assistance for Aged and Disabled	14 N.J.R. 321(b)	R. 1982 d.198	14 N.J.R. 659(a)
10:69A-5.6	PAA eligibility determinations	13 N.J.R. 432(a)	R. 1981 d.332	13 N.J.R. 580(c)
10:69A-7.1	PAA: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:81	PAM: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d.397	13 N.J.R. 759(a)
10:81	PAM: Readopted Federal requirements	13 N.J.R. 759(a)	R. 1981 d.518	14 N.J.R. 102(c)
10:81-1.14	PAM: Welfare board minutes	13 N.J.R. 877(b)	R. 1982 d.151	14 N.J.R. 473(d)
10:81-2.7	PAM: Deprivation of parental support in AFDC-C	12 N.J.R. 703(a)	R. 1981 d.28	13 N.J.R. 146(b)
10:81-3.17, 8.22	PAM: Uniformed service absence; rounding	Emergency	R. 1982 d.366	14 N.J.R. 1168(a)

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10:81-3.17, 8.22	PAM: Readopted revisions	14 N.J.R. 1168(a)	R.1982 d.441	14 N.J.R. 1459(a)
10:81-3.35	PAM: Legally responsible relatives	14 N.J.R. 814(a)	R.1982 d.352	14 N.J.R. 1161(b)
10:81-4.5-4.11, 4.13, 4.14, 4.16, 4.18, 4.19	PAM: Vendor payments	14 N.J.R. 1034(a)	R.1982 d.424	14 N.J.R. 1395(a)
10:81-6.17, 7.18	PAM: Replacement of lost or stolen checks	14 N.J.R. 373(a)	R.1982 d.419	14 N.J.R. 1396(a)
10:81-7.1	AFDC: New or changed income	13 N.J.R. 300(a)	R.1981 d.262	13 N.J.R. 432(b)
10:81-7.13	PAM: Request and authorization for records disposal	14 N.J.R. 947(b)	R.1982 d.417	14 N.J.R. 1397(a)
10:81-7.22	AFDC: Funeral or burial payments for children	13 N.J.R. 580(d)	R.1981 d.447	13 N.J.R. 845(d)
10:81-7.22	PAM: Funeral and burial contributions	14 N.J.R. 462(b)	R.1982 d.286	14 N.J.R. 980(b)
10:81-7.26	PAM: Veterans' funeral expenses	14 N.J.R. 374(a)	R.1982 d.228	14 N.J.R. 836(b)
10:81-7.26, 8.4	PAM: RSDI lump sum benefits	13 N.J.R. 925(a)	R.1982 d.90	14 N.J.R. 344(a)
10:81-8.22	PAM: Extension of Medicaid benefits	14 N.J.R. 893(a)	R.1982 d.357	14 N.J.R. 1161(c)
10:81-10	PAM: Refugee programs	14 N.J.R. 948(a)	R.1982 d.425	14 N.J.R. 1397(b)
10:81-App. A	Repealed: See 10:81-10	14 N.J.R. 948(a)	R.1982 d.425	14 N.J.R. 1397(b)
10:82	ASH: Federal Omnibus Reconciliation Act of 1981	Emergency	R.1981 d.396	13 N.J.R. 763(a)
10:82	ASH: Readopted Federal requirements	13 N.J.R. 763(a)	R.1981 d.519	14 N.J.R. 102(d)
10:82-1.2, 1.4, 1.5 1.7, 2.1-2.6, 2.8- 2.10, 2.13, 2.19, 3.13, 4.1, 4.3, 4.4, 4.15, 5.3	ASH: Federal requirements	14 N.J.R. 952(a)	R.1982 d.443	14 N.J.R. 1459(b)
10:82-2.1, 2.2, 2.18, 2.20, 5.3, 5.10	ASH: Rounding; prorating; military service absence	Emergency	R.1982 d.367	14 N.J.R. 1169(a)
10:82-2.1, 2.2, 2.18, 2.20, 5.3, 5.10	ASH: Readopted revisions	14 N.J.R. 1169(a)	R.1982 d.440	14 N.J.R. 1461(a)
10:82-2.9	Correction: Stepparent's income in AFDC-C	13 N.J.R. 763(a)	R.1981 d.519	14 N.J.R. 281(a)
10:82-2.14	ASH: Established monthly earnings	13 N.J.R. 16(a)	R.1981 d.47	13 N.J.R. 147(b)
10:82-2.14	AFDC: New or changed income	13 N.J.R. 300(a)	R.1981 d.262	13 N.J.R. 432(b)
10:82-3.2	ASH: HUD community development block grant	13 N.J.R. 96(a)	R.1981 d.96	13 N.J.R. 227(b)
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10:82-3.8	ASH: Relatives as a resource	14 N.J.R. 814(b)	R.1982 d.353	14 N.J.R. 1161(d)
10:82-3.13	Correction: Federal requirement for ASH	13 N.J.R. 763(a)	R.1981 d.519	14 N.J.R. 837(a)
10:82-4.9	ASH: Foster care rates	14 N.J.R. 374(b)	R.1982 d.208	14 N.J.R. 709(c)
10:82-4.15	Irregular and nonrecurring income in AFDC	13 N.J.R. 224(c)	R.1981 d.287	13 N.J.R. 499(b)
10:82-5.3	ASH: Day care rates	13 N.J.R. 134(c)	R.1981 d.243	13 N.J.R. 432(c)
10:82-5.3	ASH: Care for unwed mothers	13 N.J.R. 134(c)	R.1982 d.43	14 N.J.R. 235(c)
10:82-5.10	ASH: Emergency assistance	12 N.J.R. 584(a)	R.1980 d.552	13 N.J.R. 101(a)
10:82-5.10	ASH: Emergency house furnishings allowance	14 N.J.R. 375(a)	R.1982 d.207	14 N.J.R. 709(d)
10:82-5.10	ASH: Return of child from foster care placement	14 N.J.R. 698(a)	R.1982 d.376	14 N.J.R. 1215(a)
10:83	Repeal Medical Assistance for Aged	14 N.J.R. 1081(a)	R.1982 d.460	14 N.J.R. 1462(a)
10:85-1.2, 1.5, 2.2	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R.1982 d.61	14 N.J.R. 281(b)
10:85-2.2	GAM: Temporary director of municipal welfare	12 N.J.R. 584(b)	R.1980 d.505	13 N.J.R. 17(c)
10:85-2.2	GAM: Local assistance board	13 N.J.R. 96(b)	R.1981 d.98	13 N.J.R. 228(b)
10:85-3.1	GAM: Common living quarters	13 N.J.R. 927(a)	R.1982 d.102	14 N.J.R. 344(b)
10:85-3.1	GAM: Eligibility of young people	14 N.J.R. 815(a)	R.1982 d.355	14 N.J.R. 1162(a)
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10:85-3.2	GAM: Workfare compliance	13 N.J.R. 929(a)	R.1982 d.104	14 N.J.R. 344(d)
10:85-3.2	GAM: Verification of unemployment/disability benefits	14 N.J.R. 956(a)	R.1982 d.418	14 N.J.R. 1398(a)
10:85-3.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R.1980 d.547	13 N.J.R. 100(a)
10:85-3.3	GAM: Financial eligibility	12 N.J.R. 16(b)	R.1981 d.46	13 N.J.R. 147(a)
10:85-3.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R.1981 d.263	13 N.J.R. 433(a)
10:85-3.3	GAM: Boarding rate for residential care	13 N.J.R. 879(a)	R.1982 d.53	14 N.J.R. 235(d)
10:85-3.3	GAM: Hospital shelter time	13 N.J.R. 930(a)	R.1982 d.98	14 N.J.R. 345(a)
10:85-3.3	GAM: Cash Contributions	14 N.J.R. 270(a)	R.1982 d.185	14 N.J.R. 659(b)
10:85-3.3	GAM: Members of household	14 N.J.R. 893(b)	R.1982 d.375	14 N.J.R. 1216(a)
10:85-3.4	GAM: Income and alien sponsorship	14 N.J.R. 122(b)	R.1982 d.134	14 N.J.R. 428(a)
10:85-4.6	GAM: Emergency grants	12 N.J.R. 585(a)	R.1980 d.538	13 N.J.R. 18(d)
10:85-4.6	GAM: Emergency grants	14 N.J.R. 124(a)	R.1982 d.135	14 N.J.R. 428(b)
10:85-4.8	GAM: Funeral and burial contributions	14 N.J.R. 463(a)	R.1982 d.287	14 N.J.R. 980(c)
10:85-5.2	GAM: Diagnostic-Related Group payments	12 N.J.R. 585(b)	R.1980 d.515	13 N.J.R. 18(b)
10:85-5.2	GAM-Payments for inpatients hospital care	13 N.J.R. 433(b)	R.1981 d.394	13 N.J.R. 768(a)
10:85-5.3	Submission of Form GA-18	12 N.J.R. 586(a)	R.1980 d.531	13 N.J.R. 18(c)
10:85-5.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R.1980 d.547	13 N.J.R. 100(a)
10:85-5.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R.1981 d.263	13 N.J.R. 433(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:85-5.4	GAM: Procedure for payments of medical bills	13 N.J.R. 499(c)	R. 1981 d.417	13 N.J.R. 768(b)
10:85-5.6, 8.4	GAM: Renal services; child health services	14 N.J.R. 420(b)	R. 1982 d.377	14 N.J.R. 1217(a)
10:85-6.5	GAM: Repayment by SSI recipients	12 N.J.R. 586(b)	R. 1980 d.551	13 N.J.R. 100(d)
10:85-6.6	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d.263	13 N.J.R. 433(a)
10:85-7.2	GAM: Receipt of assistance	12 N.J.R. 535(b)	R. 1981 d.53	13 N.J.R. 147(d)
10:85-7.3	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R. 1982 d.61	14 N.J.R. 281(b)
10:85-8.2	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d.263	13 N.J.R. 433(a)
10:85-8.2	GAM: Eligibility of refugee groups	14 N.J.R. 815(b)	R. 1982 d.356	14 N.J.R. 1162(b)
10:85-8.3	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R. 1981 d.160	13 N.J.R. 363(b)
10:85-9.1	GAM: Legally responsible relatives	14 N.J.R. 543(a)	R. 1982 d.284	14 N.J.R. 980(d)
10:85-10.3, 10.6, 10.8	GAM: Workfare compliance	13 N.J.R. 929(a)	R. 1982 d.104	14 N.J.R. 344(d)
10:87	Emergency amend Food Stamp Manual	Emergency	R. 1981 d.64	13 N.J.R. 226(b)
10:87	Student participation in Food Stamps	13 N.J.R. 96(c)	R. 1981 d.97	13 N.J.R. 228(a)
10:87	Food Stamp Manual	13 N.J.R. 364(a)	R. 1981 d.316	13 N.J.R. 581(a)
10:87	FSM: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d.398	13 N.J.R. 769(a)
10:87	FSM: Readopted Federal requirements	13 N.J.R. 769(a)	R. 1981 d.517	14 N.J.R. 103(a)
10:87	Correction: FSM-Federal requirements	13 N.J.R. 769(a)	R. 1981 d.517	14 N.J.R. 208(b)
10:87-2.7, 3.15-3.21	Food stamp participants and job search	14 N.J.R. 1041(a)	R. 1982 d.437	14 N.J.R. 1462(b)
10:87-12.1, 12.2	Emergency amend Food Stamp Manual	Emergency	R. 1980 d.558	13 N.J.R. 100(e)
10:87-12.1, 12.3, 12.4, 12.6	FSM: Mandated Federal adjustments	Emergency	R. 1982 d.217	14 N.J.R. 757(d)
10:87-12.1, 12.3, 12.4, 12.6	Readopted: Food Stamp Program adjustments	14 N.J.R. 757(d)	R. 1982 d.318	14 N.J.R. 1057(a)
10:87-12.1, 12.2, 12.6	Food Stamp Program: Utility allowance; coupon allotment; rounding	Emergency	R. 1982 d.365	14 N.J.R. 1170(a)
10:87-12.1, 12.2, 12.6	Food Stamp Program: Readopted revisions	14 N.J.R. 1170(a)	R. 1982 d.442	14 N.J.R. 1463(a)
10:87-12.3	Food Stamp Program maximum net income levels	13 N.J.R. 500(a)	R. 1981 d.400	13 N.J.R. 772(a)
10:87-12.3, 12.4	Emergency adoption: Food Stamp income levels	Emergency	R. 1981 d.278	13 N.J.R. 500(a)
10:87-12.4	Emergency amend Food Stamp Manual	Emergency	R. 1980 d.558	13 N.J.R. 100(e)
10:89	Home energy assistance (emergency adoption)	Emergency	R. 1981 d.466	13 N.J.R. 888(a)
10:89	Readopted Home Energy Assistance rules	13 N.J.R. 888(a)	R. 1982 d.62	14 N.J.R. 281(c)
10:89-2.3, 3.1, 3.2, 3.4-3.6, 4.1, 5.2, 5.3	Home Energy Assistance Handbook	Emergency	R. 1982 d.412	14 N.J.R. 1311(a)
10:89-3.6	Emergency rule on Home Energy Assistance	Emergency	R. 1980 d.548	13 N.J.R. 100(b)
10:90	Monthly Reporting Policy Handbook	14 N.J.R. 958(a)	R. 1982 d.399	14 N.J.R. 1302(a)
10:91	Repealed: Services to families and children	14 N.J.R. 744(a)	R. 1982 d.317	14 N.J.R. 1057(b)
10:94-4,-5	Medicaid Only: Income and resource eligibility	12 N.J.R. 663(a)	R. 1981 d.177	13 N.J.R. 364(b)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R. 1981 d.276	13 N.J.R. 501(a)
10:94-5.4, 5.5, 5.6	Readopt Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385	13 N.J.R. 773(a)
10:94-5.4, 5.5, 5.6	Correction: Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385	13 N.J.R. 846(a)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R. 1982 d.216	14 N.J.R. 758(a)
10:94-5.4, 5.5, 5.6	Readopted: Medicaid Only computation amounts	14 N.J.R. 758(a)	R. 1982 d.314	14 N.J.R. 1058(a)
10:94-7.5	Medicaid Only: Burial and funeral expenses	14 N.J.R. 816(a)	R. 1982 d.354	14 N.J.R. 1162(c)
10:94-8	Medicaid Only	12 N.J.R. 663(a)	R. 1981 d.177	13 N.J.R. 364(b)
10:94-9	Medical Assistance for Aged Continuation	14 N.J.R. 1084(a)	R. 1982 d.461	14 N.J.R. 1463(b)
10:98	State Plan for blind and visually impaired	14 N.J.R. 745(a)	R. 1982 d.311	14 N.J.R. 1058(b)
10:100-1.23	Emergency amend SSI payment levels	Emergency	R. 1981 d.277	13 N.J.R. 502(a)
10:100-1.23	Readopt SSI payment levels	13 N.J.R. 502(a)	R. 1981 d.386	13 N.J.R. 773(b)
10:100-1.23	SSI payment levels	Emergency	R. 1982 d.215	14 N.J.R. 760(a)
10:100-1.23	Readopted: SSI payment levels	14 N.J.R. 760(a)	R. 1982 d.315	14 N.J.R. 1059(a)
10:100-3.6	Special Payments Handbook: Funeral contributions	14 N.J.R. 463(b)	R. 1982 d.285	14 N.J.R. 981(a)
10:109-1	Ruling 11	13 N.J.R. 581(b)	R. 1981 d.445	13 N.J.R. 846(b)
10:109-1.4	Ruling 11: Tuition Aid	14 N.J.R. 375(b)	R. 1982 d.227	14 N.J.R. 837(b)
10:109-3.2, 3.4	Ruling 11-Sick leave and leave without pay	13 N.J.R. 515(a)	R. 1981 d.395	13 N.J.R. 774(a)
10:109-App. I, II	Ruling 11: Salary increases for CWA employees	13 N.J.R. 741(a)	R. 1981 d.498	14 N.J.R. 46(b)
10:109-App. II	County welfare agencies: Salary parity with State	14 N.J.R. 630(a)	R. 1982 d.319	14 N.J.R. 1060(a)
10:121-2	Adoption subsidy	14 N.J.R. 746(a)	R. 1982 d.321	14 N.J.R. 1060(b)
10:121-5.1	Medical information form	12 N.J.R. 703(c)	R. 1981 d.63	13 N.J.R. 226(a)
10:121A	Adoption agency practices	13 N.J.R. 99(a)	R. 1981 d.298	13 N.J.R. 516(a)
10:122-4.1, 4.3-4.7	Child care centers: Staff requirements	14 N.J.R. 816(b)	R. 1982 d.384	14 N.J.R. 1218(a)
10:122-4.1, 4.3-4.7	Correction: Child care centers	14 N.J.R. 816(b)	R. 1982 d.384	14 N.J.R. 1307(a)
10:122-4.2, 7.1-7.7	Standards for child care centers	14 N.J.R. 82(a)	R. 1982 d.136	14 N.J.R. 428(c)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d.423	13 N.J.R. 774(b)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d.423	14 N.J.R. 287(a)
10:123-3.1, 3.2	Personal needs allowance: Residential health care	14 N.J.R. 699(a)	R. 1982 d.301	14 N.J.R. 981(b)

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10:124	Children's shelter facilities and homes	14 N.J.R. 125(a)	R. 1982 d.222	14 N.J.R. 761(a)
10:130	Shelters for victims of domestic violence	14 N.J.R. 197(a)	R. 1982 d.138	14 N.J.R. 429(a)
10:130	Repealed: Children's shelters manual	14 N.J.R. 125(a)	R. 1982 d.222	14 N.J.R. 761(a)
10:131	Adoption assistance and child welfare	14 N.J.R. 744(a)	R. 1982 d.317	14 N.J.R. 1057(b)
10:132	Court actions and proceedings	13 N.J.R. 595(b)	R. 1981 d.434	13 N.J.R. 846(c)
10:140	1982 State Plan for Services to Developmentally Disabled	14 N.J.R. 699(b)	R. 1982 d.320	14 N.J.R. 1060(c)

(Title 10, Transmittal 15 dated November 10, 1980)

CORRECTIONS—TITLE 10A

(Title 10A, Transmittal 7 dated June 21, 1982)

INSURANCE—TITLE 11

11:1-13	Sale of auto club service contracts	13 N.J.R. 879(b)	R. 1982 d.177	14 N.J.R. 579(a)
11:1-14	Licenses: Address change; process serving	14 N.J.R. 748(a)	R. 1982 d.336	14 N.J.R. 1099(b)
11:2-1.6	Independent testing service	13 N.J.R. 364(d)	R. 1981 d.433	13 N.J.R. 846(d)
11:2-17	Unfair claims-settlement practices	12 N.J.R. 600(f)	R. 1981 d.407	13 N.J.R. 774(c)
11:2-17	Correction: Operative date for settlement practices	13 N.J.R. 774(c)	R. 1981 d.407	13 N.J.R. 894(a)
11:2-17.7	Claims settlement practices	14 N.J.R. 966(a)	R. 1982 d.400	14 N.J.R. 1307(b)
11:2-18	Readable policies	14 N.J.R. 967(a)	R. 1982 d.410	14 N.J.R. 1307(c)
11:2-18.4	Correction: Readable policies	14 N.J.R. 1308	R. 1982 d.410	14 N.J.R. 1398(b)
11:3-7.3, 7.7	Additional personal injury protection	14 N.J.R. 543(b)	R. 1982 d.246	14 N.J.R. 917(d)
11:4-2	Replacement of existing life insurance	13 N.J.R. 18(e)	R. 1982 d.16	14 N.J.R. 158(d)
11:4-11.5, 11.6	Life insurance solicitation	13 N.J.R. 36(a)	R. 1982 d.17	14 N.J.R. 159(a)
11:5-1.2, 1.3	Real Estate Commission rules	13 N.J.R. 306(a)	R. 1981 d.261	13 N.J.R. 440(c)
11:5-1.8, 1.14	Real Estate Commission rules	13 N.J.R. 302(b)	R. 1982 d.101	14 N.J.R. 345(b)
11:5-1.14	Correction: Real Estate Commission rules	13 N.J.R. 302(b)	R. 1982 d.101	14 N.J.R. 1162(d)
11:5-1.33-1.35	Real Estate Commission rules	13 N.J.R. 306(a)	R. 1981 d.261	13 N.J.R. 440(c)
11:5-1.36	Real Estate Guaranty Fund	13 N.J.R. 306(a)	R. 1981 d.252	13 N.J.R. 441(a)
11:12	Legal services insurance	13 N.J.R. 601(a)	R. 1981 d.422	13 N.J.R. 776(a)
11:13	Commercial lines insurance	14 N.J.R. 1045(a)	R. 1982 d.423	14 N.J.R. 1398(c)

(Title 11, Transmittal 16 dated January 14, 1981)

LABOR—TITLE 12

12:15-1.3	Maximum weekly benefit rates	13 N.J.R. 602(b)	R. 1981 d.419	13 N.J.R. 777(a)
12:15-1.3	Correction: Operative date	13 N.J.R. 602(b)	R. 1981 d.419	13 N.J.R. 894(b)
12:15-1.3	1983 unemployment and disability benefits	14 N.J.R. 969(a)	R. 1982 d.383	14 N.J.R. 1218(b)
12:15-1.4	Taxable wage base for unemployment compensation	13 N.J.R. 602(c)	R. 1981 d.421	13 N.J.R. 777(b)
12:15-1.4	Correction: Operative date	13 N.J.R. 602(c)	R. 1981 d.421	13 N.J.R. 894(b)
12:15-1.4	1983 wage base for unemployment contributions	14 N.J.R. 970(a)	R. 1982 d.382	14 N.J.R. 1219(a)
12:15-1.5	Unemployment compensation contribution rates	13 N.J.R. 603(a)	R. 1981 d.418	13 N.J.R. 777(c)
12:15-1.5	1983 contribution rates for government entities	14 N.J.R. 970(b)	R. 1982 d.381	14 N.J.R. 1219(b)
12:51	Vocational rehabilitation facilities	13 N.J.R. 230(a)	R. 1981 d.289	13 N.J.R. 517(a)
12:57	Wage orders for minors	13 N.J.R. 307(a)	R. 1981 d.226	13 N.J.R. 441(c)
12:190	Safety standards for explosives	13 N.J.R. 517(b)	R. 1982 d.229	14 N.J.R. 837(c)
12:191	Repealed	13 N.J.R. 517(b)	R. 1982 d.229	14 N.J.R. 837(c)
12:192	Repealed	13 N.J.R. 517(b)	R. 1982 d.229	14 N.J.R. 837(c)
12:193	Repealed	13 N.J.R. 517(b)	R. 1982 d.229	14 N.J.R. 837(c)
12:235-1.5	Workers' compensation benefit rates	13 N.J.R. 604(a)	R. 1981 d.420	13 N.J.R. 777(d)
12:235-1.5	1983 workers' compensation benefits	14 N.J.R. 971(a)	R. 1982 d.380	14 N.J.R. 1219(c)

(Title 12, Transmittal 14 dated January 14, 1981)

LAW AND PUBLIC SAFETY—TITLE 13

13:2-7.10	ABC rules	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.1, 24.4	ABC rules	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.4	Correction: ABC debt regulation	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 846(e)
13:2-24.4	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:2-38.1, 39.3	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:2-41	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:19-5.1	Convulsive seizures	12 N.J.R. 606(a)	R. 1981 d.18	13 N.J.R. 150(b)
13:19-6	Repealed: Delaware motor vehicle reciprocity rule	14 N.J.R. 87(a)	R. 1982 d.94	14 N.J.R. 346(a)
13:20-7.3, 7.4	Motor vehicle inspection	Emergency	R. 1982 d.335	14 N.J.R. 918(a)
13:20-7.3, 7.4	Readopted: Motor vehicle inspection	14 N.J.R. 918(a)	R. 1982 d.364	14 N.J.R. 1162(e)
13:20-25.2	Approval of safety glazing material	12 N.J.R. 606(b)	R. 1981 d.15	13 N.J.R. 149(d)
13:20-33.53	Motorcycle handlebars and grips	12 N.J.R. 606(c)	R. 1981 d.16	13 N.J.R. 149(e)
13:20-33.72	Repeal handhold devices	12 N.J.R. 607(a)	R. 1981 d.17	13 N.J.R. 150(a)
13:20-36	Special National Guard plates	12 N.J.R. 427(a)	R. 1981 d.31	13 N.J.R. 150(e)
13:21-3	Repeal rules on dealer's temporary certificates	12 N.J.R. 607(b)	R. 1981 d.14	13 N.J.R. 149(c)
13:21-4.5	Repealed: "Title only" motor vehicle certification	14 N.J.R. 632(a)	R. 1982 d.370	14 N.J.R. 1163(a)
13:21-7.2	Student permits	12 N.J.R. 490(a)	R. 1981 d.66	13 N.J.R. 237(d)

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13:21-8.17	Waiver of driving test	12 N.J.R. 666(f)	R. 1981 d.65	13 N.J.R. 237(c)
13:21-8.18	Repealed: Nonresident driver legend	14 N.J.R. 88(a)	R. 1982 d.95	14 N.J.R. 346(b)
13:26-1.2, 3.11	Transportation of bulk commodities	12 N.J.R. 724(f)	R. 1981 d.61	13 N.J.R. 237(b)
13:27-6	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:27A	Price posting in barber shops	14 N.J.R. 749(a)	R. 1982 d.387	14 N.J.R. 1219(d)
13:28-1.3	Toilet facilities in beauty shops	13 N.J.R. 102(b)	R. 1981 d.109	13 N.J.R. 308(a)
13:28-2.10, 2.14-2.16	Credit for Saturday beauty classes	13 N.J.R. 931(a)	R. 1982 d.70	14 N.J.R. 283(a)
13:28-2.24	Beauty schools: "Seniors" and clinical work	13 N.J.R. 930(b)	R. 1982 d.69	14 N.J.R. 283(b)
13:29-1.6	CPA qualifying requirements	14 N.J.R. 749(b)	R. 1982 d.405	14 N.J.R. 1309(a)
13:29-2.2	Examination for registered municipal accountant	13 N.J.R. 39(a)	R. 1981 d.67	13 N.J.R. 238(a)
13:29-3.1-3.9, 3.12-3.18	Board of Accountancy: Professional misconduct	14 N.J.R. 895(a)	R. 1982 d.407	14 N.J.R. 1309(b)
13:30-2.5, 2.10-2.17	Dental hygienists and assistants	13 N.J.R. 231(b)	R. 1981 d.264	13 N.J.R. 442(a)
13:30-2.18	Application fees for dental hygienists	13 N.J.R. 518(b)	R. 1981 d.378	13 N.J.R. 707(c)
13:30-8.12	Dental insurance forms and professional misconduct	13 N.J.R. 102(c)	R. 1981 d.175	13 N.J.R. 366(a)
13:31-1.3	Examinations	13 N.J.R. 664(a)	R. 1981 d.491	13 N.J.R. 946(c)
13:31-1.8	Inspections of electrical work	13 N.J.R. 607(b)	R. 1982 d.92	14 N.J.R. 346(c)
13:31-2.1	Repeal: Uniform penalty letter (electrical)	13 N.J.R. 442(b)	R. 1981 d.372	13 N.J.R. 707(d)
13:32-1.8	Pressure seal on plumbing permit applications	14 N.J.R. 750(a)	R. 1982 d.388	14 N.J.R. 1219(e)
13:33-1.41	Fee schedules	12 N.J.R. 546(a)	R. 1981 d.148	13 N.J.R. 366(b)
13:35-1.5	Military service in lieu of internship (podiatry)	13 N.J.R. 366(c)	R. 1981 d.346	13 N.J.R. 608(a)
13:35-2.7	Military service in lieu of internship	13 N.J.R. 367(a)	R. 1981 d.348	13 N.J.R. 608(b)
13:35-6.2	Guidelines for externship programs	13 N.J.R. 148(a)	R. 1981 d.149	13 N.J.R. 367(b)
13:35-6.5	Responsibility for pronouncement of death	14 N.J.R. 90(a)	R. 1982 d.214	14 N.J.R. 767(a)
13:35-6.5	Correction: Responsibility for pronouncement of death	14 N.J.R. 767(a)	R. 1982 d.214	14 N.J.R. 918(b)
13:35-6.19, 6.20	Excessive fees for professional services	13 N.J.R. 232(b)	R. 1981 d.237	13 N.J.R. 443(a)
13:35-9	Certified Nurse-Midwife and lay midwife practice	14 N.J.R. 632(b)	R. 1982 d.416	14 N.J.R. 1400(a)
13:35-9.3	Emergency amend certified nurse/midwife	Emergency	R. 1981 d.21	13 N.J.R. 150(c)
13:35-9.3(c)	Operative date on certified nurse/midwife standards	Emergency	R. 1981 d.24	13 N.J.R. 150(d)
13:36-1.6	Mortuary board fees	13 N.J.R. 367(c)	R. 1982 d.105	14 N.J.R. 346(d)
13:36-3.4	Mortuary science examination subjects	14 N.J.R. 897(a)	R. 1982 d.409	14 N.J.R. 1309(c)
13:36-4.1	Mortuary science: License renewals	14 N.J.R. 751(a)	R. 1982 d.333	14 N.J.R. 1110(a)
13:36-5.12	Advertising of funeral services	13 N.J.R. 368(a)	R. 1981 d.349	13 N.J.R. 609(a)
13:36-5.12	Mortuary advertising requirements	14 N.J.R. 898(a)	R. 1982 d.404	14 N.J.R. 1309(d)
13:36-9.1	Uniform penalty letter	13 N.J.R. 452(c)	R. 1981 d.347	13 N.J.R. 609(b)
13:37-1.26	Board of Nursing rule	13 N.J.R. 149(a)	R. 1981 d.174	13 N.J.R. 370(a)
13:37-9.2	Practical nursing licensure by examination	14 N.J.R. 701(a)	R. 1982 d.406	14 N.J.R. 1309(e)
13:37-12.1	Board of Nursing: Licensure fees	14 N.J.R. 635(a)	R. 1982 d.408	14 N.J.R. 1310(a)
13:38-1.9, 1.10	Optometric advertising	13 N.J.R. 233(a)	R. 1981 d.295	13 N.J.R. 519(a)
13:39-9.12	Outdated or sample drugs	13 N.J.R. 235(a)	R. 1981 d.350	13 N.J.R. 609(c)
13:39-9.17	Advertising and sale of prescription drugs	13 N.J.R. 445(a)	R. 1981 d.377	13 N.J.R. 708(a)
13:40-6.1	Engineer and surveyor test fees	13 N.J.R. 446(a)	R. 1982 d.142	14 N.J.R. 429(c)
13:40-7	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:41-4	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:44-2.1	Veterinary prescriptions	13 N.J.R. 519(b)	R. 1981 d.451	13 N.J.R. 847(a)
13:44-2.12	Patient records	13 N.J.R. 520(a)	R. 1981 d.450	13 N.J.R. 847(b)
13:44-3.1	Repeal: Uniform penalty letter (veterinary)	13 N.J.R. 371(a)	R. 1981 d.371	13 N.J.R. 708(b)
13:44B	Compensation for State board members	13 N.J.R. 932(a)	R. 1982 d.144	14 N.J.R. 429(d)
13:45A-15.1-15.4	Posting of retail refund policies	13 N.J.R. 665(a)	R. 1982 d.29	14 N.J.R. 160(a)
13:45A-17	Sale of advertising in quasi-official journals	13 N.J.R. 235(b)	R. 1981 d.294	13 N.J.R. 520(b)
13:45A-18.1	Fee for consumer contract review	14 N.J.R. 464(a)	R. 1982 d.221	14 N.J.R. 767(b)
13:46-1.1	Boxing and wrestling programs: Definitions	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-1.2-1.4	Weights and classes: Recodified as subchapter 1A	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-4	Boxing and wrestling programs: Licenses and permits	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-15.15-15.18	Complimentary tickets for boxing and wrestling events	14 N.J.R. 971(b)	R. 1982 d.398	14 N.J.R. 1220(b)
13:46-18.12, 18.18	Repealed	14 N.J.R. 635(b)	R. 1982 d.271	14 N.J.R. 919(a)
13:46-18.15	Same day boxing programs	14 N.J.R. 635(b)	R. 1982 d.271	14 N.J.R. 919(a)
13:47A-3.1	Securities industry: Nonduplication of fingerprinting	14 N.J.R. 550(a)	R. 1982 d.304	14 N.J.R. 981(c)
13:47A-5.2	Broker-dealer registration	14 N.J.R. 551(a)	R. 1982 d.265	14 N.J.R. 919(b)
13:47A-9.13	Repealed exemption restriction for private offering to sophisticated investors	14 N.J.R. 552(a)	R. 1982 d.266	14 N.J.R. 919(c)
13:47B-1.1	Correction to Code: Liquid measuring devices	_____	_____	14 N.J.R. 1315(b)
13:47C-5	Repealed: Rules on precious metal sales	13 N.J.R. 818(a)	R. 1982 d.96	14 N.J.R. 346(e)
13:47C-6	Bonding of transient buyers	13 N.J.R. 819(a)	R. 1982 d.93	14 N.J.R. 346(f)
13:51	Certification for chemical breath testing	14 N.J.R. 376(a)	R. 1982 d.187	14 N.J.R. 660(a)
13:70	Thoroughbred racing rules	14 N.J.R. 91(a)	R. 1982 d.183	14 N.J.R. 661(a)
13:70-6.16	Racing: Eligibility of maidens	13 N.J.R. 520(c)	R. 1981 d.489	13 N.J.R. 946(d)
13:70-29.48	Emergency amend daily double pool	Emergency	R. 1981 d.32	13 N.J.R. 150(f)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
13:70-29.48	Racing: Entries and daily double	13 N.J.R. 521(a)	R. 1981 d. 490	13 N.J.R. 947(a)
13:71	Harness racing regulation	13 N.J.R. 820(a)	R. 1982 d. 109	14 N.J.R. 347(a)
13:75-1.7	Violent crimes funeral compensation	13 N.J.R. 743(a)	R. 1982 d. 37	14 N.J.R. 208(c)

(Title 13, Transmittal 17 dated January 14, 1981)

PUBLIC UTILITIES—TITLE 14

(Title 14, Transmittal 16 dated June 21, 1982)

ENERGY—TITLE 14A

14A:3-11.3, 11.5	Designation of used oil collection sites	13 N.J.R. 681(a)	R. 1982 d. 262	14 N.J.R. 919(d)
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(Title 14A, Transmittal 8 dated June 21, 1982)

STATE—TITLE 15

15:15-8.1, 8.2	Repeal rules on Register and Code	14 N.J.R. 366(a)	R. 1982 d. 339	14 N.J.R. 1163(b)
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(Title 15, Transmittal 13 dated March 19, 1981)

PUBLIC ADVOCATE—TITLE 15A

(Title 15A, Transmittal 1 dated March 20, 1978)

TRANSPORTATION—TITLE 16

16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	14 N.J.R. 97(a)	R. 1982 d. 68	14 N.J.R. 284(a)
16:26-1.1	Traffic signal information	13 N.J.R. 152(b)	R. 1981 d. 164	13 N.J.R. 372(a)
16:27-1.4	Repeal traffic and parking on NJDOT property	13 N.J.R. 153(a)	R. 1981 d. 165	13 N.J.R. 372(b)
16:28-1.2	Speed limit on Route I-80	13 N.J.R. 153(b)	R. 1981 d. 150	13 N.J.R. 372(c)
16:28-1.15	Speed limits along Route 13	13 N.J.R. 239(a)	R. 1981 d. 152	13 N.J.R. 372(d)
16:28-1.16	Speed rates on I-195	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.17	Speed limits on Route 147	13 N.J.R. 155(a)	R. 1981 d. 196	13 N.J.R. 451(a)
16:28-1.23	Speed limits along Route 18	13 N.J.R. 744(b)	R. 1981 d. 484	13 N.J.R. 947(d)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	13 N.J.R. 838(a)	R. 1982 d. 11	14 N.J.R. 160(c)
16:28-1.49	Speed limits on Route 35	13 N.J.R. 451(b)	R. 1981 d. 333	13 N.J.R. 612(a)
16:28-1.56	Speed rates on US 40 and 322	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US 130	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US130 in Gloucester County	14 N.J.R. 824(a)	R. 1982 d. 323	14 N.J.R. 1060(d)
16:28-1.72	Speed limits on US 206 and 130 in Bordentown	14 N.J.R. 324(a)	R. 1982 d. 168	14 N.J.R. 580(b)
16:28-1.111	Speed limits for Route 87	13 N.J.R. 452(a)	R. 1981 d. 334	13 N.J.R. 613(a)
16:28A	Parking revisions throughout State	14 N.J.R. 637(a)	R. 1982 d. 283	14 N.J.R. 982(a)
16:28A	Parking revisions throughout State	14 N.J.R. 702(b)	R. 1982 d. 312	14 N.J.R. 1061(c)
16:28A-1.2	Parking on Routes 1 and 9	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.2	Parking on Route 1 and 9 in Newark	14 N.J.R. 1049(a)	R. 1982 d. 420	14 N.J.R. 1402(a)
16:28A-1.3, 1.5	Parking on Routes 3 and 5	14 N.J.R. 552(b)	R. 1982 d. 247	14 N.J.R. 919(e)
16:28A-1.4	Bus stops on Route 4 in Elmwood Park	14 N.J.R. 825(a)	R. 1982 d. 328	14 N.J.R. 1100(b)
16:28A-1.6	Restricted parking along Route 7	13 N.J.R. 522(a)	R. 1981 d. 383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	13 N.J.R. 745(a)	R. 1981 d. 483	13 N.J.R. 947(b)
16:28A-1.6	Parking on Route 7	14 N.J.R. 424(a)	R. 1982 d. 203	14 N.J.R. 710(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 157(b)	R. 1981 d. 156	13 N.J.R. 373(b)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d. 195	13 N.J.R. 453(a)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 452(c)	R. 1981 d. 335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	13 N.J.R. 745(b)	R. 1981 d. 487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d. 44	14 N.J.R. 236(a)
16:28A-1.7	Parking on US9	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.8	Parking and bus stops on Route 10	14 N.J.R. 464(b)	R. 1982 d. 223	14 N.J.R. 838(a)
16:28A-1.9	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d. 45	14 N.J.R. 236(b)
16:28A-1.9	Parking on Rt. 17 in Mahwah	Emergency	R. 1982 d. 132	14 N.J.R. 429(e)
16:28A-1.9	Readopted: Route 17 parking in Mahwah	14 N.J.R. 429(e)	R. 1982 d. 201	14 N.J.R. 710(b)
16:28A-1.13	Parking on US22	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.13	Route US 22	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.13	Parking on US22	14 N.J.R. 753(a)	R. 1982 d. 313	14 N.J.R. 1061(a)
16:28A-1.14	Restricted parking along Route US 22 alternate	13 N.J.R. 453(b)	R. 1981 d. 336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	13 N.J.R. 241(a)	R. 1981 d. 192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	13 N.J.R. 454(a)	R. 1981 d. 337	13 N.J.R. 613(d)
16:28A-1.16	Restricted parking along Route 24	13 N.J.R. 455(a)	R. 1981 d. 338	13 N.J.R. 613(e)
16:28A-1.16	Route 24 parking	14 N.J.R. 553(a)	R. 1982 d. 248	14 N.J.R. 919(f)
16:28A-1.18	Restricted parking along Route 27	13 N.J.R. 373(c)	R. 1981 d. 312	13 N.J.R. 613(f)
16:28A-1.18	Route 27 bus stops in Edison	13 N.J.R. 934(a)	R. 1982 d. 46	14 N.J.R. 236(c)
16:28A-1.18	Parking on Route 27	14 N.J.R. 554(a)	R. 1982 d. 249	14 N.J.R. 920(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28A-1.19	Route 28 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 157(b)	R. 1981 d. 156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 242(a)	R. 1981 d. 193	13 N.J.R. 455(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.19	Route 28 parking in Roselle Park	14 N.J.R. 138(a)	R. 1982 d. 111	14 N.J.R. 391(c)
16:28A-1.20, 1.21	Parking on Routes 29 and US 30	14 N.J.R. 554(b)	R. 1982 d. 250	14 N.J.R. 920(b)
16:28A-1.21	Parking on US30	14 N.J.R. 825(b)	R. 1982 d. 322	14 N.J.R. 1061(b)
16:28A-1.22	Parking on Route 31	14 N.J.R. 555(a)	R. 1982 d. 251	14 N.J.R. 920(c)
16:28A-1.23	Route 33 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	13 N.J.R. 156(a)	R. 1981 d. 154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	13 N.J.R. 838(b)	R. 1982 d. 12	14 N.J.R. 161(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	13 N.J.R. 746(a)	R. 1981 d. 482	13 N.J.R. 947(c)
16:28A-1.25	Route 35 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d. 60	14 N.J.R. 284(b)
16:28A-1.25	Parking on Route 35	14 N.J.R. 324(b)	R. 1982 d. 173	14 N.J.R. 580(c)
16:28A-1.26	Parking on Route 36	13 N.J.R. 453(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.27	Parking on Route 38	14 N.J.R. 424(a)	R. 1982 d. 203	14 N.J.R. 710(a)
10:28A-1.27	Parking on Route 38	14 N.J.R. 753(a)	R. 1982 d. 313	14 N.J.R. 1061(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	13 N.J.R. 747(a)	R. 1981 d. 481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d. 44	14 N.J.R. 236(a)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 241(a)	R. 1981 d. 192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 242(b)	R. 1981 d. 194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	13 N.J.R. 747(b)	R. 1981 d. 480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d. 47	14 N.J.R. 236(d)
16:28A-1.34	Parking on Route 49	14 N.J.R. 554(a)	R. 1982 d. 249	14 N.J.R. 920(a)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	13 N.J.R. 242(b)	R. 1981 d. 194	13 N.J.R. 455(c)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 456(a)	R. 1981 d. 339	13 N.J.R. 614(a)
16:28A-1.38	Parking on Route 71 in Belmar	14 N.J.R. 325(a)	R. 1982 d. 174	14 N.J.R. 580(d)
16:28A-1.41	Parking on Route 77	14 N.J.R. 324(b)	R. 1982 d. 173	14 N.J.R. 580(c)
16:28A-1.43	Restricted parking along Route 82	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.44	Route 88 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.46	Parking on US 130	13 N.J.R. 746(a)	R. 1981 d. 482	13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d. 45	14 N.J.R. 236(b)
16:28A-1.51	Restricted parking along Route 168	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d. 47	14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	13 N.J.R. 455(a)	R. 1981 d. 338	13 N.J.R. 613(e)
16:28A-1.56, 1.63	Parking on US 202-206 and 202-31	14 N.J.R. 556(a)	R. 1982 d. 252	14 N.J.R. 920(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 156(a)	R. 1981 d. 154	13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	13 N.J.R. 453(b)	R. 1981 d. 336	13 N.J.R. 613(c)
16:28A-1.57	US206 parking in Hamilton Township	14 N.J.R. 139(a)	R. 1982 d. 112	14 N.J.R. 391(d)
16:28A-1.60	Restricted parking on Route US 322-47	13 N.J.R. 523(a)	R. 1981 d. 382	13 N.J.R. 779(b)
16:28A-1.61	Bus stops on US9W in Fort Lee	14 N.J.R. 139(b)	R. 1982 d. 113	14 N.J.R. 391(e)
16:28A-1.61	Bustops and parking on US 9W	14 N.J.R. 465(a)	R. 1982 d. 224	14 N.J.R. 838(b)
16:28A-1.64	Route 41 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.64	Parking on Route 41	14 N.J.R. 425(a)	R. 1982 d. 202	14 N.J.R. 710(c)
16:28A-1.65	Route 15 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.65	Parking on Route 15	14 N.J.R. 466(a)	R. 1982 d. 226	14 N.J.R. 838(c)
16:28A-1.66	Parking on Route 18	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.68	Route 93 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.68	Parking on Route 93	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.69	Parking on Route 124	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d. 60	14 N.J.R. 284(b)
16:28A-1.71	Bus stops on Route 67 in Fort Lee	14 N.J.R. 139(b)	R. 1982 d. 113	14 N.J.R. 391(e)
16:28A-1.72, 1.73	Parking on Routes 31-57 and 32	14 N.J.R. 555(a)	R. 1982 d. 251	14 N.J.R. 920(c)
16:28A-1.95	Parking on Rising Sun Square Road, Bordentown (Emergency)	14 N.J.R. 825(b)	R. 1982 d. 282	14 N.J.R. 982(b)
16:28A-1.95	Readopted: Parking on Rising Sun Square Road	14 N.J.R. 825(b)	R. 1982 d. 322	14 N.J.R. 1061(b)
16:30-2.6	Stop and yield intersection: Old Yorke Road- Rising Sun Square Road Bordentown	Emergency	R. 1982 d. 308	14 N.J.R. 990(a)
16:30-2.6	Readopted: Stop sign on Old Yorke Road	14 N.J.R. 990(a)	R. 1982 d. 414	14 N.J.R. 1402(b)
16:30-3.4	US 9 bus and HOV lane in Middlesex County	Emergency	R. 1982 d. 200	14 N.J.R. 661(b)
16:30-3.4	Readopted: US9 bus and HOV lane	14 N.J.R. 661(b)	R. 1982 d. 299	14 N.J.R. 982(c)
16:30-3.6	Readopt HOV lanes along Route 444	13 N.J.R. 456(b)	R. 1981 d. 323	14 N.J.R. 614(b)
16:30-3.6	Repeat HOV lanes on Parkway	Emergency	R. 1982 d. 196	14 N.J.R. 662(a)
16:30-3.6	Repealed: HOV lanes on Parkway	14 N.J.R. 662(a)	R. 1982 d. 294	14 N.J.R. 982(d)
16:31-1.10	Turns along Route US 30	13 N.J.R. 457(a)	R. 1981 d. 340	13 N.J.R. 614(c)

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16:31-1.16	No left turn along Route 79	13 N.J.R. 614(d)	R. 1981 d.460	13 N.J.R. 895(b)
16:31-1.17	Left turns on Route 73, Winslow Twp.	14 N.J.R. 466(b)	R. 1982 d.225	14 N.J.R. 838(d)
16:31-1.18	Turns on Route 31 in Hunterdon County	14 N.J.R. 826(a)	R. 1982 d.327	14 N.J.R. 1100(c)
16:31-1.19	Turns on Route 33 in Mercer County	14 N.J.R. 973(a)	R. 1982 d.394	14 N.J.R. 1220(c)
16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	13 N.J.R. 935(b)	R. 1982 d.48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	13 N.J.R. 936(a)	R. 1982 d.49	14 N.J.R. 237(a)
16:31A-1.67	Route I-280 right-on-red prohibition in Orange	13 N.J.R. 937(a)	R. 1982 d.50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	13 N.J.R. 937(b)	R. 1982 d.51	14 N.J.R. 237(c)
16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	13 N.J.R. 615(a)	R. 1981 d.497	14 N.J.R. 46(d)
16:41A-7.1	Outdoor Advertising Tax Act	13 N.J.R. 616(a)	R. 1981 d.496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	13 N.J.R. 881(a)	R. 1982 d.40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers	13 N.J.R. 881(a)	R. 1982 d.40	14 N.J.R. 209(a)
16:53-2	Autobus specifications	13 N.J.R. 834(a)	R. 1982 d.30	14 N.J.R. 160(b)
16:54	Licensing of aeronautical facilities	12 N.J.R. 289(a)	R. 1981 d.141	13 N.J.R. 374(c)
16:54-1.3	"Commercial purposes" and balloon operations	14 N.J.R. 326(a)	R. 1982 d.175	14 N.J.R. 580(e)
16:56-3	Repeal aircraft registry logs	13 N.J.R. 457(b)	R. 1981 d.341	13 N.J.R. 616(b)
16:65-9	Corporate reorganization of contractors	13 N.J.R. 524(a)	R. 1981 d.399	13 N.J.R. 779(c)
16:72	N.J. Transit procurement policies and procedures	13 N.J.R. 158(a)	R. 1981 d.176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	13 N.J.R. 881(a)	R. 1982 d.40	14 N.J.R. 209(a)

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TREASURY-GENERAL—TITLE 17

17:1-1.1	Administration and receipt of checks	13 N.J.R. 616(c)	R. 1981 d.427	13 N.J.R. 779(d)
17:1-1.14	Annual reports of salary changes	14 N.J.R. 200(a)	R. 1982 d.358	14 N.J.R. 1163(c)
17:1-1.15	Credit unions and direct deposit agreements	13 N.J.R. 883(a)	R. 1982 d.20	14 N.J.R. 161(b)
17:1-1.24	Pensioners' Health Plan: Coverage and termination	14 N.J.R. 35(b)	R. 1982 d.59	14 N.J.R. 237(d)
17:1-1.24	Pensioners' Group Health Insurance	14 N.J.R. 328(a)	R. 1982 d.346	14 N.J.R. 1163(d)
17:1-2.3	Alternate Benefit Program: Salary agreements and deductions	14 N.J.R. 1149(a)	R. 1982 d.438	14 N.J.R. 1464(a)
7:1-4.11	Pension purchases and final payments	14 N.J.R. 328(b)	R. 1982 d.347	14 N.J.R. 1163(e)
17:1-4.33	Leaves of absence for maternity	13 N.J.R. 617(b)	R. 1981 d.428	13 N.J.R. 779(e)
17:1-12.1	Division of Pensions administrative priorities	14 N.J.R. 329(a)	R. 1982 d.350	14 N.J.R. 1164(a)
17:2-3.3	PERS: Contributory insurance rate	14 N.J.R. 200(b)	R. 1982 d.343	14 N.J.R. 1164(b)
17:2-6.26	PERS: Critical disability claims	13 N.J.R. 748(a)	R. 1981 d.515	14 N.J.R. 105(a)
17:3-1.1	Teachers' Pension: Board meetings	14 N.J.R. 201(a)	R. 1982 d.344	14 N.J.R. 1164(c)
17:3-5	Teachers' Pension: Purchase and eligible service	13 N.J.R. 618(b)	R. 1981 d.510	14 N.J.R. 105(b)
17:3-6.4	Loan repayments to teachers' fund	13 N.J.R. 748(b)	R. 1982 d.14	14 N.J.R. 161(c)
17:3-6.15	Teachers' Pension: Compulsory retirement	13 N.J.R. 620(a)	R. 1981 d.509	14 N.J.R. 105(c)
17:3-6.25	Teacher's fund: Critical disability claims	13 N.J.R. 749(a)	R. 1982 d.15	14 N.J.R. 161(d)
17:4-1.1	Police and firemen's pension board meetings	13 N.J.R. 938(a)	R. 1982 d.64	14 N.J.R. 284(c)
17:4-5	Police and firemen's purchases and eligible service	13 N.J.R. 682(a)	R. 1982 d.4	14 N.J.R. 161(e)
17:4-5.1, 6.2, 6.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:4-6.13	Police and firemen's critical disability claims	13 N.J.R. 684(a)	R. 1982 d.5	14 N.J.R. 162(a)
17:4-6.14	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:5-2.5	State Police pension coverage and unpaid leaves	13 N.J.R. 938(b)	R. 1982 d.65	14 N.J.R. 284(d)
17:5-4.1, 4.2, 4.3	State Police pension purchases and eligible service	13 N.J.R. 939(a)	R. 1982 d.66	14 N.J.R. 284(e)
17:5-5.15	State Police: Critical disability claims	13 N.J.R. 939(a)	R. 1982 d.67	14 N.J.R. 285(a)
17:6-3.9	Consolidated police and firemen's disability	13 N.J.R. 749(b)	R. 1982 d.349	14 N.J.R. 1164(d)
17:7-3.10	Prison officers' fund: Disability claims	13 N.J.R. 750(a)	R. 1982 d.89	14 N.J.R. 347(c)
17:8-4	Supplemental Annuity: Voluntary employee contributions	14 N.J.R. 556(b)	R. 1982 d.348	14 N.J.R. 1164(e)
17:9-5.11	Health coverage and 10-month employees	14 N.J.R. 36(a)	R. 1982 d.341	14 N.J.R. 1165(a)
17:10-3.2	Judicial Retirement System: Maternity leave	14 N.J.R. 201(b)	R. 1982 d.345	14 N.J.R. 1165(b)
17:10-5.10	Judicial Retirement System: Disability	14 N.J.R. 140(a)	R. 1982 d.342	14 N.J.R. 1165(c)
17:16-5.1-5.6	State Investment Council funds	14 N.J.R. 329(b)	R. 1982 d.397	14 N.J.R. 1220(d)
17:16-5.5	Classification of funds: Temporary reserve group	13 N.J.R. 620(c)	R. 1982 d.188	14 N.J.R. 663(a)
17:16-11.3, 12.2, 12.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d.192	14 N.J.R. 663(b)
17:16-27.1	Collateralized Certificates of deposit	13 N.J.R. 528(a)	R. 1982 d.191	14 N.J.R. 663(c)
17:16-28.3, 28.4, 29.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d.192	14 N.J.R. 663(b)
17:16-31.9, 40.1	Administrative expenses; collateralized securities	13 N.J.R. 528(a)	R. 1982 d.191	14 N.J.R. 663(c)
17:16-31.15	Cash Management Fund: Statement correction	14 N.J.R. 899(a)	R. 1982 d.363	14 N.J.R. 1166(a)
17:16-42.2, 42.4	Covered call options: Expanded trading	13 N.J.R. 750(b)	R. 1982 d.193	14 N.J.R. 663(d)
17:16-42.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d.192	14 N.J.R. 663(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
17:16-43.1, 43.2	Mortgage-backed securities	14 N.J.R. 652(a)	R. 1982 d. 396	14 N.J.R. 1221(a)
17:16-44	State Employees Deferred Compensation Plan	14 N.J.R. 900(a)	R. 1982 d. 362	14 N.J.R. 1166(b)
17:26-2	Spill compensation tax and Federal Superfund	14 N.J.R. 36(b)	R. 1982 d. 79	14 N.J.R. 285(b)

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TREASURY-TAXATION-TITLE 18

18:3-1.2, 2.1	New Jersey wines	13 N.J.R. 839(a)	R. 1982 d. 181	14 N.J.R. 664(a)
18:5-12.5	Penalty for smuggling unstamped cigarettes	14 N.J.R. 331(a)	R. 1982 d. 256	14 N.J.R. 920(e)
18:7-1.15	Investment company defined	13 N.J.R. 684(b)	R. 1982 d. 34	14 N.J.R. 209(b)
18:7-3	Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 105(d)
18:7-3.5	Corporation Business Tax and short table	14 N.J.R. 826(b)	R. 1982 d. 395	14 N.J.R. 1221(b)
18:7-3.14	Correction: Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 1065(a)
18:7-11.12	Emergency extension for filing corporate return	Emergency	R. 1981 d. 163	13 N.J.R. 377(a)
18:7-11.12, 13.6, 14.2	Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 105(d)
18:12-6A.8	Multiple dwelling exemptions and tax list designations (joint adoption, see 5:22-2.6)	14 N.J.R. 72(b)	R. 1982 d. 78	14 N.J.R. 278(b)
18:12-7.12	Emergency adoption: Extension of time to file homestead rebate claim	Emergency	R. 1981 d. 474	13 N.J.R. 948(b)
18:12-7.12	Readopted: Homestead rebate filing extension	13 N.J.R. 948(b)	R. 1982 d. 41	14 N.J.R. 212(a)
18:12-7.12	Homestead Rebate: Extension of time to file	Emergency	R. 1982 d. 439	14 N.J.R. 1466(a)
18:12-9	Mobile homes tax moratorium (local property)	13 N.J.R. 162(b)	R. 1981 d. 207	13 N.J.R. 462(c)
18:12A-1.6	Appeals to county tax boards	14 N.J.R. 231(a)	R. 1982 d. 176	14 N.J.R. 580(f)
18:12A-1.12	Local property tax	13 N.J.R. 621(a)	R. 1981 d. 478	13 N.J.R. 948(c)
18:12A-1.20	County boards of taxation	13 N.J.R. 44(d)	R. 1981 d. 44	13 N.J.R. 165(a)
18:14-1.1, 2.2, 2.3, 2.4, 2.7, 2.8, 2.10, 3.4, 3.6, 3.9, 3.10	Local property tax senior citizens deduction	13 N.J.R. 462(d)	R. 1981 d. 426	13 N.J.R. 779(f)
18:18-3.6	Distributors and gas jobbers bond ceiling	14 N.J.R. 202(a)	R. 1982 d. 140	14 N.J.R. 430(a)
18:19-1.1, 2.1, 2.2, 2.6, 2.10, 3.1, 3.3	Gallon and liter pricing of motor fuels	13 N.J.R. 855(a)	R. 1982 d. 77	14 N.J.R. 285(c)
18:19-2.2	Retail gasoline prices display	14 N.J.R. 331(b)	R. 1982 d. 257	14 N.J.R. 921(a)
18:19-2.7	Cash discounts: Motor fuel sales	14 N.J.R. 705(a)	R. 1982 d. 369	14 N.J.R. 1166(c)
18:24-2.3	Sales and Use Tax Act	13 N.J.R. 163(a)	R. 1981 d. 209	13 N.J.R. 465(a)
18:24-2.15	Sales tax recordkeeping standards	13 N.J.R. 751(a)	R. 1982 d. 36	14 N.J.R. 212(b)
18:24-5.7	Capital improvement installations and sales tax	14 N.J.R. 140(b)	R. 1982 d. 141	14 N.J.R. 430(b)
18:24-7.19	Sales and Use Tax Act	13 N.J.R. 163(b)	R. 1981 d. 206	13 N.J.R. 465(b)
18:24-12.4	Sales Tax exemptions	13 N.J.R. 111(a)	R. 1981 d. 210	13 N.J.R. 465(c)
18:24-24.2	Underground gas tanks as real property	13 N.J.R. 883(b)	R. 1982 d. 85	14 N.J.R. 348(a)
18:24-27.1, 27.2	Sales and Use Tax Act	13 N.J.R. 164(a)	R. 1981 d. 208	13 N.J.R. 465(d)
18:24-28	Taxation of purchase or use of race horses	13 N.J.R. 622(a)	R. 1981 d. 436	13 N.J.R. 847(c)
18:26-2.12, 5.9 5.17, 5.19, 6.16, 6.17, 8.6, 8.12	Transfer Inheritance Tax	13 N.J.R. 623(a)	R. 1981 d. 477	13 N.J.R. 948(d)
18:26-8.7	Pre-audit payment of inheritance tax	14 N.J.R. 1153(a)	R. 1982 d. 445	14 N.J.R. 1464(b)
18:35-1.15	Exclusions from taxable gross income	14 N.J.R. 271(a)	R. 1982 d. 164	14 N.J.R. 581(a)
18:35-1.16	All-savers interest exclusion	14 N.J.R. 332(a)	R. 1982 d. 258	14 N.J.R. 921(b)
18:35-2	Debt liability and tax refunds and rebates	13 N.J.R. 940(a)	R. 1982 d. 161	14 N.J.R. 474(b)

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

5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d. 288	14 N.J.R. 983(a)
19:1-1.6	Debarment and suspension from contracting	14 N.J.R. 1050(a)	R. 1982 d. 413	14 N.J.R. 1310(b)
19:1-5	Home improvement loan program	13 N.J.R. 312(b)	R. 1981 d. 268	13 N.J.R. 529(c)
19:4-3.2	Meadowlands zoning exemptions	14 N.J.R. 231(b)	R. 1982 d. 163	14 N.J.R. 581(b)
19:4-4.142	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d. 446	13 N.J.R. 847(d)
19:4-5.17	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d. 1	14 N.J.R. 162(b)
19:4-6.25	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d. 446	13 N.J.R. 847(d)
19:4-6.26	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d. 1	14 N.J.R. 162(b)
19:4-6.28	District zoning; change in zoning map	13 N.J.R. 624(a)	R. 1981 d. 467	13 N.J.R. 895(c)
19:8-1.2	Speed limits on Garden State Parkway	14 N.J.R. 827(a)	R. 1982 d. 325	14 N.J.R. 1101(a)
19:8-1.9	Autobus length allowable on Parkway	14 N.J.R. 333(a)	R. 1982 d. 116	14 N.J.R. 581(c)
19:8-2.11	Garden State Arts Center	13 N.J.R. 247(e)	R. 1981 d. 169	13 N.J.R. 378(a)
19:8-2.12	Emergency service	13 N.J.R. 165(b)	R. 1981 d. 115	13 N.J.R. 315(a)
19:8-3.1	Tolls on Garden State Parkway	13 N.J.R. 248(a)	R. 1981 d. 170	13 N.J.R. 378(b)
19:8-7.3	State Police motor vehicle accident reports	13 N.J.R. 531(a)	R. 1981 d. 387	13 N.J.R. 780(a)
19:8-9	Off-premise outdoor advertising along Parkway	14 N.J.R. 901(a)	R. 1982 d. 361	14 N.J.R. 1166(d)
19:9-1.9	Out-of-service school buses	13 N.J.R. 751(b)	R. 1981 d. 520	14 N.J.R. 106(a)

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19:9-1.9	Bus length on Turnpike	14 N.J.R. 1087(a)	R. 1982 d.448	14 N.J.R. 1464(c)
19:9-2.1	Hearing officer in rejected bidder appeals	14 N.J.R. 974(a)	R. 1982 d.446	14 N.J.R. 1464(d)
19:9-3.1	Towing rates	13 N.J.R. 49(b)	R. 1981 d.37	13 N.J.R. 165(c)
19:9-4.2	Fees for photographs and slides	14 N.J.R. 974(b)	R. 1982 d.447	14 N.J.R. 1464(e)
19:12	PERC: Negotiations and impasse procedures	Organizational	R. 1981 d.357	13 N.J.R. 625(a)
19:16	Firemen and Police: Negotiations	Organizational	R. 1981 d.357	13 N.J.R. 625(a)
19:25-8	Financial disclosure by legislative agents	13 N.J.R. 695(a)	R. 1981 d.471	13 N.J.R. 895(d)
19:25-8	Interpretive statement on disclosure	13 N.J.R. 695(a)	R. 1981 d.471	14 N.J.R. 392(a)
19:25-15	Public Financing of General Election for Governor	13 N.J.R. 49(a)	R. 1981 d.54	13 N.J.R. 248(b)
19:25-19.1	Severability	13 N.J.R. 49(a)	R. 1981 d.54	13 N.J.R. 248(b)
19:30-2.1-2.3	Economic Development Authority fees	13 N.J.R. 248(c)	R. 1981 d.245	13 N.J.R. 465(e)
19:30-4.2	Targeting of authority assistance	13 N.J.R. 625(b)	R. 1981 d.457	13 N.J.R. 898(a)
19:30-4.4	EDA: Targeting of Authority assistance	13 N.J.R. 165(d)	R. 1981 d.168	13 N.J.R. 378(c)
19:30-5	Debarment of applicants and contractors	12 N.J.R. 356(a)	R. 1981 d.167	13 N.J.R. 378(d)

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TITLE 19 SUBTITLE K-CASINO CONTROL COMMISSION

19:40-1.3	Conflicting terms and conditions	14 N.J.R. 558(b)	R. 1982 d.254	14 N.J.R. 841(a)
19:41-4.3	Employee residency qualifications	14 N.J.R. 37(a)	R. 1982 d.63	14 N.J.R. 285(d)
19:41-7.14	Personal History Disclosure Form 2A	14 N.J.R. 380(b)	R. 1982 d.190	14 N.J.R. 664(b)
19:41-9.1, 9.4	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:41-9.12, 9.13, 9.14, 9.16	Fixed fees and employee licensing	14 N.J.R. 38(a)	R. 1982 d.57	14 N.J.R. 237(e)
19:41-9.15	Hotel employee registration fee	14 N.J.R. 232(a)	R. 1982 d.162	14 N.J.R. 581(d)
19:41-9.19	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:41-11.1, 11.2, 11.3	Casino licensee agreements	13 N.J.R. 626(a)	R. 1981 d.439	13 N.J.R. 847(e)
19:41-12.5	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:42-4.1-4.5	Exclusion of persons: Hearings	14 N.J.R. 904(a)	R. 1982 d.359	14 N.J.R. 1167(a)
19:43-1.1, 1.2	Casino licensing requirements	13 N.J.R. 627(a)	R. 1981 d.440	13 N.J.R. 848(a)
19:43-1.3	Service industry applications	14 N.J.R. 827(b)	R. 1982 d.332	14 N.J.R. 1101(b)
19:43-1.8	Casino service industry licenses	12 N.J.R. 447(a)	R. 1981 d.273	13 N.J.R. 534(a)
19:44-17.10	Gaming school exterior advertising	13 N.J.R. 841(a)	R. 1982 d.21	14 N.J.R. 162(c)
19:45	Accounting and internal controls	13 N.J.R. 534(b)	R. 1981 d.437	13 N.J.R. 848(b)
19:45-1.3, 1.7	Correction: Annual audit	13 N.J.R. 47(c)	R. 1981 d.272	13 N.J.R. 628(a)
19:45-1.3, 1.8, 1.24, 1.44	Casino accounting and internal controls	13 N.J.R. 47(c)	R. 1981 d.272	13 N.J.R. 541(a)
19:45-1.3, 1.24	Internal control; patrons' cash deposits	14 N.J.R. 381(a)	R. 1982 d.189	14 N.J.R. 664(c)
19:45-1.12	Internal and gaming controls	13 N.J.R. 534(b)	R. 1982 d.206	14 N.J.R. 710(d)
19:45-1.15	Gaming plaques	14 N.J.R. 708(a)	R. 1982 d.329	14 N.J.R. 1101(c)
19:45-1.15, 1.34	Gaming control	13 N.J.R. 534(b)	R. 1982 d.171	14 N.J.R. 582(a)
19:45-1.46	Patron coupon redemption programs	14 N.J.R. 203(a)	R. 1982 d.170	14 N.J.R. 582(b)
19:45-1.46	Coupon redemption and complimentary cash programs	14 N.J.R. 559(a)	R. 1982 d.293	14 N.J.R. 983(b)
19:46-1.2	Gaming plaques	14 N.J.R. 708(a)	R. 1982 d.329	14 N.J.R. 1101(c)
19:46-1.3	Gaming chips	13 N.J.R. 534(b)	R. 1981 d.408	13 N.J.R. 780(b)
19:46-1.11, 1.26	Craps table and slot machine rules	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:46-1.33	Issuance and use of tokens	14 N.J.R. 569(a)	R. 1982 d.330	14 N.J.R. 1101(d)
19:47-1.2, 1.4	Craps wagering	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-1.6	"Double odds" option in craps	14 N.J.R. 382(a)	R. 1982 d.230	14 N.J.R. 838(e)
19:47-2	Blackjack play and wagering	14 N.J.R. 559(b)	R. 1982 d.255	14 N.J.R. 841(b)
19:47-2.5	Blackjack shuffle and cut of cards	14 N.J.R. 567	R. 1982 d.305	14 N.J.R. 991(a)
19:47-2.6	Correction: Blackjack dealing	14 N.J.R. 566	R. 1982 d.255	14 N.J.R. 983(c)
19:47-2.6, 2.8	Emergency Blackjack surrender revisions	Emergency	R. 1981 d.301	13 N.J.R. 629(a)
19:47-2.6, 2.8	Readopt Blackjack wagering changes	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-2.12	Blackjack play	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-2.13	Emergency Blackjack wagering	Emergency	R. 1981 d.301	13 N.J.R. 629(a)
19:47-2.13	Readopt Blackjack wagering	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-5.2	Roulette payout odds	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-5.7	Minimum and maximum wagering	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-5.7	Blackjack wagering	14 N.J.R. 559(b)	R. 1982 d.255	14 N.J.R. 841(b)
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(Title 19 Subtitle K, Transmittal 3 dated January 14, 1981)

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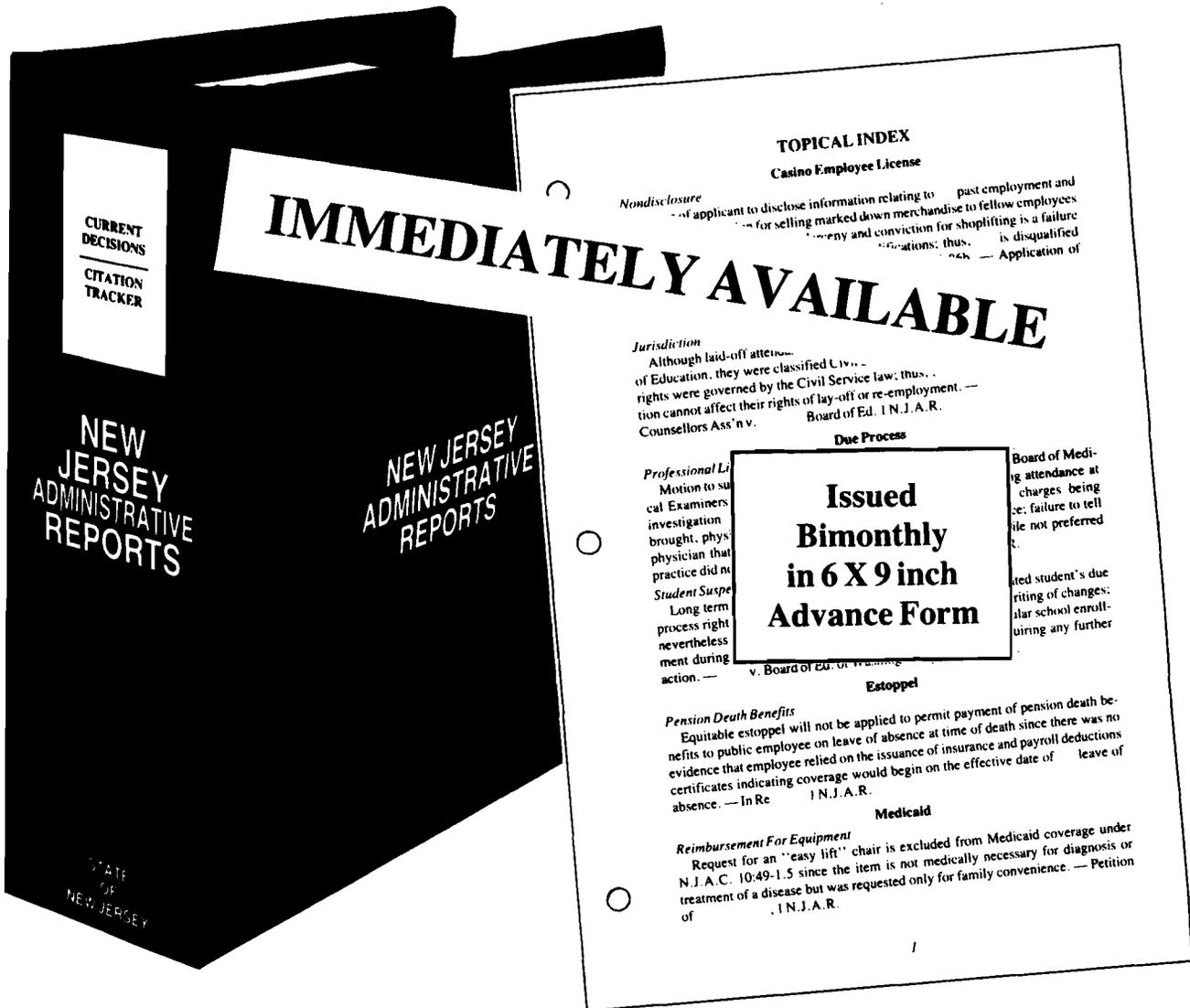
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