

# NEW JERSEY REGISTER



Official Publication of the State of New Jersey

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

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(a)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Order Regulating Milk Handling In New Jersey Marketing Area

On February 1, 1972, W. W. Moffett, Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-25 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an order amending N.J.A.C. 2:54-B which concerns the regulation of the handling of milk in the New Jersey portion of the Middle Atlantic Marketing Area.

Full text of the order follows.

#### ORDER AMENDING N.J.A.C. 2:54-B, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE NEW JERSEY PORTION OF THE MIDDLE ATLANTIC MARKETING AREA

In conformance with the Memorandum of Agreement with the United States Department of Agriculture, pursuant to the powers vested in him by N.J.S.A. 4:12A-25, the Director, Division of Dairy Industry, New Jersey Department of Agriculture, participated with the United States Department of Agriculture, in a joint hearing held in Baltimore, Maryland on September 21-22, 1971 pursuant to notice thereof issued by the United States Department of Agriculture on August 27, 1971.

Pursuant to the provisions of N.J.A.C. 15:15-5.3 and after considering all of the evidence adduced at the hearing and being in agreement with the findings and determinations made by the United States Department of Agriculture as contained in the "Decision on Proposed Amendments to Marketing Agreement and to Order" signed in Washington, D.C. on January 14, 1972, by Richard E. Lyng, Assistant Secretary, United States Department of Agriculture, the Director of the Division of Dairy Industry hereby finds and determines that the findings and conclusions (37 F.R. 793 ff.) should be adopted by reference as such findings and conclusions pertain to the marketing of milk in the State of New Jersey under 7 CFR 1004, the same being commonly referred to as Federal Order No. 4.

The Director further finds that the terms of the "Order Amending Order Regulating the Handling of Milk in the Middle Atlantic Marketing Area" (37 F.R. 1454 ff.) signed in Washington, D.C. on January 27, 1972 by Richard E.

Lyng, Assistant Secretary, United States Department of Agriculture, to be effective on February 1, 1972 with respect to marketings on and after April 1, 1972, should also be adopted by reference insofar as such order applies to the marketing of milk in the State of New Jersey under terms of the aforesaid joint and concurrent Order No. 4 and the adoption of said order will tend to effectuate the declared policy of the statute in N.J.S.A. 4:12A-1 et seq.

It is therefore ordered that on and after the effective date hereof there is hereby adopted as an amendment to N.J.A.C. 2:54-B, by reference, the aforesaid amendment to the order regulating the handling of milk in the Middle Atlantic Marketing Area insofar as the said order applies to the marketing of milk in the State of New Jersey.

This order shall be effective from and after 12:01 A.M. on February 1, 1972, with respect to marketings on and after April 1, 1972.

An order adopting this order was filed February 25, 1972, as R.1972 d.38 (Exempt, Procedure Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Proposed Rules on Safety Glazing Materials

Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of L.1971, c.369, proposes to adopt rules concerning safety glazing materials.

Such rules concern the sale, fabrication assemblage, glazing and installation of safety glazing materials for use in residential, commercial and public buildings.

A copy of the complete text of the proposed rules is available upon written request to:

Director  
Division of Housing and Urban Renewal  
Post Office Box 2768  
Trenton, New Jersey 08625

A public hearing on the proposed action will be held at 10:00 A.M. on Friday, March 17, 1972 in the large conference room at the Department of Community Affairs 363 West State Street, Trenton, New Jersey. Interested

## NEW JERSEY REGISTER

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

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persons may present statements and arguments relevant to the proposed action at that hearing.

Interested persons may also present statements or arguments in writing relevant to the proposed action on or before March 29, 1972, to the Division of Housing and Urban Renewal at the above address.

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

Lawrence F. Kramer  
Commissioner  
Department of Community Affairs

(a)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Proposed Revisions to the Plumbing Code, Part E, of Standard Building Code

Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 13:1B-7, 52:27C-54 and 52:27D-21, proposes to revise the Plumbing Code of New Jersey, Part E of the Standard Building Code of New Jersey. Such revisions will be reflected in Title 5 of the New Jersey Administrative Code.

The proposed revisions concern acid and corrosive resistant waste systems and corrugated aluminum storm drainage piping. The proposed revisions have been approved by the Commissioner of Health pursuant to N.J.S.A. 26:3-69.1(2) for adoption by reference by local boards of health.

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

Director  
Division of Housing and Urban Renewal  
Post Office Box 2768  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972, to the Division of Housing and Urban Renewal at the above address.

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

Lawrence F. Kramer  
Commissioner  
Department of Community Affairs

(b)

## COMMUNITY AFFAIRS

### THE COMMISSIONER

#### Rules Concerning Administration of Funds

On February 3, 1972, Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 55:27D-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the Administration of Funds, as proposed in the Notice published February 4, 1971, at 3 N.J.R. 19(e).

An order adopting these rules was filed and effective February 3, 1972, as R.1972 d.26.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Rule on Emergency Exit Drills from School Buses

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to adopt a new rule, to be cited as N.J.A.C. 6:21-11.4, concerning emergency exit drills from school buses.

Full text of the proposed rule follows:

6:21-11.4 Emergency exit drills from school buses

(a) Schools shall organize and conduct emergency exit drills at least twice within the school year for all pupils who ride school buses.

(b) As the school bus driver is an integral part of the procedure, it is mandatory that he participate.

(c) Drills shall be conducted on school property and be supervised by the principal or person assigned by him to act in a supervisory capacity.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, on or before 4:00 P.M., Tuesday, April 4, 1972, to:

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

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

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

(d)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revision Concerning Waiver Of Requirement of In-Service Supervised Teaching and Seminar Program

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34, proposes to revise a portion of N.J.A.C. 6:11-6.63(d) concerning the waiver of the requirement of an in-service supervised teaching and seminar program regarding student teaching.

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

6:11-6.63(d) For a teacher who has taught [from September 1967 to June 1969] for two years who has been unable to complete the In-Service Supervised Teaching Program requirement, upon the recommendation of the

County Superintendent of Schools, the Secretary of the State Board of Examiners may waive the requirement of [renewal of the certificate for 1969-70], completing the program, if the following conditions are met:

1. An application for a waiver from the teacher, with the support of employing superintendent of schools.
2. Evidence of having made reasonable efforts to enroll in the In-Service Supervised Teaching Program and having been denied entrance because of enrolment limitations.
3. Certification by the district superintendent of satisfactory teaching experience.
4. A statement from the superintendent that the teacher is being offered a contract to remain in that district. [for the 1969-70 school year.]

[NOTE 1: This waiver is limited to the September 1967 to June 1969 teachers referred to above.]

NOTE: This waiver is limited to applicants who have taught successfully for two full consecutive years in a public school district in New Jersey under an appropriate substandard certificate.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before 4:00 P.M., Tuesday, April 4, 1972, to:

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

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

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

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions in Rules Concerning County Substitute

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq., proposes to adopt revisions to the rules concerning county substitute certificates (N.J.A.C. 6:11-4.4 et seq.).

Full text of the revised rules follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

#### 6:11-4.4 County substitute

(a) By regulation of the State Board of Education persons who do not hold a teaching certificate issued by the State Board of Examiners and who are not eligible to receive one may be granted a county substitute's certificate [for day-to-day substituting (not more than 20 consecutive days in the same position in one district during the school year),] upon application by the local board of education to the county superintendent of schools and the recommendation of the local or county super-

intendent of schools, and completion of a minimum of 60-semester hour credits in an accredited college.

(b) The county substitute certificate may be issued for a three-year period to authorize day-to-day substituting (not more than 20 consecutive days in the same position in one district during the school year).

(c) In cases of emergency, a county superintendent may appeal for an exception to this rule.

[(b)] (d) County substitute certificates are designed only for emergency purposes when the supply of property certified substitutes is inadequate to staff the schools. They carry none of the accrued benefits, such as pension and tenure, to which a regularly employed teacher is entitled, and are intended only for persons temporarily performing the duties of a fully certified and regularly employed teacher.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action on or before 4:00 P.M., Tuesday, April 4, 1972, to:

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

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

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

(b)

## EDUCATION

### THE COMMISSIONER

#### Emergency Rule Revising Definition of Auxiliary Services

On February 8, 1972, Carl L. Marburger, Commissioner of Education, pursuant to authority of N.J.S.A. 18A:58-59 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning revisions to the definition of auxiliary services. This rule will be reflected in N.J.A.C. 6:8-3 (Definitions).

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

#### 6:8-3 Definitions

"Auxiliary services" means services provided by personnel other than regular classroom teachers, [guidance counsellors,] school librarians, principals or other [instructional or] supervisory personnel.

An order adopting this revised definition was filed and effective on February 15, 1972, as R.1972 d.30 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

**ENVIRONMENTAL PROTECTION  
DIVISION OF ENVIRONMENTAL QUALITY  
BUREAU OF RADIATION PROTECTION**

**Proposed Rules Establishing the  
Radiation Protection Fee Schedule**

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2D-9 as amended, proposes to adopt rules establishing the radiation protection fee schedule for the registration or licensing of certain radiation sources. Such rules when printed will be contained in Title 7 of the New Jersey Administrative Code.

The proposed rules concern the application process, fee schedule for the use, possession, receipt, storage and transfer of radioactive material, fee schedule for certain machine sources and fee schedule for civilian nuclear reactors.

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

John J. Russo, Chief  
Bureau of Radiation Protection  
Department of Environmental Protection  
Health-Agriculture Building  
Post Office Box 1390  
John Fitch Plaza  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 1, 1972, to the Bureau of Radiation Protection, at the above address.

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

Richard J. Sullivan  
Commissioner  
Department of Environmental Protection

(b)

**ENVIRONMENTAL PROTECTION  
DIVISION OF FISH, GAME  
AND SHELL FISHERIES**

**Revisions in Shellfish-Growing  
Water Classifications**

On February 10, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions in the shellfish-growing water classifications, as proposed in the Notice published January 6, 1972, at 4 N.J.R. 4(b).

An order adopting these revisions was filed and effective February 10, 1972, as R.1972 d.29.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

**HEALTH  
PUBLIC HEALTH COUNCIL**

**Proposed Standards for Abatement  
Of Lead Poisoning Hazards**

The Public Health Council of the New Jersey Department of Health, pursuant to authority of N.J.S.A. 26:1A-7, proposes to adopt standards for the abatement of lead poisoning hazards by local Boards of Health. Such standards will be housed in Title 8 of the New Jersey Administrative Code and will become a Chapter within the State Sanitary Code.

These standards concern the investigation of cases of elevated blood levels, determination of lead in surface coverings, the amount of lead content in paint, standards for repair of premises containing lead paint, and reporting by local Boards of Health.

A copy of the full text of these standards may be seen in the office of any municipal or county health office and copies may be obtained from:

Edmond X. Duffy, Jr.  
Coordinator—Accident Prevention Program  
New Jersey State Department of Health  
Post Office Box 1540  
Trenton, New Jersey 08625

A public hearing will be held relevant to the proposed action by the Public Health Council on April 10, 1972, at 10:30 A.M. in the Auditorium of the Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments relevant to the proposed action at the public hearing or may submit written statements or arguments relevant to the proposed action on or before March 29, 1972, to the Department of Health at the above address.

The Public Health Council, upon its own motion or at the instance of any interested party, may thereafter adopt these standards substantially as proposed without further notice.

James R. Cowan  
Commissioner  
Department of Health

(d)

**HEALTH  
PUBLIC HEALTH COUNCIL**

**Proposed Rules On Sale And  
Distribution of Live Turtles**

The Public Health Council in the Department of Health, pursuant to authority of N.J.S.A. 26:1A-7, proposes to adopt rules concerning the sale and distribution of live turtles. Such rules will be reflected in Regulation 7 of Chapter III of the State Sanitary Code and will be located in Title 8 of the New Jersey Administrative Code.

Full text of the proposed rules follows:

**Regulation 7 — Sale or Distribution of Live Turtles**

No live turtles shall be sold or in any way distributed or offered for sale or distribution within the State on or after July 1, 1972, except where the seller or distributor of the turtles shall warrant to the satisfaction of the State Department of Health that each shipment of turtles is free

from salmonella contamination. The New Jersey State Commissioner of Health, in his discretion, may waive the requirements of this regulation for live turtles sold or distributed within this State for the sole purpose of research or other zoological purposes.

A public hearing will be held by the Public Health Council regarding the proposed action on April 10, 1972, at 10:00 A.M. in the Auditorium of the Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments at the public hearing or may present written statements or arguments on or before March 29, 1972, to:

Ronald Altman  
Director of Epidemiological Services  
New Jersey State Department of Health  
Post Office Box 1540  
Trenton, New Jersey 08625

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

James R. Cowan  
Commissioner  
Department of Health

**(a)**

**HEALTH**

**DIVISION OF HEALTH FACILITIES**

**Rules for Cardiovascular  
Surgical Units**

On January 31, 1972, James R. Cowan, Commissioner of Health, pursuant to N.J.S.A. 26:2H-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted guidelines for cardiovascular surgical units as approved by the Health Care Administration Board and as proposed in the Notice published January 6, 1972, at 4 N.J.R. 5(b).

An order adopting these guidelines was filed and effective January 31, 1972, as R.1972 d.22.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(b)**

**HEALTH**

**DIVISION OF HEALTH FACILITIES**

**Guidelines for Development of  
Regional Chronic Hemodialysis Resources**

On January 31, 1972, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted guidelines for the development of regional chronic hemodialysis resources, as approved by the Health Care Administration Board and as proposed in the Notice published January 6, 1972, at 4 N.J.R. 5(c).

An order adopting these guidelines was filed and effective January 31, 1972, as R.1972 d.23.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(c)**

**HEALTH**

**DIVISION OF HEALTH FACILITIES**

**1971 State Plan for Construction  
And Modernization of Hospitals**

On January 31, 1972, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the 1971 State Plan for Construction and Modernization of Hospitals and Related Medical Facilities, as approved by the Health Care Administration Board and as proposed in the Notice published January 6, 1972, at 4 N.J.R. 5(a).

An order adopting the plan was filed and effective January 31, 1972, as R.1972 d.24.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(d)**

**INSTITUTIONS AND AGENCIES**

**DIVISION OF MEDICAL ASSISTANCE  
AND HEALTH SERVICES**

**Proposed Revisions in Physician Manual  
Of New Jersey Health Services Program**

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise certain sections of the Physician Manual of the New Jersey Health Services Program (N.J.A.C. 10:54-1.1 et seq.).

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

**CHAPTER III  
PHYSICIANS' AND PRACTITIONERS' BILLING  
PROCEDURES**

**301. GENERAL POLICY**

[Composite billing for each patient should be done on a monthly basis. In all cases, claims should not be withheld for longer than 90 days accumulative.]

Billing should be done on a monthly basis. Claims for payments of services must be received not later than 90 days following the last date of service as indicated on the claim. For purposes of this time limitation, a claim is a submission in writing, which indicates a request for reimbursement in connection with medical services of a specified nature furnished to an eligible recipient. If a claim, as defined above, is received within the time limit specified, the claim is considered to be filed timely, even though additional information is supplied after the time limitations.

**302. PATIENT IDENTIFICATION**

Verify that the patient is a covered person on the first visit and each visit thereafter. This is done by viewing the patient's Validation Form (see Section 101) which is issued on the first day of each month. It is especially important to review a patient's Validation Form on each

visit when extended plans of treatment have been authorized. Prior authorization is no guarantee that an individual is covered. Authorization becomes invalid upon termination of eligibility.

306.1 Instructions for Completion of Form MC-8 (See Exhibit)

1-4. NAME, ADDRESS, CASE NO. AND PERSON NO.— Copy Patient's Name, H.S.P. Case Number and Patient Person Number EXACTLY as it appears on the monthly Validation Form. (See Section 101).

NOTE: [Fee for circumcision or other services for a newborn child must be billed as a claim for the child.]

Claims for circumcision or other services for a newborn child must be billed as a separate claim for the child if the child's Person Number is available. If the Person Number is unavailable, the Mother's H.S.P. Number and Person Number may be utilized, but only during the Mother's confinement in the hospital.

5-6. Self-explanatory.

7. OTHER INSURANCE OR LIABILITY COVERAGE— If patient has other Health Insurance or Liability coverage, check appropriate block, and attach copy of explanation of payment from the carrier.

8. EMPLOYMENT RELATED — If patient's illness or injury is work related enter name and address of employer.

9. NAME AND ADDRESS OF PROVIDER — (This information may be preprinted).

10. Self-explanatory.

11. Write in Name of institution, if place of service is other than doctor's office or patient's home. To be completed in addition to Question 12B.

12. REPORT OF SERVICES—

- A. Enter date(s) of each visit or surgical procedure.
- B. Place of service (see codes at bottom of claim form).
- C. Enter diagnosis.

D. [Enter description of services rendered. IN ADDITION TO THE DESCRIPTION, USE OF LABORATORY OR SURGICAL PROCEDURE CODES, DESCRIBED IN THE MANUAL APPENDIX FURNISHED TO THOSE ELIGIBLE TO PROVIDE SUCH SERVICES, ALSO IS RECOMMENDED.]

If the service rendered can be identified by a code (See Chapter IV) only the code number need be listed, it is not necessary to supply a code number and description. If a code is not provided in Chapter IV for the service rendered, enter a description of the service.

E. [Enter charge for each service or procedure.]

Designate each service ascribable to "Family Planning." These should include visits for infertility studies, oral mechanical or chemical contraceptives and applicable surgical procedures.

F. Enter your usual and customary charge for each service or procedure.

CHAPTER IV  
[LABORATORY AND SURGICAL PROCEDURE  
AND CODE LIST]  
PROCEDURE CODES WITH DESCRIPTIONS

400. General Policy

The coding and procedures in this Chapter have been developed to aid the provider in preparation of claims. It should be emphasized that use of a code number infers that the service has been delivered as specified. Written records in substantiation of the use of a given procedural code must be available for review and/or inspection if requested by the New Jersey Health Services Program.

All references to performance of any or all parts of a History or Physical Examination shall mean that for reimbursement purposes these services were personally performed by the physician submitting the claim.

400.1 Use of Procedure Codes

The provider, in accordance with billing instructions in Chapter III, may bill in accordance with any of the following mechanisms in item 12D of the MC-8:

- A. Procedure Codes alone.
- B. Narrative descriptions of services rendered.
- C. Both procedure codes and abbreviated narrative descriptions.

NOTE: If the service rendered does not conform with any given code, the provider must provide a narrative description of the services rendered in item 12D on the Physicians and Practitioners Claim Form (MC-B).

401. Non-Surgical Procedures

The majority of non-surgical procedures performed in the office, patient's home, nursing home, and hospital are listed on the following pages. Utilization of a code alone or in conjunction with the narrative description will insure each physician that all of his claims submitted under the same code will be reimbursed at the same fee.

402. Laboratory Procedures

The Codes and Procedures listed hereunder are for the specified services as customarily performed by Pathologists, Licensed Clinical Laboratories and Hospital Laboratories and are not to be used for abbreviated methods.

Stick, Dip or Tablet tests are considered incidental to, and part of, a home or office service and therefore are not eligible for separate reimbursement.

A physician may claim reimbursement for laboratory services performed for his own patients in his own office on his MC-8 claim form. However, any laboratory services provided by an independent laboratory must be billed directly to the Program by the laboratory and not by the physician.

403. Radiology Procedures

Radiology services shall ordinarily be provided only by a physician who is a specialist in Radiology. However, a physician other than a radiologist may provide radiological services which are related and limited to his own special field.

Reimbursement for radiological services by physician(s), other than those covered in the preceding paragraph, will be limited to routine diagnostic chest X-ray and/or diagnostic X-ray of long bones in emergency situations.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972 to:

Division of Medical Assistance and Health Services  
Post Office Box 2486  
Trenton, New Jersey 08625

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

Maurice G. Kott  
Acting Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Standards for Intermediate Care

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt standards for intermediate care. Such standards will be located in Subtitle I of Title 10 of the New Jersey Administrative Code and may be cited as N.J.A.C. 10:49-1.1 et seq.

The proposed standards concern the provision of intermediate care services available to eligible recipients of the New Jersey Health Services Program.

Copies of the manual may be obtained from:  
Chief, Medical Care Administration  
Division of Medical Assistance and Health Services  
Post Office Box 2486  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972 to the Division of Medical Assistance and Health Services at the above address.

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

Robert L. Clifford  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Standards for Skilled Nursing Care

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt standards for skilled nursing care. Such standards are tentatively scheduled to be housed in Subtitle I of Title 10 of the New Jersey Administrative Code and may be cited as N.J.A.C. 10:49-1.1 et seq.

The proposed standards are concerned with the provision of skilled nursing services available to eligible recipients of the New Jersey Health Services Program.

Copies of the manual may be obtained from:  
Chief, Medical Care Administration  
Division of Medical Assistance and Health Services  
Post Office Box 2486  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972 to the Division of Medical Assistance and Health Services at the above address.

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

Robert L. Clifford  
Commissioner  
Department of Institutions and Agencies

(c)

## INSTITUTIONS AND AGENCIES

### STATE PAROLE BOARD

#### Proposed Revision in Rule On Notice of Decision

Jesse W. Mapson, Chairman of the State Parole Board in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4-123.6, proposes to revise N.J.A.C. 10:70-6.5 (Notice of Decision) concerning the disclosure of a denial of parole.

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

10:70-6.5 Notice of decision

(a) The Board will notify, in writing, each prisoner of the decision reached in his case as soon as possible after the hearing.

(b) The Board will state in said notice the basis for the denial of parole.

(c) Where, in the opinion of the Board, however, disclosure to the inmate of the reason for denial of parole would deleteriously affect the inmate's future rehabilitation, the Board need not disclose to the inmate the reason for denial.

(d) Where this policy of nondisclosure is utilized, the Board must formulate and record the actual reason for denial of parole and maintain such reason in the inmate's file.

[(c)] (e) In case of a denial of parole, the notice will include the date the case will again be considered if the decision orders other than the service of the maximum sentence.

[(d)] (f) Two copies of the notice will be sent to the Chief Executive Officer of the institution, one to be delivered to the inmate and the other to the Institutional Parole Office.

[(e)] (g) A third copy will be furnished to the District Parole Office.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972, to:

State Parole Board  
State Office Building  
135 West Hanover Street  
Trenton, New Jersey 08625

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

Jesse W. Mapson  
Chairman  
State Parole Board  
Department of Institutions and Agencies

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rules on Contracts with County Welfare Boards

On February 2, 1972, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority

of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the contracting with and payment to county welfare boards for investigating and determining whether applicants for benefits qualify under the Medical Assistance and Health Services Act, as proposed in the Notice published July 8, 1971, at 3 N.J.R. 134(b).

Such rules will be located in Chapter 49 of Title 10 in the New Jersey Administrative Code and can be cited as N.J.A.C. 10:49-1.1 et seq.

An order adopting these rules was filed and effective February 23, 1972, as R.1972 d.34.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Amendments to Podiatry Services Manual

On February 2, 1972, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the Podiatry Services Manual, as proposed in the Notice published August 5, 1971, at 3 N.J.R. 154(a).

Such rules will be located in N.J.A.C. 10:57-1.1 et seq.

An order adopting these amendments was filed and effective February 23, 1972, as R.1972 d.35.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## INSURANCE

### INSURANCE GROUP

#### Amendments to New Jersey Automobile Insurance Plan

On January 31, 1972 Robert L. Clifford, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1 and 17:1C-6(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the New Jersey Automobile Insurance Plan, substantially as proposed in the Notice published November 4, 1971, at 3 N.J.R. 223(d).

Such rules will be reflected in Subchapters 8, 9 and 10 of Chapter 2 in Title 11 of the New Jersey Administrative Code.

An order adopting these amendments was filed and effective January 31, 1972, as R.1972 d.20.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## INSURANCE

### THE COMMISSIONER

#### Regulations on Replacement Of Life Insurance Policies

On January 28, 1971, Robert L. Clifford, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1C-6(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the regulations on replacement of life insurance policies, substantially as proposed in the Notice published November 4, 1971, at 3 N.J.R. 225(a), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department of Insurance.

An order adopting these regulations was filed January 31, 1972, as R.1972 d.21 to become effective April 1, 1972.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## INSURANCE

### THE COMMISSIONER

#### Proposed Rules on Educational Prerequisites for Agents' Licenses

Richard C. McDonough, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1C-6(e) and 17B:22-10(d), proposes to adopt rules concerning programs of studies as prerequisites to the issuance of a property and casualty, bail bonds, auto physical damage, or credit and mortgage guaranty agent's license. Such rules will be located in Chapter 2 of Title 10 of the New Jersey Administrative Code.

The hours of instruction and course content proposed for property and casualty, bail bonds, auto physical damage, and credit and mortgage guaranty courses of study are summarized as follows:

#### PROPERTY AND CASUALTY INSURANCE COURSE CONTENTS

| Part  | Hours of<br>Instruction |
|---|-------------------------|
| I. Introduction, Duties of Licensee and Insurance<br>Laws | 12                      |
| II. Property Insurance                                    | 20                      |
| III. Crime Protection                                     | 6                       |
| IV. Fidelity and Surety                                   | 6                       |
| V. Marine Insurance                                       | 10                      |
| VI. Public Liability and Laws of Negligence               | 12                      |
| VII. Automobile Insurance                                 | 17                      |
| VIII. Workmen's Compensation and Employers'<br>Liability  | 4                       |
| IX. Miscellaneous Coverages                               | 6                       |
| X. Multiple Peril Policies                                | 10                      |
| XI. Health Insurance                                      | 12                      |
| Review and Examination                                    | 6                       |
| <b>TOTAL HOURS</b>  | <b>121</b>              |

#### AUTOMOBILE PHYSICAL DAMAGE INSURANCE COURSE CONTENTS

| Part                                     | Hours of<br>Instruction |
|--|-------------------------|
| I. General Information                   | 9                       |
| II. Automobile Physical Damage Insurance | 19                      |
| III. Review and Examination              | 2                       |
| <b>TOTAL HOURS</b>                       | <b>30</b>               |

**CREDIT INSURANCE AND MORTGAGE GUARANTY  
INSURANCE COURSE CONTENTS**

| Part  | Hours of<br>Instruction |
|---|-------------------------|
| I. Introduction and Responsibilities of Agents                            | 5                       |
| II. Laws Pertaining to the Licensing of Agents,<br>Brokers and Solicitors | 6                       |
| III. Principles of Credit Insurance                                       | 10                      |
| IV. Review and Examination  | 3                       |
| <b>TOTAL HOURS</b>  | <b>24</b>               |

**BAIL BONDS COURSE CONTENTS**

| Part  | Hours of<br>Instruction |
|---|-------------------------|
| I. Introduction and Responsibilities of Agents                            | 5                       |
| II. Laws Pertaining to the Licensing of Agents,<br>Brokers and Solicitors | 3                       |
| III. Surety Bonds—General Principals                                      | 5                       |
| IV. Review and Examination  | 3                       |
| <b>TOTAL HOURS</b>  | <b>16</b>               |

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 31, 1972, to:

W. Morgan Shumake  
Deputy Commissioner  
Department of Insurance  
State and Montgomery Streets  
Trenton, New Jersey 08625

Public hearings will be held regarding the proposed regulations at the Department of Insurance, 201 East State Street, Trenton, New Jersey on the following dates:

Property and Casualty Insurance — April 4, 1972 at 10:00 A.M.

Bail Bonds—April 5, 1972 at 10:00 A.M.

Auto Physical Damage Insurance — April 5, 1972 at 2:00 P.M.

Credit Insurance and Mortgage Guaranty Insurance — April 6, 1972 at 10:00 A.M.

Interested persons may present relevant statements or comments concerning the proposed regulations at the hearings. The time and date of any subsequent hearings, if necessary, will be announced at the hearings to be held at the above mentioned dates and times. However, no notice of any subsequent hearings will appear in the New Jersey Register.

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

Richard C. McDonough  
Commissioner  
Department of Insurance

**(a)**

**LAW AND PUBLIC SAFETY**

**DIVISION OF ALCOHOLIC  
BEVERAGE CONTROL**

**Proposed Revisions On Conduct of  
Licensees and Use of Licensed Premises**

Robert E. Bower, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-39, proposes to revise N.J.A.C. 13:2-218 (Rule 4 of Division Regulation No. 20) concerning the conduct of licensees and use of licensed premises.

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

No licensee shall allow, permit or suffer in or upon the licensed premises any prostitute, female impersonator, pickpocket, swindler, confidence man, or any notorious criminal, gangster, racketeer, or other person of ill repute; nor shall any licensee allow, permit or suffer in or upon the licensed premises any unlawful possession of or any unlawful activity pertaining to narcotic or other drugs [as defined by R.S. 24:18-2] or other controlled dangerous substances as defined by the New Jersey Controlled Dangerous Substances Act (R.S. 24:21-1, et seq.) or [barbiturate, amphetamine, barbital, hypnotic or somnifacient drugs, tranquilizers or] any prescription legend drug, in any form, which is not a narcotic, depressant or stimulant drug [within the meaning of R.S. 24:18-2] or controlled dangerous substance as heretofore defined; nor shall any licensee allow, permit or suffer the licensed premises to be accessible to any premises upon which any illegal activity or enterprise is carried on, or the licensed premises or business to be used in furtherance or aid of, or accessible to any [such] illegal activity or enterprise [, which activity or enterprise results in a conviction in a criminal prosecution or other prosecution in any court for violation of any penal Federal or State Law or municipal ordinance].

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 30 1972, to:

Robert E. Bower, Director  
Division of Alcoholic Beverage Control  
1100 Raymond Boulevard  
Newark, New Jersey 07102

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

Robert E. Bower, Director  
Division of Alcoholic Beverage Control  
Department of Law and Public Safety

**(b)**

**LAW AND PUBLIC SAFETY**

**DIVISION ON CIVIL RIGHTS**

**Proposed Rules Governing  
Employment Advertising**

James H. Blair, Director of the Division on Civil Rights in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 10:5-6 and 10:5-8(c), (g), (h), (i), and (j), proposes to adopt rules relating to employment advertising in order to prevent discrimination therein based upon race, creed, color, national origin, ancestry, age, sex or marital status, and in order to implement N.J.S.A. 10:5-4, 10:5-6 and 10:5-12.

Full text of the proposed new rules follows:

**13:11-1 Employment Advertising Generally**

It shall be a violation of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq., and more particularly, N.J.S.A. 10:5-12a, b, c, and e, for any employer, union, or employment agency, or any newspaper or other publication published or circulated within this State to print, publish or circulate any advertisement relating to employment,

employment opportunities, job openings, union membership, apprentice programs, job training programs or any of the terms, conditions or privileges thereof which expresses, overtly or subtly, directly or indirectly, any limitation, specification, preference or discrimination based on race, creed, color, national origin, ancestry, age, marital status or sex, or any intent to make such limitation, unless based on a bona fide occupational qualification.

The use of language includes but not limited to "black," "Negro" "colored," "white," "restricted," "interracial," "segregated," "Christian," "Jewish," "men," "women," "girl," "boy," "gal," "guy," "married," "single," or any other word, term, phrase or expression which tends to influence, persuade or dissuade, encourage or discourage, attract or repel, any person or persons because of race, creed, color, national origin, ancestry, age, marital status or sex shall be considered discriminatory advertising in violation of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

13:11-2 Exception for Advertising Ordered by Director

Nothing contained in this chapter shall be deemed to prohibit the Director from including in any of his Orders against any respondent employer, union or employment agency a provision requiring said respondent to include in any advertisement regarding any employment opportunity the term "Equal Opportunity" or any substantially similar term.

13:11-3 Maintenance of Segregated Columns

It shall be a violation of the Law Against Discrimination for any employer, union or employment agency or any newspaper or other publication published or circulated within this State to publish, print or circulate or cause to be published, printed or circulated any advertisement relating to employment, employment opportunities, job openings, union membership apprentice program, job training programs or any of the terms, conditions or privileges thereof under an employment advertisement column which is segregated on the basis of sex, marital status, race, creed, color, national origin, ancestry or age or under any column heading which expresses overtly or subtly, directly or indirectly, any preference, specification or limitation.

13:11-4 Preferences Expressed in Body of Advertisements Appearing Under Joint "Men and Women" Columns

(1) It shall be a violation of the Law Against Discrimination for any employer, union or employment agency or any newspaper or other publication published or circulated within this State to publish, print or circulate or cause to be published, printed or circulated any advertisement relating to employment, employment opportunities, job openings, union membership, apprentice programs, job training programs, or any of the terms, conditions or privileges thereof the language of which advertisement expresses any limitation, specification, discrimination or preference as to sex, marital status, race, creed, color, national origin, ancestry or age of any intent to make such preference, specification or discrimination unless sex, marital status, race, creed, color, national origin, ancestry or age is a bona fide occupational qualification for the particular job advertised.

(b) Whenever a "help wanted" advertisement is to contain any job title or job description which is not clearly neutral in terms of sex and the job advertised is not one for which sex is a "bona fide occupational qualification"

as defined in this Rule, then the advertisement should instead utilize a neutral job title whenever practicable. If the use of a neutral job title is not practicable, then the advertisement may contain the non-neutral job title provided, however, that the advertisement also includes (i) the job title which is the sex counterpart of the non-neutral job title or (ii) the designation "M/F." Newspapers which print employment advertisements shall at least once a week print a box on their employment advertising page indicating that the abbreviation "M/F" when used means "male or female."

Examples of Prohibited Terms

| Examples of Prohibited Terms | Examples Of Permissible Substitutes                           |
|------------------------------|---|
| "Salesman"                   | "Salesperson" or "Salesman/woman" or "Salesman M/F"           |
| "Waiter"                     | "Waiter/waitress" or "Waiter M/F"                             |
| "Gal Friday"                 | "General Office Work" or "Gal/guy Friday" or "Gal Friday M/F" |
| "Draftsman"                  | "Drafting" or "Draftsman/woman" or "Draftsman M/F"            |
| "Hostess"                    | "Hostess/host" or "Hostess M/F"                               |
| "Pressman"                   | "Press operator" or "Pressman/woman" or "Pressman M/F"        |

The fact that a term does not appear in the above partial list does not mean that such a term is acceptable.

13:11-5 Bona Fide Occupational Qualification Exception; Application

For the purposes of this Rule, the "bona fide occupational qualification" exception shall include only those vocational qualifications which are reasonably necessary to the normal operation of the particular business, enterprise, or apprentice or other training program. The exception shall be interpreted so that individuals will be considered for employment on the basis of their individual capacities and not on the basis of any characteristics generally attributable to their group. The employer, employment agency or union has the burden of establishing that race, creed, color, national origin, ancestry, age, marital status or sex is a bona fide occupational qualification.

The application of the exception is not warranted where based on, for example: assumptions of the comparative general employment characteristics of persons of a particular race, creed, color, national origin, ancestry, age, sex or marital status, such as their turnover rate; stereotyped characteristics of the aforementioned classes, such as their mechanical ability or aggressiveness; customer, client, co-worker or employer preference, or historical usage, tradition or custom; or the necessity of providing separate facilities of a personal nature, such as rest rooms or dressing rooms. In regard to sex, the application of the exception may be warranted where it is necessary for authenticity or genuineness, such as for an actor or actress, or where the job in question necessarily involves intimate personal contact with persons of the opposite sex.

13:11-6 Ruling by Division on Bona Fide Occupational Qualifications for Particular Jobs

Any employer, union, employment agency, newspaper or other publication may make an inquiry of the Division on Civil Rights as to whether race, creed, color, national origin, ancestry, age, marital status or sex is a bona fide occupational qualification for a particular job which they intend to publish, print or circulate or cause to be published, printed or circulated. The Division shall promptly, and in no event later than two hours after inquiry, give opinions in response to such inquiries. An

opinion rendered orally or in writing by the Division prior to the publication of any advertisement in response to such an inquiry shall be binding for the purpose of this Rule, except in those instances in which the inquiry has not fully and accurately disclosed the relevant facts regarding the particular job in question. The Division shall maintain records as to each inquiry made pursuant to this section, to include the name, title and address of the caller, a summary of the job and job duties, the basis for the exception claimed and the time, date, identification number and disposition of the inquiry. A newspaper or other publication shall not be in violation of this Rule where it has accepted any specific advertisement in good faith and in reasonable reliance upon the representations of the person placing the advertisement that he has obtained from the Division an opinion that there is a bona fide occupational qualification for the specific job advertised together with the identification number for that opinion.

**13:11-7 Violation**

Failure to comply with this chapter will constitute a violation of N.J.S.A. 10:5-12.

Interested persons may present statements or comments concerning the proposed rules at a public hearing to be held on April 3 and 4, 1972 at 10:00 A.M. in Room 400 of the State Office Building at 1100 Raymond Boulevard in Newark. Persons wishing to present statements at the public hearing should notify the Division on Civil Rights by March 29, 1972. Telephone (201) 648-3828 or write:

Division on Civil Rights  
1100 Raymond Boulevard  
Newark, New Jersey 10207  
Attention: Vernon Potter, Deputy Director

Written statements concerning the proposed action may be submitted at any time prior to April 7, 1972.

After full consideration of all submissions respecting the proposed action, the Division on Civil Rights, upon its own motion or at the instance of any interested party, may thereafter adopt the above rules substantially as proposed without further notice.

James H. Blair  
Director  
Division on Civil Rights  
Department of Law and Public Safety

**(a)**

**LAW AND PUBLIC SAFETY**

**OFFICE OF THE ATTORNEY GENERAL**

**Correction of Document Number  
Regarding Rule on Fee Schedule**

Take notice that, in the Notice published January 6, 1972 at 4 N.J.R. 11(a) concerning the rule implementing the Legislative Activities Disclosure Act regarding fee schedules, the document number was incorrectly stated to be R.1971 d.244 when it should have read R.1971 d.224. The remainder of the Notice was correct as printed.

The last paragraph of the Notice should have read as follows:

An order adopting this rule was filed and effective December 17, 1971, as R.1971 d.224 (Exempt, Procedural Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(b)**

**LAW AND PUBLIC SAFETY**

**DIVISION OF CONSUMER AFFAIRS**

**STATE BOARD OF PHARMACY**

**Rules on Prescriptions and the  
Patient Profile Record System**

On February 23, 1972, Paul A. Pumpian, Executive Secretary of the New Jersey State Board of Pharmacy in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:14-26.2 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning prescriptions and the Patient Profile Record System, substantially as proposed in the Notice published January 6, 1972, at 4 N.J.R. 10(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the State Board of Pharmacy.

Such rules may be cited as N.J.A.C. 13:39-15 et seq.

An order adopting these rules was filed February 24, 1972, as R.1972 d.36 to become effective July 31, 1972.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(c)**

**PUBLIC UTILITIES**

**BOARD OF PUBLIC UTILITY COMMISSIONERS**

**Proposed Order On  
Design Consultants**

The Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-29, 48:12-49, 48:12-54, 48:12-55 and 48:12-49.1, proposes to adopt an administrative order to be cited as N.J.A.C. 14:11-8.34 concerning design consultants.

Full text of the proposed administrative order follows:  
14:11-8.34 Design consultants

(a) Whenever the Board participates in the payment of the expense of the construction of a bridge or passage over or under and across a railroad right of way where such right of way intersects a road, street or avenue, the design work for such construction shall be performed by the Board, the railroad or by a competent consultant engaged by the Board as may be directed by the Board.

(b) Whenever the Board participates in the payment of the expense of the installation of protective devices at railroad grade crossings, the design work may be performed by a competent consultant engaged by the Board.

(c) This administrative order shall be effective on all Board orders directing construction or reconstruction of bridges or grade crossing protection issued on and after April 20, 1972.

A hearing concerning the proposed action will be held in the offices of the Board of Public Utility Commissioners in Room 208, 101 Commerce Street, Newark, New Jersey, at 10:00 A.M. on Thursday, April 13, 1972.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972, to the above address.

The Board of Public Utility Commissioners, upon its own motion or at the instance of any interested party, may

thereafter adopt this administrative order substantially as proposed without further notice.

William E. Ozzard  
President  
Board of Public Utility Commissioners  
Department of Public Utilities

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Revised Rules On Award Of Contracts for Professional Services

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:1A-5, proposes to revise the rules concerning the award of contracts for professional services. The sections of the New Jersey Administrative Code involved in these proposed revisions include N.J.A.C. 16:2-1.1 and 16:2-1.3 through 16:2-1.6.

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

#### SUBTITLE A. [DIVISION OF] ADMINISTRATION

##### 16:2-1.1 Definition

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

"Consultant" — Those colleges, universities, individuals, firms or businesses who render professional services directly connected with the design, construction, maintenance and operation of the State Highway System, including financial, budgetary staffing, and administrative matters relating to management of the Department.

**NOTE:** The term "Contract" when used in this Subchapter shall be synonymous with "Agreement."

##### 16:2-1.3 Initial Determination

As soon as possible after any work program is approved for action, recommendations shall be made to the Commissioner by the State Highway Engineer, [Director of Accounting] **Director of Fiscal Management** or Division Directors for those portions of the program on which supplementary assistance is required.

##### 16:2-1.4 Selection

On the basis of known past performance professional reputation, type of work previously performed for the Department, and capability to complete the project on a timely basis in light of current staff and volume of work, the State Highway Engineer, [Director of Accounting] **Director of Fiscal Management** or Division Director shall recommend for approval by the Commissioner a particular consultant or consultants as qualified to submit a proposal or proposals on the work to be performed.

##### 16:2-1.5 Proposals

(a) The consultant or consultants selected shall be requested by the [Director of Accounting] **Director of Fiscal Management**, Division Director, or State Highway Engineer to appear for discussions to coordinate with their designated cognizant official in order to obtain the scope of work required.

##### 16:2-1.6 Award

(a) Upon acceptance of the proposal, a legal contract [is] shall be drawn based on the proposal letter. [This contract is then reviewed and approved as to legal format by one of the Deputy Attorneys General. After approval

of the legal format the contract is then forwarded to the consultant for signatures.] **The Bureau of Contract Administration shall review the fiscal provisions of the contract and then forward it to one of the Deputy Attorneys General assigned to the Department for review as to legal form. The Deputy Attorney General assigned to review the contract shall suggest any revisions, corrections, additions or deletions which shall be deemed necessary to protect the position and interest of the State of New Jersey and the Department of Transportation. Upon approval of the fiscal provisions and legal form of the contract, it shall be sent to the consultant for signature. When federal funds are involved, the [Bureau of Public Roads] Federal Highway Administration's concurrence is required before the mailing of the contract is made by the related Division to the consultant.**

(b) The consultant or consultants shall return the signed contract to the Division concerned. A Departmental Action Slip shall be prepared by the Division concerned and attached to the contract. The contract shall then be forwarded to the [Director of Accounting] **Director of Fiscal Management** for certification of funds. If funds are available, the [Director of Accounting] **Director of Fiscal Management** shall forward the contract to the State Highway Engineer or Division Director for approval. After approval by the State Highway Engineer, the contract is forwarded to the Commissioner for his approval. After approval by the Commissioner, the original contract is sent to the [Director of Accounting] **Director of Fiscal Management** for disposition and filing. The remaining contracts are distributed by the cognizant Division to the consultant and appropriate Bureau and Sections related to the proposed work.

The proposed revisions are deemed necessary in order to clarify rules previously published and to describe more accurately the governance of the Department's internal organization.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1972, to:

Paul Bridegum  
Director of Fiscal Management  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

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

John C. Kohl  
Commissioner  
Department of Transportation

(b)

## TRANSPORTATION

### DIVISION OF CONSTRUCTION AND MAINTENANCE

#### Revisions in Rules On Banners and Decorations On State Highway Right of Ways

On February 15, 1972, John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a new Subchapter concerning banners and decorations on State Highway right of ways, as proposed in the Notice published December 9, 1971, at 3 N.J.R. 274(a).

Such rules may be cited as N.J.A.C. 16:41-12.1 et seq. and will be identified as Subchapter 12 (Banners or decorations on State Highway Right of Way) in Chapter 41 of Title 16 in the New Jersey Administrative Code.

An order adopting these revisions was filed and effective February 23, 1972, as R.1972 d.33.

Albert E. Bonacci  
 Director of Administrative Procedure  
 Department of State

**(a)**

**TREASURY**

**DIVISION OF TAXATION**

**Emergency Transportation Tax Rule**

On January 31, 1972, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:8A-55(a) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the emergency transportation tax rule, as proposed in the Notice published February 4 1971, at 3 N.J.R. 29(d).

An order adopting this rule was filed and effective February 1, 1972, as R.1972 d.25.

Albert E. Bonacci  
 Director of Administrative Procedure  
 Department of State

**(b)**

**TREASURY**

**DIVISION OF TAXATION**

**Rules on Taxability of Use of**

**Commercial Advertising Film Negatives**

On February 8, 1972, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:32B-24 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on the taxability of use of commercial advertising film negatives, substantially as proposed in the Notice published January 6, 1972, at 4 N.J.R. 12(b). Such rules will be cited as N.J.A.C. 18:24-18.1 et seq.

An order adopting these rules was filed and effective February 9, 1972, as R.1972 d.27.

Albert E. Bonacci  
 Director of Administrative Procedure  
 Department of State

**(c)**

**DELAWARE RIVER BASIN COMMISSION**

**New Regulations Concerning  
 Tolls for Passage over Bridges**

On February 16, 1972, the Board of Commissioners of the Delaware River Port Authority at its regular monthly meeting adopted regulations concerning new tolls for passage over bridges owned and operated by the Delaware River Port Authority. These include the Benjamin Franklin and Walt Whitman Bridges presently in operation, as well as the Pennsauken-Philadelphia Bridge and the Chester-Bridgeport Bridge under construction.

Full text of the new regulations follows:

Whereas, after lengthy and detailed consideration by the Delaware River Port Authority's financial and traffic consultants and staff, it has been found and determined that the existing toll schedule for transit over the Authority's bridge will not produce sufficient revenues to meet the DRPA's financial commitments; and

Whereas, after study of several alternative toll schedules it has been determined that the following schedule is the minimum required to satisfy this Authority's financial commitments and to provide the public with reasonable and just toll rates; now therefore,

Be It Resolved, that the toll schedule for transit over all bridges owned and operated by this Authority, now and in the future, effective 12:01 A.M., April 1, 1972, shall be as follows:

| Classification   | Rate   |
|--|--------|
| Passenger Automobile   | \$ .60 |
| Passenger Automobile & one axle trailer<br>(Each additional trailer axle \$.30)  | .90    |
| Motorcycle   | .60    |
| Buses, two axle  | 1.50   |
| three axle   | 2.25   |
| Commercial trucks, 2 axles, 4 tires less than<br>7,000 lbs. gross weight   | .60    |
| Commercial trucks, 2 or more axles, 6 or more<br>tires, or 7,000 lbs. or more gross weight, per axle   | .75    |
| Commutation rate for passenger automobiles,<br>motorcycles and 2 axle, 4 tire trucks less than<br>7,000 lbs. gross weight, 50 crossings valid for one<br>calendar month only | 17.50  |

Special Permits (Non-Commercial motor vehicles 60,001 pounds gross weight and upward, Commercial Vehicles operating under official permit) \$10.00 permit fee plus \$1.50 for the first 40,000 pounds and \$.25 for each 2,000 pounds or fraction thereof in excess of 40,000 pounds.

Bus and Truck Toll Scrip (25 crossings)

| Denomination | Value    | Price    |
|--------------|----------|----------|
| \$1.50       | \$ 37.50 | \$ 33.75 |
| 2.25         | 56.25    | 50.63    |
| 3.00         | 75.00    | 67.50    |
| 3.75         | 93.75    | 84.38    |
| 4.50         | 112.50   | 101.25   |

**Definitions and Restrictions:**

Commutation fares shall be accepted for passage of the vehicle to which issued and will not be acceptable for passage of any other vehicle.

Commutation fares will be issued on a calendar-month basis and will not be accepted for passage for any time other than the month for which issued.

Ticket detached from the ticket book will not be honored for passage. Unused passages will not be redeemable or refundable.

Bus and truck Toll Scrip shall be good and valid until used. Toll Scrip in excess of the required toll may be tendered in payment; however, no refund of the excess shall be made. Toll Scrip in denomination of less than the fare and the balance in cash may be tendered in payment of the fare. Toll Scrip may not be used to purchase other reduced rate fares. Toll Scrip may be purchased by mail or in person at the toll accounting offices located in the administration buildings for each of the bridges.

These regulations were filed February 18, 1972, as R.1972 d.31 (Exempt, Exempt Agency) to become effective April 1, 1972.

Albert E. Bonacci  
 Director of Administrative Procedure  
 Department of State

**(a)**

# EXECUTIVE COMMISSION ON ETHICAL STANDARDS

## Rules of Practice and Procedure

On February 17, 1972, Major General William R. Sharp, Chairman of the Executive Commission on Ethical Standards, pursuant to authority of N.J.S.A. 52:13D-12 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules of practice and procedure governing the Executive Commission on Ethical Standards.

Such rules concern the organization, subject matter, jurisdiction, proceedings, subpoena powers, advisory opinions and general provisions of the Executive Commission on Ethical Standards.

An order adopting these rules was filed and effective February 18, 1972, as R.1972 d.32 (Exempt Practice Rules).  
Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(b)**

# HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

## Proposed Revisions to District Subdivision Regulations

The Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq., proposes to adopt certain revisions to its District Subdivision Regulations. The rules of the Hackensack Meadowlands Development Commission are scheduled to be housed in Chapters 3 through 7 of Title 19 of the New Jersey Administrative Code.

A summary of the proposed revisions to the District Subdivision Regulations, with their present citations and location in the Regulations, follows:

### REVISIONS TO HACKENSACK MEADOWLANDS DISTRICT SUBDIVISION REGULATIONS

**Page 6, Article 4, Section 2 (c), Line 9**

After "located" delete the comma and insert ", or in such other instances as the Chief Engineer shall deem necessary."

**Page 8, Article 5, Section 3, Line 7**

After "request.", add a new sentence — "If the sketch plat is classified as a minor subdivision, the Chief Engineer shall also, within 45 days after receipt thereof, approve or disapprove the minor subdivision."

**Page 8, Article 5, Section 3, Lines 8 - 10**

Delete the first sentence and insert a new sentence as follows: "If the sketch plat is approved, the Secretary shall affix the seal of the Commission on the face of the sketch plat."

**Page 9, Article 5, Section 4, Line 7**

Delete "three" and insert "one."

**Page 11, Article 5, Section 7, Line 14**

Delete the rest of the sentence after "approved" and add "together with the appropriate fee."

**Page 13, Article 6, Section 1, Line 1**

Delete the remainder of sentence after "prepared" and insert "by a professional engineer or land surveyor licensed to practice in New Jersey."

**Page 15, Article 6, Section 4, Line 2**

After "Engineer" delete the remainder of sentence and insert the following: "or land surveyor licensed to practice in New Jersey."

**Page 38, Article 8, Section 1 (K)**

Add the following new sentence: "Every subdivision of 50 acres or more shall provide at least one set of coordinates corresponding to the New Jersey Coordinate System."

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 1, 1972, to:

Hackensack Meadowlands Development Commission  
Post Office Box 85  
Lyndhurst, New Jersey 07071

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

Lawrence F. Kramer  
Chairman

Hackensack Meadowlands Development Commission

**(c)**

# NEW JERSEY HIGHWAY AUTHORITY

## Revisions to Regulations on Use of Garden State Parkway

On January 27, 1972, John P. Gallagher, Chairman of the New Jersey Highway Authority, pursuant to authority of N.J.S.A. 27:12B-18 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the regulations on the use of the Garden State Parkway, as proposed in the Notice published January 6, 1972, at 4 N.J.R. 14(a).

An order adopting these revisions was filed January 31, 1972, as R.1972 d.19 to become effective February 4, 1972.

Albert E. Bonacci

Director of Administrative Procedure  
Department of State

**(d)**

# NEW JERSEY MORTGAGE FINANCE AGENCY

## Amendments Concerning New Residential Mortgages

On January 28, 1972, Robert A. Watson, Executive Director of the New Jersey Mortgage Finance, pursuant to authority of N.J.S.A. 17:1B-4 et seq., and in accordance with applicable provisions of the Administrative Procedure

Act of 1968, adopted amendments to the rules concerning new residential mortgages, as proposed in the Notice published January 6, 1972, at 4 N.J.R. 15(a).

An order adopting these amendments was filed and effective February 10, 1972, as R.1972 d.28.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## NEW JERSEY TURNPIKE AUTHORITY

### Revisions on Limitations In Use of the Turnpike

On February 24, 1972, the New Jersey Turnpike Authority, pursuant to authority of N.J.S.A. 27:23-29 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to its rules concerning the limitations in the use of the Turnpike, substantially as proposed in the Notice published January 6, 1972, at 4 N.J.R. 14(b).

These revisions are tentatively scheduled to be cited as N.J.A.C. 19:9-1.9(a) 12.

An order adopting these revisions was filed February 25, 1972, as R.1972 d.37.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

## STATE NEWS OF PUBLIC INTEREST

### McCRANE ISSUES NOTICE ON TRANSPORTATION BENEFITS TAX ACT

The following Notice was issued February 8, 1972 by Joseph M. McCrane, State Treasurer of New Jersey, relative to the income tax imposed by the Transportation Benefits Tax Act:

Take Notice that pursuant to Chapter 222 of the Laws of New Jersey of 1971, as amended, the Transportation Benefits Tax Act, the Commissioner of Transportation of the State of New Jersey on January 11, 1972, certified to the State Treasurer of the State of New Jersey his finding that there was on January 1, 1972, one severe interstate transportation problem involving New Jersey, and that this affects the States of Pennsylvania and New Jersey.

He has, therefore, identified the States of Pennsylvania and New Jersey as "critical area states" within the meaning of the act.

This Finding makes the income tax imposed by the Transportation Benefits Tax Act applicable for the taxable period beginning January 1, 1972. The tax is imposed upon every resident of the State of New Jersey with respect to the classes of income derived by him from sources within Pennsylvania and upon every resident of the State of Pennsylvania with respect to the classes of income derived by him from sources within the State of New Jersey.

Further information concerning the effect of the Transportation Benefits Tax Act and procedures to be

followed by employers and employees may be obtained by writing: State of New Jersey, Division of Taxation, Transportation Benefits Tax, P. O. Box 1686, Trenton, N. J. 08625.

### McCRANE ISSUES NOTICE ON EMERGENCY TRANSPORTATION ACT

The following Notice was issued February 8, 1972 by Joseph M. McCrane, State Treasurer of New Jersey, pertaining to the Emergency Transportation Tax Act:

Take Notice that pursuant to Chapter 32 of the Laws of New Jersey of 1961, the Emergency Transportation Tax Act (also known as the "Commuter Benefit Tax Act"), the Commissioner of Transportation of the State of New Jersey on February 3, 1972, certified to the State Treasurer of the State of New Jersey his finding that there was on January 1, 1972, one critical interstate transportation problem involving New Jersey and that this affects the States of New York and New Jersey.

He has, therefore, identified the States of New York and New Jersey as "critical area states" within the meaning of the act.

This finding makes the income tax imposed by the Emergency Transportation Tax Act applicable for the entire calendar year 1972. The tax is imposed upon every resident of the State of New Jersey with respect to the entire net income derived by him from sources within the State of New York and upon every resident of the State of New York with respect to the entire net income derived by him from sources within the State of New Jersey.

Further information concerning the effect of the Emergency Transportation Tax Act and procedures to be followed by employers and employees may be obtained by writing: State of New Jersey, Division of Taxation, Emergency Transportation Tax, P. O. Box 1686, Trenton, N. J. 08625.

### SALE OF OBSCENE MATERIAL PROHIBITED TO THOSE UNDER 18

Gov. William T. Cahill on Feb. 16, 1972 signed into law four bills designed to prohibit the sale or distribution of obscene material to persons under 18 years of age.

They are Senate bills S-2197, S-2198, S-2199 and S-2202 (1971) all sponsored by Sen. Hugh Kelly (R., Camden) and co-sponsored by 13 other Senators.

At the signing, the Governor stated:

"I recognize the constitutional obstacles which lie ahead in relation to this legislation. There is no easy solution. While basic constitutional rights must be safeguarded, we are nevertheless obligated to inhibit and restrict when abuses prevail. I feel these bills come within the framework of a reasonable construction of the United States and New Jersey Constitutions.

"We have witnessed in the last few years a proliferation of salacious material. Each day this material becomes more oppressive and raw. In many instances what is disseminated is pure, unadulterated filth.

"This legislation is designed to remove obstacles which have been placed in the path of law enforcement officers and the judiciary in their efforts to protect our youth, society and public morality from the eroding effect of uncontrolled pornography.

"Let the signing of these bills be an admonition to pornographers and polluters of morals to 'stay out of New Jersey'.

"Laws, in themselves, cannot eliminate the demand for and distribution of smut. Morality and public sophistication play major roles. The media, including the advertising segment, must share in the responsibility to promote, not deter or debase, moral and social standards."

## **NEW LAWS END LOCAL RESIDENCY REQUIREMENT FOR POLICE, FIREMEN**

Gov. William T. Cahill on Feb. 15, 1972 signed into law three bills which eliminate the requirement that police and firemen must reside in the municipality in which they serve.

To do so, the Governor signed Senate bill 2326 (1971), sponsored by Sen. James H. Wallwork (R., Essex); and Senate bills 452 and 453 (1972), sponsored by Sen. Raymond H. Bateman (R., Somerset).

The Governor said that the new laws provide a solution to the problem by creating realistic laws capable of being enforced. He pointed out that under existing laws residency within a municipality for police and firemen will be encouraged on a voluntary basis, and stressed that a workable system of mutual assistance is provided to protect municipalities in times of emergency.

Under the terms of the bills, S-452 prohibits making residency a condition of employment for police and firemen. It stipulates, however, that in instances where a resident of a municipality and a non-resident receive the same score on a Civil Service examination for appointment or promotion, the resident will be promoted prior to the non-resident.

"This will provide an incentive for police and firemen to reside in the municipality on a voluntary basis without any reduction in quality," the Governor said. He added that "preferences for veterans will not be diminished by this provision."

The second bill sponsored by Senator Bateman, S-453, provides for mutual assistance in times of emergency between adjoining municipalities on a mandatory basis. The Governor noted that past experience has shown that municipalities usually resort to assistance from neighboring municipalities in times of emergency rather than attempting to recall off-duty police and firemen.

"Mutual assistance has proven to be the best method of securing a complete package of manpower, equipment and vehicles in the shortest period of time," he said. The bill also provides for reimbursement between municipalities on a per-hour basis for services where the municipalities themselves have not agreed to their own terms. The bill has a safeguard that no municipality will be required to render assistance to such an extent that its own residents or their property would be endangered.

Another bill sponsored by Senator Wallwork, S-2326, strips any references to residency requirements from a number of the general statutes concerning police and firemen. It is anticipated that the removal of the non-residency requirement will permit some departments to be improved by upgrading the caliber of appointments and by filling existing vacancies.

In addition, the Governor signed Senate bill 2243 (1972), sponsored by Sen. Harry Sears (R., Morris), which amends the existing law to allow municipal utilities to function on the same basis as do county solid waste disposal facilities. This law is designed to strengthen municipal utilities authorities and enable them to do what must be done in this vital and necessary area.

Also signed into law was Senate bill S-986, sponsored by Sen. Wayne Dumont (R., District 15), which reduces the

residency requirement from three to one year for persons 65 years of age or older to qualify for the senior citizens' property tax deductions. The deductions apply to persons having an income of \$5,000 or less.

The signing of this bill is in keeping with the recent changes in the law to increase the amount of the senior citizens' tax deductions from \$80 to \$160 annually as part of a program by the Cahill administration to assist senior citizens in maintaining their homes while preserving their personal dignity and self-respect.

## **NEW TAX INFORMATION CENTERS NOW OPEN IN EIGHT LOCATIONS**

The State Treasury's Division of Taxation has put into operation a new tax information center in Trenton and seven others throughout the State to furnish improved taxpayer service and assistance to the public.

The Trenton office is in the lobby of the Taxation Building at State and Willow Streets. It will provide tax information, easier access to tax forms and assistance in completing necessary documents, according to Sidney Glaser, Director of the Division of Taxation.

"This facility represents a further step in rendering the best possible service to New Jersey taxpayers in providing them with quick access to information about their State taxes," said Glaser. He noted that it is a direct outgrowth of the reorganization of his Division.

The Trenton taxpayer service is open each work day from 9:00 A.M. to 4:00 P.M. In addition to making proper forms available, the new facility can give immediate answers to the majority of tax questions posed.

The Taxation Director said, however, that since the Division administers 18 different State taxes and since there are frequent changes in tax laws, some technical questions requiring special research will be answered by mail.

He added that tax questions will also be answered by telephone at (609) 292-7580 or by mail if desired. Correspondence should be addressed to: Taxpayers Service section, State and Willow Streets, Trenton, N.J. 08625.

"In our field offices, we also are intensifying our information service to help people in other areas obtain tax information and assistance quickly without having to communicate with or travel to Trenton," said Glaser.

The seven Tax Division district offices with similar taxpayer service and information facilities are located in: Marlton, 336 Route 70 (609 - 983-2111); Morristown, Box 61, 200 Madison Avenue; Convent Station (201 - 539-4482); Neptune, 3311 Brookside Professional Building, Route 33 (201 - 988-2424; Newark, Room 210, 1100 Raymond Boulevard (201 - 648-2590); Paramus, 193 Route 17 S. (201 - 265-8610); and Vineland, Suite 112, 80 South Main Road (609 - 691-9020).

## **DR. COWAN HEADS U.S. ADVISORY COMMITTEE ON MEDICARE CHANGES**

Dr. James R. Cowan, state Commissioner of Health, has been appointed to a four-year term as Chairman of the Health Insurance Benefits Advisory Committee by U.S. Secretary of Health, Education and Welfare Elliot Richardson.

The committee of 19 members is an advisory body to the Secretary. It reviews policy and operations of the Medicare program, recommends administrative and legislative changes, and reviews and recommends changes in its rate schedule.

## **APPOINTED COORDINATOR OF "RIGHT TO READ" PROGRAM**

Education Commissioner Carl L. Marburger last month announced the appointment of Mrs. Elizabeth Schiller as state coordinator of the "Right to Read" program.

The program is aimed at attacking illiteracy by making the "Right to Read" available to all Americans young and old. The goal is to ensure that 99 per cent of the people of the United States to 16 years of age and 90 per cent of those over 16 will be functionally literate by the start of the next decade.

Mrs. Schiller has been for four years a consultant in reading and English in the Department of Education's Division of Curriculum and Instruction.

As the department's reading consultant, Mrs. Schiller worked with county education offices and local districts on improving reading instruction and has been active in the development of training programs for teachers of reading.

## **STAFF MEMBER NAMED AS NEW DIRECTOR OF OFFICE ON AGING**

Community Affairs Commissioner Lawrence F. Kramer, promising "vigorous action" to meet the needs of the State's older population, last month promoted James J. Pennestri of Pennsauken to director of the State Office on Aging.

Kramer made the announcement at a staff meeting of 30 State aging officials and executive directors of the 17 county offices on aging during a session called to discuss ways to implement recommendations of the White House Conference on Aging.

Pennestri, 37, had served since June, 1968 as a program developer and grants manager for the State Office on Aging, which he now administers. Before that, he had founded and served as the first executive director of the Camden County Office on Aging.

The post has a salary range of \$13,233-\$17,205. Pennestri succeeds Edward L. Donohue of Camden, who served as director of the state aging unit from July 1, 1970 to December 27, 1971.

Commissioner Kramer said Pennestri had been selected "because of his many years of professional experience in the field of aging on both the local and state levels, his familiarity with the operations and staff of the State aging office, and his ability to move programs and services for the aging with great speed and dispatch."

Kramer informed the meeting participants that he is moving on five other fronts to "give the State Office on Aging increased funds; larger, more adequate quarters; an expanded staff; a new monthly newsletter for the elderly; and continuous advice and support from the formerly inactive and under-manned State Commission on Aging, which is being reactivated."

He added that two key vacant positions on the state aging staff have recently been filled. Lois Stewart of Flemington has been appointed director of training at \$8,497 a year, and Denis Basick of Trenton has been named research associate at \$8,613.

Born in Camden Sept. 26, 1934, Pennestri, who is single, lives at 5302 Royal Avenue, Pennsauken. Pennestri received a B.A. degree in education-social studies from La Salle College, Philadelphia, in 1956.

# **STATE NEWS OF PUBLIC INTEREST**

## **REPORTS PROGRESS IN ORGANIZING REGIONAL HEALTH PLANNING AGENCIES**

All four of New Jersey's regional health planning agencies should be in operation by mid-1972, according to J. Robert Lackey, director of the state-wide Comprehensive Health Planning Agency.

One of the "B" or regional agencies is already well established — the Hospital and Health Planning Council of Metropolitan New Jersey, with offices in Newark. It handles health planning for Area 2, covering Essex, Morris, Union and Warren Counties.

Lackey reported that Newark had requested "sub-B" agency status to oversee health planning for that city alone. The Newark organization is being established in the office of Mayor Kenneth A. Gibson and is requesting staff support through a \$30,000 contract from the Hospital and Health Planning Council.

The health planning agency system is organized under the Federal Partnership for Health Program and funds are provided by the Federal and State governments on a 75-25 matching basis.

Lackey also reported that the Comprehensive Health Planning Agency of Southern New Jersey, covering Area 4, is in the second year of its Federal developmental grant. This agency, with offices in Westville, Gloucester County, has defined its area health problems and developed a funding base from government and private sources. Area 4 covers Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem Counties.

Agencies are now being formed in Area 1 for Bergen, Hudson, Passaic and Sussex Counties, and in Area 3 for Hunterdon, Mercer, Middlesex, Monmouth, Ocean and Somerset Counties.

Lackey said his office has been trying to assure that all health care interests are represented in the regional agencies "rather than permitting any one group to dominate the entire organization. Other than this consideration, we have tried to let these regional agencies work largely on their own."

"The comprehensive health planning process has moved forward significantly during the last six months," Lackey said. "The health community now has a far greater understanding and appreciation of the process and recognizes it as an important mechanism to help insure maximum utilization of health services and facilities while working toward greater control of costs of medical services in New Jersey."

## **MORE THAN MILLION POUNDS OF MEAT CONDEMNED SINCE START OF PROGRAM**

More than one million pounds of meat has been condemned and destroyed as unfit for human consumption in the three years since inspection of slaughtering and processing plants began under the 1968 New Jersey Meat and Poultry Inspection Law, according to Dr. C. Kenneth Jewell, deputy director, Division of Animal Health, State Department of Agriculture, who heads the program.

The law became effective July 1, 1968, but the first

seven months were spent recruiting, training and assigning supervisors and inspectors. Actual inspections began in February 1969.

Since that time, until February 1, 1972, 1,155,078 pounds of meat and meat products have been condemned because of abscesses, bruises, disease conditions, adulteration, rancidity, sourness or because of accidents in which the meat was partially destroyed by fire or contamination.

During the same period, 283,292 animals were slaughtered in New Jersey, of which 558 were condemned. Inspectors of the Department of Agriculture made 115,504 inspections of slaughtering and processing houses.

During the first six months of the program, 478 plants were licensed by the Department of Agriculture. The total is now 756, because in the course of inspecting originally-known plants, Department personnel discovered many other plants which had not been known to be in operation.

Since the beginning of the program, approximately 100 plants have voluntarily suspended or were forced to suspend wholesale operations because they were unable to meet State standards.

### STATE APPROVES 36 FUND REQUESTS FOR MEDICAL CARE FACILITIES

Dr. James R. Cowan, state Commissioner of Health, announced Feb. 16, 1972 that he had approved a total of 36 applications for Certificates of Need for the construction, modernization and expansion of medical care facilities in New Jersey.

At the same time, he recommended to the Health Care Administration Board the denial of 33 applications, in most instances because of lack of indicated bed need in the particular areas.

Projects approved by Dr. Cowan will cost a total of \$31,823,779, \$24,428,915 for hospitals and \$7,394,864 for long-term-care facilities.

In cases of recommended denials, applicants have the opportunity for a hearing prior to determination by the Health Care Administration Board. Applicants must request a hearing within 20 days of the receipt of notice of recommended denial.

A Certificate of Need is required prior to the construction, expansion or modernization of health care facilities in order to prevent duplication of services.

### NEW ROAD TO CONNECT LAMBERTVILLE DELAWARE BRIDGE WITH ROUTE 202

Transportation Commissioner John C. Kohl announced that bids will be received March 16 on a major Route 202 Freeway contract to complete the limited-access highway easterly through Delaware Township, Lambertville City, and the townships of West and East Amwell, all in Hunterdon County.

This five-mile project covers grading, drainage, structures and mainline paving, from the Route 29 interchange at the new Delaware River toll bridge to a connection with existing Routes 202 and 179 just west of Ringoes, with an interchange at Route 202-179 and a partial interchange at Queen Road (County Route 5).

A three-mile frontage road will be built to serve properties that otherwise would be landlocked along the north side of the freeway between Queen Road and Route 179.

The new freeway will have two-12-foot lanes, 12-foot outside and 5-foot inside shoulders for each direction of travel divided by a 25-foot grass median.

Plans call for three bridges and two culverts to be built under this contract. At the western end a major structure will carry the freeway over Headquarters Road, the Black

River and Western Railroad, Alexauken Creek and Alexauken Creek Road. Two miles east, the freeway will be carried over relocated Queen Road and relocated Alexauken Creek. The third bridge will carry the freeway over Route 179.

Two culverts will be constructed at this interchange: one to channel relocated Alexauken Creek under relocated Queen Road; the other to carry the relocated creek under an entrance ramp to westbound lanes of the intrastate freeway.

Route 202 Freeway will serve the new Lambertville-New Hope toll bridge and will carry through traffic away from overcrowded Route 202, which goes through the two river-side communities.

Cost of the project, tentatively scheduled for completion in August 1974, will be financed entirely with 1968 State Transportation Bond Issue funds.

### VALUE OF NEW JERSEY LIVESTOCK INCREASED THREE PER CENT LAST YEAR

The value of New Jersey farm livestock rose three per cent during 1971, according to the New Jersey Crop Reporting Service.

The inventory value of cattle, hogs, chickens and sheep was placed at \$49,550,000 on Jan. 1, 1972, compared with \$49,013,000 a year earlier.

The number of cattle and sheep in the Garden State was unchanged from last year, while hogs increased and chickens declined.

Cattle and calves on New Jersey farms totaled 125,000, the same as a year earlier. Numbers of milk animals declined but increases in cattle raised for beef offset this drop. Total value of all cattle and calves was estimated at \$38,750,000, three per cent more than the previous year.

### EARTH SATELLITE TO STUDY NEEDS OF JERSEY SHORE AREA

Gov. William T. Cahill has announced that New Jersey will be part of the National Aeronautics and Space Administration's space program and will receive scientific data on environmental and coastal conditions on the Jersey shore from the first Earth Resources Technology Satellite, to be launched next spring.

"New Jersey's participation in this program and the data which will be interpreted by the Earth Satellite Corporation in Washington, D.C., will provide meaningful evaluations for the mapping of our coastal wetlands, as well as useful data for making decisions and planning for protection of our coastal environment," Cahill said.

The program will be fully Federally funded and is the result of a proposal submitted to NASA headquarters last April by the Governor. During the 18 months that the ERTS-A Satellite orbits the earth it will send back pictures and scientific data of environmental, ecological and oceanographic conditions from Sandy Hook to Cape May.

In making the announcement, Cahill pointed out that more than 700 scientists submitted proposals for experiments with ERTS which included experimenters from 28 states, the District of Columbia and 22 Foreign countries. The only other state governments which have received approval to participate are Maine, Mississippi and South Carolina.

Cahill said that the interpretation of the satellite data by the Earth Satellite Corporation, Washington, D.C., and the technical assistance provided to New Jersey, which will cost approximately \$103,000, will be paid for by the Federal government.

### ADMINISTRATIVE RULES UP 50 PER CENT IN VOLUME LAST YEAR, BONACCI REPORTS

The adoption of administrative rules — the regulations issued by New Jersey State agencies to protect and assist the public — showed a sharp increase in 1971, according to Aibert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State.

Last year saw an increase of nearly 50 per cent in the number of such rules adopted, Bonacci reported. For the 17 major Departments and other agencies of the State Government, a total of 240 new or amended rules were adopted. This compares to 161 such rules adopted in 1970.

The rate of rule-making last year averaged 20 a month statewide, compared to about 13 a month in 1970, he said. The higher trend continued in January of this year, with 24 new rules adopted.

At year end there were also 77 rules which had been proposed by various state agencies but not yet adopted.

The Department of Institutions and Agencies, largest in the state, was far in the lead in number of adopted and pending proposed rules last year. This agency was followed by the relatively new Department of Environmental Protection, along with Law and Public Safety, and Treasury including Taxation, in about equal numbers.

Bonacci pointed out that by law all newly-proposed rules must be printed monthly in this New Jersey Register to afford the opportunity for prior public consideration and suggested changes. "Such rules on adoption have the same effect as do laws passed by the State Legislature" he added.

### OFFICIAL LISTING OF THE 19 TITLES

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

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

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