

# NEW JERSEY REGISTER



Official Publication of the State of New Jersey

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Trenton, N. J.

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

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# NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Hog Cholera, Quarantines in Camden, Hunterdon, Middlesex and Mercer Counties

On November 27, 1972, C. K. Jewell, Director of the Division of Animal Health in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule establishing hog cholera quarantines in Camden, Hunterdon, Middlesex and Mercer Counties.

Full text of the emergency rule follows:

#### 2:5-1.9 Hog cholera quarantine; Camden, Hunterdon, Middlesex and Mercer Counties

(a) By order of the State Board of Agriculture and pursuant to N.J.S.A. 4:1-21.5 of the agricultural laws of New Jersey and in order to control the spread of hog cholera, an infectious and contagious disease of swine, portions of the following counties are hereby quarantined as follows:

1. Camden County - due to its close proximity to Gloucester County;
2. Hunterdon County - Raritan, Delaware, East Amwell, West Amwell Townships;
3. Middlesex County - Cranbury, Monroe, South Brunswick, Plainsboro Townships;
4. Mercer County - West Windsor, East Windsor Townships.

(b) No feeder or breeder swine may be moved into or out of the said quarantined area. Slaughter hogs may be moved directly to a Federal or State licensed slaughter establishment, but must be accompanied by an official health certificate authorizing such swine movement from the quarantined area.

(c) This quarantine is effective November 27, 1972, and until further notice.

An order adopting this rule was filed and effective November 27, 1972, as R.1972 d.235 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Hog Cholera Quarantine for Entire State

On November 29, 1972, C. K. Jewell, Director of the Division of Animal Health in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:1-21 and 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule establishing a hog cholera quarantine for the entire State of New Jersey.

Full text of the emergency rule follows:

#### 2:5-1.10 Hog cholera quarantine; entire State of New Jersey

(a) By order of the State Board of Agriculture and pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16 of the agricultural laws of the State of New Jersey and in order to prevent the spread of hog cholera, an infectious and contagious disease of swine, the entire State of New Jersey is hereby quarantined, namely the counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union and Warren.

(b) No movement of swine shall be permitted. In order to prevent the spread of the disease there shall be no movement from farm to farm, from farm to slaughter, from town to town, from county to county nor any movement whatsoever within the State.

(c) This quarantine is effective December 1, 1972, and until further notice.

An order adopting this rule was filed November 29, 1972, as R.1972 d.237 (Exempt, Emergency Rule) to become effective December 1, 1972.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

## NEW JERSEY REGISTER

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

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(a)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Emergency Rule For Prevention of Hog Cholera

On December 1, 1972, C. K. Jewell, Director of the Division of Animal Health in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:5-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning the prevention of the spread of hog cholera during the current quarantine.

Full text of the rule follows:

2:2-4:39 Authority of Secretary of Agriculture or his agents

(a) The Secretary or his authorized agent shall have the authority to enter any premises on which swine are kept and have the power to have appraisal and order the disposal of any and all swine that have been exposed to hog cholera.

(b) This rule shall become effective upon filing with the Division of Administrative Procedure in the Department of State.

An order adopting this rule was filed and effective December 1, 1972, as R.1972 d.242 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Hog Cholera Quarantine on Swine Movement Throughout the State

On December 7, 1972, C. K. Jewell, Director of the Division of Animal Health in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5 and 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning a hog cholera quarantine on swine movement throughout the entire State of New Jersey.

Full text of the emergency rule follows:

2:5-1.11 Hog cholera quarantine; swine movement throughout the State

(a) By order of the State Board of Agriculture and pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16 of the agricultural laws of the State of New Jersey and in order to continue to prevent the spread of hog cholera, an infectious and contagious disease of swine, the entire State of New Jersey remains in quarantine, namely the counties of Atlantic, Bergen, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union and Warren, and in order to enable the slaughter of disease free swine.

(b) No movement of swine shall be permitted from farm to farm, from town to town, from county to county, nor any movement within the State whatsoever except the removal of swine directly from farm to slaughter after inspection by authorized State or Federal personnel.

(c) This quarantine is effective December 11, 1972, and until further notice.

An order adopting this rule was filed December 7, 1972, as R.1972 d.246 (Exempt, Emergency Rule) to become effective December 11, 1972.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## AGRICULTURE

### STATE BOARD OF AGRICULTURE

#### DIVISION OF DAIRY INDUSTRY

##### Revisions on Supplying of Equipment to Customers

On November 29, 1972, Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules on supplying of equipment to customers, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 258(b).

Such revisions will be included in Subchapter 2 of Chapter 53 in Title 2 of the New Jersey Administrative Code and may be cited as N.J.A.C. 2:53-2.1 et seq.

An order adopting these revisions was filed and effective December 12, 1972, as R.1972 d.250.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## AGRICULTURE

### STATE BOARD OF AGRICULTURE

#### DIVISION OF ANIMAL HEALTH

##### Revisions to Quarantine Rules Concerning Brucellosis Reactors

On November 29, 1972, Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-93.22 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the quarantine rules concerning brucellosis reactors, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 258(a).

Such revisions will be included in N.J.A.C. 2:2-2.13.

An order adopting these revisions was filed and effective December 12, 1972, as R.1972 d.251.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(e)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Notice of Reconvened Hearing

Take notice that the Division of Dairy Industry in the Department of Agriculture is hereby publishing the follow-

ing Notice of Reconvened Hearing as a matter of public information:

Under date of October 30, 1972, notice was given that pursuant to P.L. 1941, Chapter 274, as amended, (N.J.S.A. et seq.), the Division of Dairy Industry would conduct a public hearing jointly and concurrently with the United States Department of Agriculture to consider proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the New York-New Jersey marketing area. The hearing was adjourned sine die in Syracuse, New York on November 21, 1972, by the Administrative Law Judge designated to hold said hearing.

Notice is hereby given that the hearing will be reconvened at 9:30 a.m., December 19, 1972 at Valle's Steak House, 2803 Erie Boulevard East, Syracuse, New York. The hearing is being reconvened to receive additional evidence concerning proposed amendments to increase the transportation credit on bulk unit whole milk disposed of for Class II use and to provide for a stop-charge for each tank truck stop at a producer's farm.

This notice is supplemental to the notice of hearing dated October 30, 1972. Copies of this notice, the October 30, 1972 notice and the notice of hearing of the United States Department of Agriculture, together with proposed amendments, may be obtained from the Division of Dairy Industry, Department of Agriculture, State of New Jersey, P.O. Box 1999, Trenton, New Jersey 08625.

This Notice was filed December 15, 1972, as a matter of public information only.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Proposed Rules Requiring License Applicants To Supply Information to the Director

Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-7, 4:12A-20, 4:12A-21, 4:12A-28, 4:12A-33 and 4:12A-35, proposes to adopt new rules requiring license applicants to supply certain information to the Director.

Full text of the proposed rules follows:

#### SUBCHAPTER 5. INFORMATION REQUIRED FROM APPLICANTS PREAMBLE

As a result of the abolition of wholesale price regulation of fluid milk and fluid milk products in September, 1972 to maximize competition in New Jersey, the Division is concerned about assuring orderly distribution of milk at the wholesale and other levels. The producer and the consumer in New Jersey will benefit directly from a proper balance between an orderly processing and distribution system and competition.

The experience in this State in 1962, and the experience of other states which have discarded price regulation at some levels, indicates that conditions are likely to arise which could lead to destructive and demoralizing practices injurious to the distribution system of fluid milk and fluid milk products from unrestrained competition at the whole-

sale level unless some additional information is received and non-price regulation adopted.

To this end the Director, Division of Dairy Industry, proposes to adopt a series of regulations providing for closer scrutiny of license applicants and determination that the marketing areas in the State are properly served; providing for fixing of prices to customers; and prohibiting unjustified price discrimination between customers of a processor or dealer.

This regulation, the first of the series, is proposed to be adopted pursuant to the provisions of L. 1941, c. 274, p. 713 and particularly the preamble thereto; N.J.S.A. 4:12A-7, 4:12A-20, 4:12A-21, 4:12A-28, 4:12A-33 and 4:12A-35.

2:52-5.1 License applicants to supply information to Director

(a) All milk dealers, processors and/or subdealers presently holding licenses issued by the Director, or whose applications are pending, shall, on or before January 30, 1973, submit to the Director in writing the following information:

1. A statement of the applicant's or the licensee's experience in the processing, handling and selling of milk and/or milk products;

2. Audited financial statements for the two fiscal years immediately preceding January 1, 1973;

3. A statement of all administrative proceedings or court proceedings involving the applicant or the licensee or any officer, director or partner of said applicant or licensee, resulting in fines, penalties or convictions for violations of any laws pertaining to milk or milk products of any state or political subdivision thereof for the past two years, identified by docket number;

4. A statement of any proceedings involving the applicant or licensee relating to alleged violation of Federal anti-trust laws, or the anti-trust laws of any state, together with a statement of the final result of each such proceeding, during the past two years;

5. A statement as to the marketing area within New Jersey where licensee or applicant is actually engaged in business as a milk dealer, processor or subdealer. For purposes of this paragraph, the words "actually engaged" are defined as the handling, processing, distributing or selling of packaged milk and milk products at wholesale or on home-delivery routes within the period from July 1, 1972, through December 31, 1972. The marketing area shall be as defined in Regulation H-7 of the Division of Dairy Industry.

(b) In the event that the statements referred to in paragraph 1 are not filed on or before January 30, 1973, the failure to so file will be considered a violation of this regulation and subject the licensee to suspension or revocation of his license as provided by the Milk Control Act.

(c) Amended licenses shall be issued to licensees actually engaged in business as defined in paragraph 5. of subsection (a) of this Section and who submit the statements required by subsection (a) of this Section, limited to marketing area(s) set forth in answer to paragraph 5. of subsection (a) of this Section. In the event that a licensee wishes to be engaged in the business as a handler, processor, distributor or subdealer of packaged milk after January 30, 1973, in a marketing area other than those set forth in answer to paragraph 5. of subsection (a) of this Section, such licensee must submit an application for an amended license, stating in such application the new or additional marketing area in which he desires to do business. Any sales in a new or additional marketing area prior to the issuance of the amended license shall be a violation of this regulation.

(d) The information required in subsection (a) of this Section shall be made a part of the application for license,

or license renewal, for applications pending on the effective date of this regulation, and applicants not actually engaged in business as defined in paragraph 5. of subsection (a) of this Section shall not make any sales in the marketing area covered by his application until after his license is issued.

(e) From the date of this regulation, all applicants for new licenses as milk dealers, processors or subdealers must submit to the Director the information set forth in paragraph (a) above. Applications for license renewals shall include the information since the last report as required in paragraphs 2, 3, 4 and 5 of subsection (a) of this Section.

(f) No license or amended license shall be issued or renewed if, after hearing, the Director is satisfied that any one or more of the 12 conditions set forth in N.J.S.A. 4:12A-35 will exist in the marketing area or areas covered by the license.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before January 24, 1973 to:

Woodson W. Moffett Jr., Director  
Division of Dairy Industry  
New Jersey Department of Agriculture  
P.O. Box 1999  
Trenton, New Jersey 08625  
Telephone: (609) 292-5646

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

Woodson W. Moffett Jr.  
Director, Division of Dairy Industry  
Department of Agriculture

(a)

## AGRICULTURE

### SWEET POTATO COMMISSION

#### Results of Referendum

Notice is hereby given that Secretary of Agriculture Phillip Alampi has conducted the New Jersey Sweet Potato Commission Referendum, October 1972, pursuant to the authority delegated in N.J.S.A. 54:47E-17.

The referendum presented the following questions to each sweet potato grower of record:

I am growing . . . . . acres of sweet potatoes for market in 1972.

I am not growing sweet potatoes this year—1972.

I favor continuation of the Sweet Potato Promotion and Assessment Act.

I oppose continuation of the Sweet Potato Promotion and Assessment Act.

The results of the referendum were as follows:

Continuance of the New Jersey Sweet Potato Industry Commission for another three years was approved by producers of the commodity (pursuant to N.J.S.A. 54:47E-17) by 78 per cent of the growers producing 35.93 per cent of the 1972 crop. An affirmative vote of 65 per cent of the growers producing 51 per cent of the 1972 crop or 51 per cent of the growers producing 65 per cent of the 1972 crop was required.

The Sweet Potato Commission was established in September, 1966 by State law which provided that a referendum on its continuance must be held every three years. The Commission conducts programs of marketing, grad-

ing, promotion, advertising and research for the benefit of the New Jersey sweet potato industry. The programs are supported by a two-cent-per-bushel tax on all sweet potatoes produced in the State, paid by the growers and collected by sweet potato distributors and processors.

Membership of the Commission is composed of 11 growers and two ex-officio members, the Secretary of Agriculture and the dean of Rutgers College of Agriculture and Environmental Science. The Commission's manager is a member of the staff of the New Jersey Department of Agriculture.

All parties who were eligible to vote will be notified individually of the results of the referendum and through publication in local newspapers. Likewise, the results of the referendum will be included in appropriate New Jersey Department of Agriculture publications, news releases and New Jersey Statutes Annotated, as well as in the annual report to the Governor and the Legislature required under N.J.S.A. 54:47E-14.

NOTE: This Notice appears herein as a matter of public information only.

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(b)

## BANKING

### DIVISION OF BANKING

#### CONSUMER CREDIT BUREAU

##### Proposed Rules On Solicitation Of Business and Advertising

Richard F. Schaub, Acting Commissioner of Banking, pursuant to authority of N.J.S.A. 7:11A-54a, proposes to adopt new rules concerning solicitation of business and advertising.

Such rules, if adopted, will be included in Subchapters 6 and 7 of Chapter 18 in Title 3 of the New Jersey Administrative Code.

Full text of the proposed rules follows:

#### SUBCHAPTER 6. SOLICITATION OF BUSINESS

##### 3:18-6.1 Definitions

For the purpose of N.J.S.A. 17:11A-46k:

"Solicit" means any form of oral, visual or written communication whatsoever, including any and all types of advertising.

"Lender" means a secondary mortgage loan licensee or any in or out-of-state bank or other financial institution which, by prior agreement with a licensee, formal or informal, oral or written, becomes the subsequent holder of a promissory note or mortgage, indenture or any other similar instrument or document received in connection with a secondary mortgage loan.

##### 3:18-6.2 Solicitation of business for another lender prohibited

A secondary mortgage loan which has been solicited by a licensee and is subsequently negotiated to a lender shall be deemed to have been made in violation of N.J.S.A. 17:11A-46k. In any such situation, the provision of N.J.S.A. 17:11A-58 shall also apply.

##### 3:18-6.3 Exemption for bulk assignment

This regulation does not apply to the bulk assignment of any or all of a licensee's secondary mortgage loan portfolio as collateral security for a bona fide commercial loan provided, in the absence of default or other breach

of the collateral loan agreement, title to the assigned secondary mortgage loans remains vested in the name of the licensee and the licensee continues to service all such secondary mortgage loans in its own licensed name and at its own licensed address.

Statutory Reference  
N.J.S.A. 17:11A-46k

#### SUBCHAPTER 7. ADVERTISING

##### 3:18-7.1 Availability of advertising copy

Advertising copy and radio and television commercials shall be available to the Commissioner upon request at any time within one year from the date of use.

##### 3:18-7.2 Multiple office operations

Licensees having multiple office operations under the same management or control whose advertisements embody more than one corporate title may omit the portion of the title which distinguishes the several corporations participating in such multiple advertising.

##### 3:18-7.3 Legal fees

A licensee which requires any or all of its borrowers to pay a legal fee at the time a loan is executed shall so state in all of its advertising, oral, written or visual. Any such written statement shall be in at least 12-point bold type or if televised, as prominent as the rest of the advertisement.

##### 3:18-7.4 Credit life and accident and health insurance

A licensee which mentions credit life or accident and health insurance in any of its advertising shall also include in any such advertisement a statement to the effect, in the same size print, that such insurance is optional.

##### 3:18-7.5 Certain types of advertising prohibited

(a) In any form of advertising, a licensee shall not utilize:

1. The name of a fictitious person or the name of any other person unless the individual so mentioned is an actual associate of the licensee.

2. A form which has the appearance of a check, draft or any other type of instrument which can be used for the payment of money.

3. The words store, sale, price, bargain, cut-rate or any other similar type word or phrase which in normal usage is associated with or used by a retail establishment engaged in the business of selling consumer goods or services.

4. The words saving, savings account, thrift or any other similar type word or phrase which in normal usage is associated with or used by a financial institution in the business of accepting time deposits when describing, or as a synonym for, the word "equity" as it relates to mortgaged property.

5. Any circular, handbill or any other form of advertising material which can be distributed in public or semi-public places, from house-to-house or placed on parked automobiles.

Statutory Reference  
N.J.S.A. 17:11A-46L

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973 to:

Richard F. Schaub  
Acting Commissioner  
Department of Banking  
State House Annex  
Trenton, New Jersey 08625

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

these rules substantially as proposed without further notice.

Richard F. Schaub  
Acting Commissioner  
Department of Banking

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Proposed Revisions to Commission's Rules

The New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 et seq., proposes to revise several Sections of Chapter 1 in Title 4 of the New Jersey Administrative Code.

Following is a summary of the specific Sections proposed to be revised:

- 4:1-2.1 Words and phrases defined
- 4:1-3.8 Powers and duties of the Chief Examiner and Secretary
- 4:1-6.2 Administration of position classification plans
- 4:1-6.3 Classification of positions
- 4:1-6.5 Reclassification of positions
- 4:1-7.3 Administration of compensation plan
- 4:1-8.6 Qualifications for promotional examinations
- 4:1-8.12 Time for filing applications
- 4:1-8.18 Applications retained by Commission
- 4:1-11.4 Duration of eligible lists
- 4:1-11.7 Limited revival of expired employment lists
- 4:1-12.1 Certification against provisional appointment or request for certification
- 4:1-12.2 Certification from eligible lists
- 4:1-12.6 Certification from list for another class
- 4:1-12.10 Notifying eligibles of certification
- 4:1-12.15 Appointment of eligible certified
- 4:1-12.17 Certification of additional eligibles
- 4:1-13.1 Working test (probationary) period
- 4:1-15.2 Lateral title change
- 4:1-15.6 Return of transferred employee
- 4:1-16.4 Notice in layoff or demotion
- 4:1-16.13 Request for reinstatement
- 4:1-17.8 Emergency and special leave (State service)
- 4:1-17.16 Amount of sick leave (State service)
- 4:1-23.4 Employer responsibility

Copies of the full text of these proposed revisions may be obtained by contacting:

Department of Civil Service  
State House  
Trenton, New Jersey 08625  
(Telephone: 609-292-2312)

Interested persons may present statements or comments concerning the proposed action at a public hearing to be held in Room 438, State House Annex, Trenton, New Jersey, on Tuesday, January 9, 1973, at 1:00 P.M., or may present or mail statements in writing relevant to the proposed revisions on or before Wednesday, January 24, 1973 to the Civil Service Commission, State House, Trenton, New Jersey 08625.

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

James A. Alloway  
President  
Civil Service Commission  
Department of Civil Service

(a)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Adopt Uniform Standards Code For Mobile Homes

On December 7, 1972, Joseph G. Feinberg, Director of the Division of Housing and Urban Renewal in the Department of Community Affairs, pursuant to authority of L.1972 c.148 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the Uniform Standards Code for Mobile Homes, substantially as proposed in the Notice published November 9, 1972 at 4 N.J.R. 260(f), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Community Affairs.

Such rules concern the protection of the health and safety of the public against dangers inherent in the use of substandard design and construction and unsafe plumbing, electrical and heating systems in mobile homes sold in New Jersey. The substantive changes made in the adopted rules concern appeals procedure and include rules on requests for hearing, notice of hearing and results of hearing in this area.

Such rules may be cited as N.J.A.C. 5:20-1.1 et seq.

An order adopting these rules was filed and effective December 7, 1972, as R.1972 d.248.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions Of Waiver Of the Student Teaching Requirement

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to revise N.J.A.C. 6:11-3.26, which concerns the waiver of the student teaching requirement.

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

6:11-3.26 Waiver of the student teaching requirement

(a) **Effective July 1, 1973**, for a teacher who has taught for two years, [who has been unable to complete the in-service supervised teaching program requirement], the Secretary of the State Board of Examiners may waive [the requirement of completing the program] **the student teaching requirement**, if the following conditions are met:

1. An application for the waiver from the teacher, with the support of the employing superintendent of schools and **the recommendation of the county superintendent;**

[2. Evidence of having made reasonable efforts to enroll in the in-service supervised teaching program and of having been denied entrance because of enrollment limitations]

[3] **2. Certification by the district superintendent of satisfactory teaching experience;**

[4] **3. A statement from the superintendent that the teacher is being offered a contract to remain in that district.**

(b) 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 and have been offered a contract to remain in that district and were not required to complete an approved teacher education program.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to:

Ms. Ann Sorrentino  
Controversies and Disputes  
New Jersey Department of Education  
225 West State Street  
Trenton, New Jersey 08625

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

(c)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Extension of Wetlands Order to Cover Certain Portions of Cape May County

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:9A-1 et seq., proposes to extend the coverage of the Wetlands Order filed and effective April 13, 1972 as R.1972 d.68 (See 4 N.J.R. 96(d) for the text of that Order), to include certain portions of Cape May County.

Full text of the proposed rule extending such coverage follows:

7:10-1.1(a)6. Cape May County (filed in the office of the County Recording Officer—Cape May Courthouse)

035-1914, 035-1920, 035-1926, 035-1932, 035-1938, 042-1914, 042-1920, 042-1926, 042-1932, 042-1938, 042-1944, 049-1914, 049-1926, 049-1932, 049-1938, 049-1944, 049-1950, 056-1914, 056-1920, 056-1932, 056-1938, 056-1944, 056-1950, 063-1938, 063-1944, 063-1950, 070-1920, 070-1926, 070-1944, 077-1920, 077-1926, 077-1932, 084-1926, 084-1932, 084-1938, 091-1932, 091-1938, 091-1944, 098-1932, 098-1938, 098-1944, 098-1950, 105-1932, 105-1938, 105-1944, 112-1932, 112-1938, 112-1944, 112-1950, 119-1926, 119-1932, 119-1938, 119-1944, 119-1950, 126-1926, 126-1932, 126-1938, 126-1944, 126-1950, 133-1926, 133-1932, 140-1926

A public hearing respecting this proposed action will be held on February 16, 1973 at 1:00 P.M. and continuing into the evening if necessary at:

South Jersey Wetlands Institute  
Lecture Hall  
Stone Harbor Boulevard  
Stone Harbor, New Jersey

This hearing will be held in accordance with the provisions of the Wetlands Act of 1970, Chapter 272, P.L. 1970.

All testimony offered to the Department orally or in writing at the hearing will be considered. Also, all testimony offered to the department in writing and received by the department prior to March 19, 1973, will be considered.

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

thereafter adopt these proposed rules substantially as proposed without further notice.

Richard J. Sullivan  
Commissioner  
Department of Environmental Protection

**(a)**

## **ENVIRONMENTAL PROTECTION**

### **THE COMMISSIONER**

#### **Extension of Wetlands Order to Cover Portions Of Monmouth, Ocean and Middlesex Counties**

On December 15, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J. S.A. 13:9A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the revised rules extending the Wetlands Order to cover certain portions of Monmouth, Ocean and Middlesex Counties, as proposed in the Notice published October 5, 1972, at 4 N.J.R. 232(a).

Such revised rules will be included in Subchapter 1 of Chapter 10 in Title 7 of the New Jersey Administrative Code.

An order adopting these revised rules was filed December 15, 1972, as R.1972 d.256 to become effective January 10, 1973.

Director of Administrative Procedure  
Albert E. Bonacci  
Department of State

**(b)**

## **HEALTH**

### **THE COMMISSIONER**

#### **Revised Rules On Licensing Nursing Home Administrators**

On November 29, 1972, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 30:11-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revised rules concerning the licensing of nursing home administrators, substantially as proposed in the Notice published October 5, 1972 at 4 N.J.R. 237(a), with only inconsequential structural or language changes, in the opinion of the Department of Health.

Such rules may be cited as N.J.A.C. 8:34-1.1 et seq.

An order adopting these revised rules was filed and effective November 30, 1972, as R.1972 d.241.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(c)**

## **HEALTH**

### **PUBLIC HEALTH COUNCIL**

#### **Revisions to Administrative Manual And Certified Health Services**

On November 30, 1972, James R. Cowan, Commissioner of Health, and Harry J. Robinson, Chairman of the Public Health Council, pursuant to authority of N.J.S.A. 26:2F-1

et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the administrative manual and certified health services, substantially as proposed in the Notice published November 9, 1972, at 4 N.J.R. 265(c), with only inconsequential structural or language changes, in the opinion of the Department of Health.

Such revisions will be included in Chapter 48 of Title 8 of the New Jersey Administrative Code.

These revisions were filed and effective December 13, 1972, as R.1972 d.254.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(d)**

## **HIGHER EDUCATION**

### **STATE BOARD OF HIGHER EDUCATION**

#### **Proposed Regulations on Outside Employment For Public Institutions**

The Department of Higher Education proposes that the Board of Higher Education, pursuant to N.J.S.A. 18A:1-1, et seq., and 52:13D-12, et seq., adopt the document "Regulations on Outside Employment for Public Institutions of Higher Education".

The proposed regulations set forth guidelines which specify the primary work obligations of full-time employees and the circumstances under which said employees may engage in outside employment. These guidelines are in the form of regulations having the force of law and of standards which specify good practice.

Copies of the proposed regulations may be obtained from:  
Department of Higher Education  
225 West State Street  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to the above address.

A subcommittee of the Board of Higher Education will hold a public hearing on the proposed action prior to January 24, 1973. The exact time and location of said hearing, when set, may be obtained by writing to the Chancellor at the above address or by calling (609) 292-5879.

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

Ralph A. Dungan  
Chancellor  
Department of Higher Education

**(e)**

## **HIGHER EDUCATION**

### **STATE BOARD OF HIGHER EDUCATION**

#### **Rules on Tenure Policies in State Colleges**

On November 29, 1972, Ralph A. Dungan, Chancellor of Higher Education and Secretary of the Board of Higher Education, pursuant to authority of N.J.S.A. 18A:1-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted emergency rules on tenure policies in the State Colleges of New Jersey.

Full text of the rules follows:

CHAPTER 2. ADMINISTRATIVE POLICIES  
SUBCHAPTER 9. TENURE POLICIES IN STATE  
COLLEGES OF NEW JERSEY

9:2-9.1 Preparation of a ten-year plan

(a) Each college board of trustees shall prepare a ten-year plan for its institution indicating the steps it plans to take to achieve a future balance of faculty in which no more than a reasonable proportion are ultimately tenured.

(b) The purpose of limiting the proportion of tenured faculty on each campus is to retain flexibility to enable the institution to respond to changing educational needs in the future.

(c) The plan established by each board shall include the proportion of tenured faculty projected each year during the ten-year period.

(d) The college trustees shall report their plan to the Board of Higher Education and shall inform the Board each year of the progress being made in achieving their goals.

9:2-9.2 Establishment of internal policies

(a) Each state college board of trustees shall establish internal policies which indicate either that it will impose specific restrictions or more intensive and rigorous review procedures for any reappointment conferring tenure which brings the proportion of individuals in a department (or other major academic sub-unit) or in the college as a whole above its present level.

(b) Reappointments conferring tenure which raise the tenure rate above that level shall be made only as an unusual action when judged by the college board of trustees as being in the best interests of the college.

9:2-9.3 Reappointment

A reappointment conferring tenure may be offered only to faculty members who possess an appropriate terminal degree or its equivalent, except under unusual circumstances when the granting of tenure to an individual not having these qualifications is judged by a college board of trustees as being in the best interests of the institution.

9:2-9.4 Performance during probationary period

Tenure should be awarded only to individuals whose performance during their probationary period gives clear evidence of the ability and willingness to make a significant and continuing contribution to the growth and development of the institution.

9:2-9.5 Positive evidence of excellence

Tenure should be awarded after presentation of positive evidence of excellence in teaching, scholarly achievement, contribution to college and community, and fulfillment of professional responsibilities, and not solely because negative evidence to the contrary is not presented.

9:2-9.6 Evaluation procedures

(a) Each college board of trustees should establish a procedure which the college will employ to regularly evaluate the performance of tenured faculty members.

(b) Such evaluations should occur not less frequently than every five years.

(c) These evaluations, which should include student input, should comprehend such factors as continued teaching competence, professional preparation and attainments which are directly related to teaching or administrative assignments, contributions to campus life beyond formal, assigned instructional activity and significant research, scholarly or community activity.

An order adopting these rules was filed November 29, 1972, as R.1972 d.239 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## HIGHER EDUCATION

### STATE BOARD OF HIGHER EDUCATION

#### Rules on Tenure Policies for Community Colleges

On November 29, 1972, Ralph A. Dungan, Chancellor of Higher Education and Secretary of the State Board of Higher Education, pursuant to authority of N.J.S.A. 18A:1-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted emergency rules on tenure policies in the Community Colleges of New Jersey.

Full text of the rules follows:

### CHAPTER 4. COUNTY COMMUNITY COLLEGES

#### SUBCHAPTER 6. TENURE POLICIES

9:4-6.1 Preparation of a ten-year plan

(a) Each college board of trustees shall prepare a tenure plan for its institution indicating the steps it plans to take to achieve a future balance of faculty in which no more than a reasonable proportion are ultimately tenured.

(b) The purpose of limiting the proportion of tenured faculty on each campus is to retain flexibility to enable the institution to respond to changing educational needs in the future.

(c) The plan established by each board shall include the proportion of tenured faculty projected each year during the ten-year period.

(d) The college trustees shall report their plan to the Board of Higher Education and shall inform the Board each year of the progress being made in achieving their goals.

9:4-6.2 Establishment of internal policies

(a) Each community college board of trustees shall establish internal policies which indicate either that it will impose specific restrictions or more intensive and rigorous review procedures for any reappointment conferring tenure which brings the proportion of individuals in a department (or other major academic sub-unit) or in the college as a whole above its present level.

(b) Reappointments conferring tenure which raise the tenure rate above that level shall be made only when judged by the college board of trustees as being in the best interests of the college.

9:4-6.3 Reappointment

A reappointment conferring tenure may be offered only to faculty members who possess an appropriate degree or its equivalent, except under unusual circumstances when the granting of tenure to an individual not having these qualifications is judged by a college board of trustees as being in the best interests of the institution.

9:4-6.4 Performance during probationary period

Tenure should be awarded only to individuals whose performance during their probationary period gives clear evidence of the ability and willingness to make a significant and continuing contribution to the growth and development of the institution.

9:4-6.5 Positive evidence of excellence

Tenure should be awarded after presentation of positive evidence of excellence in teaching, scholarly achievement, contribution to college and community, and fulfillment of professional responsibilities, and not solely because negative evidence to the contrary is not presented.

9:4-6.6 Evaluation procedures

(a) Each community college board of trustees should establish a procedure which the college will employ to regularly evaluate the performance of tenured faculty members.

(b) Such evaluations should occur not less frequently than each year.

(c) These evaluations, which should include student input, should comprehend such factors as continued teaching competence, professional preparation and attainments which are directly related to teaching or administrative assignments, contributions to campus life beyond formal, assigned instructional activity and significant research, scholarly or community activity.

An order adopting these rules was filed November 29, 1972, as R.1972 d.240 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(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 intermediate care standards. These standards, if adopted, will be part of Chapter 49 of Title 10 of the New Jersey Administrative Code.

Standards for intermediate care were originally proposed in the Notice published March 9, 1972, at 4 N.J.R. 48(a). The standards are being repropounded because of substantial changes made to those originally proposed.

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

Copies of the manual may be obtained by writing to:  
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 January 24, 1973, 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 Revisions to Special Hospital Manual**

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt revisions to the Special Hospital Manual concerning classifications on standards for participation and reimbursement.

Such revisions, if adopted, will be included in Chapter 53 of Title 10 of the New Jersey Administrative Code.

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

200.1 Approved Special Hospital

Because of the wide variances of special hospitals it is necessary to identify these by three classifications. Each hospital will be required to be listed under one of the classifications and must meet the standards as set forth to qualify as a provider.

All special hospitals would be divided into the following three classifications based on standards for participation and reimbursement:

Classification A. (Acute or short-term): May be reimbursed on the basis of reasonable costs if all following criteria are met:

1. Licensed as a special hospital by the State of New Jersey.
2. Accredited by the Joint Commission [of Accredited Hospitals.] **on Accreditation of Hospitals as a hospital.**
3. Adoption of Approval by Individual Diagnosis (AID) program.
4. Have departmental cost findings and RCCAC cost allocation capabilities to provide facts for rate determination.
5. Signed agreement to participate in the Health Services program.

Classification B. (Rehabilitation [or long term]): May be reimbursed on the basis of reasonable costs if all following criteria are met:

1. Licensed as a special hospital by the State of New Jersey.
2. Accredited by the Joint Commission [of Accredited Hospitals.] **on Accreditation of Hospitals as a hospital or rehabilitation facility.**
3. Adoption of utilization review as follows:  
21-day recertification by attending physician.  
Active utilization review committee.  
Prior authorization through local medical assistance unit or Medicaid's Bureau of Child Health Services\* for each additional 30-day period after the first 21 days, with authorizations to list expiration dates.  
Treatment plan required to support authorization request.  
Note: See Section 203.4 for procedure on obtaining prior authorization.  
\*Special Hospitals for children are to submit prior authorization requests to: Chief, Bureau of Child Health Services, Division of Medical Assistance & Health Services, P.O. Box 2486, Trenton, New Jersey 08625.
4. Have departmental cost findings and RCCAC cost allocation capabilities to provide facts for rate determination.

5. Signed agreement to participate in the Health Services program.

Classification C. (Special hospital not qualifying to meet the standards of classification A or B.) [Special hospital in this classification will be reimbursed on negotiated rate as determined by certified cost information furnished by the hospital. However, said per diem rate is limited by the ceiling established for the skilled nursing home.

1. Licensed as a special hospital by the State of New Jersey.

2. Adoption of the AID Program (as in A) or utilization review (as in B) whichever is applicable to service provided.

3. Signed agreement to participate in the Health Services program.]

Special hospitals in this classification approved for participation in the Health Services program must adhere to the skilled nursing home policies and procedures or the classification B special hospital regulations, e.g., prior authorization for each additional 30-day period after the first 21 days. Reimbursement is based upon a negotiated rate as determined by certified cost information furnished by the special hospital and is limited by the ceiling established for skilled nursing homes under the New Jersey Health Services program. The following criteria must be met for all Class C special hospitals:

1. Licensed as a special hospital by the State of New Jersey.

2. Signed agreement to participate in the Health Services program.

3. Prior authorization as follows:

a. For those participating under skilled nursing home procedures:

Prior authorization through the local medical assistance unit for admission and continued care. Exception: Eligible Medicaid recipients admitted from acute care general hospital or Class A special hospital do not require prior authorization for the first 30 days, provided the eligible recipient had been duly admitted as a bed patient in the hospital for three days immediately preceding the admission to the Class C special hospital. Prior authorization is required for payment beyond the 30th day. These facilities will receive the skilled nursing home manual and must adhere to all rules, regulations and procedures stated therein.

b. For those participating under Class B special hospital procedures:

Prior authorization through local medical assistance unit or Medicaid's Bureau of Child Health Services\* for each additional 30-day period after the first 21 days, with authorizations to list expiration dates. Hospital must submit treatment plan to support authorization request. (See Section 203.4 for procedure on obtaining prior authorizations.) These facilities will receive the special hospital manual and must adhere to all rules, regulations and procedures stated therein.

\*Special hospitals for children are to submit prior authorization requests to: Chief, Bureau of Child Health Services, Division of Medical Assistance & Health Services, P.O. Box 2486, Trenton, New Jersey 08625.

#### 200.2 Special Hospitals Outside the State

Special hospitals outside the State of New Jersey must be licensed by the appropriate agency under the laws of the respective state and must meet the requirements of Number 2 and 3 under Classification A or B or Number [2] 3 under Classification C, whichever is applicable.

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before January 25, 1973 to:

Administrative Analyst  
Division of Medical Assistance and Health Services  
P.O. 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 this rule substantially as proposed without further notice.

Robert L. Clifford  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions to Manual of Administration Concerning Employment and Training

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise in its entirety Section 2286 of the Division of Public Welfare's Manual of Administration concerning employment and training (ADC).

Such rules, if adopted, will be included in Chapter 81 of Title 10 of the New Jersey Administrative Code.

Full text of the proposed revised Section follows:

#### 2286. Employment and training

The goal of public assistance is to help the client realize his full potential and make use of his own capacities for self-support. Therefore every individual, unless exempt as specified below, shall personally register for manpower services, training and employment.

The county welfare board as agent of the Department of Labor is responsible, through the income maintenance staff, for determining who is required to register and who is exempt. A personal interview with each individual is desirable but not mandatory. However, each registrant must personally sign the registration form (e.g., a mother cannot sign for her 16-year-old child).

When an individual claims exemption under one of the exemption criteria but further verification is necessary (e.g., a medical examination), the individual will be regarded as exempt under that criterion, so that such individual's needs may be included in the ADC payment while the status is being verified. Verification of the exemption shall be made as expeditiously as possible but in no event longer than 60 days.

#### .1 Individuals not required to register

The following individuals are not required to register:

a. A child who is under age 16 or a child who is age 16 but not yet age 21 who is enrolled or has been accepted for enrollment as a full-time student for the next school term;

b. A person who:

(1) Has an illness or injury verified by a physician which temporarily prevents entry into employment or training. This exemption will not exceed 90 days. Exemptions for "illness" in excess of 90 days should be reviewed for possible determination as "incapacity";

(2) Is incapacitated with a medically determinable physical or mental impairment which, by itself or in conjunction with age, prevents the individual from engaging in employment or training under WIN, and which is expected to exist for a continuous period of at least three months;

- (3) Is of advanced age, 65 years or older;
- c. A person so remote from a work incentive project that his effective participation is precluded;
- d. A person whose presence in the home is required because of illness or incapacity of another member of the household;
- e. A mother or other relative of a child under the age of six who is caring for the child; or
- f. The mother or other female caretaker of a child, if the father or another adult male relative is in the home and not excluded by items a. through e. above, unless he has failed to register as required or has been found to have refused without good cause to participate under a work incentive program or accept employment.

**.2 Referral to vocational rehabilitation**

Individuals who have been determined to be exempt from registration on the basis of incapacity will be referred to the appropriate State vocational rehabilitation agency.

**.3 Voluntary registration**

a. A mother or other relative of a child under six who is caring for the child shall be advised of her option to register if she so desires, and of the fact that child care will be provided if needed.

b. Other exempted individuals may volunteer to register.

**.4 Failure to register**

a. The needs of any individual who fails to register as required shall not be taken into account in determining the need of the family and the amount of assistance.

b. Assistance shall be furnished to the eligible members of the family.

**.5 Refusal to participate**

a. If and for so long as an individual certified to the WIN program has been determined to have refused without good cause to participate in the Work Incentive Program or to accept a bona fide offer of employment in which he is able to engage, the following sanctions shall apply.

(1) If such individual is a caretaker relative receiving ADC, his needs will not be taken into account in determining the family's need for assistance, and assistance in the form of protective or vendor payments will be provided;

(2) If such an individual is the only dependent child in the family, assistance for the family will be denied; and

(3) If such individual is one of several dependent children in the family, assistance for such child will be denied and his needs will not be taken into account in determining the family's need for assistance.

b. The specified sanctions shall not be applied during the period of 60 days in which an individual is being provided counseling and other services except for a. (1) above.

2286.5 c. If an individual registered on a voluntary basis discontinues participation in the WIN program, he and his family are not subject to the sanctions.

**.6 Determination as to bona-fide offer and refusal for good cause**

a. In the event the individual who has been certified to the WIN program refuses to accept employment which is offered to him by an employer, whether directly or through the employment service, the determination as to whether the offer is bona-fide or there was good cause to refuse the offer will be made by the Labor Department (after providing opportunity for fair hearing) and will be binding upon the CWB.

b. In the event an individual certified to the manpower agency should need to be referred to CWB as having good cause for not continuing on a training plan or a job, CWB shall promptly restore the assistance payment to the individual or make other necessary payment adjustments.

**.7 Fair hearing**

Any individuals who are dissatisfied with a determination that they must register may request a fair hearing. The Division of Public Welfare will provide the hearing as an agent of the WIN manpower agency.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to:

Division of Public Welfare  
129 East Hanover Street  
Trenton, New Jersey 08625

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

Robert L. Clifford  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### BUREAU OF CHILDREN'S SERVICES

##### Proposed Rules On Adoption Agency Approval

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-1 through 30:1-17, proposes to adopt rules for the approval of agencies desiring to place children for adoption in New Jersey in cooperation with an agency approved to provide direct adoption in New Jersey.

Such rules, if adopted, will be included in Subtitle L of Title 10 of the New Jersey Administrative Code.

Full text of the proposed rules follows:

The following rules and regulations apply to agencies, public or private, whose principal offices are not located within the State of New Jersey, which do not otherwise maintain an adequately staffed office within the State of New Jersey and which do not provide direct adoption services in New Jersey, but do on occasion place children for adoption with families living in or moving to New Jersey. Such agencies, whenever the contemplated adoption may not or cannot be completed in their own state, must before placing a child for adoption with a family living in New Jersey:

1. Be licensed, certified or otherwise approved in its own state to place children for adoption under procedures and standards established in that state; and

2. Enlist the cooperation of a duly certified New Jersey adoption agency which provides direct adoption services in New Jersey for the purpose of providing proper supervision of the adoption placement until the final decree of adoption is entered by a court of competent jurisdiction; and

3. Provide the New Jersey Department of Institutions and Agencies with a written statement certifying that Items 1. and 2. of this regulation have been complied with and, further, that it will continue to assume responsibility for the child until the child is adopted.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to:

Bureau of Children's Services  
163 West Hanover Street  
Trenton, New Jersey 08625

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

Robert L. Clifford  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions to Manual of Administration Concerning Resources

On November 30, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Manual of Administration of the Division of Public Welfare concerning resources for medical care and special age benefits, substantially as proposed in the Notice published November 9, 1972, at 4 N.J.R. 267(a), with only inconsequential structural or language changes, in the opinion of the Department of Institutions and Agencies.

Such revisions will be included in Chapter 81 of Title 10 in the New Jersey Administrative Code.

These revisions were filed and effective December 5, 1972, as R.1972 d.245.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## INSURANCE

### NEW JERSEY REAL ESTATE COMMISSION

#### Proposed Amendment to Rules On Examinations

Carl L. Jahnke, Secretary-Director of the New Jersey Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-1 et seq., proposes to adopt an amendment to N.J.A.C. 11:5-1.5, Examination Rules, which was formerly known as Rule 5.

Full text of the proposed amendment follows:

11:5-1.5(a)5. The real estate examination, required by N.J.S.A. 45:15-10 to be taken and successfully passed by all applicants for real estate brokers or salesmen licenses before said licenses may issue, shall be in the form of a (multiple choice) examination prepared by Educational Testing Service. Fees charged to take the Educational Testing Service real estate salesman and broker examinations shall be considered service fees to be paid directly to Educational Testing Service separate and apart from the fee of \$10.00 required by N.J.S.A. 45:15-9 to be paid to the New Jersey Real Estate Commission along with a license application.

Interested persons may present statements or arguments in writing, orally in person or by telephone on or before January 24, 1973, to:

Carl J. Jahnke  
Secretary-Director  
New Jersey Real Estate Commission  
201 East State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7053

The New Jersey Real Estate Commission, upon its own motion or at the instance of any interested party, may thereafter adopt these amendments substantially as proposed without further notice.

Carl J. Jahnke  
Secretary-Director  
New Jersey Real Estate Commission  
Department of Insurance

(c)

## INSURANCE

### THE COMMISSIONER

#### Rules on Implementation of Automobile Reparation Reform Act

On December 1, 1972, Richard C. McDonough, 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 rules on the implementation of the Automobile Reparation Reform Act, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 270(a).

The rules may be cited as N.J.A.C. 11:3-6.1 et seq.

An order adopting these rules was filed and effective December 4, 1972, as R.1972 d.244.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## LABOR AND INDUSTRY

### DIVISION OF EMPLOYMENT SECURITY

#### Proposed Rules On Group Accounts And Payments in Lieu of Contributions

Ronald M. Heymann, Commissioner of Labor and Industry and Acting Director of the Division of Employment Security in the Department of Labor and Industry, pursuant to authority of N.J.S.A. 43:21-7.2(i), proposes to adopt new rules concerning group accounts for employers that have become liable for employment benefit payments in lieu of contributions.

Such rules, if adopted, will be included in the new Chapter 16A of Title 12 of the New Jersey Administrative Code and may be cited as N.J.A.C. 12:16A-11.1.

Full text of the proposed rules follows:

#### CHAPTER 16A. PAYMENTS IN LIEU OF CONTRIBUTIONS

##### SUBCHAPTER 11. GROUP ACCOUNT

###### 12:16A-11.1 Establishment

(a) Two or more employers liable for payments in lieu of contributions may apply for the establishment of a group account for the purpose of sharing the risk of unemployment benefit costs.

(b) The group account will be established as of the first day of any calendar quarter and will remain in effect for not less than two calendar years unless otherwise determined by the Director.

(c) The request for establishment of a group account shall be filed by the designated group agent listing the names and New Jersey registration numbers assigned by the Division to the employers seeking group membership. The request shall be accompanied by consent documents executed by each applicant for membership authorizing the group agent to act in their behalf for the group account.

(d) In establishing the group account, the Division may modify or waive the security required of any of the group members and in lieu thereof the Division may establish a security requirement for the group as a whole.

#### 12:16A-11.2 Membership

(a) Participation in a group account is available to any employer for whom the Division has approved an election for payment of benefit costs by reimbursement in lieu of contributions.

(b) Group membership will be terminated for any employer upon the cancellation of his reimbursement payment option by the Director.

(c) Membership in the group will be terminated for any member at the request of that member or at the request of the group agent. The membership will be terminated at the end of the calendar quarter in which the request for termination is received by the Division.

(d) New members may be added to an established group at the request of the group agent. The request for the addition of the new member will require the filing with the Division of a consent document executed by the new applicant for membership authorizing the group agent to act in its behalf for the group account.

(e) No employer may be a member of more than one group at any time.

#### 12:16A-11.3 Liability

(a) The group account will provide risk sharing for its members only with respect to unemployment benefits liability and interest attributable thereto.

(b) Membership in the group will not relieve any member of any liability charged to its account before, during or after its period of membership.

(c) The group will be liable to the Division for payment of reimbursable unemployment benefits charged to its members' accounts during their period of membership in the group; plus the reimbursable unemployment benefits charged to any terminated member through the next two complete calendar quarters following the date of its membership termination.

(d) Amounts received in payment of liability payable through the group account will be applied against the outstanding liability of each group member on the basis of the ratio of its liability to the total liability of the group in each quarterly period, beginning with the outstanding liability in the earliest quarterly period, and in each succeeding quarter in the liability ratio similarly determined for such quarter.

#### 12:16A-11.4 Dissolution

(a) Request for dissolution of a group account will require the consent of two-thirds of its active members. The effective date of dissolution will be determined by the Director. Any liability outstanding at the time of dissolution will be immediately due from each of the members in accordance with the balance of group liability remaining in their accounts.

(b) A group account may be dissolved by the Director for reporting or payment delinquency, failure to post required bond or other security, or for similar good cause.

(c) Except as required herein, the Division is not a party to any agreement between the group and any of its members.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to:

Ronald M. Heymann  
Commissioner of Labor and Industry and  
Acting Director of the Division of  
Employment Security  
John Fitch Plaza  
Trenton, New Jersey 08625

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

Ronald M. Heymann  
Commissioner of Labor and Industry and  
Acting Director of the Division  
of Employment Security

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Proposed Revisions On Club Licenses

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. 33:1-12(5) and 33:1-39, proposes, in lieu of the proposed revisions published January 1, 1972, at 4 N.J.R. 9(b), to revise several Sections in Subchapter 7 of Chapter 2 in Title 13 of the New Jersey Administrative Code concerning club licenses.

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

#### SUBCHAPTER 7. CLUB LICENSES

##### 13:2-7.1 (Rule 1 of Division Regulation No. 7). Definitions

For the purpose of these rules, the following words and terms will be deemed to have the meaning herein given to them:

"Club" means an organization, corporation or association consisting of sixty (60) or more persons operating solely for benevolent, charitable, fraternal, social, religious, recreational, athletic or similar purposes, and not for private gain.

"Club Member" means any individual in good standing who has been admitted to [voting] and retains full membership in the manner regularly prescribed by the by-laws of a club, [and who maintains such membership in a bona fide manner] and whose name and address are entered on the list of members. No individual shall be eligible for such club membership unless he has filed written application with the appropriate body, as set forth in the club by-laws, and such application is approved by said body at least three days subsequent to the filing thereof. Persons holding limited or auxiliary club membership shall not be deemed to be club members.

"Guest of Club Member" means an individual who is expressly invited to the club licensed premises by an individual member of the club and who is sponsored by and personally attended by the member at such premises. An individual club member may have as his guests no more than seven individuals on any one occasion, unless (1) payment for all food and drinks (alcoholic or otherwise) served to all such individuals at the club licensed premises and payment for all charges for the use of the club's facilities

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# NEW JERSEY REGISTER

## 1972 CUMULATIVE INDEX

For Vol. 4—Cited 4 N.J.R. 1-320

(Index for Vol. 3 is in Jan., 1972 Register)

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**Not Yet Adopted**

Proposed Service Fees Rule	4 N.J.R. 128(c)
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**Not Yet Adopted**

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**Not Yet Adopted**

Proposed Electrical Inspection Rules	4 N.J.R. 134(c)
Proposed Mover Certificate Rules	4 N.J.R. 140(a)
Proposed Garbage Removal Rules	4 N.J.R. 140(b)
Proposed Emergency Phone Rules	4 N.J.R. 196(e)
Proposed Rules for Electric Lines	4 N.J.R. 224(b)
Proposed Rules on Rate Increases	4 N.J.R. 278(a)

**STATE**

**Notice of Adoption**

Rule on Boxers Out of Ring	4 N.J.R. 11(b)
Adopt Administrative Hearing Rules	4 N.J.R. 27(d)
Adopt Ticket Refund Rule	4 N.J.R. 28(c)
Adopt Boxing Bout Rule	4 N.J.R. 28(d)
Adopt Boxing Contract Rule	4 N.J.R. 28(e)
Adopt Minimum Boxing Rounds	4 N.J.R. 29(a)
Adopt Publicity on Bouts Ruling	4 N.J.R. 29(b)
Adopt Promoter's Contract Rule	4 N.J.R. 29(c)
Adopt D.A.P. Rule on Rule Changes	4 N.J.R. 75(b)

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Adopt Promoter's Bond Rule .....	4 N.J.R.	76(a)
Adopt License Fee Refund Rule .....	4 N.J.R.	76(b)
Adopt Fingerprinting Rule .....	4 N.J.R.	76(c)
Adopt Added Rounds Rules .....	4 N.J.R.	76(d)

## TRANSPORTATION

### Notice of Adoption

Adopt Rules on Deferred Payments .....	4 N.J.R.	29(d)
Adopt Amendments to Operations .....	4 N.J.R.	29(e)
Adopt Right of Way Revisions .....	4 N.J.R.	29(f)
Revise Rules on Banners .....	4 N.J.R.	53(b)

### Not Yet Adopted

Proposed Professional Services Rules .....	4 N.J.R.	53(a)
Proposed Construction Rule Changes .....	4 N.J.R.	77(a)
Proposed Outdoor Advertising Rules .....	4 N.J.R.	141(a)
Proposed Changes in Local Aid .....	4 N.J.R.	241(c)
Proposed Traffic Engineering Changes .....	4 N.J.R.	243(a)

## TREASURY

### Notice of Adoption

Adopt School Building Rule .....	4 N.J.R.	13(a)
Adopt Auto Sale Tax Changes .....	4 N.J.R.	13(b)
Adopt Transportation Tax Rule .....	4 N.J.R.	54(a)
Adopt Film Negative Rules .....	4 N.J.R.	54(b)
Adopt Lottery Prize Changes .....	4 N.J.R.	77(b)
Adopt Health Benefits Changes .....	4 N.J.R.	79(a)
Adopt Fund Classification Changes .....	4 N.J.R.	79(b)
Adopt Common Trust Fund Changes .....	4 N.J.R.	79(c)

Revise FHA Hospital Mortgage Rules .....	4 N.J.R.	108(a)
Revise Investment Council Rules .....	4 N.J.R.	109(a)
Amend Reserve Group Listing .....	4 N.J.R.	142(a)
Adopt Lottery Reservation Plan .....	4 N.J.R.	142(b)
Adopt Transportation Tax Change .....	4 N.J.R.	142(c)
Adopt Transportation Benefits Change .....	4 N.J.R.	142(d)
Inheritance Tax Supervisors Listed .....	4 N.J.R.	168(a)
Adopt Tax Stamp Purchase Changes .....	4 N.J.R.	169(a)
Adopt Sales Tax Collection Rules .....	4 N.J.R.	197(d)
Adopt Fund Classification Changes .....	4 N.J.R.	199(a)
Adopt Revaluation Rules .....	4 N.J.R.	249(a)
Revise Investment Council Rules .....	4 N.J.R.	249(b)
Adopt State Buildings Rules .....	4 N.J.R.	250(a)
Adopt Health Benefit Changes .....	4 N.J.R.	283(c)
Delete Rule on Distribution .....	4 N.J.R.	284(a)
Revise Pension Administration Rules .....	4 N.J.R.	310(d)
Adopt Public Building Rules .....	4 N.J.R.	310(e)
Revise Common Pension Fund Rules .....	4 N.J.R.	311(a)
Revise Funds Classification Rules .....	4 N.J.R.	311(b)

### Not Yet Adopted

Proposed Trading Stamps Rule .....	4 N.J.R.	12(a)
Proposed Liquor Transport Changes .....	4 N.J.R.	32(a)
Proposed Sales Tax Collection Rules .....	4 N.J.R.	197(c)
Proposed County College Rule Changes .....	4 N.J.R.	279(a)
Proposed Daily Lottery Rules .....	4 N.J.R.	280(a)
Proposed Health Benefits Changes .....	4 N.J.R.	282(a)
Proposed Pension Benefit Changes .....	4 N.J.R.	283(a)
Proposed Police Pension Changes .....	4 N.J.R.	283(b)
Proposed Vehicle Transfer Rule .....	4 N.J.R.	307(b)
Proposed Mileage Reading Rule .....	4 N.J.R.	307(c)

# RULES ADOPTED BY OTHER AGENCIES

## DELAWARE RIVER PORT AUTHORITY

Adopt New Toll Schedules .....	4 N.J.R.	54(c)
Revise Bridge Toll Rates .....	4 N.J.R.	143(a)
Adopt Rapid Transit Changes .....	4 N.J.R.	169(b)
Amend Tolls for Light Trucks .....	4 N.J.R.	199(b)

## NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

Adopt Purchasing Regulations .....	4 N.J.R.	284(c)
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## EXECUTIVE COMMISSION ON ETHICAL STANDARDS

Adopt Rules of Practice .....	4 N.J.R.	55(a)
Revise Publication Rule .....	4 N.J.R.	79(d)

## NEW JERSEY TURNPIKE AUTHORITY

Revise Usage Rules .....	4 N.J.R.	56(a)
Adopt Speed Limit Revisions .....	4 N.J.R.	199(c)
Adopt Rules To Limit Use .....	4 N.J.R.	200(a)
Adopt Rules Covering Explosives .....	4 N.J.R.	200(b)

## HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Adopt Fee Schedule Changes .....	4 N.J.R.	79(e)
Revise District Building Code .....	4 N.J.R.	109(b)
Revise Subdivision Rules .....	4 N.J.R.	170(a)
Adopt District Zoning Regulations .....	4 N.J.R.	311(c)

## PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Adopt Airport Charge Changes .....	4 N.J.R.	14(c)
Revise LaGuardia Airport Charges .....	4 N.J.R.	34(a)
Adopt Airport Parking Rates .....	4 N.J.R.	170(b)
Adopt Changes in Charges at Kennedy .....	4 N.J.R.	200(c)
Revise Airport Map and Rules .....	4 N.J.R.	225(a)
Revise Pier 40 Parking Rates .....	4 N.J.R.	250(b)
Revise Kennedy Parking Lot Charges .....	4 N.J.R.	284(b)
Revise Parking Rates at Bus Terminal .....	4 N.J.R.	312(a)

## NEW JERSEY HIGHWAY AUTHORITY

Adopt Garden State Revision .....	4 N.J.R.	55(c)
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## NEW JERSEY MORTGAGE FINANCE AGENCY

Adopt Home Mortgage Changes .....	4 N.J.R.	55(d)
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## WATERFRONT COMMISSION OF NEW YORK HARBOR

Adopt License Replacement Changes .....	4 N.J.R.	200(d)
Adopt Rules on Petitions .....	4 N.J.R.	201(a)

# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly index is a special service for subscribers to the New Jersey Administrative Code. Its purpose is to provide an up-to-date check-list of new rules adopted by the various State Departments.

The index is current, being adjusted each month during which there will be a mailing to Code subscribers of update pages for Titles already distributed.

First publication and the initial update service has been distributed for the following eight Titles:

1. CHIEF EXECUTIVE (Reserved)
2. AGRICULTURE
3. BANKING
4. CIVIL SERVICE
6. EDUCATION
16. TRANSPORTATION
17. TREASURY-GENERAL
18. TREASURY-TAXATION

Since the latest update, the above Departments have adopted the following additional rules, which are not yet included in current pages of the Code:

## RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Notice of Adoption N.J.R. Citation</u>
<b>AGRICULTURE — TITLE 2</b>			
2:2-2.13	Conditions for quarantine release	R.1972 d.251	5 N.J.R. 3(d)
2:2-4.34	Indemnity for swine destroyed by hog cholera	R.1972 d.191	4 N.J.R. 260(a)
2:2-4.36	Swine consigned to livestock markets	R.1972 d.131	4 N.J.R. 180(c)
2:2-4.35	Health certificate to indicate swine free from brucellosis	R.1972 d.133	4 N.J.R. 180(a)
2:2-4.39	Authority of Secretary or his agents (Quarantines)	R.1972 d.242	5 N.J.R. 3(a)
2:3-2.5	Quarantine of swine after treatment	R.1972 d.131	4 N.J.R. 180(c)
2:3-2.8	Importation of horses, mules and asses	R.1972 d.132	4 N.J.R. 180(b)
2:3-2.9	Imported breeding swine to conform to Federal regulations	R.1972 d.133	4 N.J.R. 180(a)
2:3-2.11	Quarantine of imported breeding swine	R.1972 d.133	4 N.J.R. 180(a)
2:3-3.4	Imported feeder swine to conform to Federal regulations	R.1972 d.134	4 N.J.R. 180(d)
2:3-3.6	Quarantine of imported feeder swine	R.1972 d.134	4 N.J.R. 180(d)
2:5-1.3	Hog cholera quarantine; Lakewood Township	R.1972 d.72	4 N.J.R. 86(a)
2:5-1.4	Termination of hog cholera quarantine; Lakewood Township	R.1972 d.96	4 N.J.R. 116(a)
2:5-1.5	Hog cholera quarantine; Evesham, Medford, Voorhees Twps.	R.1972 d.104	4 N.J.R. 115(c)
2:5-1.5(d) & (e)	Termination of hog cholera quarantine, Evesham, etc.	R.1972 d.144	4 N.J.R. 181(a)
2:5-1.6	Hog cholera quarantine; Burlington and Ocean Counties	R.1972 d.141	4 N.J.R. 180(e)
2:5-1.6(e)	Termination of hog cholera quarantine	R.1972 d.173	4 N.J.R. 230(a)
2:5-1.7	Swine embargo in New Jersey	R.1972 d.180	4 N.J.R. 230(b)
2:5-1.7(c)	Release of swine embargo in New Jersey	R.1972 d.208	4 N.J.R. 260(e)
2:5-1.8	Quarantine of swine, Gloucester County	R.1972 d.227	4 N.J.R. 298(b)
2:5-1.8	Swine quarantine revisions, Gloucester County	R.1972 d.231	4 N.J.R. 299(a)
2:5-1.9	Hog cholera quarantine; Camden, Hunterdon, Middlesex and Mercer Counties	R.1972 d.235	5 N.J.R. 2(a)
2:5-1.10	Hog cholera quarantine; entire State	R.1972 d.237	5 N.J.R. 2(b)
2:5-1.11	Hog cholera quarantine; swine movement in State	R.1972 d.246	5 N.J.R. 3(b)
2:31-1.1 et seq.	Grades and standards of milk and cream	R.1972 d.194	4 N.J.R. 260(d)
2:48-5.4	Additional methods for determination of butterfat	R.1972 d.192	4 N.J.R. 260(b)
2:53-1.4	Statement of indebtedness; settlement	R.1972 d.130	4 N.J.R. 181(b)
2:53-2.1 et seq.	Supplying equipment to customers	R.1972 d.250	5 N.J.R. 3(c)
2:53-4.1	Advertising; milk and milk products	R.1972 d.215	4 N.J.R. 298(a)
2:54-2.5	Amendments to Federal Order Number 4 (March 30, 1972)	R.1972 d.74	4 N.J.R. 88(a)
2:55-1.1 et seq.	School milk purchase regulations	R.1972 d.103	4 N.J.R. 116(b)
2:69-1.11	Commercial values	R.1972 d.193	4 N.J.R. 260(c)
2:71-1.1	Standards, grades and weight classes for shell eggs	R.1972 d.125	4 N.J.R. 181(d)

**Notes:**

1. Subchapter 3 in Chapter 31, Title 2, will become Subchapter 1 in Chapter 31, Title 2.
2. The remaining text in Chapter 31 will be transferred and recodified as the new Chapter 71.
3. Chapter 32, Title 2, will become the new Chapter 7, Title 2.
4. Chapters 33 and 34 now become Chapters 72 and 73 respectively.
5. Chapters 36 and 37 now become Chapters 74 and 75 respectively.

## BANKING — TITLE 3

3:8-3.1	Required reserve (Banks not members of Federal Reserve)	R.1972 d.223	4 N.J.R. 300(a)
3:8-3.2	Reports (Banks not members of Federal Reserve System)	R.1972 d.223	4 N.J.R. 300(a)
3:8-5.1	Reserves required (Savings banks)	R.1972 d.224	4 N.J.R. 300(b)
3:8-5.4	Reports (Savings banks)	R.1972 d.224	4 N.J.R. 300(b)

# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

## EDUCATION — TITLE 6

6:8-1.2(f) & (g)	Nonpublic school secular education	R.1972 d.207	4 N.J.R. 262(f)
6:8-1.3	Definitions (nonpublic school secular education)	R.1972 d.207	4 N.J.R. 262(f)
6:11-1.1 et seq.	Teacher education and certification	R.1972 d.189	4 N.J.R. 262(e)
6:21-1.2	Accident reporting (Pupil transportation)	R.1972 d.220	4 N.J.R. 302(a)
6:21-1.3	Remote defined (Pupil transportation)	R.1972 d.220	4 N.J.R. 302(a)
6:21-6.20(f)	Identification (School buses)	R.1972 d.188	4 N.J.R. 262(d)
6:21-7.2	Sale of school vehicle (State aid)	R.1972 d.220	4 N.J.R. 302(a)
6:21-7.3	State aid approval (State aid)	R.1972 d.220	4 N.J.R. 302(a)
6:21-11.5	Seat belts; driver	R.1972 d.188	4 N.J.R. 262(d)
6:27-1.4	Graduation (Secondary education)	R.1972 d.166	4 N.J.R. 213(a)
6:27-1.13	Definitions (Secondary education)	R.1972 d.166	4 N.J.R. 213(a)
6:28-4.1 et seq.	County boards of special services	R.1972 d.185	4 N.J.R. 262(a)
6:39-1.1 et seq.	Evaluation (Statewide assessment)	R.1972 d.187	4 N.J.R. 262(c)
6:68-3.1 et seq.	State Library assistance programs	R.1972 d.186	4 N.J.R. 262(b)

## TREASURY GENERAL — TITLE 17

17:1-1.1 et seq.	General administration of pensions	R.1972 d.214	4 N.J.R. 310(d)
17:2-1.1 et seq.	Public employees retirement system	R.1972 d.257	5 N.J.R. 23(a)
17:9-3.1	Definitions (Dependents and children)	R.1972 d.200	4 N.J.R. 283(c)
17:9-6.1(e) & (f)	Retired employee (Definition)	R.1972 d.200	4 N.J.R. 283(c)
17:15A-1.1 et seq.	Use of state buildings and grounds	R.1972 d.183	4 N.J.R. 250(a)
17:15A-1.8	Distribution of written or printed material, deletion	R.1972 d.205	4 N.J.R. 284(a)
17:16-5.3	Static group (Classification of funds)	R.1972 d.143	4 N.J.R. 199(a)
17:16-5.3	Static group fund classification	R.1972 d.234	4 N.J.R. 311(b)
17:16-5.5	Temporary reserve group	R.1972 d.143	4 N.J.R. 199(a)
17:16-5.6	Trust group fund classification	R.1972 d.234	4 N.J.R. 311(b)
17:16-10.4(b)	Deleted	R.1972 d.182	4 N.J.R. 249(b)
17:16-19.5	Qualifications of mortgage brokers	R.1972 d.182	4 N.J.R. 249(b)
17:16-19.6(a)6.	Qualifications of commercial banks	R.1972 d.182	4 N.J.R. 249(b)
17:16-20.5(a)6.	Qualifications of commercial banks	R.1972 d.182	4 N.J.R. 249(b)
17:16-26.1(a)1.iii.	Permissible investments (Pension and annuity groups)	R.1972 d.182	4 N.J.R. 249(b)
17:16-26.2(c)	Limitations (Three party agreements; corporate)	R.1972 d.182	4 N.J.R. 249(b)
17:16-28.3(f)3.	Limitations (Title II FHA insured mortgages)	R.1972 d.182	4 N.J.R. 249(b)
17:16-28.4(a)	Legal papers (Title II FHA insured mortgages)	R.1972 d.182	4 N.J.R. 249(b)
17:16-29.3	Legal papers (Title II FHA insured construction mortgages)	R.1972 d.182	4 N.J.R. 249(b)
17:16-32.2(g)	Permissible investments (Common Pension Fund A)	R.1972 d.229	4 N.J.R. 311(a)
17:16-32.8(a)1.iv.	Valuation of units (Common Pension Fund A)	R.1972 d.229	4 N.J.R. 311(a)
17:16-32.12	Limitations (Common Pension Fund A)	R.1972 d.229	4 N.J.R. 311(a)
17:16-36.2(f)	Permissible investments (Common Pension Fund B)	R.1972 d.229	4 N.J.R. 311(a)
17:16-36.8(a)1.iii.	Valuation of units (Common Pension Fund B)	R.1972 d.229	4 N.J.R. 311(a)
17:16-36.12	Limitations (Common Pension Fund B)	R.1972 d.229	4 N.J.R. 311(a)
17:19A-1.1 et seq.	Facilities for physically handicapped in public buildings	R.1972 d.218	4 N.J.R. 310(e)
17:20-1.1 et seq.	Daily lottery revisions	R.1972 d.238	5 N.J.R. 22(a)
17:21-1.1 et seq.	Daily lottery revisions	R.1972 d.238	5 N.J.R. 22(a)

## TREASURY-TAXATION — TITLE 18

18:5-3.6	Purchase of stamps; credit basis	R.1972 d.108	4 N.J.R. 169(a)
18:10-21.3(c)	Emergency Transportation Tax return	R.1972 d.82	4 N.J.R. 142(c)
18:10A-1.1	Transportation Benefits Tax return	R.1972 d.83	4 N.J.R. 142(d)
18:12-4.1 et seq.	Revaluations of real property by appraisal firms	R.1972 d.179	4 N.J.R. 249(a)
18:20-24.1 et seq.	Accounting procedures for Sales Tax collections	R.1972 d.258	5 N.J.R. 23(b)
18:24-20.1 et seq.	Accounting procedures relating to collection of Sales Tax	R.1972 d.126	4 N.J.R. 197(d)
18:24-26	Revised list of District Supervisors for Inheritance Tax	R.1972 d.113	4 N.J.R. 168(a)

## IN ADDITION —

First publication - but no update service as yet - has been mailed for these six additional Titles:

- 5. COMMUNITY AFFAIRS
- 8. HEALTH
- 9. HIGHER EDUCATION

- 13. LAW AND PUBLIC SAFETY
- 14. PUBLIC UTILITIES
- 15. STATE

Rules since adopted by the above Departments are not included in this index; they will be added following initial updating of the respective Titles.

(Continued from Page 14)

by such individuals is made to the club directly by the individual club member, without direct or indirect reimbursement to such club member by anyone, including his employer, or, (2) such individuals are attending at the club licensed premises a private affair, such as a wedding, anniversary, confirmation, bar mitzvah or birthday party, honoring a spouse, child, parent or brother or sister of a club member.

**13:2-7.6 (Rule 6 of Division Regulation No. 7). Qualifications of officers and governing body members**

No club license shall be issued nor renewal granted to any corporation, association or organization [unless all officers and members of the governing body qualify as individual applicants in all respects except as to residence or age or citizenship] in which an officer or member of the governing body has been convicted of a crime involving moral turpitude unless the statutory disqualification resulting from such conviction has been removed by order of the Director.

**13:2-7.7 (Rule 7 of Division Regulation No. 7). List of club members and club charter**

(a) A list containing the names and addresses of all members of the club as of date of filing a club license application shall be submitted [together with the application.] with the initial application as well as with each subsequent renewal application.

(b) No club license shall be renewed unless the club consists of at least 60 members at the time of renewal.

(c) [(b)] The charter [of] or articles of association of the club shall also be presented for inspection or certified copy of the same submitted with the initial application.

(d) Nothing in this rule shall prevent the renewal of a license to a club qualified in all respects except as to number of members, provided that special cause for such renewal is shown in writing to the Director and provided that the Director's written approval of such renewal is first obtained.

**13:2-7.8 (Rule 8 of Division Regulation No. 7). Sales to club members and guests only**

(a) No club licensee shall sell, serve or deliver, or allow, permit or suffer the sale, service or delivery of any alcoholic beverage to any person not a bona fide member of the club or a bona fide guest of such member.

(b) All club licensees shall have and keep on the licensed premises a true record, in the form prescribed by the Director (found in Appendix A-15), of all scheduled dinners, luncheons, receptions, dances, parties, catered events and similar affairs held at the club licensed premises and attended by eight or more non-club members and such record shall be available for inspection by the Director and other issuing authority and by his or its deputies, inspectors, investigators and agents and by other officers as defined by N.J.S.A. 33:1-1(p) for a period of one year from the date of such affair.

(c) No club licensee shall allow, permit or suffer any such affair to be held at the club licensed premises at which any non-club member makes any direct or indirect payment (such as by admission fee, donations, contribution or otherwise) for any alcoholic beverage or combination of food and alcoholic beverages unless a special permit is first obtained from the Director.

**13:2-7.12 (Rule 12 of Division Regulation No. 7). Books of account**

(a) All club licensees shall have and keep for a five-year period a true book or books of accounts wherein there shall be entered 1. a record of all monies received and a

record of the source of all monies received other than in the ordinary course of business and [wherein there shall also be entered] 2. a record of all monies expended from such receipts and the name of the person receiving such monies and the purpose for which such expenditures were made.

(b) All books and records pertaining to such receipts or expenditures shall be made available for inspection by the Director of the Division of Alcoholic Beverage Control and the other issuing authority, by his or its deputies, inspectors, investigators and agents and other officers as defined by N.J.S.A. 33:1-(p).

**13:2-7.13 (Rule 13 of Division Regulation No. 7). Advertising**

No club licensee shall advertise, directly or indirectly, or allow, permit or suffer any advertising to non-club members the availability of alcoholic beverages at its licensed premises other than by signs on the interior of the licensed premises not visible from the exterior thereof; provided, however, that the prohibition herein shall not apply to the holder of any special permit issued by the Director and authorizing the sale of alcoholic beverages at a social affair to be conducted at the club's licensed premises, with respect to such particular affair.

**13:2-7.14 (Rule 14 of Division Regulation No. 7). Responsibility of club licensees**

(a) A club license is a restricted type of retail license and therefore its holder must comply with not only the rules set forth in this regulation, but with all the relevant provisions applicable to retail licenses.

(b) In disciplinary proceedings brought pursuant to the Alcoholic Beverage Law, it shall be sufficient, in order to establish the guilt of the club licensee, to show the violation was committed by an agent, servant or employee of the club licensee or a member of the club.

(c) The fact that the licensee did not participate in the violation or that its agent, servant, employee or member acted contrary to instructions given to him by the club licensee or that the violation did not occur in the licensee's presence shall constitute no defense to the charges preferred in such disciplinary proceedings.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 28, 1973, to:

Robert E. Bower, Director  
Division of Alcoholic Beverage Control  
25 Commerce Drive  
Cranford, New Jersey 07016

After full consideration of all matters 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 the proposed revision substantially as set forth without any further notice.

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

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

### STATE BOARD OF MEDICAL EXAMINERS

#### Proposed Standards for Internship

Anthony J. Balsamo, Secretary of the State Board of Medical Examiners in the Division of Consumer Affairs in

the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-2, proposes to adopt new rules setting standards for approved post graduate medical training and education.

Full text of the proposed rules follows:

#### SUBCHAPTER 9. INTERNSHIP STANDARDS

##### 13:35-9.1 Internship programs

(a) All proposed internship programs must be approved by the Board of Medical Examiners prior to their institution. Hospitals offering such internships shall be approved by the Joint Commission on Hospital Accreditation or by the American Osteopathic Hospital Accreditation Agency.

(b) Internship training programs approved by the Board shall be limited to general hospitals having a capacity of at least 150 beds, exclusive of bassinets, and having a minimum of 5,000 annual admissions, excluding the newborn. The training program shall provide supervised practice in internal medicine and at least one of the following: surgery, pediatrics, obstetrics and gynecology, pathology, radiology, and experience in an active, well-organized outpatient department.

##### 13:35-9.2 Rotating internship

(a) A rotating internship may consist of as few as two services or as many as five. Simultaneous integration of the interne's activities or other services shall be limited.

(b) The time allotted to internal medicine may not be less than four months. No other assignment shall be less than two months in duration, and in such cases, the two months assignment shall be consecutive.

(c) A concurrently approved residency program is not a requirement for the approval of a rotating internship.

(d) A certificate by one of the specialty boards shall be acceptable in lieu of the rotating internship.

##### 13:35-9.3 Straight internship

(a) A straight internship is one which provides experience on a single service. Straight internships approved by the Board shall include those in internal medicine or a related subspecialty, surgery, pediatrics, obstetrics and gynecology, pathology and radiology.

(b) To offer a satisfactory straight internship, a hospital must be approved for residency training in the specialties involved.

(c) The Board shall require one year of experience in the single service providing the hospital is properly accredited for residency training in the corresponding specialty.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before January 26, 1973, to:

Anthony J. Balsamo, M.D.  
Secretary, State Board of Medical Examiners  
28 West State Street  
Trenton, N.J. 08625  
Telephone (609) 292-4843

The New Jersey State Board of Medical Examiners, upon its own motion or at the instance of any interested party, may thereafter adopt the above rule substantially as proposed without further notice.

Anthony J. Balsamo  
Secretary, State Board of Medical Examiners  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Rules Concerning Counterpart Fees

On December 5, 1972, Ray J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning counterpart fees, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 275(b).

Such rules may be cited as N.J.A.C. 13:21-15.1 et seq. An order adopting these rules was filed December 12, 1972, as R.1972 d.252 to become effective January 1, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Rule Prescribing Certain Motor Vehicles As Nonconventional Motor Vehicles

On December 5, 1972, Ray J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:10-2 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule prescribing certain motor vehicles as nonconventional motor vehicles, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 275(a).

Such rule may be cited as N.J.A.C. 13:21-2.4. An order adopting this rule was filed and effective December 12, 1972, as R.1972 d.253.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Rules on Alcohol Countermeasures Pilot Project

On December 4, 1972, Ray J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-10 and 39:5-30 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on the alcohol countermeasures pilot project, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 273(a).

Such rules may be cited as N.J.A.C. 13:20-31.1 et seq. An order adopting these rules was filed December 14, 1972, as R.1972 d.255 to become effective December 15, 1972.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

(b)

## PUBLIC UTILITIES

## PUBLIC UTILITIES

### BOARD OF PUBLIC UTILITY COMMISSIONERS

### BOARD OF PUBLIC UTILITY COMMISSIONERS

#### Rules for Electric Transmission Lines

#### Rules for Collection, Removal and Disposal of Garbage, Refuse and Trash

On November 22, 1972, William E. Ozzard, President of the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-23 and 48:2-25 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules for electric transmission lines, substantially as proposed in the Notice published September 7, 1972 at 4 N.J.R. 224(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Public Utilities.

On December 7, 1972, William E. Ozzard, President of the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:13A-4 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules for the collection, removal and disposal of garbage, refuse and trash, substantially as proposed in the Notice published June 8, 1972, at 4 N.J.R. 140(b), with only inconsequential, structural or language changes, in the opinion of the Department of Public Utilities.

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

Such rules may be cited as N.J.A.C. 14:9-4.1 et seq.

Full text of the adopted rules follow (additions from the proposed rules indicated in boldface thus):

#### SUBCHAPTER 6. ELECTRIC TRANSMISSION LINES

#### CHAPTER 9. SEWER AND WATER

##### 14:9-6.1 Requirements for electric transmission lines

##### SUBCHAPTER 4. SOLID WASTE INDUSTRIES

(a) Whenever an electric company constructs an overhead transmission line, it shall:

##### 14:9-4.1 Certificates for solid waste disposal

1. Make use of available railroad or other rights-of-way whenever practicable, feasible and with safety, subject to agreement with the owners;

(a) No person, or any person controlling, controlled by, or under common control with such person, shall hold a certificate as a solid waste collector or solid waste disposal operator authorizing operation for the collection or disposal of solid waste, if such person, or any such controlling person, controlled person, or person under common control, holds another certificate to operate as a solid waste collector or solid waste disposal operator.

2. Locate towers whenever practicable and feasible in accordance with the topography so as to minimize their appearance;

(b) For the purpose of this regulation, where reference is made to control (in referring to a relationship between any persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

3. Establish a program of painting towers initially and periodically in order to camouflage their appearance as much as possible;

(c) The Board may, for good cause shown consistent with the public interest, find that multiple certificates shall be issued, notwithstanding the provisions set forth in (a) and (b) above.

4. Employ nonuniform clearing of the right-of-way and, wherever possible, in accordance with sound construction and maintenance practice as well as clearance requirements, allow a maximum number of mature trees to remain;

(d) This rule does not prohibit a person, or any person controlling, controlled by or under common control with such person from holding one certificate as a solid waste collector and one certificate as a solid waste disposal operator.

5. Landscape the right-of-way by planting low-growing shrubs where the right-of-way is visible from heavily travelled roads;

6. Wherever practical and feasible, consistent with municipal zoning laws, permit [special uses] use of the right-of-way for farming, recreational and other appropriate purposes. If it is proposed by electric company that such use is not practical and feasible, the electric company shall send written notice, including its reasons, to the Board for final determination;

7. When the application of the foregoing provision shall be unreasonable in a specific instance, petition for relief from the specific provision may be filed by any aggrieved person.

An order adopting these rules was filed and effective November 28, 1972, as R.1972 d.236.

An order adopting these rules was filed and effective December 11, 1972, as R.1972 d.249.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(a)**

## STATE

### DIVISION OF ADMINISTRATIVE PROCEDURE

#### Revised Hours for Filing And Reviewing Documents

On December 7, 1972, Albert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State, pursuant to authority of N.J.S.A. 52:14B-1 et seq., adopted revisions to the rules concerning the hours during which documents may be filed or reviewed with the Division of Administrative Procedure.

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

#### 15:15-1.9 Offices

(a) The offices of the Division of Administrative Procedure are located at 10 North Stockton Street, Trenton, New Jersey 08608.

(b) Hours during which documents may be filed or reviewed within the Division's offices are from 9:00 A.M. to [5:00] 4:00 P.M., Monday through Friday, holidays excepted.

—  
An order adopting these revisions was filed and effective December 7, 1972, as R.1972 d.247 (Exempt, Procedure Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(b)**

## TREASURY

### DIVISION OF PENSIONS

#### Proposed Revisions to Rules For Teachers' Pension and Annuity Fund

William J. Joseph, Director of the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 18A:66-56, proposes to revise the rules concerning the Teachers' Pension and Annuity Fund which are now included in Chapter 3 of Title 17 in the New Jersey Administrative Code.

The purpose of the proposed changes is to standardize the rules concerning this fund with the other pension funds. Such revisions concern board meetings, officers and committees, certifying agent, travel, eligibility, withdrawal, enrollment, participation, insurance liability, insurance benefits, premiums, leaves of absence, deductions, purchase terms, applications, disability benefits, medical examinations and waivers.

—  
Copies of the full text of the proposed revisions may be obtained by writing:

William J. Joseph  
Director, Division of Pensions  
Department of the Treasury  
20 West Front Street  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to the Division of Pensions at the above address.

The Department of the Treasury, upon its own motion

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

William J. Joseph  
Director, Division of Pensions  
Department of the Treasury

**(c)**

## TREASURY

### DIVISION OF PENSIONS

#### Proposed Revisions Concerning Prison Officers' Pension Fund

William J. Joseph, Director of the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:7-19, proposes to adopt revisions to the rules concerning the prison officers' pension fund.

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

#### 17:7-1.6 Records

[The minutes of the Commission meetings are public record and may be inspected during regular business hours at the office of the fund under supervision of the bureau chief or other representatives of the office.

(b) Records considered confidential include medical reports submitted for any purpose, mailing addresses of active and retired members and individual files relating to beneficiary designation where no official purpose or reason is indicated.]

(a) The minutes of the Commission are a matter of public record and may be inspected during regular business hours in the office of the secretary of the Commission.

(b) The mailing addresses of all active and retired members are considered to be a part of the member's confidential files and shall not be released for any purpose.

(c) All medical testimony obtained in connection with an application for disability retirement shall be restricted for the confidential use of the Commission.

#### 17:7-2.6 Minimum adjustment

[No annual or final adjustment will be required of a member's account if the value of the adjustment is \$3.00 or less.]

In order to facilitate the reconciliation of a member's account no rebates or additional contributions shall be made where an adjustment involves an amount of \$3.00 or less.

#### 17:7-3.1 Applications

(a) Applications for retirement must be made on forms prescribed by the fund.

1. Such forms must be completed in all respects and filed with the fund before the requested date of retirement.

2. In the event a member files an incomplete application, the deficiencies shall be brought to his attention and he will be required to file a completed application with the fund to enable acceptance for processing.

3. Before an application for retirement may be accepted for processing, it must be supported by a certificate from the employing agency setting forth the employment termination date and the compensation reported for contributions in the member's final [three] years of employment.

(b) In addition to the foregoing requirements, the application for disability retirement must be supported by a report of the member's personal or attending physician and

a statement from the employing agency regarding the member's incapacity for further duty.

#### 17:7-3.2 Effective date

(a) The date of a retirement application will be recognized if it is earlier than the actual date of receipt by the retirement system, if it is supported by a signature of a certifying agent or a notary.

(b) The earlier of certified date by agent on application, postmark or date of actual receipt by the retirement office, will be recognized for the purpose of satisfying the [statutory] filing requirement.

#### 17:7-3.7 Disability determination [; employee notice]

[A candidate for accidental disability retirement who is recognized by the Commission as being disabled but not due to a traumatic event in the line of duty, will be retired on the basis of nonaccident disability if he has not attained 55 years or on a service retirement if he has attained age 55. Notice of such action will be given to the member, indicating the reason for such a change in benefit and will also advise the member of his right of appeal. Such appeal must be registered in writing within 45 days of such notice.]

(a) A member for whom an application for accidental disability retirement allowance has been filed by the member, by his employer, or by one acting in behalf of the member, will be retired on an ordinary disability retirement allowance if the Commission finds that:

1. The member is physically or mentally incapacitated for the performance of duty, and
2. The member is not eligible for accidental disability since the incapacity is not a direct result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties, and
3. The member meets the service requirement for ordinary disability.

#### 17:7-3.9 [Employer disability application; employee notice]

(a) An application for disability filed by the Department in behalf of an employee will be processed after proper advice of such filing is given the employee.

(b) Appropriate time will be given the member to either file a claim of his own on a voluntary basis, or to supplement the medical and documentary evidence given by his employer.]

#### Employer application; employee notice

(a) If an application for an accidental disability retirement benefit or for an ordinary disability retirement benefit is filed by an employer for one of his employees, the member will be promptly notified by letter that:

1. His employer has initiated a disability application, on the member's behalf,
2. His employer has certified that the member is permanently and totally disabled for the continued performance of duty and, if appropriate,
3. His employer has certified that the member should be retired as a direct result of a traumatic event occurring during and as a result of the performance of his regular or assigned duties,
4. He has a period of 30 days to contest his involuntary retirement before the Commission acts on his employer's application,
5. He will be required to appear for an examination before a physician designated to conduct such an examination for the pension fund, and
6. In the event the Commission finds that he is totally and permanently incapacitated for the performance of duty, he shall be granted the maximum retirement allowance payable under the statute, if he does not file a completed "Application for Disability Retirement Allowance"

setting forth the type of allowance he desires, before his retirement goes into effect, and

7. In the event the Commission finds that he is not totally and permanently incapacitated for the performance of duty, the employer's application shall be disallowed and the employer shall be informed that the member should be returned to duty.

#### 17:7-3.10 Medical examination; physicians

Where the statute prescribes that a physician shall be designated by the fund to perform a medical examination, such physician shall be selected from the current membership directory of the New Jersey Medical Society.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to:

William J. Joseph  
Director, Division of Pensions  
Department of the Treasury  
20 West State Street  
Trenton, New Jersey 08625

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

William J. Joseph  
Director, Division of Pensions  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF TAXATION

#### Proposed Revisions Concerning Computation of Cigarette Tax

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J. S.A. 54:40A-20, proposes to revise certain rules concerning the computation of the cigarette tax. These changes are necessary because of the increase of the cigarette tax to 9½ cents per ten cigarettes from seven cents per ten cigarettes.

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

#### 18:5-2.3 Computation of tax

(a) The provisions of the Act impose a tax computed at the rate of [\$.07] **\$.09½** for each ten cigarettes or fraction thereof.

(b) A standard package of 20 cigarettes, therefore, is taxed at the rate of [\$.14] **\$.19**.

(c) Other than standard packages of cigarettes are taxed as follows:

1. A package of ten or less cigarettes is taxed at [\$.07] **\$.09½**;
2. A package of 11 or more, but less than 21 cigarettes is taxed at [\$.14] **\$.19**;
3. A package of 21 or more, but less than 31 cigarettes is taxed at [\$.21] **\$.28½**;
4. A package of 31 or more, but less than 41 cigarettes is taxed at [\$.28] **\$.38**;
5. A package of 41 or more, but less than 51 cigarettes is taxed at [\$.35] **\$.47½**;
6. A package of 51 or more cigarettes is taxed at [\$.35] **\$.47½**, plus [\$.07] **\$.09½** for each ten cigarettes or fraction thereof over 50 cigarettes.

**Statutory Reference**  
See N.J.S.A. 54:40A-8.

**18:5-3.2 Types of stamps available; denominations**

(a) Water-applied decalcomania tax stamps are available in denominations of [\$.07, \$.14 and \$.35,] **\$.09½, \$.19, and \$.47½**, and are sold only in blocks of individual sheets of 100 stamps and multiples of 100 stamps.

(b) Meter impression tax stamps are available in the denomination of [\$.14] **\$.19** only, and are sold in any combination of units. A unit is defined as ten individual tax stamp impressions.

(c) The discount provided in N.J.A.C. 18:5-3.4 is allowed only on the purchase of multiples of 100 units.

**Statutory Reference**

As to the power of the Director to set rates for the sale of stamps, see N.J.S.A. 54:40A-11.

**18:5-3.4 Purchase of stamps; discount allowed**

A discount of [1.97] **1.46** per cent is allowed on all sales of cigarette revenue tax stamps to licensed distributors, when the number purchased, either decalcomania or meter impressions or a combination thereof, equals or exceeds 1,000 stamps, provided the distributor is in compliance with all of the provisions of the Act and these regulations.

**Statutory Reference**

As to the allowance of discounts, see N.J.S.A. 54:40A-11.

**18:5-6.7 Wholesale dealer's license**

(a) Each wholesale dealer is to apply for a wholesale dealer's license on Cigarette Tax [Bureau] Form CWD-1.

(b) For each license issued to a wholesale dealer, and for each continuance thereof, there must be paid to the Director a fee of [200.00] **250.00**.

(c) If a wholesale dealer sells or intends to sell cigarettes at two or more places of business, whether established or temporary, a separate license is required for each place of business.

**Statutory Reference**

As to fee for wholesale dealer's licenses, see N.J.S.A. 54:40A-4.

**18:5-6.10 Retail dealer's vending machine license**

(a) Each retail dealer is required to apply for a vending machine retail dealer's license on Cigarette Tax [Bureau] Form CRDV-1A (Initial) or CRDV-1B (Renewal) if the applicant is applying for one license.

(b) If the applicant is applying for more than one vending machine retail dealer's license, Cigarette Tax [Bureau] Form CRDV-1, Multiple Vending Machine Operator, together with Form CRDV-4, Vending Machine Informational Report, are to be used.

(c) For each license issued to a retail dealer operating a vending machine for the sale of cigarettes, and for each continuance thereof, there must be paid to the Director a fee of [1.00] **5.00**.

(d) Each vending machine, for the sale of cigarettes, is deemed a separate place of business, and must be separately licensed.

**Statutory Reference**

As to retail dealer's vending machine licenses, see N.J.S.A. 54:40A-4.

**18:5-6.17 Duplicate and amended license**

(a) Any person licensed pursuant to the Act upon payment of a [\$.50] **1.00** fee may obtain:

1. A duplicate license, or certificate thereof, in the event the original is lost, destroyed or defaced;

2. An amended license, or certificate thereof, upon:

i. A change in the location of the place of business of the licensee; or

ii. A change in the trade name of either an individual or partnership; or

iii. The adoption of a new name by a corporation by amendment of a corporate charter; or

iv. The addition of a partner to an existing partnership or the formation of a partnership which includes a former licensed individual proprietor; or

v. The dissolution of a partnership, through death or otherwise, in which the remaining single proprietor carries on the business of the former partnership.

**Statutory Reference**

As to the issuance of duplicate or amended licenses, see N.J.S.A. 54:40A-4.

Any interested person may present statements or arguments in writing, or orally in person (upon appointment), relevant to the proposed action to John K. Rafferty, Tax Counselor, Tax Counselors Section, Division of Taxation, West State and Willow Streets, Trenton, New Jersey 08625, Telephone: (609) 292-5995, on or before January 24, 1973.

After full consideration of all written and oral submissions respecting the proposed rules, the Director, Division of Taxation, upon his own motion or at the instance of any interested party, may thereafter adopt the proposed rules substantially as proposed without further notice.

Sidney Glaser  
Director  
Division of Taxation  
Department of the Treasury

**(a)**

## TREASURY

### STATE LOTTERY COMMISSION

#### Rules for the Daily Lottery Adopted

On November 29, 1972, Ralph F. Batch, Executive Director of the State Lottery Commission in the Department of the Treasury, pursuant to authority of N.J.S.A. 5:9-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules for the daily lottery, substantially as proposed in the Notice published November 9, 1972 at 4 N.J.R. 280(a), but with inconsequential structural or language changes, in the opinion of the State Lottery Commission.

A summary of these inconsequential structural or language changes follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

17:20-5.9(c) A petition or request to the Director for a hearing or other relief, unless otherwise required by law or these rules or regulations, must be received by the Director within 20 days after the date of receipt of the notice by the petitioner or revocation of a "Lottery Bank", ["Lottery Agent"] "Manual Agent", "Retail Machine Vending Agent", or "Claim Center" license or safe-keeping facility appointment.

17:20-5.10(b)1. Five hundred dollars to an agent who sells a \$50,000 winning ticket, [a] the weekly lottery first place prize;

17:20-6.1(d) [In this connection] Regarding the above, agents should refer to the instructions to authorized agents, made available to agents by the Director.

17:21-6.6(a) (Note: Table follows, and accompanying footnote below refers to five-digit scramble prizes.) Any ticket bearing the identical digits as the winning number without regard to sequential arrangement. [First and second place winners are excluded.] Prize winner eligible for an equal or higher dollar prize are excluded. Example, if 12345 is the winning number, then 21534 would be an eighth-place winner.

An order adopting these rules was filed and effective November 29, 1972, as R.1972 d.238.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

**TREASURY**

**DIVISION OF PENSIONS**

**Revisions Concerning Public Employees' Retirement System**

On December 14, 1972, Christopher F. Carson, Secretary of the Public Employees' Retirement System in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:15A-17 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules of the Public Employees' Retirement System, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 283(a).

Such revisions will be included in Chapter 2 of Title 17 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective December 18, 1972, as R.1972 d.257.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

**TREASURY**

**DIVISION OF TAXATION**

**Rules On Implementation of Accounting Procedures Relating to the Collection of Sales Tax**

On December 18, 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-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the implementation of accounting procedures relating to the collection of the sales tax, as proposed in the Notice published August 10, 1972, at 4 N.J.R. 197(c).

Such rules may be cited as N.J.A.C. 18:24-20.1 et seq.

An order adopting these rules was filed and effective December 18, 1972, as R.1972 d.258.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

**NEW JERSEY MORTGAGE FINANCE AGENCY**

**Proposed Revisions to Rules of New Jersey Mortgage Finance Agency**

Robert A. Watson, Executive Director of the New Jersey Mortgage Finance Agency, pursuant to authority of N.J. S.A. 17:1B-4 et seq., proposes to revise a portion of the rules of the New Jersey Mortgage Finance Agency by deleting in its entirety the text of the current N.J.A.C. 19:1-1.8 (Application of loan proceeds; restrictions as to new residential mortgages) and adopting new text for that Section, and to adopt a new N.J.A.C. 9:1-1.13 (Purchase of Agency bonds).

Full text of the proposed revisions follows:

19:1-1.8 Application of loan proceeds; restrictions on new residential mortgages

(a) The terms of each loan shall require that the proceeds thereof paid to the mortgage lender be segregated from its other funds, and such mortgage lender shall on or prior to the 180th day following the receipt of the loan proceeds have entered into written commitments to make and shall thereafter proceed as promptly as practicable, to make and disburse from such loan proceeds, new residential mortgages to individuals only for residences located in the State for single-family dwellings or for multi-family dwellings for not more than four families in the aggregate; provided that each such new residential mortgage shall comply with such terms and conditions as shall be prescribed by the Agency in connection with the loan application therefor, and no such new residential mortgage shall have a stated maturity of less than 15 years from the date thereof.

(b) The aggregate principal amount of such new residential mortgages made by a mortgage lender from such loan proceeds shall equal the amount of such loan proceeds.

(c) All such written commitments for new residential mortgages shall have been made subsequent to the date of submission by the mortgage lender of the loan application.

(d) Reports by mortgage lenders as to the application of loan proceeds shall be made at such time and in such manner as shall be provided by the terms of the loan.

(e) Such new residential mortgages may be made by the mortgage lender either directly or through one or more agents.

(f) In the case of new residential mortgages made by a mortgage lender through an agent, the agreement between the mortgage lender and such an agent shall be in form satisfactory to the agency.

19:1-1.13 Purchase of Agency bonds

No mortgage lender (including any related person thereof, as defined in Section 103(c)(6)(C) of the Internal Revenue Code) shall, pursuant to any arrangement, formal or informal, purchase the bonds of the Agency in an amount related to the amount of the Agency loans to be made to such mortgage lender (or related person, as aforesaid) by the Agency.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 24, 1973, to:

New Jersey Mortgage Finance Agency  
36 West State Street  
Trenton, New Jersey 08625

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

Robert A. Watson  
Executive Director  
New Jersey Mortgage Finance Agency

An order adopting these rules was filed December 4, 1972, as R.1972 d.243 (Exempt, Exempt Agency).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## PORT AUTHORITY OF NEW YORK AND NEW JERSEY

### Fees for Public Vehicular Parking At Kennedy International Airport

On November 2, 1972, the committee on operations of the Port Authority of New York and New Jersey adopted rules concerning public vehicular parking fees in parking lot number 6 at Kennedy International Airport.

Full text of the rule follows:

Resolved, that the resolution establishing fees for parking vehicles on public vehicular parking areas at Port Authority air terminals, adopted by the board at its meeting on March 11, 1948 (appearing at page 90 et seq. of the official minutes of that date), as subsequently amended, be and the same is hereby amended, effective immediately by adding to the section relative to Kennedy International Airport, the following:

#### Roof Top Lot 6

Up to 1 hour	\$ .50
4 hours	2.00
6 hours	3.00
8 hours	4.00
12 hours	6.00

Rates include six per cent New York City tax on parking

Notwithstanding any other provisions of this schedule of charges, the foregoing charges shall not apply to the following vehicles:

1. Vehicles carrying holders of annual passes issued by the Port Authority.

2. For the first 24 hours of parking, vehicles carrying persons who present Port Authority official business passes. At the expiration of the first 24-hour parking period the vehicular parking charge shall commence.

3. Vehicles carrying as passengers or vehicles waiting to receive as passengers any one of the following persons and their official parties:

a. The President of the United States, the Vice President of the United States, the Governors of the States of New York and New Jersey, the United States Senators from the States of New York and New Jersey, and United States Congressmen from the Port District:

b. The Mayor of any municipality in which any airport is totally or partially located;

c. Chiefs of Staff of any branch of the military service and chiefs of military missions;

d. Foreign dignitaries of the rank of ambassador or consul general or a rank equivalent to any of the above.

4. For the first six hours of parking, vehicles carrying newsmen and photographers holding press passes. (Newsmen and photographers presenting press passes may make other arrangements to park for an extended period of time at the airport by obtaining prior permission from the airport manager.) At the expiration of the first six-hour parking period in Lot 6 the vehicular parking charge shall commence.

# STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

## STATE TO ADOPT REGULATIONS CONTROLLING CABLE TELEVISION

Gov. William T. Cahill last month signed into law a bill regulating cable television in New Jersey.

Cable television, known as CATV, is a method of piping television programs directly from the station to the homes rather than the alternate method of broadcasting from station antenna to home antenna.

Under Senate Bill 840, sponsored by Sen. Harold C. Hollenbeck (R., Bergen), the State ends an 18-month moratorium on the issuance of cable TV franchises and provides for municipal and state Public Utility Commission approval and supervision.

Commenting on the measure, Governor Cahill stated that CATV has the potential to influence the life style of the average American perhaps more than any currently known technical development because of its 100-channel capacity and its two-way sending and receiving capability.

"It could, over the next 50 years, dramatically affect education, merchandising, government, business, transportation and entertainment. For these reasons, economically sound and technically competent operations are definitely in the public interest," he declared.

The new law provides that a company applying for a CATV franchise must first obtain municipal consent before receiving approval of the P.U.C. The municipality will receive two per cent of the company's annual gross revenues from operations in the municipality and the P.U.C. may tax an additional two per cent to cover the cost of administration.

The law creates an office of cable television under a director in the Public Utilities Commission and also creates an advisory council comprised of six ex-officio members and five public members, appointed by the Governor, to assist the director and the board.

The bill is effective immediately but no franchises may be issued within 120 days from Dec. 15 pending the development of regulations by the P.U.C.

Other provisions of the law include:

• Creation of municipal complaint officers to receive and act on complaints regarding CATV.

• No municipal officer or employee may have an interest in a CATV company applying for municipal consent.

• No CATV may discontinue service without approval of the P.U.C. and there may be no merger or consolidation without P.U.C. approval.

• The P.U.C. may order a company to construct and operate reasonable extensions of its existing system.

• No landlord may prevent a tenant from receiving CATV service.

## MINIMUM MILK PRICE INCREASED BY ONE-HALF CENT ON JANUARY 1

Effective New Year's Day, minimum prices for milk sold at stores in New Jersey went to 30½ cents a quart, 56 cents a half-gallon and \$1.06 a gallon, an increase of one-half cent per quart.

In making the announcement, Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, said that prices to dairy farmers had increased each month since the previous minimums went into effect Sept. 18.

The total increase in the farm price since that date, he said, is more than one-half cent per quart, but the bracketing system under State Milk Order 69-1 provided for only a one-half cent increase at this time.

The price increases to dairy farmers, Moffett explained, reflect both increased demand for milk and milk products and the effects of adverse weather conditions. Dairy farmers in the northeast, he said, have been particularly hard hit by the adverse weather which has reduced feed supplies and sharply increased production costs.

## AETNA CUTS AUTOMOBILE INSURANCE RATES 19 PER CENT UNDER "NO FAULT"

Aetna Life & Casualty Co. announced a Jan. 1 cut in its insurance rates by an average of 19.1 per cent Statewide for New Jersey motorists.

Aetna, one of the biggest car insurers in New Jersey, said the major part of its cut in rates was in response to the no-fault law now in effect.

A 15 per cent reduction of automobile insurance premiums was mandated under the new law.

The primary aim of the no-fault law is to provide that an insured in an auto accident collects from his own company regardless of which party is at fault.

Aetna said the effect of combined Statewide reduction of its rates would mean an 18.5 per cent decrease in the cost of family insurance policies, the company's most widely-purchased plan, and a 22.5 per cent drop in the cost of its special "good driver" policies.

Aetna Vice President John M. Parsons said, "As one of the first and strongest supporters of no-fault car insurance, Aetna is pleased that New Jersey has elected a system that not only will lower the cost of an essential consumer purchase but will in effect create a bill of rights for the accident victim—guaranteeing him compensation that is both fast and fair."

He said the reduction in rates reflects the company's improved claims experience in its liability and collision coverages.

## PUBLIC DEFENDER VAN NESS BACKS CAHILL'S PAROLE BILL

State Public Defender Stanley Van Ness said last month that Gov. William T. Cahill's controversial parole bill would relieve overcrowding in the prisons.

In a Dec. 11 letter to the Senate Committee on Institutions, Health and Welfare, Van Ness said:

"We must confront the reality that overcrowding is a prime cause of institutional unrest. This bill would allow for the alleviation of this problem in a manner consistent with the greater public good."

"It is clear that the central concern of the parole system is the removal from prison of those offenders for

whom successful reintegration and rehabilitation is predicted."

The measure is Senate Bill No. 1122.

Van Ness said under the bill's terms, prisoners who are ready to be returned to society can be, "while prisoners who are not can be provided with those services, made more manageable by a lowered population, that will tend to prepare them for their eventual release."

The parole bill, one of the major elements in Cahill's prison reform program, became stalled in the Senate after New Jersey's prosecutors voiced objection to its passage in its present form.

The New Jersey Prosecutors Association said the bill would not serve as a deterrent to crime.

Under the bill's terms, the State Parole Board would be able to release a prisoner who has served a minimum of six months.

The Board would be required to release a prisoner after he has served either his minimum or one-half of his adjusted maximum sentence (whichever comes first) unless it can show the inmate has not been rehabilitated or would endanger the community.

According to the bill, a sentencing judge must provide the reasons for imposing sentence.

## TRIPPLING OF FINES SHOWS THAT POLLUTING AIR IS COSTLY

In the first nine months of 1972, the Department of Environmental Protection reports, violators of the State's air pollution code were assessed \$715,550 in penalties, more than triple the amount for all of 1971.

More than half the total collected this year came from only seven concerns. Firms with the highest fines were U.S. Mineral Products, Corp. Stanhope, \$250,000; NL Industries, Sayreville, \$100,000; Continental Company, Paterson, \$50,000; Merck Company, Rahway, \$50,000; Flock Industries, Phillipsburg, \$30,000; Rawlins-Purle Industries, Winslow Township, \$30,000; and General Foods Maxwell House Division, Hoboken, \$30,000.

## JERSEY BANKS PRESSURED ON 'WORKING COUPLE' LOANS

Acting State Banking Commissioner Richard F. Schaub is critical of New Jersey banks which refuse to consider a working wife's income in determining whether to grant a mortgage or loan.

Warning that the traditional practice of ignoring a wife's income may be "discriminatory in certain instances", Schaub called upon lending institutions to update their policies.

While Schaub said he could not order banks to follow his instructions, he recommended the policy change in a strongly-worded letter to the financial institutions under his jurisdiction.

Schaub also disclosed that an unidentified lending institution apparently was denying loans to couples that failed to practice birth control and cautioned all mortgage lenders against asking such questions.

According to the Banking Department, the mortgage lender asked the birth control question to determine whether the wife's income might be cut off because of pregnancy.

But Schaub urged them to consider all, or at least part, of a wife's income when making credit determinations.

"There is an increasing number of career working wives

in New Jersey and their incomes should be considered, particularly in the area of mortgage loans," he said.

"Housing is so expensive in New Jersey that many wives have just continued to work so their families can afford decent housing."

The acting Commissioner contended that most banks in the State have updated their lending policies to give at least some consideration to a working wife's income.

But there are still many who are following the traditional practice of discounting a wife's income, he said.

"I hope they do reassess their policy and those that are not considering the wife's salary will have a change of heart," he added.

Schaub said "the practice of automatically eliminating the working wife's income when considering a loan request is inconsistent with contemporary bank credit policy and could, in fact, be considered discriminatory in certain instances".

In his letter, Schaub asked the banks to voluntarily consider all or at least a portion of the working wife's income when making a credit determination.

"In many instances," he said, "the wife's income is at least as dependable as the husband's despite the fact that she might have had periodic job interruptions to have her family."

Schaub added, "The days of the casually or seasonally employed wife and mother have given way to full-time career wives and mothers whose salaries should be considered along with the husband's in determining whether a loan should be denied or granted."

The Commissioner told mortgage lenders not to question couples applying for mortgage loans about their sexual habits.

He said it is "at best, an unconscionable practice which could be construed as unconstitutional since it invades a person's privacy".

"Home buyers who have been questioned on such a personal matter should report it to his Department," he said.

## **SPECIAL COMMISSION WILL REVIEW STATE'S WORKMEN'S COMPENSATION**

Appointment of a special commission to review the State's workmen's compensation program and to make recommendations for improvement has been announced by Gov. William T. Cahill.

The new seven-man Workmen's Compensation Study Commission, established by executive order, will review the work of the National Commission of State Workmen's Compensation Laws and the history of the New Jersey System to date, including surveys done by previous similar commissions, the Governor said.

"While New Jersey is a national leader in the field of workmen's compensation," the Governor said, "the time has come to review the system thoroughly in terms of administration, level of benefits, method of assessing the needs and extent of injury of injured employees and the costs of administering the program.

"We have been fortunate in obtaining some very able men to serve on the study commission. They include experts in the field of compensation, including three members of the National Commission of State Workmen's Compensation laws."

Members are: Clarence E. Carothers, retired administrator for workmen's compensation, Ford Motor Company, Dearborn, Mich.; John K. Dane, vice president, Liberty Mutual Insurance Co., Boston; Dickinson Debevoise, attorney, Newark; Dr. Henry H. Kessler, director, Professional Education and Research, Kessler Institute for Rehabilitation, West Orange; Attorney General George

F. Kugler Jr.; Bruce J. Legge, chairman, Workmen's Compensation Board of Ontario, Toronto; and James R. O'Brien, assistant director, AFL-CIO, Department of Social Security, Washington, D.C.

The Governor said he hopes to receive the Commission's initial report early this year and a final report by June 30. The Commission will analyze the problems of workmen's compensation and suggest reforms which can be translated into a significant legislative package, he said. There is no limitation on the Commission with respect to the type of problem or specific areas of inquiry.

Governor Cahill noted that the National Commission on State Workmen's Compensation Laws recommended last July that there be an advisory committee in each state to conduct a thorough examination of workmen's compensation laws in the light of their report.

## **PUC REPORTS ONE-THIRD OF SCHOOL BUSES FAILING INITIAL SAFETY CHECKS**

William E. Ozzard, President of the State Public Utilities Commission, reported last month that one-third of 21 buses recently checked had failed to meet safety requirements and were removed from service pending a complete re-inspection.

The seven defective vehicles were "grounded" when PUC inspectors conducted an unannounced road safety check at Penn Station in Newark. The buses were rejected for various defects, including faulty brakes, worn tires, inoperative speedometers and lack of emergency equipment.

Ozzard noted that none of these buses will be allowed back in operation until the PUC is satisfied all safety requirements have been met.

"Removing buses from service is a nuisance and an inconvenience to the riding public," said Ozzard. "Still, we cannot allow defective vehicles on the road. Each year the PUC is forced to reject more and more buses because of a lack of proper safety maintenance. In fiscal 1972, nine out of every ten vehicles checked failed inspection on the first attempt."

Ozzard attributed the high rejection rate to the depressed financial state of the bus industry in New Jersey. Heavy losses in recent years have forced companies to cut back on safety inspections and to severely limit purchases of new equipment.

Ozzard noted that passage of the \$650 million transportation bond issue, which was defeated by voters in November, would have provided funds for 1,500 new buses to replace the oldest portion of the 5,500-bus fleet now in operation.

"The industry itself," said Ozzard, "is financially incapable of making such a purchase. The public cannot and will not be served safely and adequately until there is a suitable fleet of safe and modern vehicles back on the road. While operating subsidies and State take-over are undesirable, a cooperative partnership between the State and the public transportation companies can be mutually beneficial."

## **PUC APPROVES FURTHER EXTENSIONS FOR THREE ELECTRICAL INSPECTION UNITS**

The State Board of Public Utility Commissioners last month approved requests from three of the State's five electrical inspection firms to expand their service areas.

The PUC first approved five electrical inspection authorities to operate in the state last June after promulgating new rules governing electrical inspections.

But, it found at the time that three of the companies—

# STATE NEWS OF PUBLIC INTEREST

Garden State Electrical Inspection Service, Atlantic Inland and Middle Atlantic Electrical Inspections—had inadequate personnel and facilities and so they were awarded only limited franchise areas, the PUC said.

Garden State was authorized to operate in Union, Middlesex, Monmouth, Ocean and Somerset counties; Atlantic Inland in Camden, Gloucester and Burlington; and Middle Atlantic in Cape May, Atlantic and Cumberland.

According to the order issued Dec. 7, Garden State is now also permitted to do business in Essex, Morris, Sussex, Passaic and Bergen; Atlantic Inland in Middlesex, Mercer, Somerset, Salem, Atlantic, Ocean and Hunterdon, and Middle Atlantic in Camden, Gloucester, Ocean, Salem, Mercer, Monmouth and Burlington.

The order, signed by Commissioner Anthony J. Grossi, said the PUC had found that the three companies have now adequately established offices, inspectors and supervisors and have furnished adequate electrical inspection service in their franchise areas.

However, the board stipulated that Garden State is required to establish another office in Morris and hire two more inspectors; Atlantic Inland must create an office in Mercer or Somerset and hire two inspectors; and Middle Atlantic must establish an office in Burlington and also employ two more inspectors.

These requirements will double present staffs for each firm.

## OSBORNE NEW OPERATIONS DIRECTOR OF HOUSING FINANCE AGENCY

John P. Renna Jr., executive director of the New Jersey Housing Finance Agency, last month named Harris H. Osborne of Bridgeton as their new director of operations.

Osborne, 39, former chief of operations for the agency, succeeded Vincent Corrado of Newark, who resigned for health reasons.

As director of operations, Osborne is responsible for supervising the processing of all NJHFA developments, from applications for mortgage loans through construction.

At a \$22,800 level in his new post, Osborne joined the Housing Finance Agency in 1969 as a senior project manager. He had previously been Cumberland County supervisor for the Farmers Home Administration.

A graduate of Delaware Valley College and Glassboro State College, he is married and lives with his wife and son at 19 Meadowood Drive, Bridgeton.

## BROOKS ACTING SUPERINTENDENT OF SOMERSET COUNTY SCHOOLS

Dr. William W. Brooks, deputy assistant commissioner in the State Department of Education's Division of Curriculum and Instruction, has been named acting county superintendent of schools in Somerset County.

The appointment was made by State Education Commissioner Carl L. Marburger and approved by the State Board of Education at its meeting Dec. 6. The vacancy in the Somerset County superintendency was created by the

death Nov. 26 of Ernest L. Gilliland, who had served for 16 years.

Dr. Brooks will carry out the duties of the superintendent until a successor to Gilliland has been appointed and confirmed by the State Board. While serving as acting county superintendent, Brooks will continue to serve as deputy assistant commissioner.

## APPOINTED TO NEW DEPUTY DIRECTOR POST IN STATE EDUCATION DIVISION

Appointment of Catherine Havrilesky as Deputy Director of the Division of Field Services in the State Department of Education has been announced by State Education Commissioner Carl L. Marburger.

Ms. Havrilesky had been serving as assistant director of the division.

According to John Rosser, Director of the Division, the new position of Deputy Director, with a \$20,731-27,990 salary range, was established to enable the Division to handle more efficiently the administration of its seven bureaus.

The Division includes the bureaus of Adult and Continuing Education, Facility Planning Services, Food Program Administration, Non-Public School Secular Education, Pupil Transportation, Teacher Education and Academic Credentials, and Instructional Technology.

Ms. Havrilesky, 35, was director of the State's high school equivalency program before being named assistant director last year. She joined the Department of Education in 1969, coming from the Department of Community Affairs where she supervised literacy programs.

She worked previously as educational administrator for United Progress, Trenton's anti-poverty agency, and as a teacher of adult education in Philadelphia. A graduate of Pennsylvania State University with a master's degree from Temple University, she lives in Ewing Township.

## NAMED HEAD OF STATE BUREAU OF SPECIAL EDUCATION SERVICES

James W. Richardson has been appointed director of the State Department of Education's bureau of Special Education Services, according to State Education Commissioner Carl L. Marburger.

The bureau is in the branch of Special Education and Pupil Personnel Services, Division of Curriculum and Instruction, where Richardson had been serving as coordinator of special education programs in nonpublic schools.

Richardson, 35, fills a vacancy created by the resignation last year of John A. Visceglia.

As bureau head in a \$20,731-27,990 salary range, Richardson will direct the activities of regional special education coordinators and regional child study teams which provide help to local school districts in programs and services for handicapped children.

Richardson was born in Hackensack and graduated from Tusculum College, Greenville, Tenn. He was a special education teacher at Woods School, Langhorne, Pa., the Johnstone Training and Research Center, Bordentown, and in the Toms River school system before joining the Education Department as county supervisor of child study in Warren County. He came to Trenton in 1967 as a special education supervisor.

He holds a master's degree from Trenton State College and is completing work for his doctorate at Fairleigh Dickinson University. Married and with two children, he lives in Toms River.

### NEW CIVIL SERVICE PROCEDURE BOOKLET MADE AVAILABLE

The State Civil Service Commission last month distributed a new brochure entitled New Jersey Civil Service Commission Appeals Procedure—Disciplinary and Other Actions, to State and local governmental agencies operating under Civil Service, employee organizations and other groups.

James A. Alloway, President of the Civil Service Commission, said "this appeals procedure brochure has been issued to provide public employers, public employees and the general public with useful information concerning appeals to the Civil Service Commission from disciplinary and other actions.

"While the Civil Service Act and the Civil Service rules are operative in any hearing matter, this brochure outlines in nonlegal language the rights as well as the obligations that govern public employers and employees in matters related to appeals for hearings or reviews by the Civil Service Commission."

Individuals may obtain a copy of the 16-page booklet by sending a request to: Appeals Brochure, Department of Civil Service, State House, Trenton, N.J. 08625.

### EARLY COPIES OF LAWS ARE NEWLY AVAILABLE

A new service by the State to provide subscribers with a copy of each new law within two weeks of enactment is available effective with the start of the 1973 legislative year.

Being provided by the Laws and Commissions Section of the Office of the Secretary of State, it is known as the Advance Law Service. It will be on six- by nine-inch pages punched to fit standard loose-leaf binders, with italics and brackets as contained in the bill as enacted. Subscription rate is \$75 per year.

The new service supplements the Legislative Bill Service, long provided by the same office, which covers all new bills and resolutions as soon as printed. The rate for this service is likewise now set at \$75 a year. The previous \$40 rate had been in effect since 1953.

The official form below may be used for ordering:

#### SUBSCRIPTION ORDER

To: Laws and Commissions Section  
Office of Secretary of State  
Room 101, State House  
Trenton, N.J. 08625

(Make checks payable to the Secretary of State)

Enclosed is check for \$..... to cover:

ADVANCE LAW SERVICE (A copy of all laws within two weeks after enactment)—\$75.00 year

LEGISLATIVE BILL SERVICE (A copy of all bills and resolutions as soon as printed)—\$75.00 year

Name .....

Address .....

City ..... State ..... Zip .....

### SHORT HILLS INDUSTRIALIST NAMED BY GOVERNOR AS STATE TREASURER

Gov. William T. Cahill last month named William E. Mariuggi of Short Hills, an industrialist and business executive, to the \$40,000 post of State Treasurer.

Mariuggi succeeds State Treasurer Joseph McCrane, who earlier had submitted his resignation to take effect Jan. 1. In announcing the nomination, Governor Cahill said:

"I am very pleased that Bill Mariuggi has agreed to join this administration in what I consider one of the key positions in the Cabinet. He is a man of ability and integrity and his business background will enable him to continue the effort of this administration and his predecessor, Joe McCrane, to bring fiscal responsibility to State government.

"The fact that Joe McCrane advised me some time ago of his intention to resign has made it possible for me to act promptly to send to the Senate the name of an outstanding successor in Bill Mariuggi," the Governor said.

Mariuggi, 49, is vice president of Victory Optical Manufacturing Co.; president of the M. B. Optical Co. and secretary-treasurer of the Plaza Sunglasses, Inc., all of Newark. The firms are engaged in the manufacture of optical frames.

Mariuggi is also a director of the Broad National Bank of Newark. He will resign the bank post and divest himself of the stock he holds in the bank, he said.

A native of Newark, Mariuggi attended Stevens Institute of Technology in Hoboken before enlisting in the Army during World War II. He was commissioned an officer in the Corps of Engineers.

After the war, Mariuggi entered the U.S. Military Academy at West Point and was graduated in 1949 with a degree or bachelor of science.

Mariuggi is vice chairman of the State's Veterans Affairs Council, a member of the Boards of the New Jersey Foundation for Boys and United Cerebral Palsy of North Jersey and a trustee of the Columbian Foundation.

Politically, Mariuggi assumed an active role in the unsuccessful U.S. Senate campaign of Nelson G. Gross two years ago. At that time, Mariuggi served as chairman of the Statewide Citizens for Gross.

Mariuggi is married to the former Rose Salerno and they have two sons, William, 21, and Vincent, 19, and a daughter, Victoria, 15.

### 1972 REGISTER BOUND VOLUME AVAILABLE IN LIMITED SUPPLY

The annual bound volume of the 12 monthly issues of the New Jersey Register for 1972 may still be ordered by subscribers, Albert E. Bonacci, Director of Administrative Procedure, announces.

The volume will also include an index of all rules adopted during the year and of rules proposed but not yet adopted, along with a similar cumulative index for 1971.

The volume will be of 324 pages in so-called Perfect bound form and is the same size as previously.

Bonacci warned that the supply is limited, with orders accepted on a first-come basis.

Price is \$9.00 each, payable in advance, with post-paid shipment due early in 1973.

Check or money order should be made out to Treasurer, State of N.J. and orders mailed to the Division of Administrative Procedure, 10 North Stockton St., Trenton, N.J. 08608.