

# NEW JERSEY REGISTER



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WILLIAM T. CAHILL, Governor  
Albert E. Bonacci, Director of Administrative Procedure  
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(a)

## AGRICULTURE

### STATE BOARD OF AGRICULTURE

#### DIVISION OF REGULATORY SERVICES

##### Notice of Correction In Revisions For Eggs and the Official State Seal

Take notice that, in the Notice of Adoption of the revisions for eggs and the official State seal, published May 10, 1973 at 5 N.J.R. 134(c), there was a typographical error on the third line of the second paragraph in the Notice. The paragraph indicated that the adopted revisions were changing from 8 to 6 the standard at retail for Grade A, B quality in the text of N.J.A.C. 2:73-2.5(b). That text was incorrect since the adopted revisions changed from 3 (not 8) to 6 the standard at retail for Grade A, B quality.

The remaining portion of the Notice was correct as published.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## BANKING

### DIVISION OF BANKING

#### Proposed Rule on Limitations on Mortgage Loans

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-69A, proposes to adopt a new rule concerning limitations on mortgage loans.

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

##### SUBCHAPTER 1. [RESERVED] LIMITATIONS ON MORTGAGE LOANS

##### 3:10-1.1 Ratio of mortgage loans to time deposits

The allowable ratio of all principal balances owing a bank on mortgage loans, adjusted by the various exclusions noted in Section 69A of The Banking Act of 1948, as amended, shall be 80 per cent of the time deposits of the bank.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Roger F. Wagner  
Deputy Commissioner  
Department of Banking  
Trenton, N.J. 08625

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

Richard F. Schaub  
Commissioner  
Department of Banking

(c)

## BANKING

### DIVISION OF BANKING

#### CONSUMER CREDIT BUREAU

##### Proposed Rules on Solicitation of Business

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:11A-54(a), proposes to adopt new rules concerning the solicitation of business. Take notice that there was a previous Notice of proposed action on the same subject published January 4, 1973, at 5 N.J.R. 5(b) which is now superseded by this Notice.

Full text of the proposed rules follows:

##### TITLE 3 DEPARTMENT OF BANKING

##### SUBTITLE C. CONSUMER CREDIT BUREAU

##### CHAPTER 18 SECONDARY MORTGAGE LOAN ACT REGULATIONS

##### SUBCHAPTER 6. SOLICITATION OF BUSINESS

##### 3:18-6.1 Solicitation of business for another lender prohibited

A licensee is hereby prohibited from soliciting secondary mortgage loans for and on behalf of some other lender and any such solicitation of secondary mortgage loans by a licensee shall be deemed to be in violation of N.J.S.A. 17:11A-46k.

##### 3:18-6.2 Definitions

For the purpose of this regulation:

"Solicit" means and includes any and all types of ad-

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vertising or any other form of communication with prospective borrowers which results in the origination of secondary mortgage loans in the name of a licensee which, by prior agreement and in the normal course of business, are subsequently negotiated to a lender.

"Lender" means and includes a secondary mortgage loan licensee or any in or out-of-state bank or other financial institution which, by prior agreement and in the normal course of business, acquires individual secondary mortgage loans which have been solicited by a licensee.

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

The provisions of N.J.A.C. 3:18-7.1 shall 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.

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

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Richard F. Schaub  
Commissioner  
Department of Banking  
36 West State Street  
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  
Commissioner  
Department of Banking

(a)

## BANKING

### DIVISION OF BANKING

#### CONSUMER CREDIT BUREAU

##### Rules on Advertising

On May 24, 1973, Roger F. Wagner, Acting Commissioner of Banking, pursuant to authority of N.J.S.A. 17:11A-54(a) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new rules concerning advertising, substantially as proposed in the Notice published January 4, 1973, at 5 N.J.R. 5(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Banking.

Take notice that only Subchapter 7, Chapter 18, Title 3 is being adopted herein. The proposed rules concerning solicitation of business to be cited as N.J.A.C. 3:18-6.1 et seq. are being republished as a new proposal in this issue of the New Jersey Register.

Full text of the adopted rules concerning advertising follows:

#### SUBCHAPTER 7. ADVERTISING

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

One copy of all advertising material, including radio and television scripts, shall be kept on file in the licensee's office for at least one year after the last date on which any such advertisement was utilized, said date to be noted on any such advertisement.

##### 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

Any licensee who 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, verbal, written or visual. Any such written or visual statement shall be no smaller than the main body of the other printed matter.

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

Any licensee who advertises the availability of credit life or accident insurance shall specifically state that such insurance is optional.

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

(a) The use of any of the following types of advertising shall be deemed to be misleading or deceptive and as such, in violation of N.J.S.A. 17:11A-46L(5):

1. A form which has the appearance of a check, money order, draft or other instrument which is normally used for the transfer of funds.

2. Reference to terms such as savings, thrift, share, passbook, account, deposit, certificate or any other word or phrase of similar meaning, used individually or collectively.

##### 3:18-7.6 Verbal advertisement

A verbal advertisement by radio, television or otherwise shall include a statement to the effect that the type of loan involved is a secondary mortgage loan.

Statutory Reference  
N.J.S.A. 17:11A-46L(5)

An order adopting these rules was filed May 23, 1973, as R.1973 d.133 to become effective June 7, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## BANKING

### DIVISION OF SAVINGS AND LOAN ASSOCIATIONS

#### Revisions of Minimum Requirements Of Repair and Improvement Loans

On May 4, 1973, Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:12B-197 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the minimum requirements of repair and improvement loans, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 103(a).

Such revisions will be reflected in N.J.A.C. 3:31-2.1.

An order adopting the revisions was filed and effective May 7, 1973, as R.1973 d.124.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Rules on Service of CS-31B

#### Forms by Appointing Authorities

On May 10, 1973, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a procedure rule concerning the service of CS-31B forms by appointing authorities.

The rule is to be included in Subpart 5-15.102 of the Civil Service Personnel Manual (Local Jurisdiction).

Full text of the adopted rule follows:

#### Subpart 5-15.102 Service Of CS-31B Forms By Appointing Authorities

##### 5-15.102a Purpose:

This subpart further interprets N.J.A.C. 4:1-5.15 regarding time limits for departmental hearings.

##### 5-15.102b Interpretation

As stated in N.J.A.C. 4:1-5.15, Departmental hearings are required to be held not later than 30 days after service of a copy of the charges (Form CS-31A).

Effective June 1, 1973, appointing authorities will be required to furnish the Final Notice of Disciplinary Action (Form CS-31B) containing the decision arising from the Departmental hearing to the employee and the Department of Civil Service within 30 days of the date of hearing unless for good and sufficient reason the Chief Examiner and Secretary permit an extension of time.

An order adopting this rule was filed May 14, 1973, as R.1973 d.127 (Exempt, Procedure Rule) to become effective June 1, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revisions to Civil Service

#### Personnel Manual (State Service)

On May 10, 1973, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to six subparts of the Civil Service Personnel Manual (State Service).

The subparts affected by these revisions are:

1. Subpart 5-15.102 — Service Of CS-31B Form By Appointing Authorities;

2. Subpart 7-3.105 — Policy For Determining Salary And Anniversary Date Of An Employee Who Has Been Demoted Or Reappointed To A Title With A Lower Evaluation;

3. Subpart 7-3.106 — Policy For Determining Salary And Anniversary Date Of An Employee Affected By Reassignment Of An Individual Title To A New Salary Range As A Result Of Reevaluation;

4. Subpart 7-3.108 — Determination Of Salary And An-

niversary Date Of Employees Moving From 10 Month to 12 Month Positions And From 12 to 10 Month Positions;

5. Subpart 7-3.109 — Pay Adjustments Resulting From Changes In Work Week;

6. Subpart 7-3.110 — Back Pay For Employees Reinstated Subsequent To Adjudication Or Settlement.

Individual subparts of this manual are distributed to individuals on specific request to the Department of Civil Service. The entire manual is available to the public for reading at the office of the Department of Civil Service, State House, Trenton, N.J., or at State libraries.

An order adopting these revisions was filed May 14, 1973, as R.1973 d.128 (Exempt, Procedure Rule) to become effective May 18, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions In Requirements For Drivers of Small Vehicles

Edward W. Kilpatrick, Acting Commissioner of Education and Acting Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to revise N.J.A.C. 6:21-11.2(a) concerning the requirements for drivers of small vehicles.

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

##### 6:21-11.2 Requirements for drivers of small vehicles

(a) [A driver transporting pupils in a small vehicle, under the jurisdiction of a local board of education, shall possess a valid School Bus Driver's License issued by the Division of Motor Vehicles. He shall be a reliable person of good moral character and not less than 21 years of age.]

To be eligible for employment as a regular or substitute small vehicle driver an applicant shall be a reliable person of good moral character and shall have a minimum of three years previous driving experience, be physically fit and shall possess a valid bus driver's license issued by the State Department of Law and Public Safety, Division of Motor Vehicles.

Note: A parent transporting only his own child or children on a for-hire basis will not be required to possess a [school] bus driver's license[.] or to comply with the health examination prescribed for employees of the boards of education. If, however, the parent in this case utilizes a vehicle which has a capacity greater than six, the Division of Motor Vehicles will require the driver to possess a [special] bus driver's license as required by N.J.S.A. 39:3-10.1.

(b) Section 11.1 [(b),] (c) and (d) of this Chapter also applies to the driver of a small vehicle.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Mrs. Anne Grandinetti  
Controversies and Disputes  
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.

Edward W. Kilpatrick  
Acting Commissioner of Education  
Acting Secretary, State Board of Education

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions On Color for School Bus Body and Chassis

On May 3, 1973, Edward W. Kilpatrick, Acting Commissioner of Education and Acting Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning the color for school bus body and chassis, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 103(c).

Such revisions will be reflected in N.J.A.C. 6:21-5.11 and 6:21-6.9.

An order adopting the revisions was filed and effective May 7, 1973, as R.1973 d.123.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### DIVISION OF WATER RESOURCES

#### Proposed Rules On Standard Specifications For Sealing Abandoned Wells

Charles M. Pike, Director of the Division of Water Resources in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 53:4A-4.1, proposes to adopt new standard specifications for sealing abandoned wells. The proposed rules below supersede rules proposed on the same subject which were published November 9, 1972, at 4 N.J.R. 263(a) but never adopted.

Full text of the proposed rules follows:

#### SUBCHAPTER 9. SEALING OF ABANDONED WELLS

##### 7:9-9.1 General provisions

(a) The filling and sealing of an abandoned well in accordance with the following specifications will be accepted as in compliance with the provisions of N.J.S.A. 58:4A-4.1. A well may not be sealed by a proposed alternate method unless first approved in writing by the Bureau of Water Control of the Division of Water Resources.

(b) No person, partnership or corporation may engage in the sealing of a well unless his qualifications and experience have been approved in writing by the Bureau of Water Control of the Division. Depending upon the qualifications of a contractor, the Bureau may limit a contractor to the sealing of only certain types of wells (e.g. rock wells, single cased wells and the like). All sealing operations shall be under the immediate supervision of a person possessing a valid New Jersey well drillers license.

(c) The use of dynamite in well-sealing operations is expressly prohibited unless authorized in writing by the Bureau of Water Control of the Division.

(d) The following types of wells may not be sealed until the contractor has submitted a drawing with description of method proposed, which must be approved in writing by the Bureau of Water Control of the Division:

1. Wells drilled in areas where saltwater intrusion is imminent (e.g. beach communities);
2. Wells which have already been affected by saltwater intrusion or any other contaminants;
3. Gravel packed wells deriving water from more than one aquifer. The aquifers of the State are those water bearing formations or beds recognized as such by the Division. Some formations may contain more than one aquifer. If in doubt, contact the Bureau of Water Control of the Division.

(e) The contractor shall return to the well no sooner than 24 hours after sealing to allow time for settlement. The remaining space at the top of the well shall then be filled with concrete and the top formed so as to create a concrete slab at least six inches thick above the top of the casing with a diameter at least two feet greater than the outer casing.

(f) After well has been sealed, a detailed description of the well and method used for sealing shall be submitted to the Bureau of Water Control of the Division.

##### 7:9-9.2 Rock wells

(a) The regulations concerning single cased rock wells are:

1. Clear well of pump, pipe and all obstructions.
2. That portion of a well which is uncased in rock shall be filled only with sterilized coarse gravel or crushed stone to within 10 to 20 feet of the bottom of the casing and sealed off with an impermeable plug of sterilized packing materials. The open hole above the plug and the space within the casing shall then be sealed with concrete, cement grout or neat cement which shall be introduced through a pipe discharging at the bottom of the space to be filled in order to prevent dilution of the sealing material.
3. If geologic and hydrologic conditions make it undesirable to use gravel or crushed stone in the uncased hole, the entire well shall be sealed as described above in paragraph 2.

(b) The regulations concerning double or multiple cased rock wells are:

1. Clear well of pump, pipe and all other obstructions and where possible remove all inner casings.
2. Procedure then shall be as under Section 11A above except that any remaining casing shall be sealed as in a single cased well.

##### 7:9-9.3 Sand and gravel wells

(a) The regulations concerning single cased sand and gravel well are:

1. Clear well of pump, pipe and all obstructions.
  - i. Where only one aquifer has been screened the screen shall be filled with sterilized sand or gravel which shall not extend above the top of the screen.
  - ii. Where two or more aquifers have been screened only the lower-most screen shall be filled with sterilized sand or gravel. The remainder of the well and all upper screens be sealed as described below in paragraphs 2 and 3.
2. The casing and screen (where not filled with sand or gravel as described in paragraph 1 above) shall be filled with a sterilized clam slurry weighing not less than 14 pounds per gallon, cement groat, or neat cement. Concrete may not be used in a screened interval but may be used within the casing. All of the above-mentioned sealing materials shall be introduced through a pipe discharging at the bottom of the space to be filled in order to prevent dilution of the sealing material.
  - iii. If preferred in large diameter wells, casing and up-



per screens may be filled from the top with dry clay free of lumps larger than  $\frac{3}{4}$  inch diameter, in lifts not higher than five feet, and each lift tamped with the proper drilling tool.

(b) The rules concerning double or multiple cased wells with no gravel pack, or gravel packed in the first water bearing formation only are:

1. Clear well of pump, pipe and all other obstructions and remove as much inner casing as possible.

2. The screened portion shall be filled with sterilized sand or gravel which shall not extend above the top of the screen.

3. All remaining casing and annular spaces shall be filled as described in Section 111A2.

(c) The rules concerning double or multiple cased wells with gravel packed, screened below the first water bearing formation but tapping only one aquifer are:

1. Clear well of pump, and all other obstructions and remove as much inner casing as possible.

2. If gravel pack within annular space(s) between casing(s) does not extend from the screened formation to the aquifer above and is at least 20 feet below the next aquifer, the contractor may fill the screen with sand or gravel and seal the well and annular space as described in Section 111A2.

3. If gravel within annular space(s) extends to within 20 feet of the next water bearing formation, either of the two methods described below are acceptable:

i. Place packer at the top of the screen, and inject a non-toxic chemical grout under pressure into the screen and surrounding gravel pack below the packer and at least 20 feet vertically into the gravel pack occupying the annular space(s) between casings. If preferred, this section may be filled with sterilized coarse gravel prior to grout injection in order to reduce the amount of grout needed. After the grout has set, the remaining casing and annular space(s) shall be sealed as described in Section 111A2.

ii. If preferred the screen and casing may be filled with sterilized sand to a point between the screen and next overlying aquifer but at least 20 feet below the next aquifer. The inner casing(s) then shall be perforated or ripped at this point, a packer inserted, and nontoxic chemical grout injected under pressure below the packer into the surrounding gravel pack so that the annular space(s) between casings is sealed for a vertical distance at least 20 feet between the screen and the next aquifer. After the grout has set the remaining casing and annular space(s) shall be sealed as described under Section 111A2.

#### 7:9-9.4 Test wells

(a) An unused test well shall be considered an abandoned well and shall be sealed as described in the previous sections unless it is to be used for observation purposes in which case permission must be granted in writing by the Bureau of Water Control of the Division.

(b) If the casing of a test well is to be removed, the open hole shall be filled with a sterilized clay slurry weighing not less than 14 pounds per gallon, cement grout, neat cement or concrete, which shall be introduced from the bottom of the space to be filled. In unconsolidated formations, the sealing material shall be introduced into the bottom of the hole while the casing is pulled so as to prevent the uncased hole from caving. The producing zone, or uncased hole in a rock well, shall be filled with sterilized gravel or crushed stone. However, in rock wells where zones of poor quality water were encountered or where geologic and hydrologic conditions make it unadvisable to use gravel or crushed stone, the entire hole shall be sealed.

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before June 27, 1973, to:

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

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

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

### (a)

## ENVIRONMENTAL PROTECTION THE COMMISSIONER

### Extension of Wetlands Order To Cover Portions of Atlantic County

On May 22, 1973, 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 an extension of the Wetlands Order to cover portions of Atlantic County, as proposed in the Notice published February 8, 1973, at 5 N.J.R. 36(d).

Such rule may be cited as N.J.A.C. 7:7A-1.1(a)7.

An order adopting this extension was filed May 23, 1973, as R.1973 d.134 to become effective June 8, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

### (b)

## ENVIRONMENTAL PROTECTION THE COMMISSIONER

### Extension of Wetlands Order to Cover Portions of Burlington County

On May 22, 1973, 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 an extension of the Wetlands Order to cover portions of Burlington County, as proposed in the Notice published February 8, 1973, at 5 N.J.R. 37(a).

Such rule may be cited as N.J.A.C. 7:7A-1.1(a)8.

An order adopting this extension was filed May 23, 1973, as R.1973 d.135 to become effective June 8, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

### (c)

## ENVIRONMENTAL PROTECTION DIVISION OF MARINE SERVICES

### Rules on Hull Identification Numbers

On May 23, 1973, Richard D. Goodenough, Director of the Division of Marine Services in the Department of Environ-

mental Protection, pursuant to authority of N.J.S.A. 12:7-34.49 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted mandatory rules on hull identification numbers in accordance with the requirements of the United States Coast Guard.

Full text of the rules follows:

## **SUBCHAPTER 5. HULL IDENTIFICATION NUMBERS**

### **7:6-5.1 General provisions; hull identification numbers**

(a) Any vessel manufactured after November 1, 1972, offered for sale in New Jersey must have a hull identification number assigned to it. The number assigned to said vessel shall be in the form approved by the United States Coast Guard.

(b) Registration numbers shall not be issued to any vessel that does not comply with the above requirement.

(c) Vessels built after the above date that are homemade or for other reasons do not have a hull identification number assigned to them by their builders shall be assigned a number by the Department. The number series used by the Department shall be composed of three parts. The first section shall be NJZ—followed by a second section composed of a five digit number commencing with 00001; the third section shall consist of the numerals indicating the month and year it was built. An example of a hull identification number is as follows: NJZ-00001-0273.

(d) The hull identification number must be carved, burned, stamped, embossed or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the waterline of the boat, in such a way that alteration, removal or replacement would be obvious and evident.

(e) The hull identification number must be no less than one-fourth of an inch in height.

### **7:6-5.2 Registration requirements; livery vessels**

(a) The requirements for the carrying of a registration certificate aboard vessels is waived for vessels rented for a period of less than 24 hours.

(b) The owner of the rental vessel shall have the right to retain the registration cards for such vessels at his place of business. The registration cards shall be available for inspection by members of the New Jersey Marine Police, United States Coast Guard or other enforcement agencies at the place of business.

(c) Nothing in this regulation is to be construed to mean that decals also are exempt from being placed on these vessels. Decals shall be displayed as provided for in other regulations.

An order adopting these rules was filed and effective May 23, 1973, as R.1973 d.136 (Exempt, Mandatory Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## **ENVIRONMENTAL PROTECTION**

### **DIVISION OF PARKS AND FORESTRY**

#### **Rules on Special Permits for Island Beach State Park**

On May 23, 1973, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-3 and in accordance with applicable provisions

of the Administrative Procedure Act of 1968, adopted rules on special permits for Island Beach State Park, as proposed in the Notice published March 8, 1973, at 5 N.J.R. 81(a).

Such rules may be cited as N.J.A.C. 7:2-16.1.

An order adopting these rules was filed and effective May 24, 1973, as R.1973 d.138.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## **HEALTH**

### **THE COMMISSIONER**

#### **Proposed Revised Manual of Standards For Intermediate Care Facilities**

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to adopt a revised Manual of Standards for Intermediate Care Facilities.

The manual, if adopted, will be included in Subtitle D of Title 8 in the New Jersey Administrative Code.

The revised manual deals with definitions, admission, transfer and discharge policies, administration and organization, physician services and treatments, nursing services, resident's activities and social services, pharmaceutical services, dietary services, housekeeping services, medical and clinical records, rehabilitation services, physical environment, independent professional review and utilization, disaster plan and civil rights.

Copies of the full text of the proposed revised manual, consisting of 99 pages, may be reviewed upon request during normal working hours by contacting:

Arthur E. Brown  
Assistant Commissioner of Health Facilities  
State Department of Health  
John Fitch Plaza  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to the Department of Health at the above address.

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

James R. Cowan  
Commissioner  
Department of Health

(c)

## **HEALTH**

### **THE COMMISSIONER**

#### **Proposed Amendments to Guidelines for Expediting A Certificate of Need in Transfer of Ownership**

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to amend the guidelines for expediting a certificate of need in transfer of ownership.

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

#### 8:34-4.3 Bureau of Program Control

Subsection (c) should read, "The Bureau of Financial Analysis will proceed immediately with the financial feasibility portion of the certificate of need processing procedure. The evaluation . . ."

N.J.A.C. 8:34-4.4 (a) 1. should read, "Arrange for survey of the facility as to its operation and its conformance to State licensing standards."

N.J.A.C. 8:34-4.4 (b); Delete current subsection (b) and replace with, "Upon completion of the conference with the Licensing Bureau and after submittal, if requested by such Bureau, of a satisfactory written plan to eliminate deficiencies, a license will be issued provided that a certificate of need has been obtained by the applicant."

#### 8:34-4.5 Comprehensive Health Planning Agency

Subsection (a) should read, "Upon completion of the review of the material from the Bureau of Program Control and any other information required under the planning process, the . . ."

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Arthur E. Brown  
Assistant Commissioner for Health Facilities  
State Department of Health Facilities  
John Fitch Plaza  
Trenton, New Jersey 08625

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

James R. Cowan  
Commissioner  
Department of Health

(a)

## HEALTH

### DIVISION OF HEALTH FACILITIES

#### Schedule of Filing Fees for Certificate of Need Applications

On May 11, 1973, James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the schedule of filing fees for certificate of need applications, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 106(c).

This schedule may be cited as N.J.A.C. 8:31-5.1.

An order adopting this schedule was filed and effective May 15, 1973, as R.1973 d.129.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## HIGHER EDUCATION

### EDUCATIONAL OPPORTUNITY FUND

#### Revised Financial Aid Guidelines

On April 30, 1973, Juanita High, Executive Director of the

Educational Opportunity Fund in the Department of Higher Education, on behalf of the Board of Directors and pursuant to authority of N.J.S.A. 18A:71-28 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning the revised financial aid guidelines of the Educational Opportunity Fund.

Such revisions will be included in Subchapter 1 of Chapter 11 in Title 9 of the New Jersey Administrative Code.

The revised guidelines deal with statements of philosophy, student eligibility, student residency, definitions, financial eligibility, verification of financial eligibility, schedule of EOF academic year awards, duration of student eligibility, matching funds, transfer students, student notification and acceptance, discontinuation of EOF grants, liability, application procedures for in-State grants and out-of-State grants, auditing and unexpended funds.

Copies of the full text of these revised rules which total 24 pages may be obtained from:

Juanita High  
Executive Director  
Educational Opportunity Fund  
Department of Higher Education  
10 Bruce Park Drive  
Trenton, New Jersey

An order adopting these revised rules was filed and effective May 2, 1973, as R.1973 d.121 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Rules Concerning Factoring

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt new rules concerning the prohibition on factoring by providers participating in the New Jersey Health Services Program. The proposed rules are applicable under Chapter 1, Section 116, of all Health Services Program Manuals.

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

Full text of the proposed new rules follows:

#### Section 116. Prohibition on factoring

No provider participating in the Health Services Program shall enter into any contract, agreement or other understanding, whether oral or written, with any service bureau, management agency or other organization, the purpose or effect of which is to cause a portion of any Medicaid claim payment to be diverted or made payable to any party other than the participating provider who rendered the services or supplies in question.

In those cases in which a service bureau, management agency or other organization is utilized by a provider to perform management, clerical and/or other services relating to the claims payment process, Medicaid claim forms, or exact replicas thereof, must be utilized. If standard Medicaid forms are not utilized, the service bureau or management agency must assume the entire cost of printing duplicate forms.



If a participating provider designates an agency as its agent for the purposes set forth in paragraphs one and two above, said service bureau of management agency may act as agent for the provider for purposes of rendering services in relation to the claims payment process (including the signing of Medicaid claim forms on behalf of said provider) only if an appropriate power of attorney is executed by the provider and the agent, and only if the power-of-attorney and the agreement or other understanding between said provider and its agent contains a detailed statement of the powers and duties of the agent (including the power to sign Medicaid claim forms on behalf of the provider), and then only if the requirements set forth in paragraphs one and two above relating to non-diversion of Medicaid claim payments and appropriate use of Medicaid claim forms are specifically incorporated into said power-of-attorney and said contract, agreement or understanding. Both the power of attorney and the contract agreement or understanding, if written, shall be filed with the Division.

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before June 27, 1973, to the Division of Medical Assistance and Health Services, Administrative Analyst, 324 East State 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

#### Proposed Revisions to Manual of Administration

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 adopt revisions to Sections 2102.2 and 2202. of the Manual of Administration concerning responsibilities of County Welfare Boards and photo identification cards.

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

2102. Responsibilities in the application process

2. Responsibilities of the County Welfare Board

g. Promptly issue a photo identification card to a person found eligible to receive a money payment and who is named as the payee, for the purpose of identification to facilitate the cashing of the public assistance check only; and

h. [g.] account to the Division of Public Welfare for all applications.

2202. Photo identification cards

Effective July 1, 1973 or as soon thereafter as is possible but in no event later than October 1, 1973, the CWB shall issue to every client found eligible to receive a money payment and who is also the named payee, a photo identification card to assist him in cashing his public assistance check. The photo I.D. card shall also be issued to persons found eligible for Medicaid only.

Exception to the above may be made in those instances where the recipient is living in a nursing home, intermedi-

ate care facility or public institution. In those cases where a person is named as a payee in behalf of a recipient neither the recipient nor the payee will be provided a photo I.D. card.

Should the recipient fail to keep his appointment for photographing and completion of the I.D. card without just cause and a reasonable effort has been made to elicit cooperation of the client, his public assistance check shall be held until he reports to the agency for completion of the I.D. card.

Photo I.D. cards must contain the following:

1. Name of the CWB.
2. Photo of recipient.
3. Signature of recipient.
4. Case number and recipient's name.
5. Card index number.
6. Statement restricting use of card.
7. Social Security number.
8. Date of expiration (date of next redetermination, that is, 3, 6, or 12 months from issuance).

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 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

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions to Rules On Assistance to Families of the Working Poor

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 delete portions of Sections 3010 and 3110 of the Assistance to Families of the Working Poor Manual of Administration.

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

3010. Purpose and intent of the program

The program of Assistance to the Families of the Working Poor provides financial assistance and other services under specified eligibility provisions to New Jersey families with children in which both parents [who are married to each other] are present in the home and are the natural or adoptive parents of such children but where there is inadequate income or resources for the support of the family.

Such families are entitled to receive the benefits available under the "New Jersey Medical Assistance and Health Services Act" and shall be afforded the opportunity to make application for such services without receiving a money payment under the AFWP program.

3110. Definition

2. Applicants

a. In AFWP "applicant" means both natural or adop-

tive parents [ceremonially married to each other] who sign an application (PA-1L) for financial assistance.

b. Since the term "applicant" means both parents both shall be required to execute the formal written application (PA-1L) unless one such parent is not immediately available to sign the application for reasons beyond the family's control. The non-signatory parent shall be required to annex his properly attested signature as promptly as he is available for such purpose.

#### .5 Parent

The term "parent" is used to refer to two adults of the opposite sex [ceremonially married to each other] who have at least one eligible child under the age of 18 residing with them. Such child shall be the natural child of both parents or the natural child of one and adopted by the other, or a child adopted by both.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 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 MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Standards for Intermediate Care

On May 23, 1973, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted standards for intermediate care substantially as proposed in the Notice published January 4, 1973, at 5 N.J.R. 10(a) but with subsequent, substantive changes not detrimental to the public in the opinion of the Department of Institutions and Agencies.

Such standards will be included in Subtitle I of Title 10 in the New Jersey Administrative Code.

The subsequent, substantive changes made in the adopted standards concern a redefinition of an intermediate care resident in reference to level of care classification and amendments to the amount of nursing personnel required to give adequate care for the defined type of resident.

Additional changes have been made to correlate other professional services with the two basic changes in resident definition and nursing personnel coverage. (It is anticipated that the adopted standards will correlate closely with the Intermediate Care Facility Standards proposed by the Department of Health.)

An order adopting these standards was filed May 23, 1973, as R.1973 d.132 to become effective July 1, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## INSURANCE

### THE COMMISSIONER

#### Rules on Format of Filings

On May 1, 1973, 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 concerning the format of filings, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 113(a).

Such rules may be cited as N.J.A.C. 11:1-2.1 et seq.

An order adopting these rules was filed and effective May 1, 1973, as R.1973 d.120.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### STATE BOARD OF MEDICAL EXAMINERS

##### Proposed Repeal of Rules

Anthony J. Balsamo, Secretary of the State Board of Examiners in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-2, proposes to repeal all of the rules of the State Board of Medical Examiners, with the exception of the following rules which shall remain in effect and be recodified accordingly:

(a) Rules adopted prior to September 1, 1969:

1. Rule 9. Candidates accredited with two years of college medicine after two years in Essex College of Medicine and Surgery and two additional years in approved medical college.

2. Rule 10. Candidates who are graduates of foreign schools, who have required documents, may be licensed.

3. Rule 21. Amended resolution adopted April 15, 1959. Graduates of Chicago Medical School, eligible for licensing under certain conditions.

4. Rule 23. Resolution adopted July 8, 1959: Medical-chiropractic and chiropodial licensure available in State of New Jersey by endorsement.

5. Rule 37. Regulations of the Board of Medical Examiners relative to internship requirements.

6. Rule 38. Rule promulgated by the Board of Medical Examiners under R.S. 45:9-41.6.

7. Rule 39. Rules and regulations of the Board of Medical Examiners relative to the Code of Unprofessional, Dishonorable and Unethical Conduct in the practice of podiatry.

8. Rule 40. Rule and regulation under R.S. 45:9-8(1)(a).

(b) Rules currently codified in Title 13, Chapter 35 of the New Jersey Administrative Code:

1. 13:35-1.1 Podiatry internship.

2. 13:35-1.2 Approved colleges of podiatry.

3. 13:35-2.5 Clinical clerkship.

4. 13:35-3.1 Federation licensing examination.

5. 13:35-3.2 Endorsement, federal licensing examination.

6. 13:35-3.3 Sister-state examination and practice.

7. 13:35-3.4 Diplomatic of specialty boards.

8. 13:35-3.5 Endorsement; National Boards of Medical, Podiatric and Osteopathic Examiners.

9. 13:35-4.1 Degree designation
10. 13:35-6.1 Absence of a candidate from examination.
11. 13:35-6.2 Guidelines for externship program.
12. 13:35-6.3 Granting license to direct and supervise a registered bio-analytical laboratory.
13. 13:35-6.4 Cheating during a licensing examination.
14. 13:35-6.5 Pronouncement of death at a home or non-medical facility.
15. 13:35-6.6 Requirements for issuing a prescription.
16. 13:35-6.8 Licensure by endorsement of midwives.
17. 13:35-6.9 Sale of electric or electronically-controlled wheelchair.

A copy of the complete list of rules which are proposed to be repealed may be obtained from:

Dr. Anthony J. Balsamo  
Secretary, New Jersey State Board of  
Medical Examiners  
28 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-4843

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before June 28, 1973, to Dr. Balsamo.

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

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

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### Proposed Rules For Motor Vehicle Advertising Practices

George F. Kugler Jr., Attorney General of the State of New Jersey, pursuant to authority of N.J.S.A. 56:8-4, proposes to adopt new rules concerning motor vehicle advertising practices. Proposed rules concerning the same subject were published in the May 10, 1973, issue of the New Jersey Register at 5 N.J.R. 152(a) but, due to substantial changes, are now being republished.

Full text of the proposed new rules follows:

#### CHAPTER 45A. GENERAL PROVISIONS

##### SUBCHAPTER 2. MOTOR VEHICLE ADVERTISING PRACTICES

###### 13:45A-2.1 Definitions

"Advertisement" means any advertisement as defined by N.J.S.A. 56:8-1(a) of any motor vehicle; such definition to include any statement, written or otherwise in words, symbols or otherwise, on radio or television, or in a newspaper, periodical, pamphlet, circular, telephone directory, or other publication or paper, or any sign which reveals the existence of or gives any information about any advertiser.

"Advertiser" means any person as defined by N.J.S.A. 56:8-1(d) who in the ordinary course of business is engaged in the sale or financing of motor vehicles or who in the course of any 12-month period offers more than three motor vehicles for sale, lease or rental, or who is

engaged in the brokerage of motor vehicles whether for sale, lease or rental, and who directly or indirectly initiates, requests or causes an advertisement to be made for motor vehicles; provided, however, that nothing herein contained shall apply to the owner or publisher of newspapers, magazines, publications or printed matter wherein such advertisement appears or to the owner or operator of a radio or television station which disseminates such advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser.

"Extra cost option" means optional equipment, regardless of its place of installation, on the motor vehicle, the price of which would not be included in the manufacturer's suggested retail price for the basic vehicle.

"Motor vehicle" means any vehicle driven or drawn otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

"Price advertisement" means any advertisement in which a specific price is stated or in which the price, although not expressly stated, is indicated as being a given amount of dollars below the list price or above the advertiser's cost.

"Price reduction advertisement" means any advertisement which in any way suggests that any motor vehicle is being offered for sale at a price less than either the manufacturer's total suggested retail price (15 USC § 1232) or the price range such motor vehicles are usually offered for sale by the advertiser.

"Sale" means sale as defined by N.J.S.A. 56:8-1(e) of any motor vehicle.

"Warranty advertisement" means any advertisement in which any warranty or guaranty for any motor vehicle or part thereof is offered in connection with the sale of such motor vehicle.

###### 13:45A-2.2 Unlawful motor vehicle advertising practices

(a) Without limiting any other practices which may be unlawful under the Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., the following motor vehicle advertising practices shall be unlawful thereunder:

###### 1. Bait and switch:

i. The use of a price advertisement as part of a plan or scheme not to sell the motor vehicles advertised or not to sell the same at the advertised price.

ii. Without limiting other means of proof, the following shall be prima facie evidence of a plan or scheme not to sell a motor vehicle as advertised or not to sell the same at the advertised price:

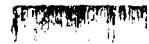
(1) Refusal to show, display or sell the motor vehicle advertised in accordance with the terms of the advertisement, except that an advertiser shall not be required to provide a road test of a motor vehicle unless so stated in the advertisement.

(2) The disparagement by act or word, either before or after the sale of the advertised motor vehicle, or of the guaranty, warranty, credit terms, availability of service, repairs or parts or of anything in any other respect a material fact connected with the advertised motor vehicle. However, disparagement shall not include an accurate factual description of the difference or differences between the advertised motor vehicle and other motor vehicles when and where the customer requests such information.

(3) The failure to have available at all outlets listed in the advertisement a sufficient quantity of the advertised motor vehicles to meet reasonably anticipated demands, unless the advertisement expressly states that supply is limited or is available only at designated outlets.

(4) The refusal to take orders for advertised motor





vehicles or the taking of orders at a price greater than the advertised price.

(5) The failure to submit orders to the manufacturer or other source used in the ordinary course of business, for the advertised motor vehicles.

(6) The showing, demonstrating or delivery of any advertised motor vehicle which is known to be or should have been known to be defective, unusable or unsuitable for the purpose represented or implied in the advertisement.

(7) Accepting a deposit for an advertised motor vehicle, then switching the purchaser to a higher-priced motor vehicle, except when the purchaser has initiated the switch as evidenced in writing to that effect and signed by the purchaser.

(8) The failure to make a delivery of the advertised motor vehicle within the promised delivery period, unless such failure is caused by reasons beyond the control of the advertiser.

(9) The use of a sales plan or method of compensating or penalizing salesmen designed to prevent or discourage them from selling the advertised motor vehicle or from selling the same at the advertised price. However, this provision shall not apply to a sales plan or method of compensation whereby a salesman realizes a fixed percentage rate of the gross amount of his sales made within a specified time period nor to salesman bonus plans designed primarily to encourage or reward salesmen for selling motor vehicles other than the advertised motor vehicle.

## 2. Price advertisements:

i. The use of a price advertisement to offer any motor vehicles unless the advertiser has at least one of the motor vehicles, as advertised, in stock and unless the exact quantity of available advertised motor vehicles at each advertised place of business and delivery dates for advertised motor vehicles not in stock are expressly stated in the advertisement.

ii. The failure in any price advertisement to disclose any of the following:

(1) The year, make and model, and the series if such advertised motor vehicles have a designated series;

(2) Whether the motor vehicle is new or used;

(3) Whether the motor vehicle has been used as a demonstrator, executive, police or fire vehicle, or passenger vehicle for lease, rental or hire, when such prior use is known or should have been known by the advertiser;

(4) The bona fide odometer reading of any specifically advertised demonstration, executive or used motor vehicle. The advertiser may rely on his seller's affidavit or certification as to mileage at the time the advertiser took possession of the motor vehicle provided such reliance is in good faith.

iii. In a price advertisement bearing a price less than actual cash price, the failure to clearly and conspicuously disclose that such price is offered with reference to a trade-in allowance or other means of price set-off.

iv. The failure in any price advertisement of a new motor vehicle to disclose whether the advertised price includes or excludes transportation, freight, shipping, dealer preparation or licensing costs, or any other additional costs except for tax costs.

v. In any price advertisement of a new, demonstrator or executive motor vehicle:

(1) The listing or naming of any equipment other than extra cost options included in the advertised price;

(2) The failure to state that any listed equipment is an extra cost option;

(3) The failure to expressly state that there are no extra cost options;

(4) The failure to expressly state that there are no extra cost options other than those listed.

## 3. Certain credit advertisements:

i. The advertising of credit, including but not limited to such terms as "easy credit" or "one-day credit," other than that actually transacted by the advertiser on a regular basis in the ordinary course of business.

## 4. Price reduction advertisements:

### i. In price reduction advertisements:

(1) The failure to include the manufacturer's total suggested retail price clearly labeled as such. Such an advertisement may indicate a reduction from either the said manufacturer's total suggested retail price or the price range such motor vehicles are usually offered for sale by the advertiser.

(2) Where a former price is used, the use of such price, whether express or implied, which was not offered by the advertiser to the public on a regular basis for a reasonably substantial period of time preceding the offer of a price reduction.

(3) The use of the term "sale", "discount", "savings", "price cut", or any other term suggesting a price reduction when the price reduction being offered is insignificant in relation to the total price of any motor vehicle or when no price reduction is in fact being offered.

## 5. Warranty advertisements:

i. In any warranty advertisement, other than one stating that the warranty or guaranty is a manufacturer's or factory warranty or guaranty, the failure to disclose the following:

(1) Limitation of warranty or guaranty as to duration, inclusion or exclusion of service or labor charges, and characteristics or properties of the motor vehicle or part thereof included or excluded by the warranty or guaranty.

(2) The fact that the warranty or guaranty is not a manufacturer's or factory warranty.

(3) Whether the warranty or guaranty will be performed by repair, replacement, refund or any other means and whether such manner of performance is at the option of the advertiser.

(4) Limitation of warranty or guaranty as to percentage ratio of cost or pro rata share to be assumed by the advertiser.

## 6. Guaranteed satisfaction, discount and quality claims:

### i. In any advertisement:

(1) The use of the term "satisfaction or your money back", "free trial period" or any other similar term when the advertiser cannot or does not intend promptly to make full refund, or fails to make full refund within a reasonable period of time; except when the advertiser has clearly and conspicuously stated any conditions or limitations on such offer and the purchaser has failed to comply with such conditions or limitations.

(2) The use of the term "guaranteed discount", "guaranteed lowest prices", or any other similar term unless the advertiser clearly and conspicuously discloses the manner in which such guarantee will be performed and any conditions or limitations controlling such performance.

(3) The use of any guarantee, warranty or any other representation regarding the quality of a motor vehicle or part thereof which creates a false impression of the quality, durability, maintenance needs or any other material fact concerning any motor vehicle or part thereof.

## 7. General:

i. The use of difference in type, size, style, location, lighting or color as to obscure or make misleading any material fact in any advertisement.

ii. In any advertisement, the use of deception, fraud, false pretense, false promise or misrepresentation as to the size, inventory or nature of the advertiser's business; as to the expertise of the advertiser, his agents or em-

employees; or as to the ability or capacity of the advertiser to offer price reductions or price savings.

iii. In any advertisement, the use of the term "low prices", "lowest prices", "lower than anyone else" or of any other term suggesting that the prices offered are lower than those usually offered in the business area of the advertiser when in fact the prices offered are not reasonably below those usually offered in the business area of the advertiser or any other term which is in any respect misleading.

iv. These rules shall apply to any advertisement uttered, issued, printed, disseminated or distributed within this State regardless of the location of the place of business from which the goods or services are sold or offered for sale, and to any advertisement uttered, issued, printed, disseminated or distributed outside this State concerning goods and services sold or offered for sale within this State, regardless of the domicile, residence, place of business or location of the principal office of the advertiser.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 28, 1973, to Millicent H. Fenwick, Director, Division of Consumer Affairs, 1100 Raymond Boulevard, Newark, New Jersey 07102.

The Attorney General of New Jersey, upon his own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

George F. Kugler Jr.  
Attorney General  
State of New Jersey

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Proposed Rules Concerning Bus Excise Tax

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. 48:4-24, proposes to adopt new rules concerning the payment and collection of bus excise tax.

Full text of the proposed rules follows:

#### SUBCHAPTER 7. PAYMENT AND COLLECTION OF BUS EXCISE TAX

##### 13:18-7.1 Definitions

"Taxpayer" means the owner, or the lessee in the case of a leased vehicle, of any omnibus operated both within and without this State at any time during a given calendar year.

"Taxable mileage" means the miles traveled, excluding exempt mileage, on any highway (including toll roads) of this State on any trip involving travel both within and without New Jersey.

"Exempt mileage" means the miles traveled in regular route passenger service within any municipality of this State under operating authority conferred pursuant to N.J.S.A. 48:4-3.

"Bureau" means the Bureau of Motor Carriers in the Division of Motor Vehicles.

##### 13:18-7.2 Schedule of operations; declaration

(a) Before operating any autobus in this State every taxpayer shall file with the Bureau a declaration of his schedule of operations within this State, which shall include:

1. The taxpayer's name;

2. Address of the taxpayer's principal place of business;

3. Addresses of all places of business he maintains within this State;

4. Addresses of bus terminals in this State at which any autobus of the taxpayer may call;

5. Address where the required records of the taxpayer's operations in this State are maintained;

6. Social security or employer identification number;

7. Interstate Commerce Commission motor carrier identification number, if any;

8. New Jersey Public Utility Commission number, if any;

9. Type(s) of operation: regular route certificated carrier, ICC, N.J.P.U.C.; charter bus operation; special bus operation;

10. How many vehicles the taxpayer will operate in New Jersey and whether he owns or leases them;

11. Names of municipalities of this State in which the taxpayer operates in regular route passenger service under authority conferred pursuant to N.J.S.A. 48:4-3.

12. Number of exempt miles traveled in such municipalities in interstate regular routes and number of trips per month;

13. Length in road miles of the New Jersey portion of all interstate regular routes and number of trips per month;

14. For interstate regular routes the points of origin in, or points of entry to, New Jersey; the points of termination in, or points of exit from, New Jersey.

(b) The declaration shall be sworn to before a notary public or attorney-at-law by the owner of the bus company, or a partner or an officer of the corporation.

(c) Every taxpayer shall report to the Bureau any subsequent changes in the information provided on the original declaration within seven days.

(d) The declaration shall remain on file in the Bureau until such time as the taxpayer discontinues operating within New Jersey and all monies due the State have been paid.

13:18-7.3 Tax reports; content; date due; late filing penalty; interest

(a) Every taxpayer shall file a report each month with the Bureau whether or not any tax is due or any mileage was traveled in New Jersey.

(b) The report shall set forth the total number of miles traveled in New Jersey by the taxpayer's entire fleet, the total exempt mileage, the total taxable mileage, and the total tax due if any.

(c) The report shall be due on or before the 25th day following the end of the tax month unless said 25th day falls on a legal holiday or a weekend in which case the report shall be due on or before the next regular business day.

(d) Conclusive evidence of the filing date shall be the postmarked or postal meter marked date on the transmitting envelope. In the event both marks appear on the envelope the postmarked date shall take precedence.

(e) The statutory penalty of \$5.00 per day for late filing shall accrue, Saturdays, Sundays and holidays excepted, to a maximum of \$25.00 except that no penalty shall be imposed for the first late filing that occurs after the effective date of these rules.

(f) Any tax due shall be remitted with the tax report.

(g) Interest shall accrue on any tax due at the rate of one per cent per month or fraction thereof from the first day of the month following the due date to the date the tax is paid.

13:18-7.4 Records; form; retention period; availability for examination

(a) Every taxpayer shall keep records filed chronologically and segregated by tax month of every interstate

trip involving travel within New Jersey whether or not there is taxable mileage.

(b) The record shall be segregated by vehicle identified by registration number and State of registration.

(c) The monthly trip record shall be supported by dispatch records, driver's logs and any business record of the taxpayer which is pertinent to the determination of taxable mileage.

(d) The records shall be maintained for a period of three years unless the Bureau has given permission for them to be destroyed sooner.

(e) The records shall be available for examination by an employee of the Division at the location where the taxpayer has declared such records are kept at any time during normal business hours.

(f) Upon request of the Bureau the taxpayer shall submit by mail the monthly trip record required to be kept by these rules.

**13:18-7.5 Revocation of registration certificate or vehicle operating privilege; failure to file reports, pay monies due, or comply with rules**

(a) The registration certificate of any autobus registered in this State, and the operating privilege of any autobus registered in another State, operated by the taxpayer shall be revoked for the following causes:

1. Failure or refusal to file any report, required by law and these rules to be filed, within 15 days after demand for the filing of said report has been mailed to the taxpayer by ordinary mail;

2. Failure or refusal to pay any monies due as determined by the Bureau within 15 days after demand for payment has been mailed to the taxpayer by ordinary mail;

3. Failure or refusal to maintain in the form required or to submit for examination any record required by law and these rules to be kept;

4. Failure or refusal to comply with any applicable provisions of law or these rules.

(b) A notice of the proposed revocation shall be sent by ordinary mail to the taxpayer at his principal place of business as recorded in the taxpayer's declaration.

(c) The revocation shall become effective on the 10th day following the date of notice but shall be stayed if a request to be heard is received in the Division within the notice period.

(d) Hearings shall be conducted as set forth in the Division's practice rules concerning administrative hearings (N.J.A.C. 13:19-1.1 et seq.).

(e) A revoked registration certificate or vehicle operating privilege shall be restored immediately upon removal of the cause for said revocation.

**13:18-7.6 Conferences: Assessments imposed following field or office audit**

(a) Any taxpayer against whom an assessment has been made on the basis of a field or office audit may participate in an informal conference with the Chief of the Bureau or such of his subordinates as he may designate.

(b) Payment of any assessment shall be stayed pending the result of said conference if the request is received within 15 days after demand for payment is mailed to the taxpayer.

(c) On the basis of factual evidence presented at the conference the assessment may be modified or set aside and notice of the determination made shall be mailed to the taxpayer by ordinary mail.

(d) If the determination does not entirely set aside the assessment, payment shall be made within 15 days after notice is mailed to the taxpayer.

**13:18-7.7 Overpayment of tax; credit against future liability**

(a) If upon examination of the taxpayer's report or upon examination of his records it is determined that tax was paid in excess of that due, such excess may be applied against tax due in the three months following the end of the applicable tax month.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 30, 1973 to:

Ray J. Marini

Director, Division of Motor Vehicles  
Department of Law and Public Safety  
25 South Montgomery Street  
Trenton, New Jersey 08666

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

Ray J. Marini

Director, Division of Motor Vehicles  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS AND OPHTHALMIC TECHNICIANS

##### Proposed Rule For Limited Licenses of Ophthalmic Technicians

Robert Hart, Secretary of the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:17B-41.5, proposes to adopt a new rule concerning limited licenses of ophthalmic technicians.

Full text of the proposed rule follows:

**13:33-1.37 Limited licenses of ophthalmic technicians**

(a) The Board may issue limited apprentice technician permits to those individuals who will work in specific areas within the field of ophthalmic technicianry, as follows: 1. Selector of blanks; 2. Blocker—cleaning and removing blocks; 3. Lap cutter and tool maintenance man; 4. Glass cylinder machine operator—grinding and polishing; 5. Glass sphere operator—grinding and polishing; 6. Hand rougher; 7. Plastic blocker; 8. Plastic cylinder machine operator—grinding and polishing; 9. Plastic sphere machine operator—grinding and polishing; 10. Blocker for edging; 11. Pattern maker; 12. Heat-chemical hardener and drop ball tester; 13. Block remover and cleaner; 14. Assembler; 15. Insertter—Zyl and metal frames.

(b) Each function as listed above shall require a separate limited apprentice technician permit. A limited apprentice technician may not be registered for more than one location nor be trained for more than one function at a time. Upon approval of application and a \$5.00 fee, a limited apprentice technician permit shall be issued for no less than a six-month period and until the first examination for which the limited apprentice technician is eligible.

(c) For each limited category, candidates for examination shall be required to pay an examination fee of \$10.00, and shall have filed their applications with the secretary



of the Board no later than a month prior to examination. A \$10.00 fee shall be paid to the Board with application for license; license renewal fee shall be \$15.00 for two years.

(d) A licensed limited technician or a licensed ophthalmic technician may train no more than two limited technician apprentices at a time.

(e) No branch office limited technician licenses shall be issued.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before June 28, 1973 to:

New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians  
269 Morris Avenue  
Springfield, New Jersey 07081  
Telephone: (201) 376-6528

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

Robert Hart, Secretary  
State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians  
Division of Consumer Affairs  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### STATE BOARD OF MORTUARY SCIENCE

##### Rules on Record-Keeping and Itemization of Funeral Expenses

On April 26, 1973, Maurice W. McQuade, Executive Secretary of the State Board of Mortuary Science in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:7-38 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on record-keeping by practitioners of mortuary science and itemization of funeral expenses, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 115(a).

Such rules may be cited as N.J.A.C. 13:36-1.8 and 13:36-1.9.

An order adopting these rules was filed April 30, 1973, as R.1973 d.119 to become effective May 1, 1973.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Revisions for Motor Vehicle Race Tracks

On May 16, 1973, Ray J. Marini, Director of the Division of Motor Vehicles in the Department of the Treasury, pursuant to authority of N.J.S.A. 5:7-14 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning

motor vehicle race tracks, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 115(b).

Rules involved in such revisions are N.J.A.C. 13:22-4.1 (d), 13:22-5.2(d), 13:22-8.1 et seq., 13:22-9.1 et seq. and 13:22-10.1 et seq.

An order adopting these revisions was filed and effective May 22, 1973, as R.1973 d.131.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## LAW AND PUBLIC SAFETY

### VIOLENT CRIMES COMPENSATION BOARD

#### Rules on Maximum Weekly Benefits, Attorneys' Fees and Domestic Expenses

On May 14, 1973, Giles K. Riley and Franklin A. King, members of the Violent Crimes Compensation Board in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:4B-9 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on maximum weekly benefits, attorneys' fees and domestic expenses, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 119(a).

Such rules may be cited as N.J.A.C. 13:75-1.12(a), 13:75-1.21 and 13:75-1.22.

An order adopting these rules was filed and effective May 23, 1973, as R.1973 d.137.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## PUBLIC UTILITIES

### BOARD OF PUBLIC UTILITY COMMISSIONERS

#### Notice of Electrical Inspector's Examination

Take notice of the following notice of examination for electrical inspector issued by the Board of Public Utility Commissioners:

Pursuant to N.J.S.A. 48:7-14, 7-15 and N.J.A.C. 14:5-4.1 et seq., notice is hereby given that the Board of Public Utility Commissioners will hold the examination for persons seeking Electrical Inspector Licenses on July 25, 1973, at Room 208, 101 Commerce Street, Newark, New Jersey, at 10:00 A.M.

Application forms may be procured from the Board's offices at 101 Commerce Street, Newark, New Jersey, or the National State Bank Building, Room 407, 28 West State Street, Trenton, New Jersey.

Completed application forms and the \$25.00 application fee must be filed at the Board's office at 101 Commerce Street, Newark, New Jersey 07102, on or before July 16, 1973. All checks should be made payable to Treasurer, State of New Jersey.

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

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# 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 following the mailing to Code subscribers of update pages for all Titles.

First publication and update services have been distributed for 17 of the 19 Departmental Titles, excepting only Title 10—Institutions and Agencies and Title 12—Labor and Industry.

Since the most recent update, these 17 Departments have adopted the following additional rules, which are not yet included in current pages of the Code:

## RULES NOT YET PRINTED IN CODE

N.J.A.C. Citation		Document Citation	Notice of Adoption N.J.R. Citation
<b>AGRICULTURE — TITLE 2</b>			
2:1-2.3(a)1.i.	Functions of Departmental units	R.1972 d.260	5 N.J.R. 31(a)
2:2-2.13	Conditions for quarantine release	R.1972 d.251	5 N.J.R. 3(d)
2:2-2.15(b)	Indemnification for brucellosis	R.1973 d.64	5 N.J.R. 102(b)
2:2-3.6	Indemnification for tuberculosis	R.1973 d.65	5 N.J.R. 102(c)
2:2-4.39	Authority of Secretary or his agents	R.1972 d.242	5 N.J.R. 3(a)
2:2-9.1	Fees; immunodiffusion test	R.1973 d.57	5 N.J.R. 102(a)
2:5-1.7(c)	Release of embargo	R.1972 d.208	4 N.J.R. 260(e)
2:5-1.8	Quarantine; Gloucester County	R.1972 d.231	4 N.J.R. 299(a)
2:5-1.8	Quarantine; Gloucester County	R.1972 d.227	4 N.J.R. 298(b)
2:5-1.8(d)&(e)	Release of quarantine	R.1973 d.51	5 N.J.R. 76(b)
2:5-1.9	Quarantine; various counties	R.1972 d.235	5 N.J.R. 2(a)
2:5-1.10	Quarantine; entire State	R.1972 d.237	5 N.J.R. 2(b)
2:5-1.10(d)&(e)	Release of quarantine	R.1973 d.21	5 N.J.R. 32(a)
2:5-1.11	Quarantine; swine movement	R.1972 d.246	5 N.J.R. 3(b)
2:5-1.12	Quarantine continued, entire State	R.1972 d.259	5 N.J.R. 30(b)
2:5-1.13	Lifting of quarantine	R.1972 d.263	5 N.J.R. 31(b)
2:5-1.14	Quarantine; Egg Harbor Township	R.1973 d.4	5 N.J.R. 31(c)
2:5-1.14(d)&(e)	Release of quarantine	R.1973 d.41	5 N.J.R. 76(a)
2:17-4.2(c)	Special exemption for Florida tomato plants	R.1973 d.101	5 N.J.R. 135(a)
2:52-5.1 et seq.	Information required of applicants	R.1973 d.39	5 N.J.R. 75(a)
2:53-2.1 et seq.	Rules on refrigeration equipment	R.1972 d.250	5 N.J.R. 3(c)
2:53-2.1	Amendment to equipment rules	R.1973 d.87	5 N.J.R. 134(b)
2:53-2.3	Amendment to equipment rules	R.1973 d.87	5 N.J.R. 134(b)
2:53-4.1 et seq.	Advertising milk and milk products	R.1972 d.215	4 N.J.R. 298(a)
2:73-2.2 et seq.	State Seal program for eggs	R.1973 d.88	5 N.J.R. 134(c)
<b>BANKING — TITLE 3</b>			
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)
3:11-1.1	Approval to exceed ten per cent limitation	R.1973 d.116	5 N.J.R. 136(b)
3:11-7.1 et seq.	Limitation on liability to a bank	R.1973 d.58	5 N.J.R. 103(b)
3:18-5.1 et seq.	Legal fees; mortgages	R.1973 d.32	5 N.J.R. 33(a)
3:18-7.1 et seq.	Advertising rules	R.1973 d.133	5 N.J.R. 183(a)
3:31-2.1	Minimum requirements	R.1973 d.124	5 N.J.R. 183(b)
<b>CIVIL SERVICE — TITLE 4</b>			
4:1-1.1 et seq.	Revisions to Commission's rules	R.1973 d.34	5 N.J.R. 33(b)
<b>COMMUNITY AFFAIRS — TITLE 5</b>			
5:10-9.9	Safety glazing memorandum	R.1973 d.50	5 N.J.R. 78(a)
5:10-9.9	Safety glazing requirements	R.1972 d.197	4 N.J.R. 261(c)
5:11-1.1 et seq.	Relocation assistance program	R.1972 d.190	4 N.J.R. 261(a)
5:16-1.1 et seq.	Amendments to Plumbing Code	R.1972 d.149	4 N.J.R. 182(a)
5:19-1.7	Safety glazing materials	R.1972 d.196	4 N.J.R. 261(b)
5:19-1.7	Safety glazing memorandum	R.1973 d.50	5 N.J.R. 78(a)
5:20-1.1 et seq.	Uniform Standards Code for Mobile Homes	R.1972 d.248	5 N.J.R. 7(a)

## 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)
6:11-3.26	Waiver of student teaching requirement	R.1973 d.55	5 N.J.R. 79(c)
6:11-8.6	Junior high school teaching certification	R.1973 d.19	5 N.J.R. 36(b)
6:11-12.20	Reading specialist certification	R.1973 d.20	5 N.J.R. 36(c)
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)
6:21-5.11	Color; school bus	R.1973 d.123	5 N.J.R. 185(a)
6:21-6.9	Color; school bus body	R.1973 d.123	5 N.J.R. 185(a)
6:21-6.20(f)	Identification (School buses)	R.1972 d.188	4 N.J.R. 262(d)
6:21-6.24 et seq.	Lamps, signals, seats and drills	R.1973 d.73	5 N.J.R. 104(c)
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)
6:21-11.6	Procedures at railroad grade crossings	R.1973 d.98	5 N.J.R. 139(a)
6:21-18.1 et seq.	Pupil transportation—Small van-type vehicles	R.1973 d.18	5 N.J.R. 36(a)
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)
6:39-1.1 et seq.	Statewide assessment	R.1973 d.72	5 N.J.R. 104(b)
6:46-4.1 et seq.	Private vocational schools	R.1973 d.71	5 N.J.R. 104(a)
6:68-2.10 et seq.	Revisions to library incentive grant programs	R.1973 d.99	5 N.J.R. 139(b)
6:68-3.1 et seq.	State Library assistance programs	R.1972 d.186	4 N.J.R. 262(b)

## ENVIRONMENTAL PROTECTION — TITLE 7

7:1B-1.1 et seq.	Guidelines for planning, designing and constructing interceptor sewers	R.1972 d.233	4 N.J.R. 302(c)
7:2-16.1	Special permits for Island Beach State Park	R.1973 d.138	5 N.J.R. 187(a)
7:6-5.1 et seq.	Hull identification numbers	R.1973 d.136	5 N.J.R. 186(c)
7:7A-1.1(a)	Extension of wetlands order to several counties	R.1972 d.256	5 N.J.R. 8(a)
2. et seq.			
7:7A-1.1(a)6	Extension of wetlands order to portions of Cape May County	R.1973 d.81	5 N.J.R. 106(a)
7:7A-1.1(a)7.	Wetlands order; Atlantic County	R.1973 d.134	5 N.J.R. 186(a)
7:7A-1.1(a)8.	Wetlands order; Burlington County	R.1973 d.135	5 N.J.R. 186(b)
7:25-1.5	Fee schedule	R.1973 d.13	5 N.J.R. 38(c)
7:25-2.9	Field trials	R.1973 d.75	5 N.J.R. 105(c)
7:25-5.25	Hunting restrictions for Manasquan River	R.1972 d.202	4 N.J.R. 265(a)
7:25-5.26	Conibear or other killing traps	R.1972 d.211	4 N.J.R. 264(a)
7:25-6.8(a)	Ice fishing	R.1973 d.25	5 N.J.R. 39(a)
7:25-7.1(a)38	Condemnation of shellfish beds	R.1972 d.203	4 N.J.R. 265(b)
7:25-7.3	Conservation order (March 28, 1973)	R.1973 d.85	5 N.J.R. 140(b)
7:25-7.4	Conservation order effective May 14, 1973	R.1973 d.86	5 N.J.R. 141(a)
7:25-7.5	Conservation order; Mullica River	R.1973 d.102	5 N.J.R. 141(c)
7:25-9.1(e)	Opening of shellfish beds	R.1972 d.216	4 N.J.R. 302(b)
7:25-9.1(f)	Closing of shellfish beds	R.1973 d.14	5 N.J.R. 39(a)
7:25-9.1(g)	Opening of shellfish beds	R.1973 d.94	5 N.J.R. 141(b)
7:27-8.1 et seq.	Permits and certificates	R.1973 d.10	5 N.J.R. 38(a)
7:27-13.1 et seq.	Ambient air quality standards	R.1973 d.11	5 N.J.R. 38(b)

## HEALTH — TITLE 8

8:2-2.1	Refund of excess fees	R.1972 d.206	4 N.J.R. 266(a)
2:10-1.1 et seq.	Mass gathering rules	R.1972 d.156	4 N.J.R. 216(a)
8:21-2.35	Public posting of inspection reports	R.1972 d.209	4 N.J.R. 266(b)
8:21-2.36	Public availability of inspection reports	R.1972 d.209	4 N.J.R. 266(b)
8:21-7.2 et seq.	Definitions and standards of frozen desserts	R.1973 d.74	5 N.J.R. 107(b)
8:21-9.1 et seq.	Definitions of regulations, food and cosmetic manufacturing	R.1973 d.89	5 N.J.R. 143(a)
8:21-10.1 et seq.	Designated fluid milk products	R.1973 d.17	5 N.J.R. 42(a)
8:23-3.1 et seq.	Kennels, petshops, shelters and pounds	R.1972 d.219	4 N.J.R. 304(a)
8:24-9.8	Public posting of inspection reports	R.1972 d.209	4 N.J.R. 266(b)
8:24-9.9	Public availability of inspection reports	R.1972 d.209	4 N.J.R. 266(b)
8:30-13.1 et seq.	Record review	R.1972 d.204	4 N.J.R. 265(d)
8:31-3.1 et seq.	Shell construction of health care facilities	R.1972 d.161	4 N.J.R. 216(b)
8:31-4.1 et seq.	Expediting certificate of need in transfer of ownership	R.1973 d.69	5 N.J.R. 107(a)

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8:31-5.1	Schedule of filing fees	R.1973 d.129	5 N.J.R. 188(a)
8:33-2.2(a)	Revise part V in table	R.1973 d.90	5 N.J.R. 143(b)
8:34-1.1 et seq.	Rules for licensing nursing home administrators	R.1972 d.241	5 N.J.R. 8(b)
8:48-1.1 et seq.	State aid; administrative policies	R.1972 d.254	5 N.J.R. 8(c)
8:64-1.1 et seq.	Devices; locomotion control	R.1973 d.6	5 N.J.R. 41(b)
8:64-2.1 et seq.	Good drug manufacturing practices	R.1973 d.5	5 N.J.R. 41(a)
8:65-1.1 et seq.	Registration of controlled dangerous substances	R.1973 d.24	5 N.J.R. 42(c)
8:65-10.1 et seq.	Controlled dangerous substances schedules	R.1973 d.23	5 N.J.R. 42(b)

## HIGHER EDUCATION — TITLE 9

9:1-5.1 et seq.	Proprietary institutions of higher education	R.1972 d.157	4 N.J.R. 217(a)
9:2-8.10	Health requirements for admission to New Jersey state colleges	R.1973 d.78	5 N.J.R. 108(a)
9:2-9.1 et seq.	Tenure policies in state colleges	R.1972 d.239	5 N.J.R. 8(e)
9:4-3.70 et seq.	Cost distribution to programs	R.1973 d.79	5 N.J.R. 109(a)
9:4-6.1 et seq.	Tenure policies in community college of New Jersey	R.1972 d.240	5 N.J.R. 9(a)
9:5-1.1 et seq.	Student residency	R.1972 d.169	4 N.J.R. 238(a)
9:9-1.1 et seq.	Student loans	R.1973 d.77	5 N.J.R. 107(d)
9:11-1.1 et seq.	Financial aid guidelines	R.1973 d.121	5 N.J.R. 188(b)
9:14-1.1 et seq.	Independent Colleges and Universities Utilization Act	R.1972 d.199	4 N.J.R. 266(c)

## INSURANCE — TITLE 11

11:1-2.1 et seq.	Format of filings	R.1973 d.120	5 N.J.R. 190(b)
11:3-6.2	Commercial motor vehicles; exemption	R.1973 d.3	5 N.J.R. 47(d)
11:3-6.3 et seq.	Insurance identification cards	R.1973 d.35	5 N.J.R. 20(b)
11:3-7.1 et seq.	Automobile Reparation Reform Act	R.1972 d.244	5 N.J.R. 13(c)
11:3-8.1 et seq.	Nonrenewal of automobile insurance policies	R.1973 d.30	5 N.J.R. 48(a)
11:4-7.1 et seq.	Consent to higher rate filings	R.1973 d.82	5 N.J.R. 113(b)
11:5-1.5(a)	Real estate examination	R.1973 d.43	5 N.J.R. 86(b)

## LAW AND PUBLIC SAFETY — TITLE 13

13:1A-1.10(d)	Quarterly report form	R.1973 d.31	5 N.J.R. 54(c)
13:18-1.16	Permits for over-dimensional or overweight vehicles	R.1972 d.210	4 N.J.R. 277(b)
13:18-6.1	Insurance coverage termination	R.1973 d.62	5 N.J.R. 120(b)
13:19-10.9	Delete rule on financial responsibility	R.1973 d.63	5 N.J.R. 119(b)
13:20-31.1 et seq.	Alcohol countermeasures regulations	R.1972 d.255	5 N.J.R. 18(c)
13:21-2.4	Nonconventional type motor vehicles	R.1972 d.253	5 N.J.R. 18(b)
13:21-5.8	Mileage readings on certificate of ownership	R.1973 d.1	5 N.J.R. 53(c)
13:21-5.9	Transferring ownership of certain motor vehicles	R.1973 d.2	5 N.J.R. 53(d)
13:21-15.1 et seq.	Licensed motor vehicle dealers	R.1972 d.232	4 N.J.R. 310(a)
13:21-16.1 et seq.	Counterpart fees	R.1972 d.252	5 N.J.R. 18(a)
13:21-17.1 et seq.	Special road crossing permits	R.1973 d.103	5 N.J.R. 166(a)
13:22-4.1(d)	Safety belts	R.1973 d.131	5 N.J.R. 195(b)
13:22-5.2(d)	Vehicle equipment	R.1973 d.131	5 N.J.R. 195(b)
13:22-8.1 et seq.	Snowmobile events	R.1973 d.131	5 N.J.R. 195(b)
13:22-9.1 et seq.	Reports	R.1973 d.131	5 N.J.R. 195(b)
13:22-10.1 et seq.	Special age provisions	R.1973 d.131	5 N.J.R. 195(b)
13:30-1.5(b)	Foreign dentistry graduates	R.1973 d.114	5 N.J.R. 166(c)
13:35-6.1 et seq.	General administrative rules	R.1973 d.27	5 N.J.R. 54(b)
13:36-1.8 et seq.	Record-keeping and itemizing funeral expenses	R.1973 d.119	5 N.J.R. 195(a)
13:36-8.6	Funeral arrangement rules	R.1973 d.16	5 N.J.R. 54(a)
13:39-6.3 et seq.	Prescriptions and pharmacies	R.1973 d.59	5 N.J.R. 120(a)
13:39-9.14	Permits for prescription departments	R.1973 d.115	5 N.J.R. 166(b)
13:75-1.1 et seq.	Violent Crimes Compensation Board practices and procedures	R.1972 d.261	5 N.J.R. 53(a)
13:75-1.12 et seq.	Violent Crimes Compensation Board revisions	R.1973 d.137	5 N.J.R. 195(c)

## PUBLIC UTILITIES — TITLE 14

14:1-6.10 et seq.	Valuation of property	R.1973 d.15	5 N.J.R. 57(a)
14:1-17.1 et seq.	Compliance with Economic Stabilization Act of 1970	R.1972 d.264	5 N.J.R. 55(a)
14:5-4.1 et seq.	Electrical inspection authorities	R.1973 d.106	5 N.J.R. 167(a)
14:5-5.2	Preservation of records; electric utilities	R.1972 d.181	4 N.J.R. 24(b)
14:5-6.1	Electric transmission lines	R.1972 d.236	5 N.J.R. 19(a)
14:6-4.2	Preservation of records; gas utilities	R.1972 d.181	4 N.J.R. 24(b)
14:9-4.1	Certificates for solid waste disposal	R.1972 d.249	5 N.J.R. 19(b)
14:9-5.1	Preservation of records; water utilities	R.1972 d.181	4 N.J.R. 2(b)

14:9A-1.1 et seq.	Uniform system of accounts; solid waste and disposal utilities	R.1972 d.228	4 N.J.R. 310(c)
14:11-2.1 et seq.	Autobus specifications	R.1972 d.226	4 N.J.R. 310(b)
14:17-1.1 et seq.	Rules of practice; cable television	R.1973 d.117	5 N.J.R. 200(a)
14:18-1.1 et seq.	Regulations; cable television	R.1973 d.117	5 N.J.R. 200(a)

## STATE — TITLE 15

15:15-1.9	Office hours	R.1972 d.247	5 N.J.R. 20(a)
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## TRANSPORTATION — TITLE 16

16:13-1.1 et seq.	Revisions for local government aid	R.1973 d.56	5 N.J.R. 94(a)
16:24-1.3(d)	Revise executor and distribution	R.1973 d.37	5 N.J.R. 58(b)
16:26-1.1 et seq.	Transportation operations	R.1973 d.76	5 N.J.R. 123(c)
16:27-1.1 et seq.	Traffic engineering	R.1973 d.76	5 N.J.R. 123(c)
16:41-8.1 et seq.	Outdoor advertising on interstate system	R.1973 d.100	5 N.J.R. 167(b)
16:62-1.1 et seq.	Contract administration rules now Chapter 65	R.1973 d.28	5 N.J.R. 57(c)
16:62-1.1 et seq. to			
16:64-1.1 et seq.	Reserved for rules of aeronautics	R.1973 d.28	5 N.J.R. 57(c)
16:62-1.1 et seq.	Special aircraft operating restrictions	R.1973 d.29	5 N.J.R. 58(a)

## 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)
17:2-1.4	Election of member-trustees	R.1973 d.118	5 N.J.R. 204(a)
17:3-1.1 et seq.	Revisions to Teachers' Pension and Annuity Fund	R.1973 d.49	5 N.J.R. 95(b)
17:4-1.1 et seq.	Revisions to Police and Firemen's Retirement System	R.1973 d.26	5 N.J.R. 60(b)
17:5-1.1 et seq.	Revisions to State Police Retirement System	R.1973 d.26	5 N.J.R. 60(b)
17:6-1.1 et seq.	Revisions to Consolidated Police and Firemen's Pension Fund	R.1973 d.26	5 N.J.R. 60(b)
17:7-1.1 et seq.	Revisions to Prison Officers' Pension Fund	R.1973 d.45	5 N.J.R. 95(a)
17:8-1.1 et seq.	Revisions to supplemental annuity collective trusts	R.1973 d.46	5 N.J.R. 95(c)
17:9-1.1 et seq.	Revise Health Benefits Program and supplemental annuity trusts	R.1973 d.8	5 N.J.R. 59(b)
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)
17:16-5.3	Static group fund classifications	R.1973 d.70	5 N.J.R. 126(b)
17:16-5.5	Temporary reserve group	R.1972 d.143	4 N.J.R. 199(a)
17:16-5.5(a)	Revise temporary reserve group	R.1973 d.22	5 N.J.R. 60(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)
17:16-13.5	Legal papers	R.1973 d.125	5 N.J.R. 204(b)
17:16-17.1 et seq.	Revisions concerning permissible investments	R.1973 d.44	5 N.J.R. 94(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)
17:16-33.7	Amend rule on county college capital projects	R.1973 d.9	5 N.J.R. 59(c)
17:16-35.9	Admission date	R.1973 d.126	5 N.J.R. 204(c)
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)
17:20-5.10	Agent's compensation	R.1973 d.80	5 N.J.R. 124(a)
17:21-1.1 et seq.	Daily lottery revisions	R.1972 d.238	5 N.J.R. 22(a)
17:21-10.1 et seq.	Clover Club reservation plan	R.1972 d.94	4 N.J.R. 142(b)

## TREASURY TAXATION — TITLE 18

18:5-2.3	Computation of tax	R.1972 d.258	5 N.J.R. 23(b)
18:5-3.2	Types of stamps available	R.1973 d.54	5 N.J.R. 96(a)
18:5-3.4	Purchase of stamps	R.1973 d.54	5 N.J.R. 96(a)

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(a)

**PUBLIC UTILITIES****BOARD OF PUBLIC UTILITY COMMISSIONERS****✓ Rules and Regulations for the  
Office of Cable Television**

On April 23, 1973, William E. Ozzard, President of the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:5A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules and regulations for the Office of Cable Television, substantially as proposed in the Notice published February 8, 1973, at 5 N.J.R. 54(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Public Utilities.

Such rules will constitute a new Subtitle D in Title 14 of the New Jersey Administrative Code to be entitled Office of Cable Television. The rules and regulations adopted will be included in new Chapters 17 and 18 in Subtitle D of Title 14 of the New Jersey Administrative Code and may be cited as N.J.A.C. 14:17-1.1 et seq. and 14:18-1.1 et seq. (Note that in the Notice published February 8, 1973, at 5 N.J.R. 54(d), it was incorrectly indicated that such rules would be in Chapter 12 of Title 14.)

A summary of the substantive changes between the proposed and adopted rules follows. (Note: The references within the following summary reflect citations concerning the Board's administrative order method of citing. In the New Jersey Administrative Code, such rules will be cited as N.J.A.C. 14:18-1.1 et seq. but the administrative order citations will appear at the end of the text of such rules as a historical reference.):

1. Cable Television Reception Service and Cable Communications System as defined in N.J.S.A. 48:5A-2, are added as 14:501-5 and 14:501-6, to insure completeness.

2. Class I, Class II, Class III and Class IV channels and Certificate of Compliance as defined in the FCC regulations are added as 14:501-12 and 14:501-13 to provide clarity.

3. The phrase "and any pole, conduit or trench-licensing agreements with utilities" is added to the construction requirements of 14:502-1 to emphasize the fact that such agreements shall be subject to regulation. The last paragraph is changed to indicate that both certificates are required before construction begins.

4. In 14:502-1b the word "practicable" is substituted for "available" because rights-of-way and utility facilities may be available when their use would be impracticable. The last paragraph is changed to conform to the language of the Board's regulations on underground, electric and telephone facilities.

5. The language in 14:502-3a was changed to clarify the intent that CATV companies must inspect their own equipment and not that of the utilities.

6. The phrase "in accordance with the further requirements stipulated in 14:507-5e" is added for clarity to 14:503-5a 3. (a). The phrase "without the prior approval of the Office" is also added to permit disconnection of residential service for non-payment of business service bills only when the Office deems such action necessary.

7. In 14:503-5a3.(k) a change was made to delineate the responsibility of the subscriber to make repairs.

8. The requirement for the reporting of interruptions of service set forth in 14:503-7 now provides a sliding scale for such reports which appears more practical to the Office. The final paragraph is changed to clarify the method by which a company should notify its subscribers of planned interruptions.

9. The testing equipment required in 14:504-1 may now be located in a central area and contractors may be hired, rather than requiring that each company own expensive equipment not frequently used. It is still required, however, that this equipment be available on reasonable notice for special tests requested by the Office. The regulations concerning tests to be made on request by a subscriber, 14:504-2b1 and 14:504-2b2, are being withheld at this time because the Office is not satisfied that the proposed regulations are in the best interests of either the company or the subscriber. Therefore, the Office will further study the various proposals and promulgate these regulations at a later date. The reports for proof of performance tests in

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18:5-6.7	Wholesale dealer's license	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.10	Retail dealer's vending machine license	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.17	Duplicate and amended license	R.1973 d.54	5 N.J.R. 96(a)
18:16-4.7	Calculation of fee where transfer is subject to construction mortgage	R.1973 d.54	5 N.J.R. 96(a)
18:17-1.5	Review of examination procedures	R.1973 d.109	5 N.J.R. 171(c)
18:24-21.1 et seq.	Accounting procedures	R.1973 d.60	5 N.J.R. 126(a)

**OTHER AGENCIES — TITLE 19**

19:1-1.8	Application of loan proceeds, Mortgage Finance Agency	R.1973 d.36	5 N.J.R. 60(c)
19:1-1.13	Purchase of Agency bonds	R.1973 d.36	5 N.J.R. 60(c)
19:2-1.1 et seq.	Rules of Atlantic City Expressway	R.1973 d.42	5 N.J.R. 96(b)
19:4-1.1 et seq.	District zoning regulations, Hackensack Meadowlands	R.1972 d.221	4 N.J.R. 311(c)
19:11-1.10	Posting of notice of PERC petitions	R.1973 d.110	5 N.J.R. 171(c)
19:11-1.13	Intervention, PERC	R.1973 d.110	5 N.J.R. 171(c)
19:11-1.15	Timeliness of petitions, PERC	R.1973 d.110	5 N.J.R. 171(c)
19:20-1.1 et seq.	Sports and Exposition Authority	R.1972 d.212	4 N.J.R. 284(c)

**IN ADDITION —**

First publication—but no update service as yet—has been completed for the two final Titles in the Code, namely, 10—Institutions and Agencies and 12—Labor and Industry.

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



14:504-3 are now required annually of all systems in accordance with FCC requirements, rather than quarterly or annually based on system size as previously proposed.

10. The requirement in 14:506-1 for maintenance of complaint records for more than one year may be of negligible value and impose undue burdens. If at some later date the Director finds the need for a longer period, it may be added.

11. Section 14:507-2 was added to distinguish deposits on auxiliary equipment from credit deposits and to apply special requirements because of their peculiar nature and purpose.

12. The interest requirement in 14:507-4 was moved to 14:507-1 to be in logical sequence and the rate was increased to six per cent, the amount permitted in the court rules. The requirement that credit deposits be held in escrow has been deleted as unnecessary, although a separate account is still required. An added paragraph concerning deposit refunding for auxiliary equipment became necessary when 14:507-2 was added.

13. A three-year period should suffice for maintenance of subscribers' account records rather than the six-year period originally proposed by 14:507-5b.

14. In 14:507-5d billing periods are extended to include semi-annual and annual in accordance with the industry practice of allowing subscribers greater flexibility in payment of their accounts. The use of payment books is added to conform to an industry-wide practice which may keep rates lower.

15. The requirements for certified or registered mail and notice to the Board contained in 14:507-5e are deleted because they appear uneconomical and unnecessary (for a notice of discontinuance). A requirement that the amount of a disputed bill be placed in escrow was added to 14:507-5f to prevent sham claims to put off or to avoid payment.

16. The requirement in 14:508 for binder insurance originating at the home office is deleted because at the time the CATV company files an application for a certificate of approval, a policy issued by the insurance company should be in full force and effect.

17. Extensions of service, as required in 14:509, were the subject of many comments and much testimony. Many questions as to this section persist and, therefore, it does not seem appropriate to promulgate regulations in this area until further deliberations and study have been made. Any requests for extensions denied by a CATV company prior to such promulgation shall be considered by the Office on an individual basis.

18. Sections 14:510-2a1, 2a2 and 2d are already required by the FCC and are therefore deleted as unnecessary.

19. The requirements set forth in 14:510-2f were taken from the Electronic Industries Association (EIA), specifications written for television broadcast transmitters. It appears that non-broadcast signals, including those transmitted on access channels may not meet these stringent standards even though such signals may be adequate for viewing. Therefore, in order to promote cablecasting and public, educational and governmental access programming, this section has been deleted.

20. The requirements of 14:510-5b and 5c are unnecessary since 14:510-2f is deleted and the testing refers to that section.

21. The alternative for testing of five per cent of the total potential subscriber terminals is added to 14:510-5b1, as renumbered, to allow for an ample sample size for smaller systems without the extra burden of testing 50 terminals.

22. A slight margin of error is permitted by the changes in 14:510-5b4 but requires retesting until the technical standards are met and such appropriate corrective action has been performed.

23. Sections 14:510-8b and 8c referring to 14:510-2a-f and 14:510-5f are no longer necessary as the referenced sections have been modified or deleted.

An order adopting these rules was filed and effective April 27, 1973, as R.1973 d.117.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## TRANSPORTATION THE COMMISSIONER

### Proposed Revisions On Relocation Assistance

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-58 et seq., proposes to adopt revisions to the rules concerning relocation assistance.

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

#### CHAPTER 6

#### RELOCATION ASSISTANCE

#### FOREWORD

The intent of the rules contained in this Chapter 6 is to comply with the provisions of the Uniform Transportation Replacement Housing and Relocation Act (P.L. 1972, C. 47) and specifically, to comply with the Federal Highway Administration requirements for implementing the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. These uniform regulations, policies and operating procedures governing relocation assistance are published in full in the Federal Register.

#### Subchapter 1. GENERAL PROVISIONS

##### 16:6-1.1 Services and payments provided

(a) The State provides relocation assistance and payments of the following nature on all transportation projects where land acquisition is involved:

1. Assistance in finding replacement houses and business locations;
2. Moving expense reimbursement;
3. Business discontinuance allowances in lieu of moving reimbursement;
4. Payment of replacement housing [additives] supplements [when applicable], mortgage interest rate differentials and closing costs on new homes;
5. Payment[s] of rent supplements [(when applicable)];
6. [Payments of certain expenses incidental to conveying Title to the State;] Down-payment alternates and closing costs on new homes (when applicable);
7. Provision of related supporting services and assistance including referral to decent, safe and sanitary replacement dwellings suitable to the needs and within the means of persons displaced.

##### 16:6-1.2 Public information

(a) At public hearings, information regarding the approximate number of individuals, families, businesses, farms and nonprofit organizations to be displaced, as well as the available sources of replacement housing, will be disseminated.

(b) To assure that the public has adequate advance gen-

eral knowledge of the relocation program, the Transportation Department will arrange for representatives to discuss the relocation procedures at all public hearings and provide an opportunity for discussion.

(c) The Department will arrange for a detailed brochure or other material describing the relocation program and distribute same without cost at all public hearings and to all other individuals and organizations, as appropriate.

(d) The Department may also arrange for other public notices of relocation payments that can be made and of the services that will be available. Such public notices may include the utilization of newspapers, radio and television stations, and local public information meetings[, newspaper advertisements].

(e) Prior to vacating, all eligible occupants will be individually notified, personally contacted and informed of the relocation services and payments for which they appear eligible. An occupant relocation [booklet] brochure describing the services will be made available to each person to be displaced.

(f) No occupant of a property is required to move until such occupant has been given a 90-day written notice. Specifically, residential occupants will not be required to move unless there is available a decent, safe and sanitary replacement dwelling suitable to their needs and within their means.

## Subchapter 2. MOVING REIMBURSEMENT

### 16:6-2.1 Distance

Moving costs shall be paid in accordance with the provisions of N.J.S.A. 27:7-58 through 27:7-71. Payments are generally limited to a distance of 50 miles.

### 16:6-2.2 Definition

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

"Moving expense" means the cost of transporting personal property, including the cost of dismantling, disconnecting, crating, loading, insuring, unloading, and reinstalling [of] personal property, and all service charges in connection therewith. In addition, transportation, meals and lodging for residential occupants, and site searching reimbursement for owners of displaced businesses or business occupants shall be considered as moving expense.

### 16:6-2.3 Exclusions

Moving costs do not include any additions, improvements, alterations or other physical changes in or to any structure in connection with moving personal property.

### 16:6-2.4 Residential moves

(a) Owners or tenants of a residential dwelling unit may choose between an "actual cost" method plan or a flat-sum payment based on a "room count" schedule plus a dislocation allowance. They may choose the method best for them.

(b) Up-to-date room count schedules and dislocation allowance amounts will be provided in the brochures given to all occupants.

### 16:6-2.5 Business moves

(a) All business, commercial or similar moves must be on the "actual cost" payment method.

(b) Whichever method which the occupants are eligible for or elect to choose, the State's relocation representative will be available to assist them in understanding the requirements and preparing their application.

### 16:6-2.6 Mobile homes

Residents living in mobile homes are entitled to moving

payments under different plans dependent on the circumstances of their occupancy and whether they own or rent the trailer and/or the land on which it is located.

### 16:6-2.7 Eligibility payment for replacement housing supplements

(a) Owner rent supplements include:

1. Displaced owners who qualify for replacement housing supplements, but do not plan to purchase a new home, may qualify for a rental supplement payment, except that the payment cannot exceed the amount they would have received as a purchase payment;

2. Owners not actually owning and occupying a dwelling for at least 180 days, but who own and occupy it as a principal residence for at least 90 days before the State's written negotiation offer to purchase, may be eligible for rent supplements up to \$4,000.

(b) Tenant rent supplements include:

1. Tenants occupying a property acquired by the State for at least 90 days before the initiation of negotiations may be eligible for rent supplements not to exceed \$4,000.

(c) Down payment alternates include:

1. Tenants and owners for 90 days or more who are otherwise eligible for rental supplements may elect on the purchase of a new decent, safe and sanitary home to receive a down-payment alternate not to exceed \$4,000.

### 16:6-2.8 Personal contacts

(a) Prior to being required to relocate and promptly after the written negotiations offer has been made for a particular property, relocation representatives will initiate personal contacts with the occupants to explain the payments available to them and to assist in their relocation needs.

(b) The personal contacts will be on a continuing basis until the relocation has been successfully completed.

### 16:6-2.9 Appeal from relocation assistance determinations

(a) Appeals are considered administrative. The first step in any appeal may be on an informal basis to the right of way district supervisor in whose area the property is located.

(b) Further appeals may be made through a letter stating all the facts in the case, which should be mailed to the Director of Right of Way, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.

(c) Appeals must be commenced within one year after having been required to relocate.

The proposed Amendments are necessary to implement the provisions of the United States Department of Transportation, Federal Highway Administration 1M 80-1-71, as well as to comply with recently enacted Federal and State Laws.

Interested persons may present written statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Robert R. Reed Jr.  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

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

John C. Kohl  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Revisions to Rules of the Construction and Maintenance Unit

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-1 et seq., proposes to revise certain portions of Subtitle G, Maintenance and Equipment, in Title 16 of the New Jersey Administrative Code. This Notice of Intention supersedes the original Notice published in the April 6, 1972, issue of the New Jersey Register at 4 N.J.R. 77(a).

The principal objective of the proposed revisions, necessitated by Departmental reorganization, is to describe more accurately the governance of the Department's internal organization and also, to correct certain inaccuracies in rules previously filed.

Such proposed revisions concern renaming Subtitle G as "Construction and Maintenance Unit", as well as revising portions of text in Chapter 38 (Roadside and drainage maintenance), Chapter 40 (Snow and ice control), Chapter 41 (Permits) and Chapter 42 (Road equipment rental agreements).

Copies of the full text of the eleven pages of proposed revisions may be obtained from:

Robert R. Reed Jr.  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to the Department of Transportation at the above address.

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

John C. Kohl  
Commissioner  
Department of Transportation

(b)

## TREASURY

### DIVISION OF PENSIONS

#### Proposed Rules For Alternate Benefit Program

Norman E. Hardy, Deputy State Treasurer and on behalf of the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-95 et seq., proposes to adopt new rules concerning the alternate benefit program regarding assignments of group life insurance, retention of contributions and incomplete enrollment applications.

Full text of the proposed new rules follows:

##### 17:1-2.13 Assignments; group life insurance

(a) Any person insured under the alternate benefit program group life insurance policy, pursuant to an arrangement among the insured, the group policyholder and the insurer, shall be entitled to make any person other than his

employer a gift assignment of the rights and benefits conferred on him by any provision of such group life policy or by law, including specifically but not by way of limitation the right to exercise the conversion privilege and the right to name a beneficiary.

(b) Any such assignment, whether made before or after the effective date of this rule, shall entitle the insurer to deal with the assignee as the owner of all rights and benefits conferred on the insured under the group life policy in accordance with the terms of the assignment.

##### 17:1-2.16 Retention of contributions; incomplete enrollment applications

No employee or employer contributions shall be authorized by the Division of Pensions for payment to any carrier underwriting annuity contracts until completed enrollment applications have been filed by an employee.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Division of Pensions  
Department of the Treasury  
20 West Front 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 rules substantially as proposed without further notice.

Norman E. Hardy  
Deputy State Treasurer  
Department of the Treasury

(c)

## TREASURY

### DIVISION OF PENSIONS

#### Proposed Revision to Rules On Election of Member-Trustees

Norman E. Hardy, Deputy State Treasurer, pursuant to authority of N.J.S.A. 18A:66-56 and on behalf of the Division of Pensions in the Department of the Treasury, proposes to revise a portion of N.J.A.C. 17:3-1.4 concerning the election of member-trustees of the Teachers' Pension and Annuity Fund.

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

17:3-1.4(b) Such annual convention shall be held [on the third Saturday in November of] each year at 10:30 A.M., on a Saturday in November designated by the Trustees, at a location to be announced by the Board [of Trustees].

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Division of Pensions  
Department of the Treasury  
20 West Front 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 this revision substantially as proposed without further notice.

Norman E. Hardy  
Deputy State Treasurer  
Department of the Treasury



(a)

## **TREASURY**

### **DIVISION OF PENSIONS**

#### **Revisions On Election of Member-Trustees**

On April 25, 1973, Christopher F. Carson, Secretary of the Public Employees' Retirement System in the Division of Pensions 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 concerning the election of member-trustees, as proposed in the Notice published April 5, 1973, at 5 N.J.R. 124(b).

Such revisions will be included in N.J.A.C. 17:2-1.4.

An order adopting these revisions was filed and effective April 30, 1973, as R.1973 d.118.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## **TREASURY**

### **STATE INVESTMENT COUNCIL**

#### **Revision to Rule for Commercial Paper**

On May 10, 1973, Norman E. Hardy, Deputy State Treasurer, on behalf of the State Investment Council in the Department of the Treasury and pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a revision to the rule concerning legal papers as they apply to commercial paper.

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

#### **17:16-13.5 Legal papers**

Prior to any commitment to purchase commercial paper, the Director shall [have obtained] **obtain** a [certification] **certificate** or other evidence that such commercial paper is rated ["prime" by the National Credit Office, Inc.] **P-1 by "Moody's Commercial Paper Division"**.

An order adopting this revision was filed and effective May 10, 1973, as R.1973 d.125 (Exempt, Procedure Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## **TREASURY**

### **STATE INVESTMENT COUNCIL**

#### **Revisions to Rule Concerning Common Trust Fund Admission Date**

On May 10, 1973, Norman E. Hardy, Deputy State Treasurer, on behalf of the State Investment Council in the Department of the Treasury and pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968,

adopted revisions to the rule concerning the Common Trust Fund admission date.

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

#### **17:16-35.9 Admission date**

(a) No admission to or withdrawal from the Common Fund shall be permitted except on the basis of the principal unit value determined as described in N.J.A.C. 17:16-35.8 hereof and no participation shall be admitted to or withdrawn from the Common Fund except on a valuation date or within [five] 15 days thereafter; however, in the event that an admission or withdrawal occurs within the [five] 15 day period aforementioned, it shall be based on the principal value as of the last valuation date preceding said admission or withdrawal.

(b) All admission or withdrawals shall be made in cash.

(c) The price for purchasing units, except for original units issued by the Common Fund, shall be the principal valuation per unit as determined on each valuation date pursuant to N.J.A.C. 17:16-35.8.

An order adopting these revisions was filed and effective May 10, 1973, as R.1973 d.126 (Exempt, Procedure Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## **HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION**

### **Proposed Amendments to Sanitary Landfill Regulations**

The Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq., proposes to adopt amendments to N.J.A.C. 19:7-1.1 concerning its sanitary landfill regulations.

Full text of the proposed amendments follows:

19:7-1.1 (g) No solid waste originating or collected outside of the territorial jurisdiction of New Jersey shall be disposed of or treated within the Hackensack Meadowlands District. No sanitary landfill operator shall accept for disposal, at a sanitary landfill within the Hackensack Meadowlands District, any solid waste originating or collected outside of the territorial limits of New Jersey.

19:7-1.1 (h) All operators of sanitary landfills within the Hackensack Meadowlands District shall submit to the Commission, together with their applications, as provided in Sections 3 and 4 of this Subchapter, a certification stating that no solid waste originating or collected outside of the territorial limits of New Jersey will be accepted for disposal or treatment.

A public hearing will be held by the Hackensack Meadowlands Development Commission on this proposed action on June 18, 1973, in the Town Hall, 404 Kearny Avenue, Kearny, New Jersey, beginning at 10:00 A.M.

Interested persons may present statements or arguments in writing or orally relative to this proposed action at this hearing. The time, date and place of any subsequent hearing, if deemed to be necessary, will be announced at said hearing, but no notice of any subsequent hearing will appear in the New Jersey Register. Written comments will also be accepted by the Commission until June 29, 1973,

will be included in the record and will be given full consideration by this Commission. Such written comments may be sent to:

Hackensack Meadowlands Development Commission  
1099 Wall Street West  
Lyndhurst, New Jersey 07071

The Hackensack Meadowlands Development Commission, upon its own motion or at the instance of any interested party, may thereafter adopt these amendments substantially as proposed without further notice.

William D. McDowell  
Secretary  
Hackensack Meadowlands Development Commission

(a)

## PORT AUTHORITY OF NEW YORK AND NEW JERSEY

### Parking Rate Revisions For Lincoln Tunnel— North Bergen Parking Lot

On April 5, 1973, the Committee on Operations of the Port Authority of New York and New Jersey adopted parking rate revisions concerning the Lincoln Tunnel - North Bergen parking lot.

Full text of the adopted revisions follows:

Resolved, that effective on or about May 1, 1973, the charge for the use of the Lincoln Tunnel North Bergen parking lot, representing the parking portion of the fee paid by drivers, is established at \$.80 per day, which together with the presently authorized round-trip bus fare between the lot and the Port Authority bus terminal, results in a total charge to drivers of \$2.00; and be it further

Resolved, that the acting executive director be and he hereby is authorized to revise the parking charge at such times as the Interstate Commerce Commission authorizes change in the bus fare, so that the aggregate charge shall be rounded to the next highest increment in quarter-dollars.

An order adopting these revisions was filed May 3, 1973, as R.1973 d.122 (Exempt, Exempt Agency).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## NEW JERSEY TURNPIKE AUTHORITY

### Proposed Procedures for Prequalification And Award on Construction Contracts

The New Jersey Turnpike Authority, pursuant to authority of N.J.S.A. 27:23-1 et seq., proposes to adopt rules concerning the procedure for prequalification and award on New Jersey Turnpike Authority construction contracts.

Full text of the proposed rules follows:

#### SUBCHAPTER 2. CONSTRUCTION CONTRACTS

##### 19:9-2.1 Procedure for prequalification and award of construction contracts

(a) All prospective bidders for any construction contracts shall be prequalified annually into classifications by

the chief engineer of the New Jersey Turnpike Authority. Prospective bidders will be classified according to the type of work and the amount of work on which they are entitled to bid, as set out in Exhibit A, below.

(b) In order to prequalify in classifications, prospective bidders shall submit annually proof of the following:

1. As to type of work, prior satisfactory experience as a contractor on a contract involving substantially the same or similar work to the classification being sought;

2. As to amount of work, prior satisfactory experience as a contractor on a contract having a minimum value at least 60 per cent of the classification being sought;

3. Satisfactory financial condition;

4. Adequate facilities, including plant, equipment and experience of key personnel and officers of the company;

5. Affidavit that the bidder is not now, or has been involved, directly or indirectly, in any proceeding, conduct or activity relating to, or reflecting upon, the moral integrity of the bidder;

6. A contractor's qualifying statement: The statement shall show the prospective bidder's status at the end of the month prior to the date of the statement. Prequalified bidders shall not submit another qualifying statement when submitting proposals, but will submit a prequalification recapitulation when submitting proposals.

(c) The chief engineer shall review the statement and other information submitted by prospective bidders, and shall notify them of his decision as to their bid classification by registered mail. The bid classification will be valid for a period of one year from the date of the chief engineer's decision, and the prospective bidder will be allowed to bid on all Turnpike contracts within these bid classification limits for this one-year period without the need of additional prequalification, subject to subsection (d) of this Section. At the end of this one-year period, the prequalification of the bidder will expire, and to be renewed the prospective bidder must meet the requirements of subsection (b) of this Section.

(d) The chief engineer shall reserve the right to require a bidder to submit such additional evidences of his qualifications as he may deem necessary, and shall consider any evidence available to him of the financial, technical and other qualifications and ability of a bidder. The chief engineer may change or revoke at any time the bid classifications of any bidder upon any evidence that said bidder does not meet the financial, technical, moral, or other qualifications of the bid classification.

(e) The chief engineer may deny prequalification of any bidder who fails to comply with the provisions of subsection (b) of this Section, and further, may recommend to the Authority rejection of any bid where the bidder, at such time, has failed to comply with the provisions of subsection (b) of this Section.

(f) Any prospective bidder rejected for prequalification or dissatisfied with his bid classification may request a hearing before the chief engineer; and at such hearing may present further evidence to justify prequalification or changing of his bid classification. The chief engineer shall make all arrangements for such hearing.

(g) Bidders on all other contracts not requiring prequalification shall, however, comply with the provisions of paragraphs 3., 4. and 5. of subsection (b) of this Section.

(h) The lowest bidder whose bid has been rejected for any reason by the Authority may request, not later than 72 hours after receipt of notice of said rejection, a hearing before the Executive Director of the New Jersey Turnpike Authority. The Executive Director may deny such hearing or grant such hearing before himself or such representatives as he may designate. The Executive Director or his designee shall make all arrangements for such hearing.

**EXHIBIT A**  
**NEW JERSEY TURNPIKE AUTHORITY**  
**(CONTRACTOR'S CLASSIFICATION)**

<b>Classification</b>	<b>Brief Description*</b>
1. Bridge Structures	Bridge, viaducts, retaining walls, foundations, fabrication and erection of structural steel, intermediate members, deck repair and/or replacement.
2. Communications	Installation and testing of switching equipment, telecommunications and all other communication systems.
3. Computer Systems	Fabrication of computer systems, installation, electrical and other work incidental thereto, including associated soft ware.
4. Concrete Maintenance	Concrete repairs, concrete sawing, sealing, curing.
5. Demolition	Demolition and/or removal of buildings, structures.
6. Dredging	Grading and drainage, excavation, embankment, fill, sub-grade material, muck removal—primarily by dredging methods.
7. Electrical Work (Buildings)	All electrical work for buildings.
8. General Construction, Buildings	General construction of buildings, including all incidental work.
9. General Construction, Highway	Work involving grading, drainage, paving (no bridges).
10. Grading and Drainage	All grading and drainage, clearing, including drainage structures.
11. Guard Rail and Fencing	All types of guard rail, all types of fencing.
12. Heating, Ventilating, Air Conditioning	All heating, ventilating, air conditioning work involved for building construction.
13. Heavy Highway	Work involving any combination of excavation, grading, drainage, paving, bridges.
14. Kitchen Equipment	Fabrication, installation of kitchen and restaurant equipment for buildings.
15. Landscaping	Planting, seeding, topsoiling, grading, jute mesh, erosion control and all other landscaping procedures.
16. Lighting of Roadway	Lighting for roadway, area, ramps—including electrical distribution panels, lighting standards.
17. Painting	Cleaning, priming, painting of structural steel and members (bridges, towers, tanks).
18. Paving	Work involving all types of paving, new and resurfacing.
19. Plumbing	All plumbing work for building construction, including sanitary facilities.
20. Sewerage and Water Supply	Construction of sewerage and water treatment plants, including structures and equipment, installation and repair; erection, repair and/or replacement of water towers.
21. Signing	All types of signing, delineation, overhead sign structures.
22. Structural Steel and Iron (Buildings)	Fabrication and erection of structural steel for buildings, including reinforcing, and ornamental iron work.

**23. Toll Booths and Equipment**

Toll booth fabrication and installation, toll-collection equipment, canopies, roofing, soffit lane lights, luminous signing.

\*More detailed descriptions available from the New Jersey Turnpike Authority's engineering department.

**CLASSIFICATION RATING:**

- A. \$2,500. to \$100,000.
- B. \$100,000. to \$500,000.
- C. \$500,000. to \$1,000,000.
- D. \$1,000,000. to \$2,000,000.
- E. \$2,000,000. to \$5,000,000.
- F. In excess of \$5,000,000.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before June 27, 1973, to:

Lillian M. Schwartz  
Secretary  
New Jersey Turnpike Authority  
New Brunswick, New Jersey 08903

The New Jersey Turnpike Authority, upon its own motion or at the instance of any interested party, may thereafter adopt these proposed procedures substantially as proposed without further notice.

Lillian M. Schwartz  
Secretary  
New Jersey Turnpike Authority

**(a)**

## NEW JERSEY TURNPIKE AUTHORITY

### Filing of Codified Rules in Pamphlet Form

On April 24, 1973, the New Jersey Turnpike Authority, pursuant to authority of N.J.S.A. 27:23-29 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a revised edition of their codified rules in pamphlet form.

The pamphlet reflects all of the rules adopted by the New Jersey Turnpike Authority since the date of the last printing of a similar pamphlet in April, 1967, together with the appropriate N.J.A.C. citations. Such rules may be cited as N.J.A.C. 19:9-1.1 et seq.

These codified rules were filed May 18, 1973, as R.1973 d.130.

# STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

### PUC LIMITS BELL DIVIDEND WHICH WOULD BE PAID TO AT&T

The State Board of Public Utility Commissioners issued an order May 17 declaring that the New Jersey Bell Telephone Company is bearing an increasingly disproportionate share of the cost of the overall operation of the nation-wide Bell system. The order followed their year-long investigation into the inter-corporate relationships between New Jersey Bell, American Telephone and Telegraph (AT&T),



Bell Telephone Laboratories and Western Electric Company.

The order sets certain controls and guidelines over New Jersey Bell's dividend payments to AT&T, its parent company and sole stockholder. The Board concluded that New Jersey Bell has been making payments to the parent company far in excess of other subsidiaries.

Public Utilities Commission President William E. Ozzard said:

"The Board is determined to make certain that New Jersey Bell and its customers are not placed in a position of disadvantage in the future. We propose to keep as much money as possible in New Jersey and substantially reduce the need for outside financing.

"In light of the necessary doubling of telephone service capacity in New Jersey within the next several years, the Board feels that immediate action must be taken to insure that such expansion is achieved at the lowest possible cost to the consumer.

"Although New Jersey Bell's operation has been one of the most efficient and productive of any of AT&T's operating subsidiaries, we will not allow the quality of service rendered by this utility to be jeopardized by the financial dictates of its parent company."

Specifically, the PUC directed that, 45 days prior to the declaration of a dividend to AT&T, New Jersey Bell Telephone shall submit for examination by the Board a statement showing the dollar amount of the proposed dividend whenever the company's dividend payment exceeds the Board's standards as set forth in three separate formulas. The Board further specified that future dividend practices will be a significant consideration in the Board's determination of future revenue requirements.

The PUC decision also indicated that the Board is fully aware of AT&T's desire to bring New Jersey Bell's rate of return up to 9.5 per cent. The Board noted that, in principle and action, it has never been obliged to grant any utility's target rate of return. New Jersey PUC expects applications for rate relief to be made on the basis of need and not on the aims of a parent company, it said.

Therefore, the Board ordered that any expenses associated with future rate cases, in the absence of significantly changed economic conditions, will be borne by the stockholders and not by New Jersey Bell's customers.

Copies of the full text may be obtained from PUC offices, 101 Commerce Street, Room 208, Newark, N.J. 07102.

#### **SUPPLEMENTARY OPINION BY PUC JUSTIFIES BELL DECISION**

The State Board of Public Utility Commissioners on May 17 released a 27-page opinion detailing the rationale behind the rate increase they had granted to New Jersey Bell Telephone Company on December 29, 1972.

The opinion, as promised in the original order, fully substantiates the findings of the December decision, the Board stated. At that time, the Board had decided that it was imperative to render an immediate decision, since Bell's need for additional revenue had already been determined.

PUC President William E. Ozzard noted that the supplementary opinion spells out the Board's evaluation of Bell Telephone's revenue requirements through an extensive discussion of the calculations employed to establish the company's rate base, operating expenses and rate of return.

"Moreover," said Ozzard, "it highlights the many needs of New Jersey Bell and demonstrates that additional funds had to be generated in order that the company continue to provide safe, adequate and proper telephone service to

the people of New Jersey. It is the task of the PUC to ensure that the public is well served by utilities in the State and we have maintained this degree of protection for customers in our treatment of the Bell case."

The opinion effectively concludes Phase I of the Bell Telephone case, which was separated into two parts in the original order. Phase II includes, among other things, a study of the company's rate structure and tariff design. This segment of the case is still in the public hearing state. The Board also noted that if the findings in Phase II demonstrate that any customers are being treated inequitably by virtue of the present Bell tariffs, a new PUC order will be issued to rectify the situation.

Copies of the full text of the May 17 order may be obtained from the Board's office, 101 Commerce Street, Room 208, Newark, N.J. 07102.

#### **STATE'S COMMERCIAL BANKS GIVEN BROADER LENDING POWERS**

New Jersey's State-chartered commercial banks now have expanded lending powers to match those of nationally-chartered commercial banks in the State.

State Banking Commissioner Richard F. Schaub said that new regulations allowing the 90 State banks to expand their lending base to provide larger loans to major borrowers became effective May 1. (See rule adoption—5 N.J.R. 136(b) last issue.)

This was done, he said, by expanding the definition of capital funds to include contingent reserves and other reserves, such as those for losses or bad debts, valuation reserves for securities and other capital accounts. Specifically excluded are allocated reserves or reserves for known specific charges.

Schaub said that former limitations on accommodation endorsers and guarantors have been removed, giving both banks and borrowers more flexibility in arranging credit needs. Expanded consumer needs will thus be served, he added.

The new regulations, Schaub noted, will enable the State banks to compete on an equal footing with banks under federal jurisdiction in the consumer lending area including auto loans, boat loans, home improvement loans and mobile home loans.

The Commissioner also announced that he has adopted a regulation lifting the ten per cent limit on the amount that State banks can invest in out-of-state municipal bonds and notes. The regulation permits such investing to be unlimited, subject, however, to "exercise of prudent banking judgment".

Federally-controlled banks have similar powers, Schaub pointed out.

#### **\$650 MILLION PORT AUTHORITY TRANSIT IMPROVEMENT PLAN STARTS**

Legislation authorizing the Port Authority of New York and New Jersey to embark on a \$650 million mass transit plan took effect last month, with predictions by the Governors of the two states that a "historic breakthrough" had been achieved.

New York Gov. Nelson A. Rockefeller on May 10 penned into law New York State bills identical to the ones signed in New Jersey some five months earlier by Gov. William T. Cahill. Legislation by the two states was required to allow the Port Authority to build a vast network of new rail links.

"This marks a historic breakthrough," said Cahill. "It is the first major thrust by the Port Authority in more than

a decade in the field of providing desperately-needed mass transportation facilities."

Said Rockefeller: "These bills represent a significant advance in improving mass transportation in the metropolitan area—and in the Port Authority's growing commitment to mass transportation.

The new rail facilities that are to be built by the Port Authority are:

- A rail link between Manhattan, downtown Newark and Newark Airport.
- A further extension of this hook-up beyond the airport to provide commuter service in Union County as far as Plainfield.
- A direct rail link between New York City and Kennedy International Airport.
- Direct track connections between the Erie Lackawanna and the Penn Central railroads in the Kearny and Secaucus area that will permit Erie riders to be transported directly into Penn Station in New York.

At the insistence of the Governors of the two states, the Port Authority has agreed to the program and some money for preliminary design, engineering and construction work is included in this year's P.A. budget.

Cahill said that the new program is the single largest package of rail mass transportation projects ever embarked upon in New Jersey and said it offers the potential for further development in future years.

"This project will provide a direct ride to Penn Station for some 20,000 additional rush-hour passengers from New Jersey and New York and ultimately nearly 50,000 Erie Lackawanna commuter trips will begin or end at Penn Station on a typical weekday," Cahill said.

"These rail connections will be of particular benefit to the thousands of daily New Jersey commuters, especially in the Bergen, Passaic and Morris areas.

"Many of our citizens in these areas are now forced to commute to midtown New York City by car because of the lack of a direct connection.

"There are others who travel by rail and are required to make two or more transfers in their daily journey. The building of these rail links should make life a little easier and more convenient for our commuters."

Cahill also said that the projects could cut road traffic in both states and thus reduce air pollution.

Rockefeller praised Cahill for his efforts in making the Port Authority more responsive to mass transit needs.

## **WANTS "RIGHT TO KNOW" LAW COVERING AUTO INSURANCE**

State Insurance Commissioner Richard C. McDonough has proposed regulations requiring every company writing automobile insurance in New Jersey to provide a "right-to-know" rating information sheet to their private passenger car policyholders.

McDonough called the rating information sheet "one of the most important listings the insurance buying public can have because it can tell them at a glance how they are being rated and whether the ratings are up to date and accurate."

He said the purpose is to let persons immediately know how their insurance premium is arrived at, something they can determine now only by contacting their agents or companies or the insurance department.

McDonough said that the target date for the new regulations will be October 1, 1973, to allow companies adequate time for procedural and mechanical changes in printing the forms.

The "right-to-know" sheet would contain up to 90 different factors that determine how a person is rated depending upon the classification plan used by a company. The insured would receive this rating information sheet along with either his policy or his billing and be able to determine the accuracy of the rating factors.

The Department is also requiring that each company provide a questionnaire form for those involved in automobile accidents to aid both the company and the insured to determine whether or not the accident is subject to a surcharge premium.

The Commissioner gave the companies until May 30 to offer comments, suggestions or recommendations on the proposed regulations.

## **COURT DECISION BRINGS \$231 MILLION ADDED FEDERAL WATER POLLUTION FUNDS**

A Federal district court decision ordering the Nixon administration to release the full \$6 billion in previously impounded funds could bring New Jersey an additional \$231 million during the current fiscal year for water pollution control, Gov. William T. Cahill declared last month.

If the decision stands, the additional money would be added to an original allotment of \$154 million, bringing the total funds available for this important program in New Jersey to \$385 million this fiscal year, he said.

The funds would provide for the construction of 43 sewage treatment projects on the State's priority list for this year. The original allotment of \$154 million, he added, would have provided for the construction of only two major regional treatment systems, in Atlantic and Ocean Counties.

The additional funds, Gov. Cahill said, will allow rapid upgrading or construction of sewerage systems to serve 2.7 million people in the State, whereas the previous funding level would have provided for service to only 611,000 people.

He noted that the court decision also holds great significance for the 1974 fiscal year, which begins July 1. He said it would double the amount of money available to New Jersey for the program—from \$231 million under the diminished level to a total of \$462 million.

The Governor said the State Department of Environmental Protection is now working on a priority list of projects for next fiscal year.

"New Jersey is committed to cleaning up its waterways," Cahill declared, "and the additional funds will enable the State to move more rapidly and effectively in this vital program."

Federal funds are combined with money from the State's water conservation bond funds to assist local or regional sewerage systems in construction and upgrading. When funds are provided from both sources, local or regional bodies have to put up only ten per cent of the total cost, the Governor added.

## **GOVERNOR REPORTS FEDERAL AID DOUBLED IN PAST THREE YEARS**

Gov. William T. Cahill noted recently that Federal aid to New Jersey had increased by 107 per cent during the three years 1970 through 1972, to over one billion dollars currently.

"This sharp increase in Federal assistance ranked third in the nation behind Delaware and New York," the Governor noted. "It was well above the average national increase for the same period of 77 per cent."

He cited a report by the Federal Bureau of Accounts that the Federal grant-in-aid program had provided the

State and municipalities with \$1,040,730,738 in U.S. funds in fiscal 1972.

"Fiscal 1972 saw a steady and substantial increase in Federal funds coming to the State," Governor Cahill said. "New Jersey, the eighth largest State, ranks ninth in total grant-in-aid funds received from Washington. A large measure of credit for this healthy gain can be given to the State's Washington office which we opened in 1969."

"Despite the increase, we are still not satisfied with our national ranking on Federal aid and intend to exert every effort to move this State forward in getting the Federal assistance it properly deserves. The Washington branch office has been a strong force in improving our position and intends to pursue the aid question with continued diligence."

## STATE BUYING 27 NEW BUSES TO SUPPORT THE INDUSTRY

The Department of Transportation last month awarded contracts to three low bidders for the manufacture and delivery of 27 air conditioned buses costing \$931,097 as part of the State's capital improvement program for the New Jersey bus industry.

One contract went to Highway Products, Inc., Kent, Ohio, for 17 diesel buses seating 33 passengers and featuring air suspension ride, safety glass and padded nylon seats. There were two bidders, Highway Products, with a unit bid of \$28,772 and General Motors Corp. with a unit bid of \$28,987.

A contract was awarded to GMC, the only bidder, for five city buses seating 49 passengers at \$49,679 per unit.

The third contract went to GMC for five commuter buses seating 45 passengers. The two bidders were GMC with a unit price of \$38,713 and The Flexible Co., Londonville, Ohio, at \$39,789.

The 17 smaller buses are to be delivered in August, the others in October.

The buses will be used in a pilot project to determine the extent to which the substitution of new buses for old can reduce the need for operating subsidies. The new buses will replace coaches which are all over 20 years old. They will be owned by the State and leased for a nominal amount to bus operators under strict guidelines controlling use and maintenance.

They will go to various counties in an effort to develop a clear view of the performance of different sizes and types of buses under various operating conditions.

## STATE GIVING \$22 MILLION TO MIDDLESEX SEWER PLANT

A \$22.2 million grant—the largest ever awarded by the State for construction of a water treatment facility—was made last month to the Middlesex County Sewerage Authority for a project to reduce pollution in the Raritan Bay.

The grant from the Department of Environmental Protection will be coupled with a \$57.2 million award authorized last January by the U.S. Environmental Protection Agency to upgrade the sewerage treatment plant on the shore of the bay in Sayreville.

The Federal grant is the largest ever approved by the EPA.

Anthony Popowski, executive director of the MCSA, said he does not expect a Federal review of an environmental impact study on the new plant to be completed until fall, delaying the start of construction until next year.

The delay will put off the opening of the \$92 million project until 1977, he said.

The MCSA's present plant serves 23 municipalities in Middlesex, Union and Somerset Counties as well as numerous large industries in the Raritan Valley. It serves an estimated 485,000 people.

Under the expansion project, the plant's capacity will be nearly doubled, allowing it to serve more than 650,000 people and the added towns of Woodbridge, Perth Amboy and Carteret.

## DeKORTE SUCCEEDS GARVEN AS PERSONAL COUNSEL TO CAHILL

Richard W. DeKorte succeeded Pierre P. Garven May 23 as Chief Personal Counsel to Gov. William T. Cahill, at a \$37,920 salary.

DeKorte, Republican leader of the State Assembly the past two years, is 37 and had been a member of the Assembly since 1968.

"We are indeed fortunate," Cahill said in announcing the appointment, "that a young man of Dick DeKorte's talents and solid experience in government has agreed to take this very important position in this administration. He brings to his new assignment the respect of legislators of both parties and of the people of New Jersey he has earned during his more than five years in the Assembly."

"I expect," the Governor declared, "that Dick DeKorte will fill the same important and responsible role in this Administration that Judge Garven has filled." Garven, named last month as an Associate Justice, will become Chief Justice of the Supreme Court on Sept. 1 on the retirement of Chief Justice Joseph Weintraub.

DeKorte has resigned from the Paterson law firm of Jeffer, Walter, Tierney, DeKorte, Hopkinson and Vogel to join the Cahill administration.

DeKorte is a native of Paterson and a former councilman of the Borough of Franklin Lakes in Bergen County. He is a graduate of Ramsey High School, Amherst College and the University of Chicago Law School.

He is a former Assistant Bergen County Counsel and served as chairman of the Northwest Bergen County Municipalities Association. He is a member of the Bergen County and New Jersey Bar Associations. He and his wife have four children and reside in Franklin Lakes.

## ZACH FILLS NEW ASSISTANT EDUCATION COMMISSIONER POST

Joseph F. Zach is the new deputy assistant commissioner in the Division of Controversies and Disputes of the State Department of Education. He had served the last three years as a director in the Division.

Zach's promotion to the \$24,679 post was announced by Fred H. Combs Jr., assistant commissioner in charge of the Division, who said the new position would enable the Division to carry out its functions more effectively.

The Division has the responsibility to hear for the Education Commissioner all controversies and disputes which arise under the school laws and to provide information on school law.

Before he joined the Department in 1970 Zach was superintendent of schools in Asbury Park, after serving in the system as a teacher and administrator for 15 years. He lives in Spring Lake Heights.

Combs also announced the appointment of Paul G. DeMarco as an assistant director in the Division. DeMarco had been serving as director of grants management in the Department, where he has worked six years. He previously was a school principal in Vineland, Paulsboro, Lawrence Township and Cinnaminson and now lives in Medford Township.



## NAME NEW DIRECTOR OF WORKMEN'S COMPENSATION

George S. Dezseran of Delran was sworn in last month as director of the Workmen's Compensation Division in the Department of Labor and Industry.

Dezseran, a former deputy surrogate in Burlington County, was sworn in by Labor and Industry Commissioner Ronald M. Heymann.

A former municipal judge in Evesham and Delanco Townships, Dezseran was a workmen's compensation attorney for the New Jersey Manufacturers Insurance Co. for two years before joining the Department.

He fills a vacancy created last February when the former director, Robert Winfield, resigned because of poor health.

Salary for the post is \$27,000 a year. Dezseran was nominated by Gov. William T. Cahill and confirmed by the Senate.

## COMMISSION URGES PROGRAM FOR PERMANENT AGRICULTURE

High point of a wide-ranging report last month by the Blueprint Commission on the Future of New Jersey Agriculture was a recommendation for "creation of a permanent land preserve for agricultural production so that farmers may continue to farm their land and make a profit."

Secretary of Agriculture Phillip Alampi, chairman of the 21-member Commission, made this statement as he submitted the report to Gov. William T. Cahill and legislative leaders at a meeting May 1 in the Governor's office.

The extensive report covers 13 areas of vital concern to farmers, related agribusiness and citizens concerned with keeping open space.

Under the major proposed agricultural open space plan, which would be administered jointly by State and local municipalities, each municipality would be required to designate an Agricultural Open Space Preserve within its boundaries composed of at least 70 per cent of its prime farmland. The preserve would become part of the local master plan and reflect local community needs for open space and other agricultural benefits.

Landowners whose properties are located in a preserved area would be able to sell a development easement to their land to the State-administering agency or to others.

The rate of compensation for development easements would be the difference between the market value for the land and its farm value. At the option of the landowner, the easements could be held for later sale and the compensation for delayed sales would reflect the increased development value of the easement had the preserved area not been established.

The program would be financed by a tax on all real estate transfers in the State. The rate would be at 4/10 of one per cent of the transfer value at the time of sale. In nearly all instances, the tax would be paid from realized capital gains on the real property transferred.

Responsible for administration of the program would be a board of directors composed of persons appointed by the Governor and approved by the Senate and selected ex officio members of the State Government. The professional staff would be attached to the State Department of Agriculture.

"This concept, if adopted, would be unique in the United States," Alampi said, "although it is not unknown in several highly-advanced nations in Europe which for many years have felt pressures similar to those faced by the Garden State, the most urbanized state in the nation."

## FACILITY PLANNING SECRETARY WINS \$1,787 IN SUGGESTION AWARDS PROGRAM

Mrs. Helen Guerin, a secretary in the State Department of Education's Bureau of Facility Planning, last month received an award of \$1,787 in the State's Suggestion Awards Program.

Mrs. Guerin received that amount for her suggestion that a fee be charged contractors when they obtain State certification as qualified bidders on school construction projects.

As a result of Mrs. Guerin's suggestion, which was made two years ago, the contractors, who are classified twice a year, paid \$10 per classification in the 1971-72 fiscal year. Fees collected that year totaled \$17,875 and Mrs. Guerin's award was based on the standard ten per cent of money savings to the State for winning ideas.

The adoption of Mrs. Guerin's suggestion also helped pay for mailing, materials and other handling costs connected with the classification procedure.

Mrs. Guerin, of Levittown, Pa., serves as secretary to Dr. Edward Spare, Director of the Bureau of Facility Planning, where she has worked since 1958. She served previously from 1929 to 1945 as a clerk for the State Civil Service Commission.

## HOPE FOR 1,000 MORE AGENTS SELLING DAILY LOTTERY TICKETS

Gov. William T. Cahill last month announced major changes that are expected to result in more than 1,000 additional agents selling New Jersey daily lottery tickets.

He said the State Lottery Commission would introduce a distribution system for daily tickets that should solve the problem of agents being stuck with the cost of unsold tickets.

Under the new system, now in effect, the daily tickets are being distributed to agents in sealed 20-ticket packs, with the agents being allowed to return all unopened packs. He said this will virtually eliminate the financial risk for the agent.

"We are confident," the Governor declared, "that this significant expansion in the availability of tickets will result in an upswing in sales and revenues to the State. This should bring another big boost in a State lottery that already produces the highest per capita sales of any lottery in the nation, and, perhaps the world."

There are now 4,000 agents selling weekly lottery tickets, but only 2,200 sell the daily tickets because of the financial risk from unsold tickets. The anticipated increase of 1,000 agents should virtually eliminate that gap.

The 500 coin-actuated, computer-linked vending machines which sell both daily and weekly lottery tickets will continue in key locations.

"We are proud," Cahill said, "that in the short space of 2½ years, the New Jersey lottery has provided \$152 million to be used by the State for education and institutions. It has paid for an additional 60,000 spaces for New Jersey students in our State university and colleges."

## STATE HEALTH OFFICIAL DECLARES HORSE MEAT SAFE—IF YOU WANT IT

Horse meat that has been inspected by the United States Department of Agriculture is as acceptable as other meat for human consumption, and it is as safe to eat as beef, according to Dr. Oscar Sussman, Director of Consumer Health Services in the State Department of Health.

"Rumors that horse meat is uninspected and impure are

## STATE NEWS OF PUBLIC INTEREST

unfounded. Horse meat must be inspected in accordance with Federal law, under the same rigorous inspection system as beef, pork and lamb," he said last month.

Dr. Sussman added that he is not an advocate of the consumption of horse meat, especially if it offends consumers, but, he added, "horse meat may be sold in restaurants if it is properly identified to consumers, such as 'horse steak' or 'horse burgers' on the menu or with a special sign.

"Butchers selling horse meat should notify the customer and to the best of our knowledge this is being done in New Jersey."

### TO REMOVE 30,000 BILLBOARDS ON STATE AND INTERSTATE HIGHWAYS

The State Department of Transportation plans to remove an estimated 30,000 signs and billboards which were illegally erected on or near State and Interstate highways in rural areas.

State Transportation Commissioner John C. Kohl said that beginning June 1 the department had begun "an intensive program to locate and remove all signs encroaching on highway rights of way throughout the State".

The program will not, however, be conducted on roads going through developed areas, no matter how many signs there are.

The program, Kohl said, will be carried out in three phases, with 75 per cent of the cost paid by the Federal Highway Administration under various highway beautification programs.

The first stage, lasting six months, will consist of removing all illegally-erected signs located within the highway rights-of-way on State property.

The second phase will be the removal of signs and billboards erected within 660 feet on each side of the highway or near an interchange since passage of the beautification acts in December, 1971.

These signs will be removed and the owners will not be compensated for them. Owners will be given notice that their signs are illegal and will have two weeks to remove them. If they are not taken down, the State will do it and bill the owner for expenses.

In the third phase, signs erected within the 660-foot radius before enactment of the beautification acts will be asked to be removed, but owners will be reimbursed by the State for expenses.

"Unauthorized signs not only are an illegal use of public property, but often are unsightly and frequently are safety hazards because they block official highway markings or distract motorists' attention," Kohl said.

### COMPLAINTS ON REAL ESTATE SALES TO BE HEARD BY TOURING INVESTIGATORS

The State Real Estate Commission plans a new program in which investigators will visit around the State to review complaints about real estate sales.

Carl R. Fleming, of Woodbridge, president of the Real Estate Commission, said that this Fall investigators will start to visit major city halls and county courthouses to hear complaints from the public about real estate sales.

His announcement coincided with the signing of a contract with Educational Testing Services of Princeton to administer a new computer-type examination for prospective real estate salesmen and brokers in the state.

The new testing procedure thus will relieve Commission investigators of the duty of handling examinations two days a week. The Commission has six investigators to monitor an industry that has 38,000 licensees, 27,000 salesmen and 11,000 real estate brokers, he said.

Carl J. Jahnke, of North Plainfield, secretary-director of the Commission, said five more investigators will be employed to expand the public investigations.

The first switch to the computer-type examinations for salesmen and brokers will be June 30 and they will be held once a month in Newark, Pennsauken and Atlantic City, with possibly other cities to be added.

The Commission now administers approximately 800 examinations a month for salesmen and 200 for brokers.

The Princeton firm will charge \$9 for the tests with a declining fee schedule as the number of applicants increases, with the fee to be paid directly to Educational Testing Services.

### 5,300 NEW COLLEGE STUDENTS SHARE \$2.5 MILLION SCHOLARSHIPS

The New Jersey Scholarship Commission announced recently that more than 5,300 high school seniors and college freshmen have been awarded \$2.5 million in scholarships.

The Commission said more than 20,000 students applied for the scholarships, worth up to \$500 a year and renewable throughout the student's undergraduate years.

Chancellor of Higher Education Ralph A. Dungan, who also is chairman of the Commission, expressed regret that the number of scholarships awarded was not larger.

## OFFICIAL LISTING OF TITLES AVAILABLE TO CODE BUYERS

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

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

Official Departmental Title numbers follow:

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

# ADMINISTRATIVE CODE SUBSCRIPTION RATES TO INCREASE

A closing of charter subscriptions to the New Jersey Administrative Code, and the adoption of higher rates for future subscribers, is announced by Albert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State.

For new subscriptions received in July and thereafter the initial rate will be \$200 per set, \$125 of which covers one year updating. Subsequent updating will be \$125 per year for sets. The annual rate per volume for Titles will be \$18 at time of subscription and \$12 a year thereafter for updating. The new rates are subject to future change, Bonacci noted.

Ending as of June 29, 1973, he said, are the charter subscription rates of \$50 per set or \$5 per volume for individual Departmental Titles along with the mandatory three-year update service. Charter subscribers now will be

## Final Charter Subscriptions

The subscription form below may be used—only during the month of June—to order at the charter rates. To obviate two bills, the initial rate and updating for the year following are combined in the rates shown.

billed annually in advance for update services at \$100 per set per year and \$10 per Title volume per year.

(The list of Titles is on the preceding page.)

With initial production of the full Code completed as of this month, first bills for update services for the next fiscal year will shortly be going to present subscribers, he said.

Bonacci also pointed out that the next update will increase the number of volumes in the full Administrative Code from the present 22 to probably 28 volumes.

However, these and future additional volumes made necessary by increases in State rules will be included in the annual rates at no additional charge to set subscribers, Bonacci said.

It is this constant growth in the number of rules being adopted by virtually all State agencies that makes necessary the increase in prices, the administrative director said, but he emphasized that the three-year update contracts signed by charter subscribers will be honored at the lower rates through June, 1976.

Adoption of the new subscription rates is necessary to cover sharply higher production costs and the required additional binders due to increasing numbers of rules, which by law must be included in the Administrative Code, Bonacci explained.

## 1972 BOUND VOLUME AVAILABLE

The 1972 bound volume of the 12 monthly issues of the New Jersey Register is available for immediate shipment, according to Albert E. Bonacci, Director of Administrative Procedure.

The volume includes also 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.

Price is \$9.00 each, payable in advance, postpaid.

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.

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