It can be seen from the above quoted section that the purpose of this provision was to refund contributions made by members of the Teachers' Pension and Annuity Fund which were in excess of those required on the basis of the member's rate of contribution initially certified and as changed in accordance with N.J.S.A. 18:13-112.7, and contributions made by members for the purchase of prior service credit. These contributions were to be refunded with "regular interest to January 1, 1956."

Regular interest is defined by N.J.S.A. 18:13-112.4(m) as follows:

> " 'Regular interest' shall mean interest as determined from time to time by the board of trustees. The regular interest rate shall be limited to a minimum of 3% per annum, and a maximum of 4% per annum."

You advise that pursuant to N.J.S.A. 18:13-112.4(m), *supra,* interest is computed on an annual basis as of June 30 of each year so that the normal computation of interest on such excess contributions was made as of June 30, 1955 and interest would not have been credited again until June 30, 1956. Therefore, the specific question raised is whether excess contributions made by a member to January 1, 1956 should have been returned with interest credited to June 30, 1955 in accordance with the administrative procedure followed by the Division of Pensions or whether the statutory language of N.J.S.A. 18:13-112.22 required that interest be credited to January 1, 1956.

It is our opinion that interest should have been credited to January 1, 1956. It is significant that the phrase "to January 1, 1956" follows the phrase "with regular interest." This would indicate that the Legislature intended that this date would apply both to the return of excess contributions and the amount of interest to be paid thereon. Thus, in addition to providing for the return of excess contributions made up to January 1, 1956, the Legislature also provided that regular interest should be paid on these contributions to January 1, 1956. Accordingly, you are advised that interest should have been credited on excess contributions made after June 30, 1955 and up to January 1, 1956.

Very truly yours,
DAVID D. FURMAN
Attorney General
By: JUNE STRELECKI
Deputy Attorney General

JULY 8, 1959

CAPTAIN ERIC H. HOSSACK, *Secretary*
Bureau of Tenement House Supervision
1100 Raymond Boulevard
Newark 2, New Jersey

MEMORANDUM OPINION 1959—P-15

DEAR CAPTAIN HOSSACK:

You have asked my opinion as to the scope of Chapter 23 of the Laws of 1958. You inquire as to whether the entire act is limited in its application to cities having 400,000 inhabitants in view of the wording of its title: "AN ACT concerning tenement houses, amending sections 55:5-2 and 55:10-4, and supplementing chapter 5 of Title

55, of the Revised Statutes as to certain tenement houses located in cities having more than 400,000 inhabitants."

I hereby advise you that the amendments to sections 55:5-2 and 55:10-4 of the Revised Statutes govern tenement houses throughout the State. Section 1 of Chapter 23 of the Laws of 1958 is limited in its applicability both by its own specific provisions and by the title of the act to cities having a population in excess of 400,000.

You ask further whether the Board of Tenement House Supervision has authority to be guided by the Standard Building Code of New Jersey or by the standards of nationally accepted codes under the amendment to R.S. 55:10-4. My conclusion is that the Board must rely upon the Standard Building Code of New Jersey or upon some nationally accepted code in approving plans and specifications in instances where the Tenement House Act does not set out standards. The Standard Building Code or the nationally accepted codes are not to be followed if there is a conflict between such code and the Tenement House Act. The additional provisions of R.S. 55:10-4, as added to the law by Chapter 23 of the Laws of 1958, is intended to cover details of construction methods, materials or designs which are not prescribed in mandatory terms in the Tenement House Act.

Yours very truly,

DAVID D. FURMAN
Attorney General

AUGUST 3, 1959

COLONEL JOSEPH D. RUTTER
Superintendent
New Jersey State Police
Trenton, New Jersey

MEMORANDUM OPINION 1959—P-16

DEAR COLONEL RUTTER:

We have been asked whether establishments which are commonly known as motels are subject to the provisions of the Hotel Fire Safety Law, R.S. 29:1-8 to 46. R.S. 1:1-1 provides that in the construction of laws of this State words shall be given their generally accepted meaning according to the approved usage of the language unless a different meaning is expressly indicated. R.S. 29:1-11 defines "hotel" as:

> "* * * every building kept, used, maintained, advertised as or held out to be a place where sleeping accommodations are supplied for pay to transient or permanent guests, in which fifteen or more rooms are rented furnished or unfurnished, including any room found to be arranged for or used for sleeping purposes, with or without meals, for the accommodation of such guests, or every building, or part thereof, which is rented for hire to thirty or more persons for sleeping accommodations.
>
> "This definition shall not be construed to include any building defined as a tenement house in Title 55, subtitle one, chapters one to thirteen of the