

RULE ADOPTIONS

AGRICULTURE

(a)

DIVISION OF MARKETING AND DEVELOPMENT SIRE STAKES PROGRAM BOARD OF TRUSTEES

New Jersey Standardbred Development Fund Conditions

Readoption of Special Adoption with Amendments: N.J.A.C. 2:32A

Proposed: October 6, 2014, at 46 N.J.R. 1991(a).

Adopted: February 10, 2015, by the New Jersey Sire Stakes Board of Trustees, Christopher Castens, Executive Director.

Filed: February 18, 2015, as R.2015 d.041, **without change**.

Authority: N.J.S.A. 5:5-91 et seq., as amended and supplemented by P.L. 2013, c. 133.

Effective Dates: February 18, 2015, Readoption;
March 16, 2015, Amendments.

Expiration Date: February 18, 2022.

Summary or Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

Executive Order No. 27 (1994) and P.L. 1995, c. 65, require State agencies that adopt, readopt, or amend State rules that exceed any Federal standards or requirements to include in the rulemaking document a comparison with Federal law. A Federal standards analysis is not required because the regulation of the Sire Stakes Program is dictated by the Sire Stakes Program Establishment Act, N.J.S.A. 5:5-91 et seq., and is not subject to any Federal requirements or standards.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 2:32A.

Full text of the adopted amendments follows:

SUBCHAPTER 1. STANDARDBRED DEVELOPMENT FUND PROGRAM

2:32A-1.1 General provisions

The Sire Stakes Program Board of Trustees, on behalf of the Standardbred Development Fund Program, hereby adopts and incorporates by reference, as amended and supplemented, the 2014 United States Trotting Association's Racing Guide for Stakes and Futurities. Copies of the most current regulations may be procured online at <http://www.ustrotting.com/pdf/USTARuleBook.pdf> and are available for inspection by contacting the Division of Marketing and Development, New Jersey Department of Agriculture, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

SUBCHAPTER 2. NEW JERSEY STANDARDBRED DEVELOPMENT FUND CONDITIONS

2:32A-2.1 Adoption of by-laws

(a) The by-laws of the New Jersey Standardbred Development Fund Program are hereby adopted as follows:

1. There is hereby established in the State of New Jersey a Standardbred Development Fund Program for Standardbred horses, foaled in the State of New Jersey, and to be the product of a registered New Jersey mare, registered with the New Jersey Standardbred Development Fund Program as such.

2. Those horses eligible to race under the Standardbred Development Fund Program shall be:

i. Any foal of any registered New Jersey mare that shall have resided in the State of New Jersey for a minimum of 150 consecutive days, including the foaling of said eligible horse; or

ii. Any foal sired by a registered New Jersey-based stallion and otherwise eligible to the New Jersey Sire Stakes Program.

3. (No change.)

4. The Board of Trustees of the Sire Stakes Program is authorized to do all that is necessary for the proper administration of the Standardbred Development Fund Program and shall prepare, issue, and promulgate rules providing for:

i.-iv. (No change.)

v. Such other matters as the Board determines to be necessary and appropriate for the proper administration and implementation of the Standardbred Development Fund Program.

5. The funds for the Standardbred Development Fund Program and the nominating, sustaining, and entry fees provided for in this chapter, shall be administered by the New Jersey Department of Agriculture and shall be deposited in a trust account entitled Sire Stakes Fund.

6. All disbursements from the Sire Stakes Fund for the payment of purses and awards, cost of administration, reimbursement of expenses of members of the Board of Trustees, and any other appropriate expenses, shall be made by the Secretary of Agriculture or his or her designee.

7. (No change.)

2:32A-2.2 Qualifying standards

(a) In order to be eligible for nomination to the New Jersey Standardbred Development Fund Program, a foal must be the product of the mating of:

1. (No change.)

2. A Standardbred mare with any Standardbred stallion that is registered with the United States Trotting Association or such other generally recognized Standardbred breed provided the mare resides in the State of New Jersey for a period of at least 150 days including the date of foaling. Said mare must be registered with the New Jersey Standardbred Development Fund Program by January 31 of the year of foaling in order for the offspring to be eligible to the Standardbred Development Fund Program. The registration form must be accompanied by a payment of \$100.00.

2:32A-2.4 Transfer of race

(a) (No change.)

(b) It shall not be the responsibility of the New Jersey Sire Stakes Board of Trustees to individually inform Standardbred Development Fund nominators, agents, or trainers of any of the changes in (a) above.

(c) The Board shall advertise or publicize changes in racing interest trade magazines, such as the various Standardbred related magazines and/or newsletters, and suggests all program participants communicate with the New Jersey Sire Stakes office.

2:32A-2.5 Yearling nominations

(a) All yearlings to be nominated to the Standardbred Development Fund Program must be registered with the United States Trotting Association or any Standardbred registry recognized by the United States Trotting Association and must hold a certificate of registration dated on or before the time of nomination.

1. Nominations of yearlings to the Standardbred Development Fund Program shall be received along with the nomination fee payment, by the office of the New Jersey Sire Stakes, not later than May 15 of each yearling year or, if May 15 falls on a Saturday, Sunday, or holiday, on the next business day following that date. Nominations received after the closing date will not be accepted.

2. Any yearling that has been nominated to the New Jersey Sire Stakes Program shall also be considered nominated to the Standardbred Development Fund Program without further payment of any additional nominating fees. Payment of the nomination fee covers nomination to

both the Standardbred Development Fund Program and Premier Program. Thereafter, each program will have separate sustaining payments.

3. Nomination payments are to be made to the New Jersey Sire Stakes, P.O. Box 330, Trenton, NJ 08625.

4. The nomination fee for those yearlings otherwise meeting all Standardbred Development Fund Program eligibility requirements of this chapter, but which were foaled as a result of a breeding with a non-resident New Jersey stallion, shall be \$50.00 if accompanied by a certificate of registration or a copy of a certificate of registration from the United States Trotting Association or from a Standardbred registry body recognized by the United States Trotting Association. These yearlings shall only be eligible to compete in the Standardbred Development Fund Program and not the New Jersey Sire Stakes Program. An additional \$25.00 processing fee shall be due if said certificate of registration is not submitted. Thereafter, each program will have separate sustaining payments.

5. (No change in text.)

2:32A-2.8 Eligibility

(a) In order for the Standardbred Development Fund eligible two-year-old horses to remain eligible as three-year-olds, their owners must have made the yearling nominations and the first two-year-old sustaining payments.

(b) A two-year-old that makes the nomination payment but fails to make the first sustaining payment may regain its eligibility for its three-year-old season by payment of a penalty of \$1,000 plus the amount of the first sustaining payment within 30 days of the original due date of the payment. The horse will not be eligible to compete as a two-year-old in the program to which the payment was missed, but will be able to compete as a three-year-old provided those payments are made in a timely fashion.

2:32A-2.21 Final races

(a) There will be a two- and three-year-old "Final" race in each Standardbred Development Fund division licensed facility approved by the New Jersey Racing Commission as scheduled by the New Jersey Sire Stakes Board of Trustees.

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

(f) In the event of a dead heat for any position in a New Jersey Standardbred Development Fund race, the points shall be divided evenly among the horses that finish in the dead heat.

(g)-(i) (No change.)

2:32A-2.29 Payments, correspondence, and inquiries

(a) If accepted for payment, checks in payment of fees set forth in this chapter shall be made payable to: New Jersey Sire Stakes.

(b) All nominating and sustaining payments, correspondence, and inquiries shall be directed to:

New Jersey Sire Stakes
PO Box 330
Trenton, NJ 08625.

Inquiries may also be directed to (609) 292-8830.

COMMUNITY AFFAIRS

(a)

DIVISION OF FIRE SAFETY

Notice of Administrative Correction

Uniform Fire Code

Fire Safety Code

Means of Egress

N.J.A.C. 5:70-4.11

Take notice that N.J.A.C. 5:70-4.11 contains a printing error. As promulgated effective May 3, 1993 (see 25 N.J.R. 393(a) and 1868(a)), Table 5:70-4.11(f)3 in N.J.A.C. 5:70-4.11(f)3 included a "Use/Occupational Load Factor in square feet per occupant" listing for "Industrial 100 gross," followed by the heading "Institutional" and

listings for "Inpatient treatment 240 gross," "Outpatient 100 gross," and "Sleeping rooms 120 gross." Except for a change to the original Table heading in 1998 to reflect the recodification of N.J.A.C. 5:18 as 5:70 (see 30 N.J.R. 2644(a)), the Table has not been amended. However, in the incorporation of amendments to N.J.A.C. 5:70-4.11, effective May 7, 2012, into the Code through the 5-7-12 Code update, the heading "Institutional" was inadvertently deleted from the Table. Through this notice of administrative correction, published pursuant to N.J.A.C. 1:30-2.7, the heading is restored to the Table.

Full text of the corrected rule follows (addition indicated in boldface italics thus):

5:70-4.11 Means of egress

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

(f) The capacity of means of egress in each story shall be sufficient for the occupant load thereof.

1.-2. (No change.)

3. The maximum permitted occupant load of a given space shall be determined by dividing the floor area for a given use by the occupant load factor in Table 5:70-4.11(f)3.

i. Except in Use Group A-2 (nightclubs), the occupant load may be equal to the total number of occupants for whom exit capacity is provided as determined by (f)1 above. The resulting total occupant load shall not exceed one occupant per five square feet of net floor area over the entire use.

Table 5:70-4.11(f)3

Floor Area Per Occupant

Use	Occupant Load Factor In square feet per occupant
...	
Industrial	100 gross
<i>Institutional</i>	
Inpatient treatment	240 gross
Outpatient	100 gross
Sleeping rooms	120 gross
...	
(g)-(o) (No change.)	

HUMAN SERVICES

(b)

THE COMMISSIONER

Notice of Readoption

County Human Services Advisory Councils; The State Human Services Advisory Council; and Commissioner's Executive Advisory Committee

Readoption: N.J.A.C. 10:2

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

Authorized By: Jennifer Velez, Commissioner, Department of Human Services.

Effective Date: February 19, 2015.

New Expiration Date: February 19, 2022.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:2 will expire on April 7, 2015. This chapter contains the rules of the Department of Human Services, Commissioner, governing the County Human Services Advisory Councils, the State Human Services Advisory Council, and the Commissioner's Executive Advisory Committee. N.J.A.C. 10:2 establishes the rules that outline and clarify the minimum standards applicable to the County Human Services Advisory