

CORRECTIONS

(a)

THE COMMISSIONER

Health Services Rules

Adopted Amendments: N.J.A.C. 10A:16-6.4 and 6.5

Proposed: August 1, 2022, at 54 N.J.R. 1466(a).

Adopted: October 27, 2022, by Victoria L. Kuhn, Acting Commissioner, Department of Corrections.

Filed: November 3, 2022, as R.2022 d.145, **without change**.

Authority: N.J.S.A. 30:1B-6, 30:1B-10, and 30:4-123.55b et seq.

Effective Date: December 5, 2022.

Expiration Date: July 26, 2024.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The adopted amendments are promulgated under the authority of the rulemaking requirements of the Department of Corrections, as established at N.J.S.A. 30:1B-6 and 30:1B-10. The adopted amendments are not subject to any Federal laws or standards; therefore, a Federal standards analysis is not required.

Full text of the adoption follows:

SUBCHAPTER 6. PREGNANT INMATES

10A:16-6.4 Termination of pregnancy

(a)-(c) (No change.)

(d) A pregnancy shall be terminated only at a State-licensed medical facility or hospital. Follow-up medical care shall be provided in the Correctional Facility for Women.

10A:16-6.5 Non-gestational parent of the child

(a) The non-gestational parent, if not incarcerated, may attend the birth of the child in the delivery room.

(b) The non-gestational parent's presence in the delivery room is contingent upon approval by the:

1.-3. (No change.)

LAW AND PUBLIC SAFETY

(b)

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF COURT REPORTING

Notice of Readoption

Rules of the State Board of Court Reporting

Readoption: N.J.A.C. 13:43

Authority: N.J.S.A. 45:15B-3.2(a) and 45:1-15.1.

Authorized By: State Board of Court Reporting, Robert J. Cirillo, CCR, Chairman.

Effective Date: October 31, 2022.

New Expiration Date: October 31, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:43 were scheduled to expire on December 21, 2022. The rules establish standards for the certification of court reporters and realtime court reporters in the State and the registration of temporary court reporters. The rules also establish standards for renewal of certification or registration; required examinations for certification; practice requirements for certification or registration holders; and standards for continuing court reporter education.

The Board of Court Reporting has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose

for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 45:15B-3.2(a) and 45:1-15.1, and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted without change and shall continue in effect for a seven-year period.

(c)

DIVISION OF STATE POLICE

Notice of Extension of Chapter Expiration Date Firearms and Weapons

N.J.A.C. 13:54

Take notice that the Superintendent of the New Jersey State Police (Superintendent) informed Governor Phillip D. Murphy that N.J.A.C. 13:54, Firearms and Weapons, was scheduled to expire on May 12, 2022. On May 10, 2022, the Superintendent filed a notice of readoption that extended the expiration date 180 days to November 12, 2022, pursuant to N.J.S.A. 52:14B-5.1.

N.J.A.C. 13:54, Firearms and Weapons, regulates major aspects of weapons sale and possession in the State and includes chapters addressing handgun permitting, the licensing and practices of retail and wholesale dealers, assault firearms, security systems for dealers, and firearm purchasing permits, among other provisions.

By the authority vested in him pursuant to N.J.S.A. 52:14B-5.1.d(1), Governor Phillip D. Murphy, on November 7, 2022, directed that the expiration date be extended for N.J.A.C. 13:54, for a period of 12 months, from November 12, 2022 to November 12, 2023.

TREASURY—TAXATION

(d)

DIVISION OF TAXATION

Uniform Transitional Utility Assessment

Adopted New Rules: N.J.A.C. 18:9

Proposed: April 4, 2022, at 54 N.J.R. 530(a).

Adopted: November 7, 2022, by John J. Ficarra, Acting Director, Division of Taxation.

Filed: November 7, 2022, as R.2022 d.147, **without change**.

Authority: N.J.S.A. 54:30A-122 and 54:50-1.

Effective Date: December 5, 2022.

Expiration Date: December 5, 2029.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The expired rules adopted herein as new rules do not contain any requirement that exceed those imposed by Federal law. The rules represent a policy of the Division of Taxation that is not subject to any Federal requirements or standards.

Full text of the expired rules adopted herein as new rules can be found in the New Jersey Administrative Code at N.J.A.C. 18:9.

Full text of the adopted amendments follows:

SUBCHAPTER 1. UNIFORM TRANSITIONAL UTILITY ASSESSMENT

18:9-1.1 Applicability of Uniform Transitional Utility Assessment

(a) Telephone companies that were subject to the provisions at N.J.S.A. 54:30A-16 et seq., as of April 1, 1997, and gas and electric light, heat, and power corporations that were subject to the provisions at N.J.S.A. 54:30A-16 et seq., municipal or otherwise, prior to January 1, 1998, are subject to the Uniform Transitional Utility Assessment (UTUA) Act, N.J.S.A. 54:30A-114 et seq.

(b) Corporate or non-corporate legal successors or assigns to the entities at (a) above, whether through any reorganization, sale, bankruptcy, consolidation, merger, or other transaction or occurrence of any kind without limitation, also are subject to the UTUA. These successors and assigns are liable for the UTUA whether or not a transfer of corporate stock or a sale of corporate assets is involved.

(c) (No change.)

(a)

DIVISION OF TAXATION
Notice of Readoption
Alcoholic Beverage Tax Act—State Licensees
Readoption: N.J.A.C. 18:3

Authority: N.J.S.A. 54:42-1 and 54:50-1.

Authorized By: John J. Ficara, Acting Director, Division of Taxation.

Effective Date: November 7, 2022.

New Expiration Date: November 7, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 18:3 were scheduled to expire on January 21, 2023. N.J.A.C. 18:3 provides guidance to taxpayers subject to the provisions of the Alcoholic Beverage Tax Law (N.J.S.A. 54:41-1 through 54:47-8). The rules describe the scope of the tax, the rate, and administrative procedures required for compliance with the Alcoholic Beverage Tax Act. The Division of Taxation has reviewed the rules and determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore,

pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 18:3 is readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF TAXATION
Notice of Readoption
Litter Control Fee
Readoption: N.J.A.C. 18:38

Authority: N.J.S.A. 13:1E-216.f(3), 13:1E-222, and 54:50-1.

Authorized By: John J. Ficara, Acting Director, Division of Taxation.

Effective Date: November 7, 2022.

New Expiration Date: November 7, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 18:38 were scheduled to expire on January 21, 2023. N.J.A.C. 18:38 provides guidance on the litter control fee. The litter control fee is a user fee for the privilege of engaging in business in New Jersey as a manufacturer, wholesaler, distributor, or retailer of litter-generating products measured by the gross receipts from sales of such products within or into New Jersey. The Division of Taxation has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 18:38 is readopted and shall continue in effect for a seven-year period.