

of disease from one premise to another] **in accordance with a clean-up plan approved by the State Veterinarian to prevent disease transmission.**

**2:5-6.3 Examination and testing to confirm existence of diseases or agents affecting livestock or poultry or premises**

When there is reason to believe that any livestock or poultry or premises is affected by a disease or agent, described at N.J.A.C. 2:2-1.1, the Department may undertake appropriate examination and testing to confirm the existence of such disease or agent, and the Department may enter any property for that purpose. Owners of livestock or poultry or premises to be examined and tested pursuant to this section, and their agents, shall grant access and provide assistance to the Department, as requested, and instructed by the Department and its representatives, including assistance by restraining, handling, and making available any animals involved until completion of the examination and testing. No person shall interfere with or otherwise obstruct any agent of the Department in the performance of their duties authorized by this section.

SUBCHAPTER [5.] 7. PENALTIES

2:5-[5.1]7.1 Penalties for violations of this chapter

(a) Any person who shall violate the provisions of this chapter shall be liable for a penalty of not less than [\$100.00] **\$1,000** per unit or violation nor more than [\$200.00] **\$2,000** per unit or violation for a first offense.

(b) For a second or subsequent offense, the penalty shall be [\$200.00] **\$2,000** per unit or violation or **may subject the offender** to imprisonment for not more than one year, or both.

(c) A unit is any division or quantity accepted as a standard of measurement or exchange. Where it is possible to determine the [exact] number of animals (livestock or poultry), **including by use of a reasonable estimate**, the Department will use that **number** as the basis for calculating a penalty. [Where the exact number of animals is not known, the department will use the next identifiable quantity as the unit (that is, crate or truckload) on which the penalty will be based.] **Where a reasonable estimate of the number of animals involved has been relied upon as the basis for a penalty calculation, the Department will describe the evidence supporting its estimate. The evidence upon which a reasonable estimate of the number of animals involved will depend on the circumstances and may include, but is not limited to, reliance on one or more of the following: actual count(s); commercial or transportation documents; investigator and/or witness statements; standard operating procedures and/or other customary practices; standard sizes of shipping crates or transport vehicle capacity; or any other identifiable means that can provide an evidentiary basis to determine the number of animals involved for penalty calculation purposes.**

(d) (No change.)

(e) The [Division of Animal Health] **State Veterinarian** shall make an initial determination as to whether a violation exists **and the amount of the penalty to be assessed.**

(f) Any person who is aggrieved by the determination of the [Division of Animal Health] **State Veterinarian** pursuant to (e) above shall, upon written request transmitted to the Department within 20 days of the notice of violation, be afforded the opportunity for a hearing thereon in the manner provided for contested cases pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., **and 52:14F-1 et seq.**, and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

1. Requests for hearings shall be sent to Director, Division of Animal Health, New Jersey Department of Agriculture, PO Box [330] **400**, Trenton, New Jersey [08625-033] **08625-0400**.

2. **An informal prehearing conference with the State Veterinarian shall occur within 30 calendar days after the Department receives the written request for a hearing.**

(g)-(h) (No change.)

**PUBLIC UTILITIES**

**(a)**

**BOARD OF PUBLIC UTILITIES**

**Competitive Solar Incentive Program**

**Proposed Amendments: N.J.A.C. 14:8-1.2, 11.1, 11.2, 11.4, 11.5, 11.6, and 11.7**

**Proposed New Rule: N.J.A.C. 14:8-11.10**

BPU Docket Number: QX22100653.

Notice of Correction to Notice of Proposal (PRN 2023-012).

**Take notice** that the New Jersey Board of Public Utilities (“Board” or “BPU”) discovered typographical and editing errors in the above notice of proposal published in the February 6, 2023, New Jersey Register at 55 N.J.R. 127(a). The errors appear in the first paragraph of the Summary at 55 N.J.R. 127, wherein the Board referred to the Successor Solar Incentive Program as set forth at N.J.A.C. 14:8-4 instead of N.J.A.C. 14:8-11 and failed to mention where the new rule would be codified. To correct the typographical and editing errors, the text of the first paragraph of the Summary, which appeared in the February 6, 2023 notice of proposal in the New Jersey Register at 55 N.J.R. 127, is published below with the corrections.

**Take further notice** that the Board will accept comments on the notice of proposal, published at 55 N.J.R. 127(a), and this notice of correction through Friday, April 7, 2023. The Board will continue to accept public comments limited to this notice of correction through May 19, 2023.

While all comments will be given equal consideration and will be made part of the final record of this proceeding, the preferred method of transmittal is through the Board’s Public Document Search tool, by searching for the specific BPU docket number listed above and using the “Post Comments” button. Written comments may also be submitted. Please include subject matter and docket number and submit to:

Secretary of the Board  
 New Jersey Board of Public Utilities  
 44 South Clinton Ave., 1st Floor  
 PO Box 350  
 Trenton, NJ 08625-0350  
 Attn: BPU Docket No. QX22100653  
 Phone: 609-292-1599  
 Email: [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

All comments are considered “public documents” for purposes of the State’s Open Public Records Act. Commenters may identify information that they seek to keep confidential by submitting it in accordance with the confidentiality procedures set forth at N.J.A.C. 14:1-12.3.

**Full text** of the corrected first paragraph within the Summary follows:

**Summary**

The Board of Public Utilities (“Board”) is proposing to amend its existing solar energy rules to include the Competitive Solar Incentive (“CSI”) Program, to be codified at N.J.A.C. 14:8-11.10 as part of the larger Successor Solar Incentive (“SuSI”) Program set forth at N.J.A.C. 14:8-11. The CSI Program is designed to provide incentives to larger solar facilities within the SuSI Program that serves as the permanent program for providing solar incentives to qualified solar electric generation facilities.