

CORRECTIONS

THE COMMISSIONER

Interjurisdictional Agreements and Statutes

Readoption with Amendments: N.J.A.C. 10A:10

Proposed: June 15, 2015, at 47 N.J.R. 1285(a).

Adopted: November 3, 2015, by Gary M. Lanigan, Commissioner, Department of Corrections.

Filed: November 5, 2015, as R.2015 d.183, **without change.**

Authority: N.J.S.A. 2A:159A-1 et seq., 2A:160-6 et seq., 30:1B-6, 30:1B-10, 30:7C-1 et seq., and 30:7D-1; U.S. Const. Art. 4, § 2, cl. 2; and 18 U.S.C. App. 2 § 2.

Effective Dates: November 5, 2015, Readoption;
December 7, 2015, Amendments.

Expiration Date: November 5, 2022.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The rules readopted with 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 and 30:7C et seq.

Pursuant to N.J.S.A. 30:7D-1, regarding treaties on interstate prisoner transfer, the Commissioner, Department of Corrections, is authorized to transfer offenders having foreign citizenship status to their countries of citizenship, provided that a treaty exists between the United States and the foreign country. All arrangements relative to this treaty process are

negotiated between the New Jersey Office of the Governor, the New Jersey Department of Corrections, and the United States Department of Justice, Office of International Affairs. Extradition provisions in the proposed readoption with amendments have been added pursuant to N.J.S.A. 2A:160-6 et seq. (Uniform Criminal Extradition Law) and in accordance with the extradition clause of the Federal Constitution (U.S. Const. Art. 4, § 2, cl. 2). The rules readopted with amendments comply with and do not exceed any related Federal statutes, requirements, or standards. Accordingly, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10A:10.

Full text of the adopted amendments follows:

TEXT