

SUBCHAPTER 1. GENERAL PROVISIONS

12:235-1.6 Maximum workers' compensation benefit rates

(a) In accordance with the provisions of N.J.S.A. 34:15-12.a, the maximum workers' compensation benefit rate for temporary disability, permanent total disability, permanent partial disability, and dependency is hereby promulgated as being \$921.00 per week.

(b) The maximum compensation shall be effective as to injuries occurring in the calendar year 2019.

LAW AND PUBLIC SAFETY

(a)

DIVISION ON CIVIL RIGHTS

Advertising Relating to Real Property

Adopted New Rule: N.J.A.C. 13:9

Proposed: June 4, 2018, at 50 N.J.R. 1335(a).

Adopted: November 16, 2018, by Rachel Wainer Apter, Director, Division on Civil Rights.

Filed: November 16, 2018, as R.2018 d.205, **without change**.

Authority: N.J.S.A. 10:5-8, 10:5-12, and 10:5-18.

Effective Date: December 17, 2018.

Expiration Date: December 17, 2025.

Summary of Public Comment and Agency Response:

The official comment period ended on August 3, 2018. The Division on Civil Rights (DCR) received one comment from Co-Chief Counsels Linda Babecki and Alice Kwong of Legal Services of New Jersey.

COMMENT: The commenters expressed support for the proposed changes to N.J.A.C. 13:9-1.1(a), which add "pregnancy," "breastfeeding," and "liability for service in the Armed Forces of the United States" as categories for which discriminatory advertising is prohibited.

RESPONSE: DCR thanks the commenters for their support.

Federal Standards Statement

A Federal standards analysis is not required because the substance of the expired rule adopted herein as a new rule does not exceed Federal standards. The Federal Fair Housing Act (FHA) prohibits discriminatory advertising related to the sale or rental of real property. See 42 U.S.C. § 3604(c). The expired rule adopted herein as a new rule is consistent with the FHA's prohibitions against discriminatory advertising. To the extent that the prohibitions against discrimination based on marital status, civil union status, sexual orientation, gender identity or expression, source of lawful income used for rent or mortgage payments, pregnancy, breastfeeding, and liability for service in the U.S. Armed Forces exceed the scope of the FHA, such provisions are mandated by the New Jersey Law Against Discrimination, N.J.S.A. 10:5-12 et seq.

Full text of the expired rule adopted herein as a new rule follows:

CHAPTER 9

ADVERTISING RELATING TO REAL PROPERTY

SUBCHAPTER 1. GENERAL PROVISIONS

13:9-1.1 Discriminatory advertising regarding realty

(a) It shall be a violation of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq., for any person, including any newspaper or publication published or circulated within this State, to make, print, publish, circulate, issue, display, post, utter or disseminate or to cause to be made, printed, published, circulated, issued, displayed, posted, uttered or disseminated any print or electronic notice, listing, statement, sign or advertisement regarding the sale, lease, sub-lease, rental or assignment of any real property, which expresses, overtly or subtly, directly or indirectly, any preference, limitation, specification or discrimination as to race, creed, color, national origin, ancestry, marital status, civil union status, domestic partnership status, sex, pregnancy, breastfeeding, gender identity or expression, familial status, nationality, disability, affectional or sexual

orientation, source of lawful income used for rental or mortgage payments, or liability for service in the Armed Forces of the United States, as such terms may be defined in the Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

(b) This section applies to real property as defined in the Law Against Discrimination, N.J.S.A. 10:5-1 et seq., public housing and the rental of:

1. A single apartment or flat in a two-family dwelling, the other occupancy unit of which is occupied by the owner as a residence at the time of such rental; and

2. A room or rooms to another person or persons by the owner or occupant of a one-family dwelling occupied by the owner or occupant as a residence at the time of such rental.

TREASURY—GENERAL

(b)

UNCLAIMED PROPERTY ADMINISTRATION

Unclaimed Personal Property

Adopted Amendment: N.J.A.C. 17:18-3.1

Adopted New Rule: N.J.A.C. 17:18-3.3

Proposed: December 4, 2017, at 49 N.J.R. 3665(a).

Adopted: November 13, 2018, by Steven R. Harris, Administrator, Unclaimed Property Administration.

Filed: November 13, 2018, as R.2018 d.204, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 46:30B-107.

Effective Date: December 17, 2018.

Expiration Date: November 20, 2020.

Summary of Public Comments and Agency Responses:

1. Brian Tate, President & CEO, Network Branded Prepaid Card Association (NBPCA)

2. Michael D. Gruehut, General Counsel, Incomm

3. Toni Nuernberg, Executive Director, Unclaimed Property Professionals Organization

4. John Holub, President, New Jersey Retail Merchants Association

5. Ky Tran-Trong, Vice President, Global Regulatory Affairs, Visa

6. Russ Lemieux, Executive Director, Retail Gift Card Association

7. Phillip C. Rouse, Chairman, Card Compliant

N.J.A.C. 17:18-3.1

1. COMMENT: The commenter asked that proposed regulations include in N.J.A.C. 17:18-3.1, a definition of "general purpose reloadable card" that is identical to that in the Act. (3)

RESPONSE: The Uniform Property Administration ("UPA" or "UPA") agrees that a definition should be added as suggested by the commenter, identical to N.J.S.A. 46:30B-1 et seq. (the Act), for the ease of use of N.J.A.C. 17:18.

2. COMMENT: One commenter asked that the proposed regulations either define the term "value" to take into account cards sold at a discount or delete the definition of "face value" in its entirety. Another commenter expressed that the regulations use the terms "face value" and "value" interchangeably and without consistency, urging the Division to use the term "value" exclusively and define it appropriately. (2 and 3)

RESPONSE: The Division thanks the commenter. Based on the comment and after further research, the Division believes that the definition of "face value" should be deleted and replaced with "net card value," as this will provide greater clarity as to the agreed upon value of the stored value card to a purchaser. This change also conforms the term and definition to the recommended definition in the 2016 Uniform Unclaimed Property Act, which is used in a number of states, including Kentucky, Tennessee, and Utah. This change will be a benefit to purchasers as it will eliminate any potential confusion and ensure consistency. "Net card value" will be defined as "the amount of value of a stored value card subject to becoming 'unclaimed property' is the original