PRESS RELEASE

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW
February 10, 2012

The Office of Administrative Law is proposing, in three notices of proposal, to amend its Rules for Agency Rulemaking, N.J.A.C. 1:30, to:

1. Amend N.J.A.C. 1:30-5.1, Notice of proposed rule, to incorporate the requirements of N.J.S.A. 52:14B-4.1b that a notice of proposed rule include a housing affordability impact analysis and a smart growth development analysis, and, pursuant to Executive Order No. 78 (2011), delete the requirement for a notice of proposed rule to contain a smart growth impact statement;

2. Amend N.J.A.C. 1:30-6.2, Time for filing notice of adoption, and 6.3, Variance between the rule as proposed and as adopted, to incorporate the provisions of P.L. 2011, c. 33 allowing agencies to publish in the New Jersey Register a notice of substantial changes upon adoption to explain, and solicit public comment on, contemplated changes to pending proposed rules that would be too substantial to make upon adoption, thus permitting such changes to be incorporated into the notice of adoption of the proposed rules; and

3. Amend N.J.A.C. 1:30-6.4, Expiration date for adopted rule, to incorporate the provisions of P.L. 2011, c. 45: extending the maximum expiration ('sunset") date for a new or readopted chapter of rules from five years to seven years; allowing agencies to effect the readoption of a chapter of rules without change or with technical changes through the publication in the New Jersey Register of a notice of readoption, rather than through the readoption proposal and adoption process; and permitting the Governor upon the timely request of an agency head, to restore the effectiveness of an expired rule for a specified period, in order to effect the readoption of the rule.

The three notices of proposal of these amendments will be published in the February 21, 2012 New Jersey Register at 44 N.J.R. 327(a), 329(a), and 331(a), respectively.

Comments may be submitted by April 21, 2012 to:

Patricia Prunty, Assistant Director
Office of Administrative Law

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Copies of the notices of proposal may be obtained by contacting the Office of Administrative Law at (609) 689-4015.