

RULE ADOPTIONS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Special Hearing Rules

Department of Children and Families Hearings

Readoption with Amendments: N.J.A.C. 1:10A

Proposed: June 15, 2015, at 47 N.J.R. 1279(a).

Adopted: November 5, 2015, by Laura Sanders, Acting Director,
Office of Administrative Law.

Filed: November 5, 2015, as R.2015 d.184, **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. 52:14F-5(e), (f), and (g).

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.

Summary of Agency-Initiated Changes:

N.J.A.C. 1:10A-2.1 and 17.1 have been corrected to refer to the Division of "Child Protection and Permanency" rather than the Division of "Youth and Family Services."

Federal Standards Statement

A Federal standards analysis is not required because the contested case hearing procedures, of which the rules readopted with amendments are a part, are promulgated in implementation of the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 and 52:14F-1 et seq., and are not subject to any Federal standards or requirements.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 1:10A.

Full text of the adopted amendments follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks ***[thus]***):

1:10A-2.1 Definitions

The following words and terms when used in this chapter shall have the following meanings:

"Agency head" means an individual designated by the Commissioner of Children and Families with the authority in the capacity of final decision maker on cases transmitted by the DCF Office of Licensing, the DCF Institutional Abuse Investigations Unit, or the DCF Division of ***[Youth and Family Services]* *Child Protection and Permanency***, as appropriate.

1:10A-17.1 Consolidation and predominant interest

In any instance where a case instituted under the Tenure Employees Hearing Law, N.J.S.A. 18A:6-10 et seq., or a charge filed by the Department of Children and Families Office of Licensing is based upon a case concerning allegations of child abuse and neglect instituted by the Division of ***[Youth and Family Services]* *Child Protection and Permanency*** or by the Institutional Abuse Investigations Unit, an order consolidating the matters shall be issued, and the Division of ***[Youth and Family Services]* *Child Protection and Permanency*** or the Institutional Abuse Investigations Unit shall be deemed to have the predominant interest with regard to issues relating to the charges of child abuse and neglect.

AGRICULTURE

(b)

DIVISION OF MARKETING AND DEVELOPMENT

Notice of Readoption

Dairy Licensing Fees and Penalties

Readoption: N.J.A.C. 2:56

Authority: N.J.S.A. 4:1-11.1.

Authorized By: Alfred W. Murray, Director, Division of Marketing and Development, the State Board of Agriculture and Douglas H. Fisher, Secretary, Department of Agriculture.

Effective Date: October 28, 2015.

New Expiration Date: October 28, 2022.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, these rules at N.J.A.C. 2:56 will expire on December 10, 2015. These rules set the annual licensing fees and penalties for milk dealers, processors, and stores, thereby ensuring funding for the Administration of the Dairy Program to assure that the dairy industry and consumers continue to receive the benefit of an effective milk control regulation and ensure a stable, competitive milk marketing system. As such, these rules primarily affect New Jersey Dairy farmers, milk dealers, processors, retail stores, schools, and consumers.

These rules set the annual license fees for milk dealers, processors, and stores. Annual license fees are set for those milk dealers who buy milk or cream from New Jersey producers for shipment, sale, resale, or manufacture; for other milk dealers who sell, distribute, or purchase milk from producers or other milk dealers and sell or distribute that milk to consumers; and for stores, depending upon the volume sold by each store per week.

These rules also outline the penalties for violations that can be assessed against milk processors, milk dealers, and retail stores. Penalties are set for dealers who are unlicensed and who buy milk or cream from New Jersey producers for shipment, sale, resale, or manufacture and for any violation of the provisions of N.J.S.A. 4:12A-1 et seq. or the orders, rules, and regulation of the Director.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted without amendment. The rules 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), these rules are readopted and shall continue in effect for a seven-year period.

CIVIL SERVICE

(c)

CIVIL SERVICE COMMISSION

General Rules and Department Organization

Readoption with Amendments: N.J.A.C. 4A:1

Adopted New Rule: N.J.A.C. 4A:1-1.5

Proposed: July 6, 2015, at 47 N.J.R. 1369(a).

Adopted: November 5, 2015, by the Civil Service Commission,
Robert M. Czech, Chairperson.

Filed: November 5, 2015, as R.2015 d.185, **with non-substantial changes** not requiring additional notice and public comment (see N.J.A.C. 1:30-6.3).