

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:44E were scheduled to expire on May 30, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

In accordance with N.J.S.A. 45:1-15 and 45:9-14.5 et seq., the rules at N.J.A.C. 13:44E establish standards for the licensing and regulation of chiropractors and chiropractic assistants and for the practice of chiropractic.

Subchapter 1 sets forth the scope of practice for licensed chiropractors and defines “licensee” as a New Jersey licensed chiropractor.

Subchapter 1A concerns licensure requirements, including renewal, reinstatement, active and inactive status, and expiration; reciprocity; continuing education; and malpractice insurance requirements.

Subchapter 2 sets forth general rules of practice.

Subchapter 3 concerns requirements related to the validity of certain diagnostic tests and special requirements for electrodiagnostic tests and other special examinations.

Subchapter 4 outlines the requirements applicable to licensed chiropractic assistants.

The New Jersey State Board of Chiropractic Examiners has reviewed these rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated, as required by Executive Order No. 66 (1978). Pursuant to N.J.S.A. 45:1-15 and 45:9-14.5 et seq., and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

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**(a)**

**DIVISION OF CONSUMER AFFAIRS  
LEGALIZED GAMES OF CHANCE CONTROL  
COMMISSION  
Notice of Readoption  
Rules of the Legalized Games of Chance Control  
Commission**

**Readoption: N.J.A.C. 13:47**

Authority: N.J.S.A. 5:8-6.

Authorized By: Legalized Games of Chance Control Commission,  
Steven P. Layman, Chairperson.

Effective Date: October 15, 2021.

New Expiration Date: October 15, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:47 were scheduled to expire on November 13, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The rules at N.J.A.C. 13:47 implement the Bingo Licensing Law, N.J.S.A. 5:8-24 et seq., and the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq. The Legalized Games of Chance Control Commission has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated, as required by Executive Order No. 66 (1978). Therefore, pursuant to N.J.S.A. 45:9-37.18, and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted without amendments and shall continue in effect for a seven-year period.

**TREASURY—GENERAL**

**(b)**

**DIVISION OF PENSIONS AND BENEFITS**

**Supplemental Annuity Collective Trust**

**Readoption with Amendments: N.J.A.C. 17:8**

Proposed: June 21, 2021, at 53 N.J.R. 1079(a).

Adopted: October 12, 2021, by the Division of Pensions and Benefits, John D. Megariotis, Acting Director.

Filed: October 19, 2021, as R.2021 d.130, **without change**.

Authority: N.J.S.A. 52:18A-107 et seq.

Effective Dates: October 19, 2021, Readoption;  
November 15, 2021, Amendments.

Expiration Date: October 19, 2028.

**Summary of Public Comment and Agency Response:**  
**No comments were received.**

**Federal Standards Statement**

The rules readopted with amendments meet the applicable Federal standards, that is, 26 U.S.C. § 403(b). There are no other Federal standards applicable to the subject matter of these rules readopted with amendments and, therefore, a Federal standards analysis is not necessary.

**Full text** of the readopted rules can be found in the New Jersey Administration Code at N.J.A.C. 17:8.

**Full text** of the adopted amendments follows:

**SUBCHAPTER 1. ADMINISTRATION**

**17:8-1.1 Council meetings**

(a) (No change.)

(b) The Council consists of the State Treasurer, who shall be the chairman, the Commissioner of the Department of Banking and Insurance, and the State Budget Director. The Director of the Division of Pensions and Benefits shall be the secretary of the Council. Any two members of the Council shall constitute a quorum for the purpose of conducting the business of the Council.

**17:8-1.2 Records**

(a) In addition to the provisions at N.J.A.C. 17:1-1.2, the minutes of the Council meetings are public records and may be inspected during regular business hours at the office of the Division of Pensions and Benefits under supervision of the chief accountant or other representatives of the office.

(b) Records considered confidential include specific individual account or investment recommendations, mailing addresses, telephone numbers, or email addresses of active and retired participants and individual files relating to beneficiary designation where no official purpose or reason for inspection is indicated.

(c) The beneficiary designations of an active or retired participant are considered to be part of the participant’s confidential files and shall only be released after the participant’s death.

**17:8-1.3 Appeals from Council decisions**

The following statement shall be incorporated in every written notice setting forth the Council’s determination in a matter where such determination is contrary to the claim made by the claimant or his or her legal representative:

If you disagree with the determination of the Council in this matter, you may appeal by sending a written statement to the Council within 45 days from the date of this letter, informing the Council of your disagreement and all of the reasons therefor. If no such written statement is received within the 45-day period, this determination shall be considered final.

**17:8-1.9 Payment of pension loan balance upon retirement**

(a) At the retirement of a participant with a pension loan outstanding from the Teachers’ Pension and Annuity Fund (TPAF) or the Public Employees’ Retirement System (PERS), the participant may elect to use

funds in his or her variable accumulation account to satisfy all or any portion of the pension loan.

(b) An election to use funds from a variable accumulation account to satisfy a pension loan balance must be filed with the Council within a 60-day period ending 30 days prior to the effective date of retirement by filing the SACT Loan Payoff form (Application to Transfer SACT Monies).

SUBCHAPTER 2. ENROLLMENT, CONTRIBUTIONS, AND TRANSFERS

17:8-2.2 Enrollment applications

(a) Each employee participating in the regular and tax-sheltered programs shall file a SACT Enrollment Request, which shall be completed and certified by the employer. To enroll in the SACT Tax-Sheltered Plan, the eligible employee must also complete a Salary Reduction Agreement.

(b) To be eligible to participate in the regular and tax-sheltered programs, the eligible employee must be an actively contributing member of the Public Employees' Retirement System, Teachers' Pension and Annuity Fund, Police and Firemen's Retirement System, State Police Retirement System, or Judicial Retirement System. Only members of the PERS or TPAF who are employed by public educational institutions are eligible to participate in the SACT tax-sheltered plan.

17:8-2.3 Salary reduction; exceptions

As a condition of enrollment in the tax-sheltered annuity plan, a Salary Reduction Agreement shall be entered into by the eligible employee and the employer. Such agreements shall commence only at the beginning of a calendar quarter, except 10-month employees of boards of education may enroll as of September 1. In each case, an employee must be enrolled in a State-administered retirement system prior to enrolling in the Supplemental Annuity Collective Trust.

17:8-2.6 Contribution change; regular SACT and the tax-sheltered annuity plan

(a) A participant may change or discontinue his or her percentage rate of contribution by filing a SACT Change Request Form with the Division of Pensions and Benefits at least 30 days prior to the calendar quarter.

(b) (No change.)

(c) If payroll deductions to the SACT program have been suspended by the participant, such payroll deductions may be resumed by filing a SACT Change Request Form giving at least 30 days' notice to the Division of Pensions and Benefits. The resumption of such payroll deductions shall not occur within three months of the date on which the payroll deductions were suspended.

(d) A participant changing his or her contribution to the tax-sheltered annuity plan shall file a SACT Change Request Form and a new Salary Reduction Agreement.

17:8-2.12 Redeposit and reinstatement

If a participant's withdrawal or retirement from the Supplemental Annuity Collective Trust has been processed and a check has been issued to him or her covering the value of his or her account in the Supplemental Annuity Collective Trust and he or she subsequently cancels his or her withdrawal or retirement application from the defined benefit retirement system in which the member participates, his or her supplemental annuity account may be reinstated by the redeposit of the funds withdrawn within 15 days after such cancellation. In this event, the amount redeposited shall be converted into equity units on the basis of the value of an equity unit as of the end of the month of redeposit. If a timely redeposit is not made, the employee may reenroll as a new participant at the beginning of any calendar quarter.

17:8-2.13 Beneficiary designation

(a) If the defined benefit retirement system in which the member participates provides for return of accumulated deductions upon the death of the member, the primary and contingent beneficiaries of active participants shall be the same for the trust, unless a separate designation of beneficiary form is filed with the trust. The original nomination of beneficiaries on file with the Supplemental Annuity Collective Trust will remain effective unless a subsequent designation of beneficiary form is filed with the Supplemental Annuity Collective Trust.

(b) (No change.)

17:8-2.15 Approved annuity

A participant shall have the right to withdraw, cancel, or change the SACT Application for Settlement at Retirement Form at any time before his or her annuity becomes due and is paid; thereafter, the annuity shall stand as approved.

SUBCHAPTER 3. RETIREMENT, TERMINATION, AND TRANSFERS

17:8-3.1 Retirement options

(a) At retirement a participant shall be paid a variable life annuity unless he or she files a SACT Application for Settlement at Retirement Form with the Division of Pensions and Benefits prior to retirement requesting:

1.-3. (No change.)

(b)-(c) (No change.)

17:8-3.2 Retirement; beneficiary designations

On retirement, participants shall designate a primary and contingent beneficiary provided the retirement option requires such designation. This designation shall include: each beneficiary's full name, Social Security number, tax identification number (for estates or trusts), address, and date of birth. Once a beneficiary has been elected, the participant cannot change the beneficiary regardless of the circumstances. If the designated beneficiaries predecease the participant, annuity payments will only continue during the participant's life with no alternate survivor payout.

17:8-3.3 Withdrawal or retirement; effective date and form

(a) Withdrawal or retirement from the Supplemental Annuity Collective Trust is contingent upon the participant's completion of the appropriate forms required by the defined benefit retirement system in which the member participates. If a participant withdraws from the pension system, the participant must also withdraw his or her SACT account as a lump-sum settlement by completing a SACT Application for Withdrawal. In addition, if a retirement option is selected, the SACT Application for Settlement at Retirement Form shall be completed. If option two, lump sum settlement is selected, the SACT Distribution Form must also be filed prior to retirement.

(b)-(e) (No change.)

17:8-3.5 Withdrawal; exceptions

A participant may withdraw from the trust only if the value of his or her account is \$100.00 or less; otherwise he or she may not withdraw unless his or her membership in the basic retirement system in which the member participates has been terminated.

**OTHER AGENCIES**

**(a)**

**NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY**

**Authority Assistance Programs  
Offshore Wind Economic Development Tax Credit Program**

**Adopted Amendments: N.J.A.C. 19:31-20.1 through 20.7, 20.9, 20.10, 20.12, 20.13, 20.14, and 20.15**

**Adopted Repeal: N.J.A.C. 19:31-20.8**

Proposed: August 16, 2021, at 53 N.J.R. 1347(a).

Adopted: October 19, 2021, by the New Jersey Economic Development Authority, Tim Sullivan, Chief Executive Officer.

Filed: October 19, 2021, as R.2021 d.131, **with a non-substantial change** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: P.L. 2020, c. 156.

Effective Date: November 15, 2021.

Expiration Date: May 8, 2025.