

LABOR AND WORKFORCE DEVELOPMENT

ADOPTIONS

12:15-1.4 Contribution rate of governmental entities and instrumentalities
(a) (No change.)
(b) This contribution rate shall be effective on taxable wages paid in the calendar year 2015.

12:15-1.5 Base week
In accordance with the provisions of N.J.S.A. 43:21-19(c)(1) and (t)(3) and 43:21-27(h)(4), the base week amount is hereby promulgated as being \$165.00 per week for calendar year 2015.

12:15-1.6 Alternative earnings test
In accordance with the provisions of N.J.S.A. 43:21-4(e)(4)(B) and 43:21-41(d)(2), in those instances in which the individual has not established 20 base weeks, the alternative earnings amount for establishing eligibility is hereby promulgated as being \$8,300 for unemployment compensation benefit years and periods of disability and family leave commencing on or after January 1, 2015.

(a)

**DIVISION OF WORKERS' COMPENSATION
2015 Maximum Workers' Compensation Benefit Rates**

Adopted Amendment: N.J.A.C. 12:235-1.6
Proposed: September 2, 2014, at 46 N.J.R. 1863(a).
Adopted: November 18, 2014, by Harold J. Wirths, Commissioner, Department of Labor and Workforce Development.
Filed: November 18, 2014, as R.2014 d.192, **without change**.
Authority: N.J.S.A. 34:1-5, 34:1-20, 34:1A-3(e), and 34:15-12(a).
Effective Date: December 15, 2014.
Expiration Date: June 26, 2020.

Summary of Hearing Officer's Recommendations and Agency's Response:

A public hearing on the proposed amendment was held on September 23, 2014, at the Department of Labor and Workforce Development, John Fitch Plaza, Trenton, New Jersey. David Fish, Regulatory Officer, was available to preside at the hearing and to receive testimony. No one testified at the public hearing. The Department received a single comment. The hearing officer reviewed the single comment and recommended that the Department proceed with the adoption of the amendment without change.

Summary of Public Comment and Agency Response:

A written comment was submitted by Jean Public, (submitted by e-mail with no mailing address).

COMMENT: The following is the commenter's remarks in its entirety: "The workers compensation disability rate of \$855 per week as proposed is much too high and in fact represents a disincentive to work. It should be revised to go downward so that people try to work instead of try to be declared unable to work. This kind of compensation means that many will try to fake disability and doctors will, of course, accommodate them."

RESPONSE: The Department is required by statute, N.J.S.A. 34:15-12, to re-compute and promulgate on an annual basis the maximum workers' compensation benefit rate. The formula for calculating these new rates is set forth within N.J.S.A. 34:15-12. Specifically, the law states that the maximum workers' compensation benefit rate shall be 75 percent of the Statewide average weekly wages earned by all employees covered by the Unemployment Compensation Law. The Statewide average weekly wage of workers covered under the Unemployment Compensation Law for calendar year 2013 was \$1,140.02. Seventy-five percent of \$1,140.02 is \$855.00. The Department has no discretion under the law to deviate from this calculation.

Federal Standards Statement

The adopted amendment does not contain any standards or requirements that exceed standards or requirements imposed by Federal

law. The amendment increases benefit rates to individuals. As a result, an explanation or analysis of the adopted amendment pursuant to Executive Order No. 27 (1994) is not required.

Full text of the adoption follows:

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 \$855.00 per week.
(b) The maximum compensation shall be effective as to injuries occurring in the calendar year 2015.

LAW AND PUBLIC SAFETY

(b)

**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, 5:8-21, 5:8-25, 5:8-34, 5:8-51, and 5:8-61.
Authorized By: The Legalized Games of Chance Control Commission, Edward Barrett, Chairperson.
Effective Date: November 13, 2014.
New Expiration Date: November 13, 2021.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:47 will expire on December 21, 2014. The rules 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., and govern the licensure and conduct of bingo, raffles, armchair races, and casino nights.

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 and shall continue in effect for a seven-year period.

TREASURY — GENERAL

(c)

**GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
Rules of the Governor's Council on Alcoholism and Drug Abuse**

Readoption with Amendments: N.J.A.C. 17:40
Proposed: July 7, 2014, at 46 N.J.R. 1589(a) (see also 46 N.J.R. 1681(a)).
Adopted: September 17, 2014, by the Governor's Council on Alcoholism and Drug Abuse, Celina Gray, Acting Executive Director.
Filed: November 10, 2014, as R.2014 d.188, **without change**.
Authority: N.J.S.A. 26:2BB-1 et seq., specifically 26:2BB-4.j.
Effective Dates: November 10, 2014, Readoption; December 15, 2014, Amendments.
Expiration Date: November 10, 2021.

Summary of Public Comment and Agency Response:

COMMENT: Paul Steffens submitted a comment regarding dates that appear in the rules proposed for readoption related to the development, review, and approval process of the County Alliance Annual Plans and the Municipal Alliance Strategic Plans. The commenter noted that the dates should be changed, inferring that the process due dates no longer apply.

RESPONSE: As the Alliance grant program has evolved over the years, it has been necessary to change certain administrative process due dates that appear in the rules. The dates appear in the statute, however, and, therefore, it was determined that certain dates referenced in the rules proposed for readoption could not be changed at this time.

Federal Standards Statement

The Governor’s Council on Alcoholism and Drug Abuse is limited by Statute (N.J.S.A. 26:2BB-4.j) to State-originated funds “deposited in, and appropriated from” the Drug Enforcement and Demand Reduction Fund established by the statute. There are no Federal standards applicable to the subject matter of the rules readopted with amendments. Therefore, 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. 17:40.

Full text of the adopted amendments follows:

SUBCHAPTER 1. GENERAL PROVISIONS

17:40-1.3 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

...

17:40-1.4 Duties and responsibilities of the Governor’s Council on Alcoholism and Drug Abuse

(a) The Council is authorized and empowered to:

1.-2. (No change.)

3. Review each County Alliance Annual Plan and the recommendations of the Division of Mental Health and Addiction Services in the Department of Human Services for awarding the Alliance grants and, by October 1 of each year, return the plan to the Local Advisory Committee on Alcoholism and Drug Abuse with the Council’s proposed recommendations for awarding Alliance grants;

4.-9. (No change.)

17:40-2.3 Functions of the County Alliance Steering Subcommittee

(a) The functions of the County Alliance Steering Subcommittee shall include:

1.-6. (No change.)

7. Development of a County Alliance Plan incorporating the Municipal Alliance Strategic Plans for submission by October of each year to the Governor’s Council on Alcoholism and Drug Abuse.

(b) (No change.)

SUBCHAPTER 3. FUNDING FOR ALLIANCE PROGRAMS

17:40-3.1 Overview of the funding process

(a) (No change.)

(b) DEDR funds may be released by the Governor’s Council on Alcoholism and Drug Abuse to counties, contingent upon submission and approval of a County Annual Alliance Plan. Following the establishment of a Municipal Alliance Committee, a municipality may apply for these funds through the Municipal Alliance Strategic Plan process initiated annually through the County Local Advisory Committee on Alcoholism and Drug Abuse/Alliance Steering Subcommittee. Funds will be released to municipalities only upon approval of the proposal by the Council.

(c) (No change)

17:40-3.2 Municipal Alliance Strategic Plan application contents

(a) The Municipal Alliance Strategic Plan application form shall be developed annually by the Council and shall include the following:

1. The Strategic Plan for Funding Municipal Alliances shall include:

i. A statement of assurances;

- ii. Fiscal requirements;
- iii. Alliance vision and mission statements;
- iv. The Alliance Committee membership list;
- v. The Alliance logic model;
- vi. The Alliance Committee capacity assessment;
- vii. The Alliance Coordination Plan;
- viii. Alliance Action Plan;
- ix. The Alliance budget; and
- x. A sample municipal resolution.

17:40-3.3 Municipal Alliance Strategic Plan application process

(a) The Council shall develop the Municipal Alliance Strategic Plan application and distribute it to the LACADA Alliance Steering Subcommittee each year.

(b) The LACADA Alliance Steering Subcommittee shall distribute the Municipal Alliance Strategic Plan forms to the Municipal Alliance Subcommittees.

(c) The LACADA Alliance Steering Subcommittee, in conjunction with the Alliance Coordinator, shall provide technical assistance and monitoring to the Municipal Alliance Subcommittees in the completion of the Municipal Alliance Strategic Plan forms.

(d) In order to be considered for approval, the Municipal Alliance Committee must complete and return the Municipal Alliance Strategic Plan to the LACADA Alliance Steering Subcommittee.

(e) The LACADA Alliance Steering Subcommittee, in conjunction with the Alliance Coordinator, shall review the Municipal Alliance Strategic Plan application submitted by Municipal Alliance Committees for compliance with the requirements of the Municipal Alliance Strategic Plan process, this chapter, and the governing law (N.J.S.A. 26:2BB-1 et seq.). The LACADA Alliance Steering Committee, in conjunction with the Alliance Coordinator, shall then develop a county plan incorporating the Municipal Alliance Strategic Plan for submission to the Governor’s Council on Alcoholism and Drug Abuse.

(f) Upon receipt of the LACADA Alliance Steering Subcommittee’s plan, it and the Municipal Alliance Strategic Plan contained therein shall be reviewed by the Governor’s Council and its staff. Additional information may be requested by the Council from the LACADA Alliance Steering Subcommittee or the Municipal Alliance Committee as needed.

(g) The Governor’s Council will develop a formula for funding for the purpose of granting funds appropriated to the LACADA Alliance Coordinator and the Municipal Alliance Committees. The formula shall be adopted by the Council at a public meeting and shall thereafter be promulgated as a separate rule. When issuing a new Municipal Alliance Strategic Plan for the start of a new planning cycle, the Council will review and update the data used in the funding formula and thereafter revise allocations accordingly.

(h) To the extent the Legislature makes appropriation therefor, DEDR funds shall be granted by the Council, upon the recommendation of its Executive Director, to the LACADA Alliance Coordinator for the purpose of training and coordination and to Municipal Alliance Committees and member municipalities within the county which successfully complete the Municipal Alliance Strategic Plan and have it approved by the Council.

(i) (No change.)

(j) The county agency or individual designated by the governing body of each county pursuant to N.J.S.A. 26:2B-33 is authorized to receive from the Governor’s Council moneys made available under the Municipal Alliance Strategic Plan process. The designated county agency shall establish a separate fund for the receipt and disbursement of these moneys and such disbursement shall be made as directed by the Council for approved grants only.