

RULE ADOPTIONS

BANKING

(a)

**DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING
Governmental Unit Deposit Protection
Readoption of Special Adopted Amendment:
N.J.A.C. 3:34-1.2**

Proposed: April 15, 2019, at 51 N.J.R. 504(a).
Adopted: December 11, 2019, by Marlene Caride, Commissioner,
Department of Banking and Insurance.
Filed: December 11, 2019, as R.2020 d.006, **without change**.
Authority: N.J.S.A. 17:1-8.1, 17:1-15, 17:9-41 et seq., and 54:4-
66.12 (P.L. 2018, c. 11, § 7).
Effective Date: December 11, 2019.
Expiration Date: April 18, 2025.

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

Federal Standards Statement

A Federal standards analysis is not required because the readopted amendments are consistent with, but do not exceed, Federal standards on deposit risks and the insurability of deposits. Federal standards applicable to, but not exceeded, by the readopted amendments are subsection (b) of section 38 of the "Federal Deposit Insurance Act," Pub. L. 81-797 (12 U.S.C. § 1831(b)) and subsections (q) and (r) of section 3 of the "Federal Deposit Insurance Act," Pub. L. 81-797 (12 U.S.C. § 1813(q) and (r)).

Full text of the adoption follows:

**SUBCHAPTER 1. GOVERNMENTAL UNIT DEPOSIT
PROTECTION**

3:34-1.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

... "Governmental unit" means any county, municipality, school district, or any public body corporate and politic created or established under any law of this State by or on behalf of any one or more counties or municipalities, or any board, commission, department, or agency of any of the foregoing having custody of funds, or any charitable funds established pursuant to N.J.S.A. 54:4-66.7 or spillover funds established pursuant to N.J.S.A. 54:4-66.7.e.

... "Public funds" means the funds of any governmental unit, including, but not limited to, moneys possessed or held by charitable funds established pursuant to N.J.S.A. 54:4-66.7, spillover funds established pursuant to N.J.S.A. 54:4-66.7.e, or local charitable donations as defined in N.J.S.A. 54:4-66.6 or in escrow related thereto, but does not include deposits held by the State of New Jersey Cash Management Fund.

HUMAN SERVICES

(b)

**DIVISION OF FAMILY DEVELOPMENT
Child Support Program
Child Support Enforcement Fees
Adopted Amendment: N.J.A.C. 10:110-7.3**

Proposed: July 15, 2019, at 51 N.J.R. 1156(a).
Adopted: December 3, 2019, by Carole Johnson, Commissioner,
Department of Human Services.
Filed: December 11, 2019, as R.2020 d.005, **without change**.
Authority: N.J.S.A. 30:1-12; and the Bipartisan Budget Act of 2018
(Public Law 115-123).
Effective Date: January 6, 2020.
Expiration Date: February 22, 2023.

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

Federal Standards Statement

The Department of Human Services has reviewed the applicable Federal laws and rules and that review indicates that the adopted amendments do not exceed Federal standards. Therefore, a Federal standards analysis is not required.

Full text of the adoption follows:

SUBCHAPTER 7. APPLICATION AND FEES

10:110-7.3 Annual fee

(a) Any IV-D case in which the State IV-D agency has collected at least \$550.00 on behalf of an individual or a child receiving child support services, who has never received public assistance, shall be assessed an annual fee of \$35.00.

(b) (No change.)

INSURANCE

(c)

**DEPARTMENT OF BANKING AND INSURANCE
OFFICE OF CONSUMER PROTECTION SERVICES
Filing of Complaints Regarding Renewal, Non-
Renewal, and Cancellation Notices
Notice of Administrative Change
N.J.A.C. 11:1-20.2**

Take notice that the Department of Banking and Insurance (Department) is correcting the PO Box number found in the publication of the notice of adoption of N.J.A.C. 11:1-20.2(h), as published in the May 20, 2019, New Jersey Register at 51 N.J.R. 767(a).

This notice of change is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the changed rule follows (additions indicated in boldface thus, deletions indicated in brackets [thus]):

**SUBCHAPTER 20. RENEWAL, CANCELLATION, AND
NONRENEWAL OF COMMERCIAL AND
HOMEOWNERS INSURANCE POLICIES**

11:1-20.2 Renewal, nonrenewal, and cancellation notice requirements

(a)-(g) (No change.)

(h) All notices of nonrenewal and cancellation, except those for nonpayment of premium, must contain a statement that shall be clearly

and prominently set out in boldface type or other manner that draws the reader's attention advising the insured that the insured may file a written complaint about the cancellation or nonrenewal with the New Jersey Department of Banking and Insurance, Office of Consumer Protection Services, PO Box [329] 471, Trenton, New Jersey [08625-0329] 08625-0471. The statement also shall advise the insured to contact the Department of Banking and Insurance immediately, in the event he or she wishes to file a complaint.

(i)-(m) (No change.)

LABOR AND WORKFORCE DEVELOPMENT

(a)

DIVISION OF WAGE AND HOUR COMPLIANCE

Earned Sick Leave Rules

Adopted New Rules: N.J.A.C. 12:69

Proposed: October 15, 2018, at 50 N.J.R. 2115(a).

Adopted: October 15, 2019, by Robert Asaro-Angelo, Commissioner, Department of Labor and Workforce Development.

Filed: October 15, 2019, as R.2019 d.114, with non-substantial changes not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3), and with N.J.A.C. 12:69-3.1(a) not adopted.

Authority: P.L. 2018, c. 10, § 11 (N.J.S.A. 34:11D-11).

Effective Date: January 6, 2020.

Expiration Date: January 6, 2027.

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

A public hearing regarding the proposed new rules was held on November 13, 2018 at the Department of Labor and Workforce Development. David Fish, Executive Director, Legal and Regulatory Services, was available to preside at the public hearing and to receive testimony regarding the proposed new rules. After reviewing the testimony presented at the public hearing and the written comments submitted directly to the Office of Legal and Regulatory Services, the hearing officer recommended that the Department proceed with the new rules with non-substantive changes not requiring additional public notice or comment, and with N.J.A.C. 12:69-3.1(a) not adopted, reserving that subsection for later rulemaking. The changes upon adoption and the decision not to adopt N.J.A.C. 12:69-3.1(a) are discussed in detail below.

Summary of Public Comments and Agency Responses:

Written comments were submitted by the following individuals.

1. Michael J. Riccobono, Mark Diana, Evan Shenkman, and Krystina L. Barbieri, Ogletree, Deakins, Nash, Smoke and Stewart, P.C., Morristown, NJ.
2. Adam Blecker and Joseph Maddaloni, Jr., Home Health Services Association of New Jersey, Parsippany, NJ.
3. New Jersey Civil Justice Institute, individually and on behalf of member organizations (individual commenter not identified).
4. Francine Esposito, Day Pitney LLP, Parsippany, NJ.
5. Joseph Maddaloni Jr. and Deborah A. Cmielewski, Schenck Price Smith and King, LLP, Florham Park, NJ.
6. James M. McDonnell and Beth L. Braddock, Jackson Lewis, P.C., Morristown, NJ.
7. Anthony Russo, Commerce and Industry Association of New Jersey, Trenton, NJ.
8. Debra J. Bradley, New Jersey Principals and Supervisors Association, Monroe Township, NJ.
9. Pamela J. Moore, McCarter and English, Newark, NJ.
10. Alan M. Hershey, Lawrence Hopewell Trail Corporation, Pennington, NJ.
11. Steven Sokolic, Benefit Consultants Group, Cherry Hill, NJ.
12. Maria DiPipi, Checkpoint Systems, Thorofare, NJ.

13. William T. Athey Jr., Athey and Company, Certified Public Accountants, P.A., Bridgeton, NJ.
14. Michael A. Vrancik, New Jersey School Boards Association, Trenton, NJ.
15. Gregory J. Janz, Wayne, NJ.
16. Don Munro, Jones Day, Washington, DC.
17. Lynn Lippert, The Arc of Atlantic County, Egg Harbor Township, NJ.
18. Nicole Morella, New Jersey Coalition to End Domestic Violence, Trenton, NJ.
19. Madeleine Gyory and Sherry Leiwant, A Better Balance, New York, NY.
20. Dena Mottola Jaborska and Yarrow William-Cole, New Jersey Time to Care Coalition, Highland Park, NJ.
21. Mary Pranzatelli, Bridgewater NJ.
22. Debra L. Bell (no address provided).
23. Sheila Reynertson, New Jersey Policy Perspective (no address provided).
24. Melanie D. Lipomanis, Porzio Bromberg and Newman, P.C., Morristown, NJ.
25. Mariou Halvorsen, NJ Restaurant & Hospitality Association, Trenton, NJ.
26. Karen Cassway, Demountable Concepts, Inc., Glassboro, NJ.
27. Patrick T. Collins, Norris McLaughlin, P.A., Bridgewater, NJ.
28. Crystal McDonald, AARP New Jersey (no address provided).
29. Christian M. Abcel, New Jersey Credit Union League, Hightstown, NJ.
30. Amy M. Vazquez & John J. Sarno, Employers Association of New Jersey, Livingston, NJ.
31. Linda Doherty, New Jersey Food Council, Trenton, NJ.
32. Cynthia Jetter (no address provided).
33. Nicole Vail, Jersey City, NJ.
34. Quincy Bloxom, Burlington, NJ.
35. Abbie Spector, Eatontown, NJ.
36. Carol Levin, Bedminster, NJ.
37. Gary Brill, Somerset, NJ.
38. Lauren Agoratus, Mercerville, NJ.
39. David Rousseau, Association of Independent Colleges and Universities in NJ, Summit, NJ.
40. Member Institution Representatives, Association of Independent Colleges and Universities in NJ, Summit, NJ.
41. Frank Marshall, New Jersey State League of Municipalities, Trenton NJ
42. John R. Holub, New Jersey Retail Merchants Association (no address provided).
43. Dena Mottola Jaborska and Yarrow William-Cole, New Jersey Time to Care Coalition, Highland Park, NJ.
44. James Brian Appleton, New Jersey Coalition of Automotive Retailers, Trenton, NJ.
45. Christina M. Renna, Chamber of Commerce Southern New Jersey (no address provided).
46. Doug Kreis, K&M Maintenance Service, LLC, Watchung, NJ.
47. Lu Ann Aversa and Darrin Anderson, NJ YMCA, Trenton NJ.
48. Ian Meklinsky, Fox Rothschild, LLP, Lawrenceville, NJ.
49. Steven Statland, Chop Chop Bang Bang LTD (no address provided).
50. James M. McDonnell and Beth L. Braddock, Jackson Lewis, Morristown, NJ.
51. Randi W. Kochman, Cole Schotz, Hackensack, NJ.
52. Debra J. Bradley, New Jersey Principals and Supervisors Association, Monroe Township, NJ.
53. Eric DeGesero, Fuel Merchants Association, Cranford, NJ.
54. Althea D. Ford, New Jersey State Funeral Directors Association, Inc., Manasquan, NJ.
55. John W. Idyk, Health Care Association of New Jersey, Hamilton, NJ.
56. Joanne Bergin, The Arc of New Jersey, North Brunswick, NJ.
57. John G. Grepper, Jr., Scarinci and Hollenbeck, Lyndhurst, NJ.
58. David A. Cohen, Rutgers, The State University of New Jersey, New Brunswick, NJ.