

Jersey. The methods that may be followed by the board of directors of an organizing mutual State association in applying to the Commissioner to form a mutual state association holding company are set forth at N.J.A.C. 3:32-3.2.

Application requirements to organize a mutual state association holding company are detailed at N.J.A.C. 3:32-3.3. Information that must be included in the application consists of the following: a description of the proposed formation of the mutual State association holding company; a certified copy of the resolution of the board of directors of the organizing mutual State association authorizing the application by a two-thirds vote of the board; a certificate of incorporation for the mutual State association holding company containing specified information; proposed bylaws of the surviving subsidiary capital stock State association and mutual State association holding company; and copies of any applications for establishment of a mutual State association holding company filed with any Federal regulator.

Criteria for approval of the application by the Commissioner are stated at N.J.A.C. 3:32-3.4. N.J.A.C. 3:32-3.5 governs the filing of certificates of incorporation for any subsidiary capital stock state association. Provisions relating to the board of directors and officers of mutual state association holding companies are set forth at N.J.A.C. 3:32-3.6 and 3.7, respectively. N.J.A.C. 3:32-3.8 provides for the division and distribution of any surplus that is deemed by the board of directors of the mutual state association holding company or the Commissioner to be in excess of the amount required for the safe and sound operation of the holding company.

The Department of Banking and Insurance has reviewed these rules and has determined that 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), N.J.A.C. 3:32 is readopted and shall continue in effect for a seven-year period with a technical amendment. The technical amendment is made as a result of the removal of Chapter V of Title 12 of the Code of Federal Regulations, which contains regulations of the former Office of Thrift Supervision and is referenced at N.J.A.C. 3:32-1.1. The reference at N.J.A.C. 3:32-1.1 to 12 CFR 563b is removed and replaced with 12 CFR Part 303, Subpart I and 12 CFR 333.4.

Full text of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 1. CONVERSION OF A MUTUAL ASSOCIATION TO A CAPITAL STOCK ASSOCIATION

##### 3:32-1.1 Authorization for conversion

An insured mutual association may convert to a capital stock association subject to the limitations and provisions [of] at N.J.S.A. 17:12B-1 et seq., and this chapter. The association shall also be subject to the requirements at 12 [CFR 563b] **CFR Part 303, Subpart I and 12 CFR 333.4**, relating to conversions from mutual to stock form.

## CHILDREN AND FAMILIES

### (a)

#### DIVISION OF CHILD PROTECTION AND PERMANENCY

##### Notice of Readoption

##### Manual of Requirements for Adoption Agencies

##### Readoption: N.J.A.C. 3A:50

Authority: N.J.S.A. 9:3-37 et seq., 9:3A-7g, and 30:4C-4(b) and (h).

Authorized By: Christine Norbut Beyer, M.S.W., Commissioner.

Effective Date: March 24, 2023.

New Expiration Date: March 24, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, Manual of Requirements for Adoption Agencies, was scheduled to expire on April 27, 2023. The Department of Children and Families has reviewed N.J.A.C. 3A:50 and has found the chapter to be necessary, reasonable, and proper for the purpose for which it was originally promulgated in 1981.

In 2017, Chapter 50, Manual of Requirements for Adoption Agencies, was recodified from N.J.A.C. 10:121A. As provided at 49 N.J.R. 98(a), technical changes were made during the recodification process, including changes to cross-references, agency names, and addresses.

A summary of each subchapter at N.J.A.C. 3A:50 follows:

Subchapter 1 sets forth the chapter's general provisions, including the chapter's legal authority, adoption types, chapter definitions, certificates of approval, and equal protection mandates.

Subchapter 2 sets forth procedures and standards for certificate of approval requests, denial and revocation of certificates, requests for review, civil proceedings against noncompliant agencies, and the exclusion of confidential information from the public licensing records requirement.

Subchapter 3 sets forth the governing board requirements for both private and public adoption agencies, the scope of authority and legal responsibilities of adoption agencies, the rights of adoptive applicants and parents to information about the adoption agency provider, and the adoption agency requirements relating to reporting, recordkeeping, facilities, and permits.

Subchapter 4 sets forth requirements for adoption agency personnel, including sections addressing employment policies, staff development, employee qualifications and duties, and staff member screening, including Criminal History Record Information (CHRI) and Child Abuse Record Information (CARI) background checks.

Subchapter 5 sets forth criteria and requirements for services provided by adoption agencies, and includes both general and recipient-specific provisions that address fee schedules, adoption placements, and home study services.

The Department of Children and Families has reviewed these rules and found them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, 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.

## COMMUNITY AFFAIRS

### (b)

#### DIVISION OF CODES AND STANDARDS

##### Uniform Construction Code

**Adopted Amendments: N.J.A.C. 5:23-5.3, 5.4, 5.20, 5.21, and 5.22**

**Adopted New Rule: N.J.A.C. 5:23-5.19H**

Proposed: October 3, 2022, at 54 N.J.R. 1898(a).

Adopted: March 9, 2023, by Lt. Governor Sheila Y. Oliver, Commissioner, Department of Community Affairs.

Filed: April 5, 2023, as R.2023 d.058, **with a non-substantial change** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 52:27D-124.

Effective Date: May 1, 2023.

Expiration Date: February 9, 2029.

##### Summary of Public Comments and Agency Responses:

Comments were received from Mitchell Malec, retired former employee of the Department of Community Affairs; Ralph Venturini, Borough of Ramsey Construction Official; and Dennis Bettler, Bernards Township Construction Official.

##### Comments Received from Mitchell Malec, Retired Former Employee of the Department of Community Affairs

1. COMMENT: The commenter notes that the proposed amendments are to implement changes required pursuant to PL. 2009, c. 119, however, he is unable to find these provisions stating that a technical assistant is required to be appointed. In addition, the commenter questions, what notice do appointed individuals of civil service and non-civil service municipalities receive if these proposed amendments are adopted.