

begin to work as a counselor. This commenter noted that the requirement that the Board approve the plan of supervision is a barrier to entering the workforce that some other mental health professions do not face. This commenter also questioned why prospective employers would hire licensed associate marriage and family therapists, as opposed to licensees of other mental health boards that do not require approved plans of supervision, given the length of time this Board takes to approve plans of supervision.

This commenter also noted confusion regarding who is a qualified supervisor and the calculation of the years of professional experience required to be a qualified supervisor. The commenter suggests that the Board consider a process by which it would notify licensed marriage and family therapists when they have become eligible to provide supervision, and then the qualified supervisor and associate would create the supervision plan together and submit it before the associate's start date.

RESPONSE: Pursuant to N.J.S.A. 45:8B-18.2, the plan of supervision must be approved by the Board before the licensed associate marriage and family therapist engages in any counseling. As this is a statutory requirement, the Board cannot eliminate or alter it. With regard to the comment that the associate marriage and family therapist licensing requirements are inconsistent with those of other mental health professions, the Board has no control over the requirements applicable to other mental health licensees that do not include an approved plan of supervision.

With regard to the suggestion that the Board notify licensees when they are eligible to supervise, the Board must assess the qualifications of each supervisor individually. For example, pursuant to N.J.A.C. 13:34-2.4(a), a qualified supervisor must have no less than five full-time years of professional marriage and family therapy practice experience or the equivalent. The Board cannot qualify a supervisor based on years of licensure alone, without information regarding whether a therapist has practiced full time or part time. Moreover, it is not possible to notify supervisors from other related fields when they qualify as supervisors because those prospective supervisors must demonstrate that they satisfy additional requirements. See N.J.A.C. 13:34-2.4(a) (defining "qualified supervisor"). If the prospective supervisor's graduate degree is in a related field, the prospective supervisor must demonstrate either course work content and training substantially equivalent to a master's degree in marriage and family therapy, a post-graduate degree recognized by the Board, or a graduate degree in a related field and a program of training and course work at an institution or training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education. Accordingly, the Board will not adopt the commenter's recommendation.

Federal Standards Statement

A Federal standards analysis is not required because adopted amendments are governed by N.J.S.A. 45:8B-1 et seq., and are not subject to any Federal requirements or standards.

Full text of the adoption follows:

SUBCHAPTER 2. REQUIREMENTS FOR LICENSURE; APPLICATION PROCEDURES

13:34-2.2 Associate marriage and family therapist: requirements for licensure; licensure procedure

(a) An applicant for licensure as a practicing associate marriage and family therapist shall satisfy the following requirements:

- 1.-5. (No change.)
- Recodify existing 7.-9. as 6.-8. (No change to text.)
- (b)-(e) (No change.)

(f) Pursuant to N.J.S.A. 45:8B-18.2, the written plan for supervision of the licensed associate marriage and family therapist must be approved by the Board prior to the performance of counseling by the licensed associate marriage and family therapist.

SUBCHAPTER 3. SUPERVISION

13:34-3.3 Responsibilities of qualified supervisors

- (a)-(j) (No change.)

(k) A qualified supervisor shall be responsible for creating a written plan for supervision with the licensed associate marriage and family therapist. The supervision plan shall include a detailed job description and location(s) where client contact and supervision will occur.

(l) The written plan of supervision must be approved by the Board prior to the performance of counseling by the licensed associate marriage and family therapist.

(a)

DIVISION OF STATE POLICE

Uniform Crime Reporting System

Adopted Amendments: N.J.A.C. 13:57

Proposed: August 15, 2022, at 54 N.J.R. 1578(a).

Adopted: November 1, 2022, by Colonel Patrick J. Callahan, Office of the Superintendent, Division of State Police, with the approval of Attorney General Matthew J. Platkin.

Filed: November 21, 2022, as R.2022 d.151, **without change**.

Authority: N.J.S.A. 52:17B-5.1.

Effective Date: December 19, 2022.

Expiration Date: April 12, 2024.

Summary of Public Comment and Agency Response:

The official comment period ended October 14, 2022. **No comments were received.**

Federal Standards Statement

A Federal standards analysis is not required, as none of the adopted amendments are subject to any Federal standards.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS

13:57-1.1 Law enforcement agencies defined

(a) Law enforcement agencies include all law enforcement agencies created by the governing municipal body and promulgated by statute:

1. Municipal police department:
 - i. Full-time: Department/Agency responsible for and providing 24-hour police services.
 - ii. Part-time: Department/Agency whose agency is not committed or able to provide 24-hour services.
2. County law enforcement agencies: Department/Agency responsible for and provides police services within a county jurisdictional capacity.
 - i.-iii. (No change.)
 - iv. County police agencies.
3. State law enforcement agencies:
 - i.-iv. (No change.)
 - v. (No change in text.)
4. Bi-State agencies:
 - i. Port Authority of New York and New Jersey Police;
 - ii. Palisades Interstate Parkway Police;
 - iii. Delaware River Port Authority; and
 - iv. Delaware River Bay Authority.

13:57-1.2 Reports to Attorney General (State Police to act as collecting agency); types of forms; by whom; when submitted

(a) A law enforcement agency shall submit reports and Summary Reporting System data electronically to the Uniform Crime Reporting (UCR) in the New Jersey State Police UCR Repository website. If the law enforcement agency does not have access to the New Jersey State Police UCR repository, the agency shall submit this information through an electronic interface from the law enforcement agency's records management system prescribed by the New Jersey State Police UCR Program.

(b) Municipal full- and part-time police departments, as defined in these rules, will submit on a monthly basis and forward by the seventh day

following the close of the reporting period, the following enumerated reports:

1.-3. (No change.)
4. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370); and

5. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A).

(c) A Zero Report will be completed when no specific offenses have occurred for the reporting period.

1. The following reports will be submitted only when the specific offenses involved have occurred:

Recodify existing (1)-(4) as i.-iv. (No change in text.)

v. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

vi. Supplementary Domestic Violence Offense Report (UCR-DV1);

vii. Supplementary Bias Incident Offense Report (UCR-BI1);

viii. Use of Force Report;

ix. Cargo Theft Report;

x. Human Trafficking Report;

xi. Carjacking Report; and

xii. Street Gang Contact/Offense Report (S.P. 153).

2. A Zero Report will be completed for the following, when no specific offenses have occurred for the reporting period:

i. Supplementary Domestic Violence Offense Report (UCR-DV1);

ii. Supplementary Bias Incident Offense Report (UCR-BI1);

iii. Use of Force Report; and

iv. Cargo Theft Report.

3. (No change in text.)

4. Offense data received from other agencies:

i. All part I offenses, part I and part II arrests and dispositions, and all other allied supplementary information (including offense clearance data) that is received by municipal full- or part-time police departments, either from a State or county law enforcement or quasi law enforcement agency, which shall include private, State, and county college police agencies and bi-state port authority police agencies (except the Port Authority of New York and New Jersey police), will be reported in their municipal crime data when submitted on the prescribed monthly UCR forms.

(d) County law enforcement agencies rules include:

1. As defined in this chapter, county law enforcement agencies will submit on a monthly basis, and forward by the seventh day following the close of reporting period, the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

ii. Return A—Supplement, page 1 (N.J.-UCR 366);

iii. Return A—Supplement, page 2 (N.J.-UCR 366A);

iv. (No change in text.)

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (Under 18 years of age) (N.J.-UCR 370A); and

vi. A Zero Report will be completed when no specific offenses have occurred for the reporting period;

2. The following reports will be submitted when the specific offenses involved have occurred:

i. Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

ii. Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

iii. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

iv. Supplementary Arson Report (N.J.-UCR 373);

v. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

vi. Supplementary Domestic Violence Offense Report (UCR-DV1);

vii. Supplementary Bias Incident Offense Report (UCR-BI1);

viii. Use of Force Report;

ix. Cargo Theft Report;

x. Human Trafficking Report;

xi. Carjacking Report; and

xii. Street Gang Contact/Offense Report (S.P. 153);

3. A Zero Report will be completed for the following when no specific offenses have occurred for the reporting period:

i. Supplementary Domestic Violence Offense Report (UCR-DV1);

ii. Supplementary Bias Incident Offense Report (UCR-BI1);

iii. Use of Force Report; and

iv. Cargo Theft Report;

4. The following report shall be submitted annually, but not later than November 7 in each reporting year:

i. Number of Department Employees as of October 31 of reportable year (N.J.-UCR 369);

5. The following county law enforcement agencies, that is, prosecutors, sheriffs, county police agencies, and county park police, shall for UCR submitting purposes, report in a timely manner all part I offenses (murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied part I supplementary information (including offense clearance, arrest and disposition data) to the jurisdiction.

(e) State law enforcement agencies rules are:

1. As defined in this chapter, State law enforcement agencies will submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

ii. Return A—Supplement, page 1 (N.J.-UCR 366);

iii. Return A—Supplement, page 2 (N.J.-UCR 366A);

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370); and

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A).

(f) A Zero Report will be completed when no specific offenses have occurred for the reporting period.

(g) The following reports will be submitted when the specific offenses involved have occurred:

1. Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

2. Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

3. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

4. Supplementary Arson Report (N.J.-UCR 373);

5. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

6. Supplementary Domestic Violence Offense Report (UCR-DV1);

7. Supplementary Bias Incident Offense Report (UCR-BI1);

8. Use of Force Report;

9. Cargo Theft Report;

10. Human Trafficking Report;

11. Carjacking Report; and

12. Street Gang Contact/Offense Report (S.P. 153).

(h) A Zero Report will be completed for the following, when no specific offenses have occurred for the reporting period:

1. Supplementary Domestic Violence Offense Report (UCR-DV1);

2. Supplementary Bias Incident Offense Report (UCR-BI1);

3. Use of Force Report; and

4. Cargo Theft Report.

(i) The following report shall be submitted annually, but no later than November 7 in each reporting year:

1. Number of Department Employees as of October 31 of Reportable Year (N.J.-UCR 369).

(j) The following State law enforcement agencies, that is, Division of Criminal Justice, Office of Weights and Measures, Division of Fish and Wildlife, Division of Parks and Forestry, Department of Corrections, and the Department of Human Services (except Division of State Police, Palisades Interstate Park Commission, and New Jersey Transit Police Department), shall for UCR submitting purposes, report all part I offenses (murder, rape, robbery, assault, burglary, larceny-theft, motor vehicle theft, and arson) investigated by or reported to their respective agency, and all allied part I supplementary information (including offense clearance, arrest, and disposition data) to the jurisdictional full-time municipal police department.

(k) Bi-State port authorities or agencies, colleges, universities, and all other State, county and private educational facilities employing police or security personnel rules are:

1. The agencies listed in this section will submit, on a monthly basis, and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365);

ii. Return A—Supplement, page 1 (N.J.-UCR 366);

iii. Return A—Supplement, page 2 (N.J.-UCR 366A);

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370); and

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A);

2. A Zero Report will be completed when no specific offenses have occurred for the reporting period;

3. The following reports will be submitted when the specific offenses involved have occurred:

i. Supplementary Homicide Report, 1a Murder (N.J.-UCR 367);

ii. Supplementary Homicide Report, 1b Manslaughter (N.J.-UCR 367A);

iii. Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

iv. Supplementary Arson Report (N.J.-UCR 373);

v. Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

vi. Supplementary Domestic Violence Offense Report (UCR-DV1);

vii. Supplementary Bias Incident Offense Report (UCR-BI1);

viii. Use of Force Report;

ix. Cargo Theft Report;

x. Human Trafficking Report;

xi. Carjacking Report; and

xii. Street Gang Contact/Offense Report (S.P. 153);

4. A Zero Report will be completed for the following when no specific offenses have occurred for the reporting period:

i. Supplementary Domestic Violence Offense Report (UCR-DV1);

ii. Supplementary Bias Incident Offense Report (UCR-BI1);

iii. Use of Force Report; and

iv. Cargo Theft Report; and

5. The following report shall be submitted annually, but no later than November 7th in each reporting year:

i. Number of Department Employees as of October 31st of Reportable Year (N.J.-UCR 369).

13:57-1.3 Exceptions

(a) Exceptions concerning State law enforcement agencies include:

1. Division of State Police: State Police having jurisdiction in all New Jersey municipalities, toll roads, interstate highways, and all other highways where the State Police have the primary enforcement responsibility will be the reporting agency for all UCR offense, arrest, and disposition data. Where no full-time municipal police department exists to provide primary police coverage, it will be the responsibility of the jurisdictional State Police station to report all offense, arrest, and disposition data occurring in that municipality.

2. New Jersey Transit Police Department: It is the responsibility of the New Jersey Transit Police Department to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i.-v. (No change.)

vi. The following reports will be submitted when the specific offense(s) involved have occurred:

(1)-(2) (No change.)

(3) Police Officers Killed or Assaulted Monthly Supplement (N.J.-UCR 369A);

(4) Supplementary Arson Report (N.J.-UCR 373);

(5) Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

(6) Supplementary Domestic Violence Offense Report (UCR-DV1);

(7) Supplementary Bias Incident Offense Report (UCR-BI1);

(8) Use of Force Report;

(9) Cargo Theft Report;

(10) Human Trafficking Report;

(11) Carjacking Report; and

(12) Street Gang Contact/Offense Report (S.P. 153).

(b) Exceptions concerning Bi-State agencies include:

1. It is the responsibility of each Bi-State agency to submit on a monthly basis and forward by the seventh day following the close of the reporting period the following enumerated reports:

i. Return A—Monthly Count of Offenses Known to Police (N.J.-UCR 365).

(1) Report will be submitted for each individual municipality wherein a part I offense occurred;

ii. Return A—Supplement, page 1 (N.J.-UCR 366):

(1) Report will be submitted for each individual municipality wherein a part I offense occurred. Report will be submitted for each individual municipality wherein property was stolen or recovered in connection with part I offenses;

iii. Return A—Supplement, page 2 (N.J.-UCR 366A):

(1) Report will be submitted for each individual municipality wherein analysis of part I offenses and stolen property data is listed;

iv. Age, Sex, Race, and Ethnic Origin of Persons Arrested (18 years of age and over) (N.J.-UCR 370):

(1) All adult arrests made within each county jurisdictional boundary will be submitted on one arrest report;

v. Age, Sex, Race, and Ethnic Origin of Persons Arrested (under 18 years of age) (N.J.-UCR 370A):

(1) All juvenile arrests made within each county jurisdictional boundary will be submitted on one arrest report; and

vi. The following reports will be submitted when the specific offense occurred:

(1)-(3) (No change.)

(4) Supplementary Arson Report (N.J.-UCR 373);

(5) Monthly Count of Criminal Offenses Involving Assault Firearms (S.P. 662);

(6) Supplementary Domestic Violence Offense Report (UCR-DV1);

(7) Supplementary Bias Incident Offense Report (UCR-BI1);

(8) Use of Force Report;

(9) Cargo Theft Report;

(10) Human Trafficking Report;

(11) Carjacking Report; and

(12) Street Gang Contact/Offense Report (S.P. 153).

(c) (No change in text.)

(d) Nothing in this chapter shall preclude the Attorney General or Division of State Police for requiring the submission or deletion of any information that may be deemed necessary to maintain a viable and current uniform crime reporting system.

(e) (No change in text.)

13:57-1.4 Failure to report

(a) Law enforcement agencies that fail to submit the reports required at N.J.A.C. 13:57-1.2 shall be subject to the following actions:

1. On the 15th day following the close of the reporting period, an electronic notice of delinquency will be auto-generated to the law enforcement agency's UCR reporter;

2. If the report is not received by the 22nd day following the close of the reporting period, an electronic notice of delinquency will be auto-generated to the head of the law enforcement agency and other administrative workstations within the law enforcement agency;

3. If the report is not received by the 30th day following the close of the reporting period, an electronic notice of delinquency shall be sent both electronically and through U.S. mail to the respective county prosecutor and the UCR representative of the New Jersey State Association of Chiefs of Police;

4. (No change in text.)

5. In the discretion of the Attorney General, appropriate action may include, but shall not be limited to, suspension or termination of eligibility to receive forfeiture moneys and/or award of grant funds provided to the law enforcement agency by or through the Department of Law and Public Safety, and additional notice of such action may be sent to the respective county prosecutor's office, including authorizing the prosecutor to exercise direct oversight, as well as the governing body or chief executive of the municipality or other government entity;

6. At the time of compilation of any of the annual Uniform Crime Report, a reporting agency that has not supplied the necessary information after being contacted by the UCR Unit, shall be noted as "DID NOT REPORT" in the annual publication; and

7. The Division of State Police UCR Unit shall make every effort to contact the head of the agency to ascertain the reasons for the delinquency and to assist with possible solutions to any identified problems.

(a)

OFFICE OF THE ATTORNEY GENERAL**Notice of Readoption****Human Trafficking Survivor's Assistance Fund****Readoption with Technical Changes: N.J.A.C. 13:77**

Authority: N.J.S.A. 52:17B-238 and 2C:34-1.2

Authorized By: Matthew J. Platkin, Attorney General of New Jersey.

Effective Dates: November 21, 2022, Readoption;
December 19, 2022, Technical Changes.

New Expiration Date: November 21, 2029.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1.c, the Human Trafficking Survivor's Assistance Fund rules at N.J.A.C. 13:77 are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on December 21, 2022. Attorney General Matthew J. Platkin has reviewed these rules and has determined that the rules should be readopted, with technical changes, to update the address to which applications should be submitted, because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The Human Trafficking Survivor's Assistance Fund rules at N.J.A.C. 13:77 provide the framework for administration of the Human Trafficking Survivor's Assistance Fund, established by P.L. 2013, c. 51. This chapter also governs the procedures and conditions for obtaining approval of a prostitution offender program course pursuant to N.J.S.A. 2C:34-1.2.

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

SUBCHAPTER 2. PROSTITUTION OFFENDER PROGRAM**13:77-2.1 Application procedure**

(a) (No change.)

(b) The application shall be submitted to:

Office of the Attorney General
Division of Criminal Justice

Attn: Prostitution Offender Program [c/o AAG Tracy Thompson]

Human Trafficking Task Force

25 W. Market St.

[P.O.] PO Box 085

Trenton, NJ 08625-0085

TREASURY—GENERAL

(b)

DIVISION OF STATE LOTTERY**Notice of Readoption****Rules of the Lottery Commission****Readoption: N.J.A.C. 17:20**

Authority: N.J.S.A. 5:9-7(a).

Authorized By: The New Jersey Lottery Commission, James A. Carey, Executive Director.

Effective Date: November 21, 2022.

New Expiration Date: November 21, 2029.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 17:20 were scheduled to expire on December 29, 2022. The rules in this chapter were promulgated to implement the statutory requirements at Title 5:9 of the New Jersey Statutes. This chapter includes rules concerning the operation of the State Lottery and includes the following subchapters:

Subchapter 1, General Provisions, including scope and interpretation, persons prohibited from purchasing tickets, and requirements of employment by the Division of State Lottery (Division);

Subchapter 2, Definitions, including words and terms relevant and pertinent in the context of the operation of the State Lottery;

Subchapter 3, Director, including disputes over ownership or validity of winning tickets;

Subchapter 4, Lottery Agent Application and License, including agent application forms, application review, issuance, and renewal processes, as well as bonding requirements;

Subchapter 5, Denial, Revocation, or Suspension of Agent License or Courier Service Registration, including the basis for such denial, revocation, or renewal rejection and/or the imposition of civil penalties;

Subchapter 6, Agent Distribution and Sale of Tickets, and Deposit of Lottery Monies, including the responsibility for lost/stolen tickets and the distribution of agent promotional items;

Subchapter 7, Payment of Prizes, including the award of prizes, the manner of payment, and information required of claimants;

Subchapter 8, Lottery Vendors' Code of Ethics, which is intended to augment existing administrative orders and pertinent codes of ethics;

Subchapter 9, Civil Penalties and Sanctions for Agents and Courier Services, including the penalties imposed for violations of N.J.S.A. 5:9-12.1(a);

Subchapter 10, Division of State Lottery Mission, Organization, and Public Information, including the Division's website address, as well as the Division's address and telephone number;

Subchapter 11, Public Notice and Public Comments Regarding Division Rulemaking; Calendars; Additional Opportunities to be Heard; and Petitions for Rulemaking, including the process for rulemaking and the public's notice of, and participation in, rulemaking by the Division; and

Subchapter 12, Courier Services, regulating courier services, including the requirements of the Courier Services Act, as well as the general requirements for application and operation of a courier service.

The Amendment to Article IV, Section VII, paragraph 2 of the Constitution of New Jersey established the lottery, which is operated by the State, pursuant to Title 5 of the New Jersey Statutes. The rules in this chapter were promulgated to implement the statutory requirements at Title 5 and serve two general purposes. First, they protect consumers and participants in the lottery through regulation and licensing of the agents and operators of the lottery games. Second, they provide guidance to the New Jersey lottery industry by setting standards in the industry for those who conduct lottery business in this State.

The New Jersey Lottery Commission (Commission) in the Department of the Treasury, has undertaken a review of these rules at several levels to determine their current effectiveness and viability. These rules continue to provide the New Jersey lottery industry and consumers with vital information and useful standards concerning the operations of the State Lottery and the licensure of agents and operators of the lottery industry.

The Commission has reviewed N.J.A.C. 17:20 and has determined that the existing rules continue to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Accordingly, 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.