

ADMINISTRATIVE LAW

OFFICE OF ADMINISTRATIVE LAW

Organization of the Office of Administrative Law

Readoption with Amendments: N.J.A.C. 1:31

Proposed: December 1, 2014, at 46 N.J.R. 2302(a).

Adopted: May 12, 2015, by Laura Sanders, Acting Director, Office of Administrative Law.

Filed: May 18, 2015, as R.2015 d.099, **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. 52:14F-5(e), (f), and (g).

Effective Dates: May 18, 2015, Readoption;

June 15, 2015, Amendments.

Expiration Date: May 18, 2022.

Summary of Public Comments and Agency Responses:

COMMENT: Alice Previte, Regulatory Officer from the Department of Environmental Protection, commented that the web address proposed for Rutgers Newark at N.J.A.C. 1:31-1.1(a)4 was not correct. She indicated the correct link is "njlaw.rutgers.edu" and that adding "www" results in a website not being found.

RESPONSE: The commenter is correct. The correction has been made upon adoption.

COMMENT: Jean Public commented that the general public is not getting enough information on rule proposals and that better ways of getting proposals to the public are needed. She comments that regulation changes go through without anybody aware of them. She further comments that an overseer is needed for what some agencies say is a public response because

they fraudulently count what the public says about the proposals. Finally, she comments that the cost of \$.75 for the first 10 pages is outrageous.

RESPONSE: OAL thanks Ms. Public for her comments. The adopted amendments provide more access to the public to be kept informed of rulemaking and to participate in the rulemaking process such that additional changes are not necessary. Notices of adoption routinely include summaries of comments in opposition to what the agency is proposing, and the agency's responses to the issues raised by those commenters. The cost of copies is governed by statute, N.J.S.A. 47:1A-5.b, which provides for a \$.05 charge per letter-size or smaller copy and a \$.07 charge per legal-size or larger copy.

Federal Standards Statement

A Federal standards analysis is not required because the contested case hearing procedures, of which the readopted rules and the adopted amendments are a part, are promulgated in implementation of the New Jersey Administrative Procedure Act, N.J.S.A. 52:14B-1 and 52:14F-1 et seq., and are not subject to any Federal standards or requirements.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 1:31.

Full text of the adopted amendments follows (addition to proposal indicated in boldface with asterisks ***thus***; deletion from proposal indicated in brackets with asterisks *[thus]*):

1:31-1.1 Functions of the Office

(a) The Office of Administrative Law (OAL) created by statute in 1978, is independent of any executive department, board, division, commission, agency, council, authority, office, or officer of the State of New Jersey. The OAL performs four major functions:

1.-3. (No change.)

4. Publishes the New Jersey Register and the New Jersey Administrative Code and makes copies of initial decisions available through the Rutgers Newark School of Law website

[www.njlaw.rutgers.edu] ***njlaw.rutgers.edu***. The publication function of the OAL is multifaceted:

i.-iii. (No change.)

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