

notice of the submission shall be provided to the applicant's prospective employer, if known.

(f) Upon its review of the results of a criminal history background, and any evidence pertaining to accuracy or rehabilitation, if applicable, the Board shall render one of the following dispositions:

1. Issue a homemaker-home health aide certificate to the applicant, if the criminal history background check indicated that the applicant has never been convicted of any crime or disorderly persons offense;

2. Issue a homemaker-home health aide certificate to the applicant, if the Board determines that the applicant has submitted sufficient information to establish to the Board that the criminal history background check is inaccurate or to clearly and convincingly demonstrate rehabilitation;

3. Provide an applicant with additional time to supplement the evidence presented regarding rehabilitation, in writing or via an opportunity to be heard if there are material facts in dispute;

4. Provide an applicant with additional time to supplement the evidence relating to the accuracy of the criminal history background check, in writing or via an opportunity to be heard if there are material facts in dispute; or

5. Deny the application for a homemaker-home health aide certificate, providing reasons for the denial and designating the period of time that the applicant will be barred from reapplication, if the Board determines that the applicant has failed to submit sufficient information to clearly and convincingly demonstrate rehabilitation and:

i. The criminal history background check accurately reflects that the applicant has been convicted of a disqualifying crime or disorderly persons offense, as set forth at N.J.S.A. 45:11-24.3.b; or

ii. The criminal history background check accurately reflects that the applicant has been convicted of a crime or offense, which has not been categorized as disqualifying, but otherwise involves moral turpitude or is related adversely to the activity regulated by the Board, pursuant to N.J.S.A. 45:1-21.f.

(g) If the applicant fails to contest the accuracy of the criminal history background check or submit evidence of rehabilitation within 30 days of the notification pursuant to (d) above, the application will be considered abandoned.

(h) If an applicant submits, as part of the application, a sworn statement asserting that he or she has not been convicted of a crime or disorderly persons offense that is false, he or she shall be disqualified from certification as a homemaker-home health aide and shall not have an opportunity to establish rehabilitation pursuant to N.J.S.A. 45:11-24.3 and may be subject to penalty, including a bar from reapplication for a period of time and a fine of up to \$1,000, pursuant to N.J.S.A. 45:11-24.9.

(i) The Board shall notify the applicant and the applicant's prospective employer, if known, of the disposition on the application.

## (a)

### **DIVISION OF CONSUMER AFFAIRS STATE BOARD OF REAL ESTATE APPRAISERS Responsibilities of Supervising Appraiser; Continuing Education Requirements Adopted Amendments: N.J.A.C. 13:40A-4.6 and 4.8**

Proposed: August 21, 2017, at 49 N.J.R. 2748(a).

Adopted: November 15, 2017, by the State Board of Real Estate Appraisers, John A. McCann, President.

Filed: December 4, 2017, as R.2018 d.016, **without change**.

Authority: N.J.S.A. 45:14F-8.

Effective Date: January 2, 2018.

Expiration Date: March 20, 2022.

#### **Summary of Public Comment and Agency Response:**

The official comment period ended on October 20, 2017. **The Board received no comments.**

#### **Federal Standards Statement**

A Federal standards analysis is not required because the adopted amendments do not exceed, and in some cases, incorporate by reference, standards and requirements set forth by the Appraiser Qualification Board of the Appraisal Foundation, which may be viewed as establishing and setting forth Federal standards and requirements.

Full text of the adoption follows:

#### **SUBCHAPTER 4. TRAINEE PERMITS**

##### **13:40A-4.6 Responsibilities of supervising appraiser**

(a) (No change.)

(b) Supervising appraisers shall be in good standing with the Board and shall not have been subject to any disciplinary action that affects their legal eligibility to engage in appraisal practice, including revocation or suspension, within any jurisdiction within the last three years.

(c)-(e) (No change.)

##### **13:40A-4.8 Continuing education requirements**

(a) An individual holding a trainee permit shall complete the continuing education requirements as established by "The Real Property Appraiser Qualification Criteria and Interpretation of the Criteria" as promulgated by the AQB of the Appraisal Foundation as amended and supplemented, which, are incorporated herein by reference as part of this rule.

(b) (No change.)

(c) As provided in N.J.A.C. 13:40A-5.10(b), an individual holding a trainee permit may request, due to extenuating circumstances, to be placed on inactive status to complete all continuing education requirements.

## (b)

### **DIVISION OF STATE POLICE Firearms and Weapons Restrictions for Sale and Possession of Stun Guns Adopted Amendments: N.J.A.C. 13:54-1.2 and 1.3 Adopted New Rule: N.J.A.C. 13:54-5.8**

Proposed: August 21, 2017, at 49 N.J.R. 2765(a).

Adopted: November 8, 2017, by Patrick J. Callahan, Acting

Superintendent, Division of State Police, with the approval of Christopher S. Porrino, Attorney General.

Filed: November 28, 2017, as R.2018 d.009, **without change**.

Authority: N.J.S.A. 2C:39-1 et seq., and 2C:58-1 et seq.

Effective Date: January 2, 2018.

Expiration Date: May 12, 2022.

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

The official 60-day comment period ended October 20, 2017. The Division received electronic comments from the following individuals or representatives of organizations:

Bob Cento

Alexis Perez

John J. Petrolino III

Dwight Will

Timothy Eustace

Esmael Ansari, on behalf of Isaiah Fields, Axon Enterprise, Inc.

COMMENT: The commenters generally supported the rulemaking to allow the sale and possession of stun guns by persons age 18 or older. The commenters also stated that the ability to own and possess a stun gun will have a significant positive impact on individual and public safety within the State. However, one commenter expressed concern over the age requirement allowing persons age 18 to be permitted to own or possess a stun gun and suggested the age limit be raised to 21 and older.

RESPONSE: The Division believes that the amendment to N.J.A.C. 13:54-1.3(a) and new N.J.A.C. 13:54-5.8, prohibiting the sale and

possession of stun guns to minors is reasonable and sufficient to address the blanket prohibition and maintain public safety.

COMMENT: One commenter objected to the proposed amendment to N.J.A.C. 13:54-1.2, Definitions. The commenter requested the definition of stun gun be revised to remove language defining a stun gun as being able to “permanently disable” a person. The commenter noted that stun guns are designed to temporarily disable a person with the clear intent to protect oneself or others from bodily harm.

RESPONSE: The proposed definition of stun gun in N.J.A.C. 13:54-1.2 is identical to the definition provided in N.J.S.A. 2C:39-1(t), and there is no basis to limit the scope of the statutory formulation. While certain stun guns may not be intended to permanently disable a person, the statutory definition incorporated into the rule is intended to cover a broad range of devices that emit electronic charge or current intended to disable, whether temporarily or permanently. The effect of the suggested modification to deviate from the statutory definition and limit the rule definition of stun guns to exclude devices that emit an electronic charge or current intended to permanently disable a person would be to permit minors to obtain and possess devices with the potential to inflict a greater degree of harm (that is, stun guns that can permanently disable person). This would be contrary to the public safety purpose the rule is intended to serve. The Division, therefore, rejects this suggestion.

**Federal Standards Statement**

A Federal standards analysis is not required because the adopted amendments and new rule do not exceed Federal standards, and are not adopted under the authority of, or in order to implement, comply with, or participate in any program established under Federal law or under State statutes that incorporate or refer to Federal law, Federal standards, or Federal requirements.

Full text of the adoption follows:

**SUBCHAPTER 1. FIREARMS PURCHASER IDENTIFICATION CARD AND PERMIT TO PURCHASE A HANDGUN**

**13:54-1.2 Definitions**

The words and terms used in this chapter shall have the following meanings:

“Stun gun” means any weapon or other device that emits an electrical charge or current intended to temporarily or permanently disable a person.

13:54-1.3 State of New Jersey firearms identification card or permit to purchase a handgun and form of register required; prohibition on sale of certain weapons

(a) No person, other than a licensed or registered retail or wholesale dealer, shall receive, purchase, or otherwise acquire a rifle, shotgun, or antique cannon, other than an antique rifle or shotgun, unless that person possesses and exhibits a valid firearms purchaser identification card. No person shall sell, give, transfer, assign, or otherwise dispose of a rifle, shotgun, or antique cannon, other than an antique rifle or shotgun, to a person other than a licensed or registered retail or wholesale dealer, unless the buyer or receiver possesses and exhibits a valid firearms purchaser identification card. No person shall sell, acquire, or possess a sawed-off shotgun. No person shall sell, give, transfer, assign, or otherwise dispose of a stun gun to a person under 18 years of age, and no person under 18 years of age shall receive, purchase, or otherwise acquire a stun gun.

(b)-(d) (No change.)

**SUBCHAPTER 5. MACHINE GUNS, ASSAULT FIREARMS, LARGE CAPACITY AMMUNITION MAGAZINES, AND STUN GUNS**

**13:54-5.8 Possession of a stun gun by a minor**

No person under 18 years of age shall possess a stun gun. Any stun gun possessed by a person under the age of 18 shall be subject to confiscation by law enforcement.

(a)

**DIVISION OF GAMING ENFORCEMENT  
Gaming Operation Accounting Controls and Standards**

**Adopted Amendment: N.J.A.C. 13:69D-1.11**

Proposed: August 7, 2017, at 49 N.J.R. 2486(a).  
Adopted: November 16, 2017, by David Rebeck, Director, Division of Gaming Enforcement.

Filed: November 30, 2017, as R.2018 d.013, **without change**.

Authority: N.J.S.A. 5:12-69.a, 69.e, 70.a(13), and 76.g.

Effective Date: January 2, 2018.

Expiration Date: March 19, 2019.

**Summary of Public Comment and Agency Response:**

The official comment period ended October 6, 2017. **No comments were received.**

**Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendments.

Full text of the adoption follows:

**SUBCHAPTER 1. GENERAL PROVISIONS**

13:69D-1.11 Casino licensee’s organization

(a)-(b) (No change.)

(c) The supervisors of the surveillance and internal audit departments required by (b) above shall comply with the following reporting requirements:

1.-3. (No change.)

4. Each applicant for a casino license shall prepare a charter for its independent audit committee, which complies with the Act and all rules promulgated thereunder. Such charter shall be submitted to the Division for approval at least 30 days before gaming operations are to commence, unless otherwise directed by the Division. Casino licensees must notify the Division of any material change to the charter not less than five days in advance of implementing any such change. The initial submission of the independent audit committee charter and notices concerning material changes shall be addressed to the Intake Unit, attention Casino Licensing Bureau, of the Division at its address set forth in N.J.A.C. 13:69-3.5(a) or submitted electronically to [entitydocs@njdge.org](mailto:entitydocs@njdge.org).

(d)-(h) (No change.)

**TREASURY—GENERAL**

(b)

**STATE INVESTMENT COUNCIL**

**Global Debt Obligations, Collateralized Notes and Mortgages, Non-Convertible Preferred Stock, Mortgage-Backed Senior Debt Securities; Mortgage-Backed Passthrough Securities Permissible Investments**

**Global Diversified Credit**

**Definitions, Permissible Investments, Limitations**

**Adopted Amendments: N.J.A.C. 17:16-12.2, 19.2, 23.1, 23.2, 23.4, 40.2, and 58.2**

Proposed: September 5, 2017, at 49 N.J.R. 2914(a).

Adopted: November 29, 2017, by the State Investment Council, Christopher McDonough, Director, Division of Investment.

Filed: November 30, 2017, as R.2018 d.008, **without change**.

Authority: N.J.S.A. 52:18A-91.

Effective Date: January 2, 2018.

Expiration Date: February 3, 2021.