

The petitioner does not provide specific rationales for each of the requested changes. The petitioner only states, generally, that the requested changes would “avoid the constant confusion surrounding the [New Jersey] permanent makeup training and certification process,” and “are desperately needed since the language is inaccurate and needs to be corrected.”

HIGHER EDUCATION

(a)

NEW JERSEY HIGHER EDUCATION

Notice of Approval of Petition for Pillar College to Exceed its Mission to Offer Master of Arts in Counseling

Take notice that the Secretary of Higher Education hereby publishes notice of the following approved petition:

Pillar College’s petition to exceed its mission to offer the Master of Arts in Counseling, effective November 30, 2016. Pillar College is located in Newark, New Jersey. This petition was reviewed and approved in accordance with the standards and procedures described in the New Jersey Administrative Code Title 9A - Higher Education, Chapter 1.

Questions about the approval should be directed to Mr. Eric Taylor at 609 984-3738 or eric.taylor@njhe.state.nj.us.

HUMAN SERVICES

(b)

THE COMMISSIONER

Agency Website Posting of Notices of Grant Availability Notice of Availability of Grants and Requests for Proposal

Take notice that, in compliance with N.J.S.A. 52:14-34.4 et seq. (P.L. 1987, c. 7), the Department of Human Services hereby publishes notice of grant availability and Requests for Proposal (RFPs) on its website at <http://www.state.nj.us/humanservices>. Copies of the notices can be obtained by contacting the Office of Contract Policy and Management at (609) 777-2778.

(c)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Public Meeting Invitation to Attend Medical Assistance Advisory Council 2017 Quarterly Meeting Dates

Take notice that the Department of Human Services, Division of Medical Assistance and Health Services (DMAHS), has scheduled a series of public meetings of the Medical Assistance Advisory Council and invites the public to participate.

The dates and times of the meetings are listed below:

Monday, January 23, 2017	10:00 AM-1:00 PM
Thursday, April 13, 2017	10:00 AM-1:00 PM
Thursday, July 20, 2017	10:00 AM-1:00 PM
Thursday, October 19, 2017	10:00 AM-1:00 PM

The meetings will be held at:

The New Jersey State Police Headquarters Complex

Public Health, Environmental and Agricultural Laboratory
(PHEAL) Building
3 Schwarzkopf Drive
Ewing Township, NJ 08628.

Every person attending the meetings must provide a valid form of photo identification to enter the Complex.

For directions to the PHEAL Building: <http://nj.gov/health/pheal/faq.shtml>.

Please contact DMAHS at (609) 588-2600 for more information, or to let DMAHS know you plan to attend. If you are deaf or hard of hearing, interpreter services are available at your request. Please let DMAHS know at least two weeks prior to the date of the meeting if you would like an interpreter, or other accommodation, provided. The building is handicapped accessible.

LAW AND PUBLIC SAFETY

(d)

DIVISION OF CONSUMER AFFAIRS

Notice of Action on Petition for Rulemaking State Board of Examiners of Electrical Contractors N.J.A.C. 13:31-4.1

Petitioner: Darren Reaman, Director of Government Affairs,
CEDIA.

Authority: N.J.S.A. 45:1-15.1.

Take notice that on October 14, 2016, the State Board of Examiners of Electrical Contractors (Board) received a petition for rulemaking from Darren Reaman, Director of Government Affairs, on behalf of the Custom Electronic Design & Installation Association (CEDIA), requesting that the Board amend its rule governing the limited telecommunications wiring exemption. The petitioner proposes that the Board amend N.J.A.C. 13:31-4.1 to add a new exemption for the design, installation, integration, erection, repair, maintenance, or alteration of products that transport voice, video, audio, and data signals in residential premises.

CEDIA is the professional trade association of companies that specialize in designing and installing electronic systems for the home. These systems include home networking, home automation and communication systems, media rooms, and single or multi-room entertainment systems. CEDIA members include home technology professionals, manufacturers, industry-related professionals, professional services, and manufacturer representatives, and range from small, independent electronic systems contracting firms to large multi-national manufacturers.

According to the petitioner, its interest in the petition for rulemaking is to clarify a “confusing regulatory scheme” that is outpaced by 21st century technological developments and consumer demands. The petitioner notes that the limited telecommunications wiring exemption was created in 1993 with few or no substantial changes since. The petitioner believes that, in an industry as dynamic as technology, changes must be made to adapt with the times. The petitioner further believes that recent regulatory changes and pending legislation are an attempt to narrow the scope of the limited telecommunications wiring exemption.

The petitioner believes that the work of home technology professionals is not properly classified under existing New Jersey law. It states that its members are typically registered as home improvement contractors, but there is no specific license that embodies the work of home technology professionals. The petitioner further notes that its members work either through the “less than 10 volts” threshold set forth at N.J.S.A. 45:5A-18(j), or the limited telecommunications wiring exemption. The petitioner states that it supports licensing for home technology professionals when the license properly represents the specific skills for the work they complete.

The petitioner notes that, with the convergence of technology, applications and capabilities within the home have increased. The petitioner also states that the skills needed for home technology professionals have evolved and grown with the capabilities of residential electronic systems. In addition, the petitioner believes that having electronic systems work fall under the scope of an electrical contractors' license, a burglar alarm business license, or any other existing professional license does not properly represent and support the residential electronic systems industry.

The petitioner states that New York, Connecticut, Pennsylvania, Massachusetts, New York City, and Philadelphia have licenses or exemptions that address the low-voltage electronic systems industry. The petitioner further notes that the wired infrastructure used in today's modern residential technology systems is not in place to deliver electricity, but rather to deliver information and intelligence in the form of voice, data, audio, and video systems. The petitioner believes that these complex systems require well-trained and technologically astute home technology professionals, who understand not only the intricacies of installing these systems, but also how to integrate these systems, so they work in conjunction with each other through the ease of a single control device. The petitioner believes that residential electronic systems do not pose a hazard from a shock or fire initiation standpoint as defined in the National Electric Code.

The petitioner recommends amending N.J.A.C. 13:31-4.1 pursuant to the Board's statutory authority at N.J.S.A. 45:5A-18, which sets forth exemptions from the requirements of the Electrical Contractors Licensing Act of 1962. The petitioner notes that this statute expressly authorizes the Board to "also exempt from the business permit provisions of this act such other electrical activities of like character which in the Board's opinion warrant exclusion from the provisions of this act." In addition, the petitioner cites N.J.S.A. 45:5A-6, which expressly authorizes the Board to "adopt and amend all rules and regulations not inconsistent with the Constitution and laws of this State which may be reasonably necessary for the proper performance of its duties and the purposes of this act and for the conduct of the proceedings before it."

In further support of its petition, the petitioner refers to the regulatory history of the limited telecommunications wiring exemption (see 24 N.J.R. 339(a); 25 N.J.R. 705(a)). Specifically, the petitioner notes that the Board, at the time of rule adoption, did not impose a voltage limit for the exemption. In addition, the petitioner notes that one commenter noted that, at the time of the statute's enactment in 1962, the "interconnect" industry (as it was known in 1992) was virtually non-existent and that, without an exemption, smaller companies would be unable to compete with larger companies if the regulatory scheme required the subcontracting of telecommunications wiring work to electrical contractors. The petitioner believes that this comment is precisely why, nearly 25 years later, the telecommunications wiring exemption needs to be modernized. The petitioner further states that technology has far outpaced the regulations and that modernization of the rule is long overdue. The petitioner notes that the internet, along with wireless technology, has almost completely replaced telephone wiring in today's residences, and that consumers have dozens of wireless devices using their home network, which have grown increasingly advanced and yet remain quite safe.

The petitioner believes that, given this growing marketplace, it is not a surprise that smaller businesses are concerned that the existing antiquated regulatory scheme works to their disadvantage. The petitioner also states that, if home technology professionals cannot work within the existing limited telecommunications wiring exemption and cannot work with products in excess of 10 volts, their well-established businesses are jeopardized by larger companies who can more easily afford the additional expenses. The petitioner believes that, such a result, would not only close hundreds of small businesses in New Jersey, but would also result in unnecessary expense to New Jersey consumers who seek to employ advanced technologies in their homes.

The petitioner states that: 1) home technology professionals are contractors who work on connected home technology to give customers a seamless experience; 2) home technology professionals design and install electronically enhanced living environments, such as home

theaters, media rooms, and whole-house installations and the technology is a conduit for information and intelligence in the form of voice, video, audio, and data signals; 3) with the convergence of technology, the proposed amendment represents the current technologies that home technology professionals design, install, and integrate on residential projects on a daily basis; and 4) the work of home technology professionals is more akin to that of information technology professionals than electrical contractors. Based on the foregoing, the petitioner requests that the Board amend N.J.A.C. 13:31-4.1 by adding a new subsection (c) with the following text:

"For purposes of this subsection, this exemption applies to the design, installation, integration, erection, repair, maintenance, or alteration of products that transport voice, video, audio, and data signals in residential premises."

Take further notice that, at its December 7, 2016, meeting, the Board referred this matter for further deliberation to develop a better understanding of the implications this request would have for licensees, registrants, other professional licensees, and the welfare and safety of the general public.

A copy of this notice has been mailed to the petitioner pursuant to N.J.A.C. 1:30-4.2.

(a)

**DIVISION OF CONSUMER AFFAIRS
BUREAU OF SECURITIES**

**Notice of Administrative Action
Notice of Statutory Construction**

**Rule 506 Notice Filings and Regulation A Tier 2
Offerings**

N.J.S.A. 49:3-60.1(b) and (c)

Take notice that the New Jersey Bureau of Securities (Bureau) is filing this notice of statutory construction to resolve confusion arising from the recent recodification of provisions in the Federal Securities Act of 1933, specifically, cross-referenced in the New Jersey Uniform Securities Law. The Bureau is aware that this confusion is creating uncertainty as to whether agents of certain issuers are exempt from registration when they offer or sell Regulation A Tier 2 offerings.

N.J.S.A. 49:3-60.1(b) of the Uniform Securities Law, P.L. 1967, c. 93 (N.J.S.A. 49:3-47 et seq.), refers to certain provisions of the Securities Act of 1933 (15 U.S.C. §§ 77a et seq.) (the 1933 Act). In 2012, with the enactment of the Federal Jumpstart Our Business Startups Act (JOBS Act) (48 Stat. 74, codified at 15 U.S.C. §§77a et seq.), certain provisions of the 1933 Act were recodified, including the provision for Rule 506 offerings from Section 18(b)(4)(D) to Section 18(b)(4)(E). The Bureau notes, however, that N.J.S.A. 49:3-60.1(b) has not been updated to reflect the new codification of the 1933 Act provisions enacted under the JOBS Act.

N.J.S.A. 49:3-60.1(b) provides that:

"[w]ith respect to any security that is a federal covered security under subparagraph (D) of paragraph (4) of subsection (b) of section 18 of the "Securities Act of 1933," 15 U.S.C. s.77r(b)(4)(D), the bureau chief, by rule or otherwise, may require the issuer to file a notice on SEC Form D, 17 C.F.R. s.239.500, or a successor form, and a consent to service of process signed by the issuer no later than 15 days after the first sale of that federal covered security in this State, together with the fee required to be paid pursuant to paragraph (12) of subsection (b) of section 3 of P.L.1967, c.93 (C.49:3-50). . . ."

In addition, N.J.A.C. 13:47A-3.3(b) states, in relevant part, "[a]gent registration is not required for an individual who represents an issuer in effecting transactions exempted by N.J.S.A. 49:3-60.1(b) (certain Federally covered securities)."

At the time N.J.S.A. 49:3-60.1(b) was enacted and N.J.A.C. 13:47A-3.3(b) was promulgated, Section 18(b)(4)(D) of the 1933 Act referenced Rule 506 covered securities. In accordance with the JOBS Act