

ADOPTIONS SECTION

HEALTH

NEW JERSEY HEALTH CARE FACILITIES FINANCING AUTHORITY

Notice of Readoption

Prevailing Wage

Readoption: N.J.A.C. 8:95

Authority: N.J.S.A. 26:2I-1 et seq., in particular 26:2I-5.3 through 5.6, and 34:11-56.25 et seq.

Authorized By: Mark E. Hopkins, Executive Director, New Jersey Health Care Facilities Financing Authority.

Effective Date: December 14, 2021.

New Expiration Date: December 14, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Prevailing Wage rules at N.J.A.C. 8:95 are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on July 7, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The rules effectuate the requirement in Public Law 2004, Chapter 127, sections 9 through 12 (N.J.S.A. 26:2I-5.3 through 5.6) that “[e]ach worker employed in the construction or rehabilitation of facilities undertaken in connection with loans, loan guarantees, expenditures, investments, tax exemptions or other incentives or financial assistance approved, provided, authorized, facilitated or administered by the New Jersey Health Care Facilities Financing

Authority, or undertaken to fulfill any condition of receiving any of the incentives or financial assistance, shall be paid not less than the prevailing wage rate for the worker's craft or trade, as determined by the Commissioner of Labor and Workforce Development pursuant to P.L.1963, c. 150 (C.34:11-56.25 et seq.).”

In accordance with N.J.S.A. 52:14B-5.1.c, timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.