

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

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Yes

"Hosting an event? You might try a winery, thanks to NJ law," NJBIZ, 6-1-2018

RWH/JA

P.L. 2018, CHAPTER 30, *approved May 30, 2018*
Assembly, No. 2787 (*First Reprint*)

1 AN ACT concerning special occasion events at certain wineries and
2 supplementing P.L.2014, c.16 ¹(C.4:1C-32.7 et seq.)¹.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Notwithstanding the provisions of section 6 of P.L.2014,
8 c.16 to the contrary, sections 1 through 5 of P.L.2014, c.16 (C.4:1C-
9 32.7 through C.4:1C-32.11) shall be and remain in effect for two
10 years following the ¹**[enactment of P.L. , c. (C.) (pending**
11 **before the Legislature as this bill)]** effective date of this act¹, and
12 shall be retroactive to March 1, 2018.

13

14 2. a. Each county agriculture development board shall prepare
15 and submit to the Governor and to the Legislature, pursuant to
16 section 2 of P.L.1991, c.164 (C.52:14-19.1), an annual report. Each
17 annual report shall include findings that summarize the activities of
18 wineries on preserved farmland in the county of the board's
19 jurisdiction and make recommendations for the pilot program
20 established pursuant to P.L.2014, c.16 (C.4:1C-32.7 et seq.).

21 b. The State Agriculture Development Committee shall prepare
22 and submit to the Governor and to the Legislature, pursuant to
23 section 2 of P.L.1991, c.164 (C.52:14-19.1):

24 (1) an interim report, within 30 days ¹**[following]** after¹ the
25 ¹**[enactment of P.L. , c. (C.) (pending before the Legislature**
26 **as this bill)]** effective date of this act¹; and

27 (2) a final report, at least 45 days before the expiration of the
28 pilot program established pursuant to P.L.2014, c.16 (C.4:1C-32.7
29 et seq.) ¹and extended pursuant to this act¹.

30 c. The interim and final reports required pursuant to subsection
31 b. of this section shall review the implementation and operation of
32 the pilot program established pursuant to P.L.2014, c.16 (C.4:1C-
33 32.7 et seq.), summarize the findings and recommendations of the
34 annual reports prepared pursuant to subsection a. of this section,
35 and make recommendations to the Governor and Legislature to
36 amend, extend, or make permanent the program.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted March 12, 2018.

1 ¹3. a. Notwithstanding any other law, or rule or regulation
2 adopted pursuant thereto, to the contrary, the pilot program
3 established pursuant to P.L.2014, c.16 (C.4:1C-32.7 et seq.) and
4 extended pursuant to this act shall not apply to any special occasion
5 event at a winery that is not on preserved farmland.

6 b. The State Agriculture Development Committee shall not
7 have any authority to regulate or restrict any special occasion event
8 conducted at a winery beyond the scope of the authority granted
9 pursuant to P.L.2014, c.16 (C.4:1C-32.7 et seq.).¹

10

11 ¹[3.] 4.¹ This act shall take effect immediately.

12

13

14

15

16 Extends pilot program authorizing special occasion events at
17 wineries on preserved farmland; implements reporting requirement.

ASSEMBLY, No. 2787

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

SYNOPSIS

Extends pilot program authorizing special occasion events at wineries on preserved farmland; implements reporting requirement.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/13/2018)

1 AN ACT concerning special occasion events at certain wineries and
2 supplementing P.L.2014, c.16.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Notwithstanding the provisions of section 6 of P.L.2014,
8 c.16 to the contrary, sections 1 through 5 of P.L.2014, c.16 (C.4:1C-
9 32.7 through C.4:1C-32.11) shall be and remain in effect for two
10 years following the enactment of P.L. , c. (C.) (pending before
11 the Legislature as this bill), and shall be retroactive to March 1, 2018.

12

13 2. a. Each county agriculture development board shall prepare
14 and submit to the Governor and to the Legislature, pursuant to section
15 2 of P.L.1991, c.164 (C.52:14-19.1), an annual report. Each annual
16 report shall include findings that summarize the activities of wineries
17 on preserved farmland in the county of the board's jurisdiction and
18 make recommendations for the pilot program established pursuant to
19 P.L.2014, c.16 (C.4:1C-32.7 et seq.).

20 b. The State Agriculture Development Committee shall prepare
21 and submit to the Governor and to the Legislature, pursuant to section
22 2 of P.L.1991, c.164 (C.52:14-19.1):

23 (1) an interim report, within 30 days following the enactment of
24 P.L. , c. (C.) (pending before the Legislature as this bill); and

25 (2) a final report, at least 45 days before the expiration of the pilot
26 program established pursuant to P.L.2014, c.16 (C.4:1C-32.7 et seq.).

27 c. The interim and final reports required pursuant to subsection b.
28 of this section shall review the implementation and operation of the
29 pilot program established pursuant to P.L.2014, c.16 (C.4:1C-32.7 et
30 seq.), summarize the findings and recommendations of the annual
31 reports prepared pursuant to subsection a. of this section, and make
32 recommendations to the Governor and Legislature to amend, extend,
33 or make permanent the program.

34

35 3. This act shall take effect immediately.

36

37

38 STATEMENT

39

40 This bill amends current law to continue the pilot program
41 allowing special occasion events that promote agricultural tourism
42 to be conducted at wineries on preserved farmland for an additional
43 two years, at a minimum, and requires periodic reports.

44 Under P.L.2014, c.16 (C.4:1C-32.7 et seq.), special occasion
45 events are only authorized to be conducted at wineries on preserved
46 farmland as part of a pilot program that expires March 1, 2018.
47 This bill extends the pilot program provisions, consistent with the
48 existing requirements established by law, from March 1, 2018 until

1 two years following this bill's enactment. Under the bill, the pilot
2 program would expire no earlier than March 1, 2020, and this
3 extension would prevent any interruption of program operations.

4 This bill amends the law establishing the pilot program to
5 implement reporting requirements. A county agriculture development
6 board (CADB) would prepare and submit annual reports, and the State
7 Agriculture Development Committee (SADC) would prepare and
8 submit an interim and final report concerning the pilot program. The
9 SADC's interim and final reports would include the findings and
10 recommendations of the CADBs' annual reports required to be
11 submitted under the bill, and make recommendations to the Governor
12 and Legislature to amend, extend, or make permanent the program.
13 The interim report would be submitted within 30 days of this bill's
14 enactment, and the final report would be submitted at least 45 days
15 before the expiration of the pilot program. The final report would be
16 submitted before the pilot program's expiration in order to ensure
17 that any program concerns could be considered and addressed
18 before the program ceases to operate.

19 As initially passed in both chambers of the Legislature, with
20 near-unanimous votes, Senate Bill No. 837 of 2014-2015 would
21 have authorized special occasion events that promote agricultural
22 tourism to be conducted at wineries under certain circumstances,
23 regardless of preservation status and without expiration. In
24 response to the Governor's conditional veto, the Legislature
25 adopted changes to Senate Bill No. 837, subsequently enacted as
26 P.L.2014, c.16, which established the 44-month pilot program
27 authorizing a special occasion event to be conducted at a winery on
28 preserved farmland. The Governor's veto message omitted a
29 reporting requirement, and ultimately the program's continuance is
30 now at risk due to its imminent expiration.

31 With the notable increased production of wine and grapes,
32 combined with amplified recognition on the national and global
33 stage for award-winning wines, New Jersey joins the upper echelon
34 of wine-producing states. The full economic impact of New Jersey
35 wine and vineyards in 2016 totaled more than \$232 million,
36 according to "The Economic Impact of New Jersey Wine and
37 Vineyards – 2016," published in December 2017. A key finding of
38 the report indicated that non-wine revenue from weddings and other
39 events resulted in wineries generating \$2.3 million, which is
40 approximately one percent of the \$237 million total revenue
41 generated by wineries in 2016, and far from rivaling the direct wine
42 sales on a winery premises, which amounted to \$25.4 million.
43 Comparatively, in 2011, non-wine revenue generated \$1.5 million
44 of the \$173 million total revenue (roughly 0.09 percent), and was
45 still unmatched by the direct wine sales of \$18.2 million. This
46 research reveals that revenue related to ancillary events conducted
47 at wineries is steadily increasing, benefitting wineries and the
48 tourism industry in the State as a whole. The statistics quell any

1 concerns that the primary function of farms is threatened by, or
2 secondary to, agricultural tourism activities and events that market
3 and advance agricultural output. The report's findings demonstrate
4 the inherent link between agriculture, tourism, and events
5 supporting the economic prosperity of wineries.

6 This bill protects and sustains the agricultural output of farms
7 and supports the work of wineries so they may continue producing
8 high-quality wines and attracting residents and visitors alike to
9 experience their vineyards and spaces as a destination.
10 Accordingly, the bill expands the opportunities for, and likelihood
11 of, people exploring the Garden State and its unique wine regions,
12 which has a positive economic impact on the State as a whole.

13 It is the sponsor's intent to further the progress of the burgeoning
14 wine industry in New Jersey and protect the livelihood of all farms
15 that comprise the State's agricultural industry. It is crucial to avert
16 uncertainty as to whether events scheduled to be conducted at
17 wineries are to remain or be cancelled or rescheduled due to the
18 pilot program's expiration. Eliminating the looming pilot program
19 expiration, by continuing to allow these events, will benefit
20 wineries and farms, agricultural tourism and the State's tourism
21 industry generally, as well as all people who may discover the
22 Garden State and its fruitful agricultural tourism offerings as a
23 result of attending a special occasion event, such as a wedding or
24 other lifetime milestone event. The sponsor wishes to avoid any
25 interruption in the events conducted at wineries that could affect the
26 livelihood of people, like brides, grooms, families, and other
27 celebrants, in addition to all of the jobs and workers who diligently
28 make any event – from harvest festivals to retirement parties – a
29 memorable and cherished one.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2787

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 12, 2018

The Assembly Agriculture and Natural Resources Committee favorably reports, and with committee amendments, Assembly Bill No. 2787.

This bill, as amended, would extend for an additional two years the pilot program which allows for special occasion events to be conducted at wineries on preserved farmland. It also would require periodic reports to be made to the Governor and the Legislature concerning implementation of the program.

Under P.L.2014, c.16 (C.4:1C-32.7 et seq.), special occasion events are authorized to be conducted only at wineries on preserved farmland as part of a pilot program that expires March 1, 2018. This bill continues the pilot program established pursuant to that law for two years after the effective date of the bill, and provides for this continuation to be retroactive to March 1, 2018.

This bill, as amended, also establishes additional reporting requirements concerning continued implementation of the pilot program. A county agriculture development board (CADB) would be required to prepare and submit annual reports, and the State Agriculture Development Committee (SADC) would be required to prepare and submit an interim and final report concerning the pilot program. The SADC's interim and final reports would include the findings and recommendations of the CADBs' annual reports required to be submitted under the bill, and make recommendations to the Governor and Legislature to amend, extend, or make permanent the program. The interim report would be submitted within 30 days of this bill's enactment, and the final report would be submitted at least 45 days before expiration of the extended pilot program.

Finally, the bill, as amended, prohibits the pilot program from applying to any special occasion event at a winery that is not on preserved farmland, and the State Agriculture Development Committee from having any authority to regulate or restrict any special occasion event conducted at a winery beyond the scope of the authority granted pursuant to the law establishing the pilot program.

COMMITTEE AMENDMENTS

The committee amendments:

- 1) prohibits the pilot program from applying to any special occasion event at a winery which is not on preserved farmland;
- 2) prohibits the State Agriculture Development Committee from regulating or restricting beyond the scope of the authority granted pursuant to the law establishing the pilot program any special occasion event conducted at a winery; and
- 3) make technical and clarifying corrections to the bill.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2787

STATE OF NEW JERSEY

DATED: APRIL 5, 2018

The Senate Economic Growth Committee reports favorably Assembly Bill No. 2787(1R).

As reported, this bill extends for an additional two years the pilot program which allows for special occasion events to be conducted at wineries on preserved farmland. It also requires periodic reports to be made to the Governor and the Legislature concerning implementation of the program.

Under current law, special occasion events are authorized to be conducted only at wineries on preserved farmland as part of a pilot program that expires March 1, 2018. This bill continues the pilot program established pursuant to that law for two years after the effective date of the bill, and provides for this continuation to be retroactive to March 1, 2018.

This bill also establishes additional reporting requirements concerning continued implementation of the pilot program. The bill requires a county agriculture development board (CADB) to prepare and submit annual reports, and the State Agriculture Development Committee (SADC) to prepare and submit an interim and final report concerning the pilot program. The SADC's interim and final reports are to include the findings and recommendations of the CADBs' annual reports required to be submitted under the bill, and make recommendations to the Governor and Legislature to amend, extend, or make permanent the program. The interim report is to be submitted within 30 days of this bill's enactment, and the final report is to be submitted at least 45 days before expiration of the extended pilot program.

Finally, the bill prohibits the pilot program from applying to any special occasion event at a winery that is not on preserved farmland and prohibits the SADC from having any authority to regulate or restrict any special occasion event conducted at a winery beyond the scope of the authority granted pursuant to the law establishing the pilot program.

As reported, Assembly Bill No. 2787(1R) is identical to Senate Bill No. 2127, which was amended and reported by the committee on this date.

SENATE, No. 2127

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 26, 2018

Sponsored by:

Senator NILSA CRUZ-PEREZ
District 5 (Camden and Gloucester)
Senator ROBERT W. SINGER
District 30 (Monmouth and Ocean)

SYNOPSIS

Extends pilot program authorizing special occasion events at wineries on preserved farmland; implements reporting requirement.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/6/2018)

1 AN ACT concerning special occasion events at certain wineries and
2 supplementing P.L.2014, c.16.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
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7 1. Notwithstanding the provisions of section 6 of P.L.2014,
8 c.16 to the contrary, sections 1 through 5 of P.L.2014, c.16 (C.4:1C-
9 32.7 through C.4:1C-32.11) shall be and remain in effect for two
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11 the Legislature as this bill), and shall be retroactive to March 1, 2018.

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23 (1) an interim report, within 30 days following the enactment of
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25 (2) a final report, at least 45 days before the expiration of the pilot
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30 seq.), summarize the findings and recommendations of the annual
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26 P.L.2014, c.16, which established the 44-month pilot program
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28 preserved farmland. The Governor's veto message omitted a
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32 combined with amplified recognition on the national and global
33 stage for award-winning wines, New Jersey joins the upper echelon
34 of wine-producing states. The full economic impact of New Jersey
35 wine and vineyards in 2016 totaled more than \$232 million,
36 according to "The Economic Impact of New Jersey Wine and
37 Vineyards – 2016," published in December 2017. A key finding of
38 the report indicated that non-wine revenue from weddings and other
39 events resulted in wineries generating \$2.3 million, which is
40 approximately one percent of the \$237 million total revenue
41 generated by wineries in 2016, and far from rivaling the direct wine
42 sales on a winery premises, which amounted to \$25.4 million.
43 Comparatively, in 2011, non-wine revenue generated \$1.5 million
44 of the \$173 million total revenue (roughly 0.09 percent), and was
45 still unmatched by the direct wine sales of \$18.2 million. This
46 research reveals that revenue related to ancillary events conducted
47 at wineries is steadily increasing, benefitting wineries and the
48 tourism industry in the State as a whole. The statistics quell any

1 concerns that the primary function of farms is threatened by, or
2 secondary to, agricultural tourism activities and events that market
3 and advance agricultural output. The report's findings demonstrate
4 the inherent link between agriculture, tourism, and events
5 supporting the economic prosperity of wineries.

6 This bill protects and sustains the agricultural output of farms
7 and supports the work of wineries so they may continue producing
8 high-quality wines and attracting residents and visitors alike to
9 experience their vineyards and spaces as a destination.
10 Accordingly, the bill expands the opportunities for, and likelihood
11 of, people exploring the Garden State and its unique wine regions,
12 which has a positive economic impact on the State as a whole.

13 It is the sponsor's intent to further the progress of the burgeoning
14 wine industry in New Jersey and protect the livelihood of all farms
15 that comprise the State's agricultural industry. It is crucial to avert
16 uncertainty as to whether events scheduled to be conducted at
17 wineries are to remain or be cancelled or rescheduled due to the
18 pilot program's expiration. Eliminating the looming pilot program
19 expiration, by continuing to allow these events, will benefit
20 wineries and farms, agricultural tourism and the State's tourism
21 industry generally, as well as all people who may discover the
22 Garden State and its fruitful agricultural tourism offerings as a
23 result of attending a special occasion event, such as a wedding or
24 other lifetime milestone event. The sponsor wishes to avoid any
25 interruption in the events conducted at wineries that could affect the
26 livelihood of people, like brides, grooms, families, and other
27 celebrants, in addition to all of the jobs and workers who diligently
28 make any event – from harvest festivals to retirement parties – a
29 memorable and cherished one.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 2127

with committee amendments

STATE OF NEW JERSEY

DATED: APRIL 5, 2018

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 2127.

As amended and reported, this bill extends for an additional two years the pilot program that allows for special occasion events to be conducted at wineries on preserved farmland. It also requires periodic reports to be made to the Governor and the Legislature concerning implementation of the program.

Under current law, special occasion events are authorized to be conducted only at wineries on preserved farmland as part of a pilot program that expires March 1, 2018. This bill continues the pilot program established pursuant to that law for two years after the effective date of the bill, and provides for this continuation to be retroactive to March 1, 2018.

This bill also establishes additional reporting requirements concerning continued implementation of the pilot program. The bill requires a county agriculture development board (CADB) to prepare and submit annual reports, and the State Agriculture Development Committee (SADC) to prepare and submit an interim and final report concerning the pilot program. The SADC's interim and final reports are to include the findings and recommendations of the CADBs' annual reports required to be submitted under the bill, and make recommendations to the Governor and Legislature to amend, extend, or make permanent the program. The interim report is to be submitted within 30 days of this bill's enactment, and the final report is to be submitted at least 45 days before expiration of the extended pilot program.

The committee amended the bill to prohibit the pilot program from applying to any special occasion event at a winery that is not on preserved farmland and to prohibit the SADC from having any authority to regulate or restrict any special occasion event conducted at a winery beyond the scope of the authority granted pursuant to the law establishing the pilot program. The committee also amended the bill to make technical changes.

As amended and reported, Senate Bill No. 2127 is identical to Assembly Bill No. 2787(1R), which was also reported by the committee on this date.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

05/30/2018

TRENTON – Today, Governor Phil Murphy announced that he has signed the following bills into law:

A2787 (Dancer, Andrzejczak, Houghtaling, Rooney/Cruz-Perez, Singer) – Extends pilot program authorizing special occasion events at wineries on preserved farmland; implements reporting requirement.

A3380 (McKeon, Murphy, Lampitt, Conaway/Vitale, Singleton) – “New Jersey Health Insurance Market Preservation Act.”

S482 (Vitale/Vainieri Huttle, Quijano, Jasey) – Authorizes certain gestational carrier agreements.

S846 (Turner, Cruz-Perez/Pintor Marin, Mukherji, Gusciora, Jones, Sumter) – Reinstates and extends duration of certain UEZs; requires DCA to study UEZ program and report recommendations to the Legislature.

S868 (Sweeney, Vitale/Coughlin, Jasey, Schaer)– Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots.

S1217 (Sweeney, Smith/Mazzeo, Armato, DeAngelo) – Requires BPU consideration and approval of amended application for qualified wind energy project offshore in certain NJ territorial waters.

S1870 (Vitale, Ruiz/Speight, Quijano, McKnight) – Requires Child Fatality and Near Fatality Review Board to study racial and ethnic disparities that contribute to infant mortality.

S1876 (Ruiz, Corrado/Vainieri Huttle, Caputo, Jasey) – Requires Commissioner of Education to include data on chronic absenteeism and disciplinary suspensions on School Report Card and requires public schools to make certain efforts to combat chronic absenteeism.

S1878 (Vitale, Singleton/McKeon, Lampitt, Murphy) – "New Jersey Health Insurance Premium Security Act;" establishes health insurance reinsurance plan.

S1894 (Ruiz, Turner/Lampitt, Sumter, Barclay) – Requires "breakfast after the bell" program in all schools with 70% or more of students eligible for free or reduced price meals.

S1895 (Ruiz, Turner/Lampitt, Jones, Wimberly) – Requires certain school districts to submit report on nonparticipation in "Community Eligibility Provision" of National School Lunch and School Breakfast Programs.

S1896 (Ruiz, Turner/Lampitt, Wimberly, Jones) – Requires school district to report at least biannually to Department of Agriculture number of students who are denied school breakfast or school lunch.

S1897 (Ruiz, Turner/Lampitt, Pintor Marin, Barclay) – Expands summer meal program to all school districts with 50 percent or more of students eligible for free or reduced price meals.

S2247 (Sweeney/Burzichelli, Mukherji, Murphy) – Allows charitable assets set aside from the sale of nonprofit hospital to for-profit entity to be allocated to successor nonprofit charitable entity that is establishing and operating

equivalent nonprofit hospital.

Governor Murphy also announced that he has conditionally vetoed the following bills:

S879 (Sweeney/Burzichelli, Taliaferro, Murphy) – Amends definition of "existing major hazardous waste facility" in "Major Hazardous Waste Facilities Siting Act."

[Copy of message on S879](#)

S976 (Vitale, Bateman/Vainieri Huttel, Lagana, Mukherji) – "Revised State Medical Examiner Act"; establishes Office of the Chief State Medical Examiner in DOH.

[Copy of message on S976](#)

S1968 (Pou/Wimberly, Mukherji, Sumter) – Extends document submission deadline for certain residential and mixed use parking projects under Economic Redevelopment and Growth Grant program; increases maximum credit amounts awarded for certain residential and mixed use parking projects.

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