

RULE ADOPTIONS

AGRICULTURE

(a)

DIVISION OF MARKETING AND DEVELOPMENT

Notice of Readoption

New Jersey Wine Promotion Account Grants Program

Readoption with Technical Changes: N.J.A.C. 2:35A

Authority: N.J.S.A. 4:1-11, 4:10-76 and 78, and 33:1-10.

Authorized By: The State Board of Agriculture and Douglas H. Fisher, Secretary, Department of Agriculture.

Effective Dates: August 23, 2018, Readoption;
September 17, 2018, Technical Changes.

New Expiration Date: August 23, 2025.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 2:35A were scheduled to expire on November 7, 2018. The purpose of this chapter is to outline the process for the award of grants from the New Jersey Wine Promotion Account, establish guidelines for the receipt of funds, and procedures to ensure grantee accountability. The program makes grants for research and development regarding the viticultural and wine-making processes in the State and promotion of New Jersey wine.

N.J.A.C. 2:35A-1 sets forth the purpose, scope of the rules, legal authority, and the definitions of terms used in this chapter.

N.J.A.C. 2:35A-2 sets forth the uses and limitations of the account, the process for notification of the availability and award of grants, how to apply for funds, and the components of the application.

The Department is making two technical changes to N.J.A.C. 2:35A-2.2. The first change reflects an update of the Department's web address resulting from a Statewide domain address change. The second technical change will update the return address for applications, due to the closure of a Department satellite office.

N.J.A.C. 2:35A-3 sets forth the selection criteria for the grants, the process to request reconsideration and inability to appeal an award, the process by which awards are granted, and the process for depositing of grant monies and allowable expenses.

N.J.A.C. 2:35A-4 sets forth grantee accountability, specifically how funds may be expended, the return of unexpended funds, and reporting requirements.

The Department of Agriculture has reviewed the rules and has determined that the rules should be readopted with the two technical changes described above. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(2), these rules are readopted with technical changes and shall continue in effect for a seven-year period.

Full text of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 2. WINE PROMOTION ACCOUNT

2:35A-2.2 Notification of availability and award of grants

(a) Pursuant to N.J.S.A. 4:10-78, by March 1 of each year, the Council receives from the Division of Taxation a certification of the number of taxable gallons of wine sold by plenary winery and farm winery licensees during the preceding taxable year. The Department shall file with the Office of Administrative Law, not more than 10 days after receipt of the certification a notice of anticipated availability of funds for publication in the New Jersey Register. At the same time, the Department will provide public notice of grant applications in three newspapers and on its website at [<http://www.state.nj.us/agriculture>] <http://www.nj.gov/agriculture>.

(b) The Department shall make grant applications available on its website no later than March 1 each year and shall mail grant applications upon requests received at:

New Jersey Department of Agriculture/New Jersey Wine Industry
Advisory Council
Division of Marketing and Development
[40 E. Broad Street
Suite 201
Bridgeton, New Jersey 08302]
PO Box 330
Trenton, NJ 08625-0330

(c) (No change.)

MILITARY AND VETERANS' AFFAIRS

(b)

OFFICE OF THE ADJUTANT GENERAL

New Jersey Distinguished Service Medal

Readoption: N.J.A.C. 5A:3

Proposed: October 16, 2017, at 49 N.J.R. 3405(a).

Adopted: March 19, 2018, by Brigadier General Jemal J. Beale, Adjutant General, Commissioner, Department of Military and Veterans' Affairs.

Filed: August 23, 2018, as R.2018 d.173, **without change**.

Authority: N.J.S.A. 38A:3-6(o) and 38A:15-2 and 3.

Effective Date: August 23, 2018.

Expiration Date: August 23, 2025.

Take notice that subsequent to the publication of the notice of proposal and prior to the filing of the notice of adoption with the Office of Administrative Law, P.L. 2017, c. 376 was enacted, which amended N.J.S.A. 38A:15-2, Distinguished Service Medals. The new law relaxed the requirements for residents to be awarded the New Jersey Distinguished Service Medal. The Department of Military and Veterans' Affairs (Department) has adopted the current rules, so that they will not expire.

The new law removed the requirement that a resident's performance in the military "shall have been distinguished by either (a) meritorious achievement resulting in an accomplishment that was not lifesaving, but which was so exceptional and outstanding as to set the person apart from the person's peers or from another person in similar circumstance, or (b) meritorious service in support of the New Jersey Department of Military and Veterans' Affairs or the organized militia in the performance of a special requirement or of an extremely difficult duty performed in a clearly exceptional manner."

The Department is in the process of proposing new rules to reflect the recent changes to N.J.S.A. 38A:15-2.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The readopted rules are not subject to any Federal requirements or standards. Therefore, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 5A:3.