



THE LAME DUCK-POCALYPSE IS NOW

A-2452 WOULD FLOOD STATE WITH CHEAP LICENSES

BY JEFFREY WARSH, ESQ

As you are reading this article, it is about ten days before Election Day. But, it's not just any Election Day; this is the one where all 120 seats of the New Jersey Legislature are up for grabs. Oh yeah, we will elect the Garden State's 56th Governor as well. In fact, only New Jersey and Virginia hold elections in the "odd years," while every other state conducts their elections in the "even years." As a result, New Jersey is a bellwether of the national mood. The seeming chaos in our nation's capital will only increase the magnification as all eyes turn to New Jersey.

While the political tumult reaches a fever pitch, the existing legislature is still in session. Before the 216th Legislature turns the lights off, however, that most disturbing of all biennial phenomena will live and breathe again—the Lame Duck Session. It begins on Wednesday, November 7th and conclude at 11:59am on January 8th, 2018. Any bills not receiving a majority in the affirmative in both houses and the Governor's signature are dead bills and the process must, at the sponsor's discretion, start all over again in the new legislative session.

During the Lame Duck Session, any bills, either existing or freshly sponsored, may be considered for hearings and passage. For the fourth year in a row, of all the pending threats, none is greater than Assemblyman John Burzichelli's A-2452—a bill to create two new classes

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of on-premises consumption retail licenses for license purchase fees ranging from \$1,500-\$10,000. With the average value of a New Jersey Plenary Retail Consumption License at about \$350,000, the introduction of thousands (issuance unlimited according to A-2452) of laughably cheap alcoholic beverage consumption licenses will wreak irrevocable havoc on New Jersey's hospitality sector.

Wrong and Wronger

A2452 declares that "in order to foster and encourage economic development and growth in this State, it is appropriate to create a new restaurant license." Two points immediately spring to mind: First, the mere introduction of this radical bill has directly resulted in dampening economic activity by creating a chilling effect on pending deals for existing licenses in the face of an antediluvian flood of cheap licenses. Secondly, why massively destabilize New Jersey's existing bar, tavern and restaurant sector to encourage "young entrepreneurial

chefs"—as Assemblyman Burzichelli states as his rationale for A2452's introduction? With the most liberal BYOB laws in the nation, New Jersey's hospitality entrepreneurs already enjoy substantial alcoholic beverage privileges.

Under A2452, for the cost of a modest credit card cash advance, thousands of new licensees will emerge, New Jersey's scrupulously monitored alcoholic beverage gallonage pie will be massively diluted and thousands of family business bankruptcies will occur. A2452 must not become law in the State of New Jersey and it is up to us to bring forward the facts and the compelling arguments to clearly establish that A2452 is harmful to the New Jersey economy and to the families that fuel it.

Be Prepared

For these reasons and more, please be prepared to answer the call to action from the New Jersey Licensed Beverage Association and the New Jersey Liquor Store Alliance—your Trenton warriors in the fight for common sense and our essential family businesses. ■

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