



# New York State Senate Joint Public Hearing - 03/01/2024

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Joint – Senate Standing Committee on Corporations, Authorities & Commissions  
Chair: Senator Leroy Comrie and Senate Standing Committee on Investigations & Government Operations

Chair: Senator James Skoufis

Chair of the Labor Committee: Senator Rebecca Ramos

Public Hearing: To examine the procedures and practices of the State Liquor Authority, assess recent changes to the Alcoholic Beverage & Control laws, and gather

recommendations to improve the efficiency, responsiveness and transparency of the SLA to businesses across the state

Place: Senate Hearing Room, 250 Broadway, 19th Floor, New York, NY 1000

## Transcript

0:00 MORNING. WELCOME TO TODAY'S STATE PUBLIC

0:06 HEARING ON CORPORATIONS COMMISSIONS AUTHORITIES, INVESTIGATIONS AND OPERATIONS. I AM CHAIR OF CORPORATIONS,

0:15 LeROY COMRIE, 14 DISTRICT QUEENS. I'M JOINED BY THE CHAIR OF THE

0:20 INVESTIGATION AND OPERATIONS COMMITTEE, SENATOR JAMES SKOUFIS AND SENATOR JESSICA RAMOS, CHAIR

0:26 OF THE LABOR COMMITTEE. I WANT TO EXTEND THANKS TO OUR PRESIDENT PRO TEM AND MAJORITY

0:32 LEADER ANDREA STEWART-COUSINS AS HER GUIDANCE AS OUR LEADER IN THE SENATE.

0:38 THIS IS THE FIRST PUBLIC HEARING OF THE 20 24 LEGISLATIVE CYCLE FOR THE CORPORATIONS COMMITTEE,

0:43 JOINTLY WORKING WITH INVESTIGATION AND OPERATIONS. BUT I LOOK FORWARD TO WORKING WITH MY COLLEAGUES TO CONTINUE

0:49 OUR COMMITMENT TO MAKING NEW YORK THE BEST PLACE FOR SMALL BUSINESSES TO THRIVE AND

0:54 GROW. I REPRESENT THE 14 TH DISTRICT IN QUEENS AND I CONTINUE TO WORK TO UPHOLD THE STANDARDS OF

1:01 TRANSPARENCY, EFFICACY AND DILIGENCE NECESSARY TO SERVE OUR CONSTITUENTS THROUGHOUT THE STATE. BY HOLDING A HEARING WITH THE

1:08 STATE LIQUOR AUTHORITY AND RELEVANT STAKEHOLDERS, OUR COMMITTEE WILL EXPLORE HOW THE AUTHORITY CAN BE A BETTER

1:13 BUSINESS PARTNER AND IMPROVE CUSTOMER SERVICE AND HOW THE

1:18 LEGISLATURE CAN FURTHER IMPROVE THE ABC LAWS AND PROCEDURES UNDER WHICH THE STATE LIQUOR AUTHORITY OPERATES.

1:24 THE COMMITTEE'S FURTHER SEEK TO GATHER INFORMATION TO VALUE THE EXTENT THE STATE LIQUOR

1:30 AUTHORITY HAS APPROPRIATELY EXERCISED ITS REGULATORY AUTHORITY THROUGH THE ISSUANCE OF LICENSES, IMPOSITION OF FINES

1:38 AND PENALTIES AND APPLICATION OF THE ENFORCEMENT PROVISIONS UNDER THE ALCOHOL BEVERAGE CONTROL

1:46 LAW. WE ARE GATHERED HERE TODAY TO ADDRESS THE NECESSARY CHANGES THAT NEED TO BE MADE TO THE ALCOHOL AND BEVERAGE CONTROL LAW

1:53 HERE, HEAR FROM THE AGENCIES MOST ASSOCIATED WITH THAT AREA OF THE LAW, STATE LIQUOR

1:59 AUTHORITY AS VARIOUS STAKEHOLDERS IN THE ALCOHOL AND LIQUOR SECTOR AND RESTAURANTS

2:04 COMMUNITY TO GATHER ANY RECOMMENDATIONS THAT CAN ASSIST IN THE FUNCTIONALITY OF THE AGENCY.

2:10 THE STATE LIQUOR AUTHORITY WILL HAVE 10 MINUTES TO PRESENT TESTIMONY AND OTHER ORAL

2:15 TESTIMONY WILL BE LIMITED TO FIVE MINUTES DURATION. THERE IS A TIME CLOCK THAT OUR STAFF WILL MONITOR.

2:21 ATTENDEES AND PARTICIPANTS AT ANY LEGISLATIVE PUBLIC HEARING SHOULD BE AWARE THAT THESE PROCEEDINGS ARE VIDEO RECORDED

2:28 AND THEIR LIKENESS MAY BE INCLUDED IN ANY VIDEO COVERAGE SHOWN ON TELEVISION OR THE

2:35 INTERNET. I WANT TO THANK THE STATE LIQUOR AUTHORITY LILLY FAN FOR BEING

2:41 HERE. WE HAVE BEEN TRYING TO DO THIS HEARING FOR ABOUT THREE YEARS NOW AND WE FINALLY HAVE A COMMISSIONER WHO WANTED TO COME

2:46 BEFORE US AND TESTIFY. SO I WANT TO THANK YOU FOR THAT.

2:52 THIS IS SOMETHING THAT HAS BEEN VEXING MEMBERS AROUND THE STATE REGARDING WHAT WE CAN DO TO MAKE THE STATE LIQUOR AUTHORITY BETTER.

2:57 WE ARE GLAD THAT YOU GOT APPOINTED LAST YEAR IN THE MIDDLE OF LAST YEAR, TO WORK ON

3:03 THE STATE LIQUOR AUTHORITY KNOWING THAT YOU HAVE HAD EXPERIENCE IN GOVERNMENT BEFORE. SO WE ARE VERY HAPPY THAT YOU

3:09 ARE HERE. I WILL NOW TURN IT OVER TO MY CO-CHAIR, SENATOR JAMES SKOUFIS TO MAKE THIS INTRODUCTORY

3:15 REMARKS AND

**SENATOR JESSICA RAMOS.**

>> THANKS VERY MUCH, SENATOR

3:21 COMRIE AND ITS IT'S GREAT TO PARTNER ON THIS HEARING. I AGREE WITH YOU IT'S LONG

3:27 OVERDUE. WHEN WE THINK ABOUT IN THE LEGISLATURE ALCOHOL ISSUES, YOU KNOW, I THINK WE ARE ALL MINDFUL

3:34 THAT THIS IS NOT THE MOST GAME CHANGING WORLD CHANGING LIFE CHANGING ISSUE THAT WE DEAL WITH

3:40 IN ANY GIVEN LEGISLATIVE SESSION, BUT WE ARE ALSO MINDFUL THAT MAKING SURE THAT WE HAVE

3:46 ABC LAWS AND AN SLA THAT WORKS AND IS RESPONSIVE IS IMPORTANT

3:51 ON AN ISSUE THAT TOUCHES MILLIONS OF CONSUMERS ON ANY GIVEN DAY, WEEK, YEAR AND

3:58 CERTAINLY OUR SMALL BUSINESS COMMUNITY ON PREMISE, OFF PREMISE AND I'M REALLY DELIGHTED

4:04 THAT WE HAVE A NEW CHAIR AND A NEW TEAM OF EXECUTIVE STAFF AT

4:11 THE SLA. THE IMPROVEMENT HAS BEEN STARK IN MY OPINION FROM THE PREVIOUS

4:17 ADMINISTRATION. AND THAT'S A CREDIT TO YOU,

4:23 Ms. FAN AND YOUR RESPONSIVENESS TO THE LEGISLATURE, TO THE PUBLIC, THE STAKEHOLDERS. YOU INHERITED A MESS.

4:29 I DON'T THINK THERE IS ANY EXPECTATION THAT YOU AND YOUR TEAM WOULD BE ABLE TO RESOLVE THAT MESS OVERNIGHT OR WITHIN

4:35 WEEKS OR EVEN MONTHS. BUT I KNOW THAT WE HAVE THE RIGHT TEAM IN PLACE TO FINALLY

4:42 RESOLVE THE LONG STANDING CHALLENGES THAT HAVE EXISTED WITHIN THE SLA. I THINK YOU WOULD BE THE FIRST TO ADMIT THAT THERE ARE EXISTING

4:49 SIGNIFICANT CHALLENGES THAT YOU ARE STILL OR DEALING WITH WITHIN THE SLA. AND SO I'M LOOKING FORWARD TO

4:54 THE CONVERSATION. OBVIOUSLY THERE IS A SEPARATE BUDGET CONVERSATION THAT IS

4:59 HAPPENING AROUND ABC ISSUES THAT MANY OF US ARE ENGAGED WITH.

5:04 BUT CERTAINLY I'M DELIGHTED TO WORK WITH MY CO-CHAIR AND LOOK FORWARD TO TODAY'S HEARING.

5:12 >> **SENATOR RAMOS.** >>

GOOD MORNING EVERYONE. AS HAS BEEN SAID, IT'S BEEN A

5:18 REALLY GREAT PLEASURE TO BE ABLE TO WORK WITH YOU, COMMISSIONER FAN.

5:24 THE DISASTER THAT HAPPENED DURING THE PANDEMIC WAS VERY PALPABLE ESPECIALLY BY OUR

5:29 RESTAURANTS AND BARS. I SAY THAT THE SENATOR REPRESENTING DISTRICT 13 IN

5:35 JACKSON HEIGHTS AND WHERE WE KNOWN FOR GREAT FOOD AND GREAT HOSPITALITY AND WE KNOW FOR THE

5:43 HARD WORK THAT THE ENTREPRENEURS PUT INTO PROVIDING JOBS IN OUR COMMUNITY AND JUST OFTEN TIMES

5:48 IN THE PAST, SLA HAS BEEN A HINDERANCE TO THEM BEING ABLE TO

5:54 CONDUCT BUSINESS AND NOT BEING ABLE TO PROVIDE THAT LEVEL OF HOSPITALITY IN OUR COMMUNITIES.

6:04 WE HAVE SEEN A VERY MARKED CHANGE IN YOUR TENURE THUS FAR AND WE HOPE IT CONTINUES.

6:09 WE HOPE YOU SEE US AS YOUR PARTNERS IN IMPROVING THE ABC LAWS AND HOPEFULLY BRINGING

6:16 NEW YORK BACK EVEN BETTER THAN WE EVER WERE BEFORE THE PANDEMIC. I'M LOOKING FORWARD TO THIS

6:24 CONVERSATION.

6:42 >> THANK YOU AGAIN FOR COMING. THIS HAS BEEN A LABOR TO MAKE THIS HAPPEN AND MEMBERS HAVE BEEN ASKING FOR IT WE WANT TO

6:51 MAKE SURE THAT NEW YORK IS FRIENDLY TO IS BUSINESSES AND

6:57 NEW YORK HAS THE REPUTATION FOR BEING ONE OF THE 10 WORST IN DOING BUSINESS. WE WANT TO IMPROVE THAT. THAT'S WHY I WAS EXCITED WHEN

7:03 YOU DECIDED TO TAKE ON THIS ROLE LAST YEAR AND I LOOK FORWARD TO WORKING TO DO WHATEVER IS NECESSARY TO MAKE SURE THAT THE

7:10 AGENCY IS IN A PLACE THAT BUSINESSES CAN BE HAPPY WITH, THAT WE CAN GET BUSINESSES FROM

7:16 START TO FINISH ON THEIR LICENSES IN A MANNER THEY CAN FEEL COMFORTABLE WITH.

7:22 WITH THAT I'LL TURN THE FLOOR OVER TO YOU FOR YOUR 10 MINUTE

7:27 STATEMENT. >>

## LILLY FAN

GOOD MORNING CHAIRMAN COMRIE CHAIRMAN SKOUFIS.

7:33 I'M LILLY FAN AND SERVE AS CHAIR OF THE STATE LIQUOR AUTHORITY.

BEFORE MY ELEVATION LAST YEAR, I SERVED FOR FIVE YEARS AS PER

7:39 DIEM COMMISSIONER ON THE THREE MEMBER BOARD AND FIVE YEARS ON THE COMMUNITY BOARD.

7:44 I'M HERE WITH MY CHIEF OF STAFF BILL CROWLEY WHO IS AN 18 YEAR VETERAN AT OUR DIVISION AND

7:51 ACTING DIRECTOR OF ADMINISTRATION, CASEY BULLIS WHO HAS BEEN WITH US FOR SEVEN YEARS. I WANT TO START BY THANKING YOU

7:57 FOR THIS OPPORTUNITY TO DISCUSS THE WORK OF OUR DIVISION AND THE CHALLENGES WE FACE YOUR

8:02 ENTITLEMENT AND INVESTMENT AND BRAIN POWER TOUCHES OUR HEARTS. IN 20 23 , THE DIVISION OF

8:08 ALCOHOLIC BEVERAGE CONTROL COLLECTED A TOTAL OF \$57 .4 MILLION IN REVENUE. ALL FEES AND PENALTIES COLLECTED

8:14 BY OUR DIVISION ARE REMITTED TO THE STATE'S GENERAL FUND. THE GOVERNOR'S 20 25 EXECUTIVE BUDGET INCLUDES \$16 .5 MILLION IN

8:21 APPROPRIATIONS FOR THE DIVISION. WE CURRENTLY HAVE 11 9 FULL-TIME

8:27 EMPLOYEES AND 35 HOURLY STAFF STATEWIDE. THE DIVISION OVERSEES 59 ,00 0

8:34 LICENSES, INCLUDING 23 ,00 0 BARS, TAVERNS AND RESTAURANTS, 16 ,00 0

8:39 GROCERY STORES, 34 00 LIQUOR AND WINE STORES, 90 0 WHOLESALERS AND

8:46 OVER 12 00 MANUFACTURERS. LAST YEAR, OUR AGENCY ISSUES

8:54 AROUND 18 ,00 0 EVENT PERMITS AND 17,00 0 TEMPORARY PERMITS.

9:00 COLLECTIVELY, THESE BUSINESSES GENERATE \$28 2 MILLION IN EXCISE

9:07 TAXES FOR THE STATE IN 20 23 AND PROVIDED HUNDREDS OF THOUSANDS OF JOBS LAST YEAR. ON THE MANUFACTURING FRONT, OUR STATE CURRENTLY RANKS IN THE TOP

9:13 FIVE IN THE U.S. FOR THE NUMBER OF CRAFT BEVERAGES PRODUCERS IN EVERY CATEGORY. WE ARE NUMBER ONE IN CIDER

9:20 PRODUCTION, NUMBER 2 IN BOTH BEER AND DISTILLED SPIRITS AND NUMBER 4 IN WINE.

9:26 STRIKINGLY, THE ALCOHOLIC BEVERAGE INDUSTRY IN NEW YORK STATE GENERATES NEARLY

9:31 \$79 BILLION IN DIRECT SPENDING IN 20 22 NEW YORKERS SPENT

9:39 \$39 BILLION ON ALCOHOLIC BEVERAGES IN 20 22 . SINCE BEFORE THE PANDEMIC OUR

9:45 DIVISION HAS HAD A BACKLOG OF APPLICATIONS. WHEN I WAS CONFIRMED AS CHAIR BY

9:50 THE NEW YORK STATE SENATE EIGHT MONTHS AGO, THE DIVISION WAS FACING A BACKLOG IN THE THOUSANDS AND PROCESSING TIME OF

9:56 OVER NINE MONTHS. AS YOU KNOW, ELIMINATING THIS BACKLOG AND REDUCING PROCESSING TIME IS A PRIORITY FOR THE

10:03 GOVERNOR AND OUR DIVISION. GROAL HAS TAKEN DECISIVE STEPS TO ADDRESS THE BACKLOG.

10:11 HER FISCAL 23 BUDGET PROVIDING ADDITIONAL 39 FULL-TIME

10:16 EMPLOYEES FOR OUR LICENSING BUREAU. LIKE EVERYONE ELSE WE ARE FACING

10:22 ISSUES WITH HIRING. GINS DULL 20 23 , WITH CASEY'S HARD WORK, WE HAVE BROUGHT ON 15

10:28 ADDITIONAL LICENSING EXAMERS. CIVIL SERVICES NEW YORK HELPS

10:33 PROGRAM WILL HOPEFULLY AID IN TRANSITIONING SOME OF OUR HOURLY STAFF TO FULL-TIME POSITIONS.

10:39 ATTRITION IS A HIGH CHALLENGE FOR US WITH THE SUPPORT OF OGS,

10:45 DOB AND CIVIL SERVICE, WE CONTINUE TO PURSUE REORGANIZATION OF OUR LICENSING BUREAU TO ENSURE WE ARE

10:52 RETAINING KNOWLEDGEABLE EXAMINERS WHO ARE FOCUSED ON CUSTOMER SERVICE AND PRECISION.

10:57 IN NOVEMBER, OUR FULL BOARD APPROVED A DELEGATION TO CREATE A BACKLOG COMMITTEE THAT

11:04 INCLUDES SENIOR STAFF AND LICENSING EXAMERS TO ATTACK THE PROBLEM. THE COMMITTEE STARTED WORKING

11:09 IMMEDIATELY DEFENDING A PARE DOWN CHECKLIST FOR REVIEW AND TRAINING FOR STAFF. THE COMMITTEE WHICH NOW OPERATES

11:14 IN ALL THREE OFFICES WITH 15 MEMBERS BEGAN REVIEWING APPLICATIONS ON JANUARY 10 .

11:20 AS OF YESTERDAY, THE COMMITTEE HAS REVIEWED ALMOST 40 0 APPLICATIONS IN TOTAL.

11:25 IN SEVEN WEEKS, WE HAVE ADDRESSED 7% OF THE BACKLOG. MORE IMPORTANTLY, SINCE WE

11:30 STARTED, OUR CAPACITY HAS INCREASED BY 11 % EACH WEEK AS THE COMMITTEE STAFF MEMBERS

11:37 CONTINUE TO INCREASE AND BECOME MORE FAMILIAR WITH THE NEW REVIEW PROCESS.

11:42 THE COMMITTEE STAFF IS NOW ABLE TO REVIEW 5 TO 6 APPLICATIONS

11:48 EACH PER DAY WHICH IS UP FROM 1 TO 3 USING OUR PRIOR PROCEDURE.

11:54 THE COMMITTEE IS AUTHORIZED BY FULL BOARD FOR SIX MONTHS AND LIKELY NECESSARY TO REAUTHORIZE

12:01 OUR DIVISION IS CONFIDENT THAT IN THE VERY NEAR FUTURE, LICENSING RESPONSE TIME WILL

12:06 RETURN TO A REASONABLE WAIT OF THREE TO FOUR MONTHS.

12:12 SEPARATELY IN DECEMBER OF 21 , THE GOVERNOR SIGNED A LAW PROVIDING NEW RESTAURANTS IN

12:17 NEW YORK CITY ELIGIBILITY FOR TEMPORARY LICENSES FOR THE FIRST TIME.

12:22 APPROXIMATELY 70 % OF APPLICANTS QUALIFY FOR TEMPORARY PERMITS THAT WOULD ALLOW THEM TO SELL

12:28 AND SERVE WHILE THEIR LICENSE APPLICATIONS ARE PENDING. THESE PERMITS ALLOW BUSINESSES TO OPEN THEIR DOORS IN LESS THAN

12:34 30 DAYS ON AVERAGE, PROVIDING THAT THE 500-FOOT LAW DOES NOT

12:39 APPLY. THE NUMBER OF TEMPORARY PERMITS ISSUED BY OUR DIVISION EXPLODED

12:44 TO 17,000 IN 2023. TO ADDRESS THIS FLOOD IN A TIMELY MANNER, HALF OF OUR

12:51 LICENSING STAFF TIME WAS TAKEN UP BY ISSUING AND RENEWING TEMPORARY PERMITS, WHICH ADDED TO THE BACKLOG OF THE GENERAL

12:58 APPLICATION POOL LAST YEAR. IN SEPTEMBER, THE FULL BOARD VOTED TO ALLOW APPLICANTS TO

13:04 APPLY FOR TEMPORARY RENEWALS UP TO 90 DAYS AT A TIME WHICH HAS BEEN INSTRUMENTAL IN KEEPING THE

13:10 AMOUNT OF PAPERWORK INVOLVED DOWN FOR BOTH PERMITTEES AND OUR LICENSING BUREAU.

13:16 ADDITIONALLY, THE GOVERNOR ALSO WORKED WITH THE LEGISLATURE TO

13:21 APPROVE LEGISLATION THAT WOULD ALLOW ALL CRAFT MANUFACTURERS TO BE ELIGIBLE FOR TEMPORARY

13:28 PERMITS, TO SERVE AND BEGIN MANUFACTURING WHILE THEIR LICENSE APPLICATIONS ARE PENDING.

13:33 THESE PERMITS ALLOW OUR CRAFT MANUFACTURING BUSINESSES TO START OPERATING AND BRINGING IN REVENUE IN A MATTER OF WEEKS

13:40 AFTER APPLYING, ENSURING NEW YORK REMAINS A NATIONAL LEADER IN THE CRAFT BEVERAGE

13:46 PRODUCTION. MOST EXCITINGLY, ON MAY 1, 2023,

13:53 THE SLA, ALONG WITH THE LEGISLATURE AND THE GOVERNOR, RELEASED A REPORT FROM THE COMMISSION TO STUDY REFORM OF

13:59 THE ALCOHOLIC BEVERAGE CONTROL LAW. WE BELIEVE THAT THIS REPORT CAN

14:04 SERVE AS A GUIDE TO IMPLEMENT IMPORTANT AND NECESSARY CHANGES TO THE LAW ABC LAW.

14:11 TWO OF THE 28 RECOMMENDATIONS WERE ALREADY SIGNED INTO LAW

14:17 THIS PAST OCTOBER, EXPANDING SUNDAY HOURS FOR LIQUOR STORES AND GROCERY STORES.

14:23 OTHER RECOMMENDATIONS ARE STILL BEING EVALUATED AND CONSIDERED,

14:28 AS YOU KNOW IT IS HEARTENING TO KNOW THAT THE GOVERNOR RECOGNIZES THAT CHANGE IS NECESSARY AND THAT THE

14:34 LEGISLATURE AND THE GOVERNOR ARE CONTINUING TO LOOK FOR WAYS TO WORK TOGETHER TO IMPROVE THE ABC LAWS.

14:40 THIS PAST FEW MONTHS, WE HAVE ALSO SPENT A LOT OF OUR TIME ON TECHNOLOGICAL IMPROVEMENT TO

14:46 BRING THE SLA INTO THE 21ST CENTURY. -- 21st CENTURY, IT WAS UNFAIR

14:51 TO OUR STAFF TO STAY TO HAVE A CHANGE IN LEADERSHIP AND CHANGE IN THE DAY-TO-DAY SOFTWARE

14:59 PROGRAM IN THE SAME YEAR. CHANGE IS UNSETTLING AND CAUSES ANXIETY AND DELAYS. IN OCTOBER, AS MANY OF YOU KNOW,

15:04 WE LAUNCHED LEAP. FOR NOW, IT IS SIMPLY BACK OFFICE OPERATIONS.

15:10 THE LEAP FRONT PORTAL IS TAKING PERMIT APPLICATIONS.

15:15 SOMETIME IN THE FUTURE, APPLICANTS WILL BE ABLE TO APPLY FOR ALL LICENSE TYPES AND PAY FOR FEES ONLINE.

15:21 IN ADDITION WHEN THE SYSTEM IS FULLY IMPLEMENTED OUR DATABASE WILL DRASTICALLY REDUCE MISSING

15:26 ITEMS IN APPLICATIONS, WHICH IS A MAJOR CORPORATE DELAY.

15:32 OTHER TOOLS WE HAVE DEPLOYED INCLUDE A NEW MAPPING PROGRAM,  
15:37 LAMP, AND NEW BRANDING LABELING TOOL WHICH EXPEDITES BRAND LABEL

15:45 APPROVEALS AND WE'LL SWITCH TO A NEW PRICE POSTING SOFTWARE THAT WILL BE ROBUST AND SIMPLE

15:50 PLATFORM SO THAT PURCHASING ALCOHOLIC PRODUCTS IS EASY AND SIMPLE TASK FOR ALL RETAILERS.

15:57 THE STATE'S OPEN DATA PROGRAM HAS MADE TRANSPARENCY AN ACHIEVABLE PRIORITY. THE STATE'S NEW FOIL SYSTEM HAS

16:02 ALSO MADE IT EASY FOR US TO HANDLE REQUESTS. BUT IN SOME, YOU SEE A LOT OF

16:09 CHANGES AND OUR STAFF IS WORKING HARD TO STEP UP TO THE PLATE AND LEARN THESE TOOLS AND MEET THE CHALLENGES IN ORDER TO PROVIDE

16:14 THE BEST SERVICES ON ALL FRONTS. SINCE PANDEMIC ENFORCEMENT HAS SLOWED TO ALLOW RECOVERY.

16:21 THE DIVISION ENFORCEMENT RESOURCES ARE FOCUSED ON CRACKING DOWN ON SERIOUS VIOLATION OF THE LAW. IT IS IMPORTANT TO NOTE THAT ALL

16:27 OF OUR ENFORCEMENT IS COMPLAINT BASED. THE VAST MAJORITY OF CHARGES BROUGHT BY THE DIVISION STEMS

16:33 FROM REFERRALS FROM NEIGHBORS AND OUR PARTNERS IN LOCAL LAW ENFORCEMENT AND OTHER AGENCIES.

16:42 EVENTUALLY, WE HOPE TO EXPAND OUR EFFORTS TO EDUCATE THE PUBLIC WILL RESPONSIBLE DRINKING

16:48 AND ASSIST OUR LICENSEES IN MANAGING THEIR PREMISES BETTER. I'M PROUD OF THE WORK OUR

16:53 DIVISION HAS ACCOMPLISHED OVER THE LAST EIGHT MONTHS AND I'M ENTHUSIASTIC TO WORK WITH THE LEGISLATURE TO IMPLEMENT

16:58 NECESSARY CHANGES. WE HAVE DONE A LOT IN THIS SORT TIME AND WE ARE CRYSTAL CLEAR ON THE FACT THAT THERE IS A LOT

17:05 MORE WORK TO BE DONE. I WANT TO TAKE THIS OPPORTUNITY TO THANK ALL THE INDUSTRY MEMBERS AND STAKEHOLDERS WHO HAVE SUBMITTED TESTIMONY AND

17:11 HAVE TRAVELED HERE TO SPEAK FOR THEIR INTERESTS AND REPRESENT THEIR CONSTITUENTS. THEY'RE ALL FRIENDS OF OURS AND

17:16 WE CONTINUE TO WORK TOGETHER TO IMPROVE OUR COMMODITIES COMPETITIVE WITHIN OUR STATE AND

17:22 BEYOND. I ALSO WANT TO THANK OUR TEAM WHICH HAS WORKED VERY HARD IN

17:28 THE LAST EIGHT MONTHS TO DEAL WITH CHANGES AND IMPLEMENT BETTER CUSTOMER SERVICE FOR OUR

17:34 LICENSEES. THANK YOU FOR THE OPPORTUNITY TO SPEAK WITH YOU. I'M GRATEFUL FOR YOUR ATTENTION. I TRULY VALUE OUR PARTNERSHIP



17:40 AND HOPE THAT MANY MORE CONVERSATIONS WILL FOLLOW OUR EXCHANGE TODAY. I AM HAPPY TO TAKE YOUR  
17:45 QUESTIONS. >> THANK YOU.  
17:53 THANK YOU FOR YOUR CONFIDENT, CHAIR FAN-- THANK YOU FOR YOUR  
17:59 TESTIMONY. WE TRY TO IMPROVE THE BACKLOG. WE APPRECIATE YOUR WORK IN THE  
18:04 LAST EIGHT MONTHS AND I WANT TO FOCUS ON THE ISSUES OF TRANSPARENCY FOR BUSINESSES. HOW ARE YOU TELLING-- HOW ARE  
18:12 YOU WORKING WITH NEW RESTAURANT APPLICATIONS?  
18:17 AND IS THERE AN OMBUDSMAN IN THE OFFICE THAT CAN WORK NEW BUSINESSES WITH OWNERS THAT ARE  
18:23 NOT CONVERSING IN HOW TO DO A LICENSE? DO YOU HAVE AN OMBUDSMAN PROGRAM  
18:28 TO WORK WITH NEW BUSINESSES? >> WHEN I WAS CONFIRMED EIGHT MONTHS AGO, WE MADE A COMMITMENT  
18:34 TO THE LEGISLATURE THAT WE WOULD HIRE COMMUNITY AFFAIRS REPRESENTATIVE. I'M PROUD TO SAY THAT WE HAVE  
18:44 DAVID SOLAR WHO IS HERE OUR ZONE ONE REPRESENTATIVE AND JILL CLARK IN OUR ZONE 3 OFFICE WHO  
18:50 IS ALSO ADDRESSING COMMUNITY AFFAIRS AND LICENSING INQUIRIES. THERE IS AN ELECTRONIC INBOX  
18:57 WHERE PEOPLE CAN SEND EMAILS TO US TO ASK QUESTIONS. WE HAVE A CALL CENTER THAT TAX  
19:03 AND FINANCE RUNS FOR US THAT ALSO TAKE QUESTIONS. WE CAN CERTAINLY DO BETTER IN  
19:10 ANSWERING QUESTIONS. OUR SOFTWARE IS INTENDED TO BECOME VERY USER FRIENDLY.  
19:16 THERE SHOULD BE A DAY WHEN PEOPLE SHOULD JUST BE ABLE TO GET ONLINE, YOU KNOW, FILE THE  
19:24 APPLICATION, ANSWER THE QUESTIONS, PUT IN THEIR CREDIT CARD, PAY THE FEES AND REALLY, IT SHOULD BE VERY SIMPLE AND WE  
19:30 LOOK FORWARD TO BEING ABLE TO WORK TOWARDS THAT. >> AND DO YOU SEE THAT HAPPENING  
19:36 WITHIN THE NEXT 10 MONTHS? >> THE SOFTWARE RIGHT NOW IS WE  
19:43 ARE DEALING WITH A LOT OF BUGS THAT ARE RELATED TO THE BACK OFFICE BECAUSE AS THE LAW  
19:48 CONTINUES TO CHANGE, NEW TOOLS NEED TO GET BUILT. THE FRONT PORTAL IS NOW TAKING  
19:56 PERMIT APPLICATIONS WHICH I BELIEVE IS WORKING VERY WELL. WE HOPE TO CONTINUE TO LAUNCH  
20:04 LEAP. HOPEFULLY WITHIN THE NEXT 12 34 0Z, MONTHS, BUT WE ARE TRYING TO MAKE SURE THAT WHAT IS  
20:10 EXISTING IS STABLE AND USEABLE FOR OUR STAFF BEFORE WE CONTINUE TO MOVE FORWARD HOW HAS THE  
20:21 STAFF EMBRACED THIS TECHNOLOGY? ARE THERE OPPORTUNITIES FOR REGULAR TRAINING MEETINGS FOR THE STAFF?

20:27 OR DO THEY HAVE A... >> YES, WE HAVE WORKED VERY  
20:32 CLOSELY WITH ITS, IN FACT, ALL OF OUR STAFF HAVE EACH SORT OF  
20:38 BECOME THEIR OWN SOFTWARE ENGINEERS. THEY'RE TRYING TO DO THEIR  
WORK  
20:44 AND OUR BUREAUS WOULD SIT IN A ROOM TOGETHER WITH ITS WITH OUR  
20:49 VENDOR TO LOOK AT THINGS THAT THEY CANNOT ACHIEVE OR EVERYBODY  
20:54 IS WORKING TOGETHER TO TRY TO FIND BETTER WAYS TO WORK WITH THE  
SYSTEM.  
21:09 RIGHTS MOVING ALONG. SOFTWARE CHANGES ARE NOT EASY. THERE ARE A  
LOT OF AUTOMATED FUNCTIONS THAT WE ARE TRYING TO  
21:14 TAKE A CLOSER LOOK AT TO MAKE SURE THAT WE ARE ACTUALLY  
COMMUNICATING WITH OUR  
21:20 APPLICANTS AND LICENSEES IN AN EFFECTIVE AND ACCURATE MANNER.  
21:27 >> AND HAVE YOU THOUGHT ABOUT DOING WORKSHOPS FOR THE LICENSEES  
TO COME IN ON LIKE A QUARTERLY BASIS TO LEARN HOW TO  
21:35 ACCESS THE SYSTEM? >> THERE ARE TUTORIALS AVAILABLE  
21:43 ON THE WEBSITE THAT PEOPLE CAN USE.  
21:48 I HAVE HEARD THAT SOME PEOPLE FIND THEM USEFUL AND WE ENCOURAGE  
EVERYBODY TO TRY TO LOOK AT THOSE TUTORIALS FIRST  
21:55 BEFORE ASKING A LOT OF QUESTIONS IN THE END. WE HAVE 11 9 PEOPLE  
AND WE DON'T  
22:02 REALLY HAVE THE STAFF TO ANSWER ALL THE QUESTIONS. WE TRY TO  
COMMUNICATE AS CLOSELY AS WE CAN WITH OUR CALL CENTER  
22:07 SO THAT THEY KNOW HOW TO ANSWER THE QUESTIONS, BUT IT'S A  
STAFFING ISSUE FOR US.  
22:17 AND YOU SAID EARLIER YOU ARE LOOKING FOR STAFF. WHAT ARE THE  
QUALIFICATIONS THAT  
22:23 YOU NEED FOR A STAFF PERSON? SO I WILL TELL YOU HONESTLY THAT  
22:28 WE ARE LOOKING TO HIRE A LOT OF LAWYERS. THIS WORK IS COMPLICATED,  
AND SO  
22:39 IN MY SHORT TIME, I HAVE ELEVATED A LOT OF LAWYERS INTO LEADERSHIP  
THAT ARE SEASONED AND  
22:45 SO COUNCIL'S OFFICE NEEDS TO BE BACKFILLED. SEPARATELY, YOU KNOW,  
WE ALSO HAVE POSITIONS OPEN FOR CIVIL  
22:52 SERVICE STAFF. AND WE ARE LOOKING FOR REALLY ENERGETIC AND SMART  
CIVIL SERVICE STAFF THAT REALLY ARE  
22:57 COMMITTED TO THE INDUSTRY AND WANTS TO DO THIS WORK. WORKING IN  
LICENSING OR  
23:03 ENFORCEMENT IS NO WALK IN THE PARK FOR YOUS, AND WE RELY REALLY ON  
OUR INTERNAL  
23:12 DEDICATION TO OUR STAFF TO RETAIN THEM REALLY. AND SO IT'S NOT EASY.  
23:20 WE ARE A SMALL AGENCY AND SO WE DON'T NECESSARILY HAVE THE STEPS  
TO ALLOW FOR GROWTH.  
23:27 AND SO OFTEN WE JUST CAN'T RETAIN THEM.  
23:33 BUT WE ARE WORKING HARD. WE ARE TRYING TO CHANGE THE TONE OF HOW  
WE OPERATE AND SOY SO FAR

23:44 WE HAVE BEEN DOING OKAY. >> I APPRECIATE THAT AND YOUR  
23:50 TESTIMONY, ESPECIALLY WHEN YOU ARE TALKING ABOUT YOUR BACKLOG  
COMMITTEE TO REDUCE THE BACKLOG  
23:55 AND HOW THAT COMMITTEE HAS FORMED AND ESTABLISHED NEW  
PROCEDURES FOR TRACKING AND  
24:00 REPORTING ON ELIGIBLE APPLICATIONS. I JUST WANTED TO TRY TO GET OUT  
24:06 THAT WE HAVE A LOT OF-- WE HAVE A LOT OF NEW BUSINESSES THAT ARE  
TRYING TO SET UP AROUND THE  
24:12 STATE WITH PEOPLE THAT ARE NOT NECESSARILY EXPERT AT DEVELOPING  
OR SETTING UP A BUSINESS.  
24:17 THEY HAVE-- THEY KNOW HOW TO COOK OR THEY KNOW HOW TO, YOU KNOW,  
RUN A RESTAURANT, FROM THE  
24:25 MECHANICAL PART BUT AS FAR AS THE ADMINISTRATIVE PART, THEY NEED A  
LOT OF HELP TO GET ESTABLISHED.  
24:30 THEY NEED TO BE ABLE TO TALK TO SOMEONE AND UNFORTUNATELY THERE  
ARE A LOT OF BROKERS OUT THERE  
24:36 THAT CLAIM THEY'RE GOING TO HELP BUSINESSES THAT ONLY, YOU KNOW,  
SEND THEM DOWN A PATH TO FRUSTRATION.  
24:42 SO LOOKING TO FIGURE OUT A WAY HOW TO ELIMINATE THAT SO THAT WE  
CAN GET, YOU KNOW, THE  
24:47 BUSINESSES THE DIRECT SERVICES THAT THEY NEED SO THEY'RE NOT  
PAYING THOUSANDS OF DOLLARS AND STILL NOT GETTING THE LICENSE.  
24:57 SO ANYTHING WE CAN DO TO HELP YOU CREATING THAT TECHNOLOGY OR  
GIVING THE EXTRA DOLLARS TO MAKE  
25:02 THAT HAPPEN WOULD SAVE PEOPLE HOURS AND UP TO YEARS IN TRYING TO  
GET A LICENSE.  
25:12 SO YOU SAID THE BACKLOG COMMITTEE HAS TO BE REAPPOINTED OR IS IT  
GOING TO STAY IN PLACE?  
25:18 >> I THINK FULL BOARD WILL HAVE TO REAUTHORIZE IT IN A DELEGATION  
AND WE PLAN TO DO  
25:24 THAT IN APRIL OR MAY. WE WILL PRESENT THAT TO THE FULL BOARD. >>  
WHEN YOU SAY THE DELEGATION,  
25:30 WHAT DOES THAT MEAN EXACTLY? >> IT MEANS THERE IS A DOCUMENT  
THAT GOT DRAFTED AND ESSENTIALLY  
25:38 THE AGENCY LEADERSHIP IS PRESENTING IT TO FULL BOARD WHICH IS ME  
PRESENTING IT TO MYSELF AND ANOTHER COMMISSIONER  
25:44 AND WE VET TO AUTHORIZE IT SO THAT THERE IS SOMETHING ON PAPER  
25:50 THAT IS GUIDING THE PROCESS AND MAKING SURE IT'S FAIRED AND LAID  
OUT. >> THANK YOU.  
25:55 >> ALSO I'M GLAD TO SEE THAT THE GOVERNOR HAS ALLOWED FOR  
26:00 TEMPORARY PERMITS THAT 70 % APPLICANTS CAN QUALIFY FOR.  
26:06 HAS THAT BEEN ADVISED AND HOW IS IT BEING ADVERTISED? >> THE TEMP  
PERMITS?  
26:12 THAT'S A GOOD QUESTION. I MEAN IT'S IN THE PRESS RELEASES FROM THE  
AGENCY, IN THE

26:18 PRESS RELEASES FROM THE GOVERNOR'S OFFICE. WE HAVE A LOT OF, AS YOU SAID,

26:23 LAWYERS AND REPRESENTATIVES THAT ARE COMMUNICATING THAT TO THE APPLICANTS. IT'S ON OUR WEBSITE.

26:29 BUT YOU ARE PROBABLY RIGHT, THAT WE COULD DO MORE ON ALL FRONTS ABOUT EDUCATING AND

26:34 COMMUNICATING WITH APPLICANTS AND LICENSEE WHEN WE GET THE BACKLOG DOWN, WE GET BACK DOWN TO ZERO AND THEN SOME OF THIS

26:41 INTENTION CAN BE PUT INTO PLACE. >> IF COULD YOU DEVELOP A ONE-PAGER THAT WE COULD ALL

26:47 THROW INTO OUR NEWSLETTERS, THAT WOULD HELP AS WELL. SO WE COULD, MOST OF US NOW DO

26:54 WEEKLY EMAILS TO THE COMMUNITY ABOUT THINGS THAT ARE HAPPENING. AND WE COULD DISTRIBUTE IT TO

26:59 COMMUNITY BOARDS AND OTHER RELEVANT PLACES AS WELL SO THAT THEY CAN KNOW ABOUT THIS AND

27:05 HELP TO GET THAT ADVERTISED SO THE BUSINESSES COULD BE AWARE OF IT. >> WE COMMUNICATE A LOT WITH THE COMMUNITY BOARDS, YOU KNOW,

27:12 THERE ARE SOME THAT ARE MORE ACTIVE THAN OTHERS AND ONE OF MY GOALS-- ONE OF MY GOALS IS

27:18 TO GET IN FRONT OF THE COMMUNITY BOARDS MORE AND MORE. >> WE CAN HELP WITH THAT OUTREACH, TOO, BECAUSE MOST OF

27:24 US APPEAR AT OUR COMMUNITY BOARDS AS OFTEN AS POSSIBLE. MONTHLY, WHENEVER THEY CAN.

27:30 WHENEVER WE ARE NOT STUCK IN ALBANY ALL NIGHT. BUT YOU KNOW, WE CAN TRY TO HELP

27:37 YOU WITH THAT. THE COMMISSION REPORT THAT CAME OUT, WE ONLY PASSED TWO

27:44 RECOMMENDATIONS. WHAT WOULD YOU THINK WOULD BE THE TWO MOST IMPORTANT RECOMMENDATIONS THAT WE SHOULD PASS NEXT?

27:50 >> AS THE AGENCY, YOU KNOW, I

27:56 DON'T OPINE ON PENDING LEGISLATION; HOWEVER, IN THE

28:02 GOVERNOR'S BUDGET, YOU KNOW, WHAT IS INCLUDED IN THE ARTICLE 7 LANGUAGE ARE, YOU KNOW,

28:10 PRIORITIES THAT INCLUDE THAT PRIORITIZE MAKING LICENSING

28:17 EASIER. CORPORATE CHANGE WILL GO INTO EFFECT AFTER 90 DAYS.

28:22 TEMPORARY BEER, WINE CIDER AND LIQUOR PERMITS. TEMPORARY WHOLESALE PERMITS.

28:31 MOSTLY ON THE LICENSING PROCESS ISSUES. >> WELL, I'M OVER MY 10 MINUTES.

28:37 I'M GOING TO BEHAVE MYSELF AND SHIFT OVER TO SENATOR SKOUFIS AND FOLLOW UP WITH SOME

28:42 QUESTIONS AFTER SENATOR RAMOS. >> YOU ARE ALWAYS WELL BEHAVED, SENATOR COMRIE.

28:47 THANKS FOR YOUR QUESTIONS. AND THANKS AGAIN, CHAIR FAN FOR BEING HERE AND YOUR LEADERSHIP.

28:53 I'VE GOT A FEW QUESTIONS AND WE CAN GO FROM THERE. THE FIRST, YOU KNOW, THIS CAME  
28:59 UP AT YOUR CONFIRMATION HEARING, I BELIEVE. THERE WAS THEN AND THERE STILL IS NOW, A VACANCY ON YOUR BOARD.  
29:06 HAVE YOU RUN INTO ANY ISSUES WITH LITERALLY ONE OUT OF THREE MEMBERS OF YOUR BOARD NOT HAVING  
29:14 A POSITION FILLED WITH EITHER QUORUM OR ANY OTHER ISSUES?  
29:20 >> LUCKILY WE HAVE NOT RUN INTO ISSUES. I WAS SERVING ON THE TWO-MEMBER BOARD FOR YEARS BEFORE I BECAME  
29:27 CHAIR. IT IS A LOT OF RESPONSIBILITY TO BASICALLY NOT DIE.  
29:32 [LAUGHTER] AND SO THAT'S WHERE WE ARE AT RIGHT NOW.  
29:38 THAT THIRD POSITION IS HARD TO FILL. I KNOW THAT THE APPOINTMENTS  
29:43 OFFICE IS WORKING VERY HARD ON IT AND WE HOPE TO BE ABLE TO HAVE SOMEONE BEFORE THE END OF  
29:49 THIS LEGISLATIVE SESSION. >> CONVERSATIONS TO FILL THAT POSITION THIS SESSION. >> IT'S A HARD JOB TO DO  
29:56 HONESTLY. >> I BELIEVE ONE OF THE MOST IMPORTANT THINGS YOU MENTIONED IN YOUR OPENING REMARKS.  
30:02 YOU MENTIONED A LOT OF IMPORTANT THINGS BUT ONE OF THE ITEMS THAT JUMPED OUT AT ME WAS THE  
30:08 COMMITTEE THAT YOU ALL PUT TOGETHER TO ADDRESS BACKLOGS. YOU'VE GONE FROM REVIEWING AND  
30:17 PROCESSING, I GUESS, ONE TO THREE APPLICATIONS TO NOW FIVE TO SIX.  
30:22 THAT'S A MEANINGFUL JUMP. >> YES. >> WHAT IS YOUR GOAL? WHAT IS THE END GOAL?  
30:29 HAVE YOU MET THE END GOAL? >> I THINK 5 TO 6 IS WHAT IS  
30:37 REALISTIC. >> HELP ME TO UNDERSTAND WHO COMPRISES THIS COMMITTEE? YOU MENTIONED A LITTLE BIT. BUT IS EVERY LICENSE EXAMINER  
30:44 PART OF THIS COMMITTEE? >> NOT EVERYONE. THERE ARE ACTUALLY 10 EXANERS  
30:52 EXAMINERS AND FIVE PEOPLE WHO ARE MEMBERS OF WHAT WE CALL LICENSING BOARD.  
30:58 AND 10 EXAM EXAMINERS IN FIVE  
31:04 OFFICES THAT ARE MORE SENIOR LICENSING EXAMINERS. >> ARE THE EXAMINERS NOT ON THIS  
31:09 COMMITTEE USING THE OLD PROTOCOL? >> YES. AND THEY'RE ALSO DOING  
31:14 PERMITTING WORK. SOME OF THEM ARE NEW AND SO THEY'RE DOING GROCERY STORE  
31:20 REVIEW AND SO, YOU KNOW, IN OUR NUMBERS, GROCERY STORES, WE ARE  
31:26 REVIEW VIEWING UP TO NOVEMBER OF 20 23 . IF YOU FILED NOVEMBER 20 23 , WE ARE ALREADY THERE WITH GENERAL  
31:32 ON PREMISE APPLICATIONS, YOU KNOW, WE ARE BACK REVIEWING BACK IN JUNE, ET CETERA. BUT, YES, WE HAVE OVERALL, I  
31:42 THINK WE HAVE A TOTAL OF 62 31:47 FULL-TIME EMPLOYEES IN LICENSING ,  
15 OF WHICH ARE WORKING ON THE BACKLOG

31:53 COMMITTEE. >> MOST ARE NOT ON THIS COMMITTEE. >> YES. >> IS THE EXPECTATION, GIVEN THE  
31:58 EFFICIENCIES THIS COMMITTEE HAS DEMONSTRATED, IS THE EXPECTATION EVENTUALLY THE OTHER 50 OR SO THAT ARE NOT ON THE COMMITTEE,  
32:04 WILL BE OPERATING, YOU KNOW, WITH THIS MORE EFFICIENT... >> THERE IS A GROUP THAT ARE  
32:12 DOING CLERICAL WORK AND THAT WILL NOT CHANGE. >> SURE. >> BECAUSE THEY NEED TO ENTER THE DATA WHILE WE ARE  
32:17 TRANSITIONING BETWEEN TWO SYSTEMS. THERE IS A BUNCH OF PEOPLE THAT ARE DOING PERMITTING. AND SO THAT'S NOT PART OF THE  
32:24 BACKLOG COMMITTEE. AND THEN WE HAVE THE SUPERVISORS WHO ARE OVERSEEING AND, YOU NOW,  
32:31 SORT OF GIVING GUIDANCE AND ANSWERING FIELDING QUESTIONS, ANSWERING QUESTIONS FROM ENFORCEMENT, ANSWERING QUESTIONS  
32:37 FROM THE PUBLIC, YOU KNOW, THAT TAKES ALSO A SIGNIFICANT AMOUNT OF STAFF TIME. >> SO IT'S NOT JUST... 50 32:45 LICENSE EXAMINERS DOING LICENSES THAT ARE NOT PART OF THE PROCESS. IT'S A MUCH SMALLER NUMBER BUT  
32:51 NEVERTHELESS, SAME QUESTION. IS THE EXPECTATION THAT THEY'RE GOING TO BE WORKING WITHIN THE NEW PARADIGM THAT THE COMMITTEE  
32:57 IS WORKING WITHIN. >> WE HOPE THERE WILL BE MORE STAFF THAT WILL BECOME READY AND AVAILABLE TO DO THE WORK THAT IS  
33:03 PART OF THE COMMITTEE. >> 60 WHAT? WHAT WAS THE EXACT NUMBER IN THE LICENSING DIVISION? >> WE HAVE 62 FULL-TIME  
33:11 EMPLOYEES AND 12 HOURLY EMPLOYEES IN LICENSING CURRENTLY. >> HOW MANY, IN YOUR OPINION, DO  
33:19 YOU NEED UP FROM 62 TO FULLY ADDRESS THE BACKLOG AT THE SLA?  
33:25 >> I THINK-- >> BECAUSE YOU MENTIONED THERE IS A MAN POWER AND WOMAN POWER  
33:31 ISSUE AND THERE ARE CERTAIN THINGS IN YOUR LINE OF QUESTIONING WITH SENATOR COMRIE THAT WOULD YOU LIKE TO DO THAT YOU JUST DON'T HAVE THE PEOPLE  
33:36 TO DO. HOW MANY PEOPLE DO YOU NEED TO ADDRESS THIS PROBLEM? >> SO I THINK RIGHT NOW, WE STILL HAVE VACANCIES THAT WE  
33:43 NEED TO FILL. AND THE BUDGET THAT WE HAVE BEEN GIVEN THIS YEAR SHOULD  
33:50 SUFFICIENTLY MEET WHAT WE NEED BECAUSE WE JUST NEED TO GET TO OUR FILL FIRST. WE NEED TO HIRE THE PEOPLE.  
33:57 NEW YORK HELP IS GOING TO HELP US GET SOME OF OUR HOURLY STAFF INTO POSITION SO THAT WE CAN  
34:02 ACTUALLY RETAIN THEM AND KEEP THEM. THAT'S MORE THE PROBLEM IS YOU  
34:07 KNOW, THE RETAINING AND THE PROMOTIONAL OPPORTUNITIES WITHIN  
34:12 OUR AGENCY. SO WE ARE WORKING WITH CIVIL SERVICE AND WE ARE WORKING WITH

34:18 DOB AND OGS TO TRY TO BUILD UP HIGHER LEVEL POSITIONS AND WE  
34:23 ARE HAVING THOSE CONVERSATIONS AND THEY HAVE BEEN VERY, VERY  
ENCOURAGING. >> OKAY. AS YOU LIKELY KNOW, THIS IS NOT  
34:31 A NOVEL PROBLEM. THERE HAVE BEEN BACKLOGS IN YEARS PAST. IT SEEMS  
TO EBB AND FLOW.  
34:39 BACK IN 20 09 , THERE WAS A BACKLOG, I UNDERSTAND OF A ALSO OVER  
3,00 0.  
34:45 SO THIS HAS BEEN A PROBLEM IN THE PAST AT TIMES. >> ABSOLUTELY. >> IN  
20 14 , THE BACKLOG ACTUALLY  
34:50 DROPPED TO 10 0. AND BASICALLY NON EXISTENT AND MY  
UNDERSTANDING ONE OF THE MAIN  
34:56 DRIVERS IN THOSE INTERIM YEARS THAT REDUCED THAT NUMBER TO SUCH A  
LOW NUMBER WAS THE SORT OF THE  
35:05 DEVELOPMENT OF THIS SELF CERTIFICATION PROGRAM WITHIN THE SLA  
WHERE AN APPLICANT COULD,  
35:11 YOU KNOW, GET A LAWYER, AND THEY COULD BASICALLY SELF CERTIFY AND  
35:16 FILL OUT A LOT OF THE THINGS THAT YOU GUYS WOULD OTHERWISE FILL  
OUT WITHIN THE SLA.  
35:22 AND I UNDERSTAND THAT PROGRAM HAS BEEN PHASED OW THERE. WERE  
QUESTIONS SURROUNDING THAT PROGRAM IN SUBSEQUENT YEARS.  
35:28 DO YOU FEEL THAT THERE IS A SELF-CERTIFICATION 2 HNT-- 2.0  
35:35 THAT COULD BE BROUGHT TO THE SLA TO HELP ADDRESS THE EXISTING  
BACKLOG? >> THANK YOU FOR THE QUESTION.  
35:40 SO I WAS PART OF THE FULL BOARD THAT VOTED TO END THE SELF  
CERTIFICATION PROGRAM.  
35:47 SO THE QUICK ANSWER IS PROBABLY NOT. THE REASONS BECAUSE INITIALLY  
35:55 WHEN THE SELF SERVE PROGRAM BECAME ON BOARD, IT WAS VERY HELPFUL  
IN TRYING TO CLEAR THE  
36:00 BACKLOG, BUT TODAY, WE ARE REALLY TRYING TO USE OUR SOFTWARE TO  
DEAL DIRECTLY WITH  
36:06 THE APPLICANTS AND WE ARE HOPEFUL THAT THERE WILL BE THE DAY  
WHEN WE CAN COMMUNICATE WITH  
36:13 THE MAJORITY OF THE APPLICANTS THAT HAVE SIMPLE APPLICATIONS. OF  
COURSE THERE ARE GOING TO BE  
36:18 COMPLICATED BUSINESSES THAT NEED LAWYERING HELP AND WE RESPECT  
THAT. BUT THE SELF-CERT PROGRAM  
36:27 ANECDOTALLY WHAT WE HEARD FROM APPLICANTS, IT WAS BECOMING AN  
EXPEDITING PROCESS, AS SENATOR  
36:33 COMRIE MENTIONED, THAT, YOU KNOW, THERE WERE EXTRA FEES INVOLVED  
IN IT.  
36:39 BUT FROM OUR END, WE DID NOT SEE A BETTER QUALITY OF APPLICATION  
THAT WAS COMING IN THROUGH THAT  
36:46 PROGRAM. ESSENTIALLY, FROM OUR END, IT TOOK THE SAME AMOUNT OF  
TIME TO REVIEW AND A SELF-CERT

36:58 APPLICATION. THE APPLICANTS WERE HAVING TO PAY MORE AND THEY HAD A DIFFERENT EXPECTATION BECAUSE THEY WERE PART OF THAT PROGRAM AND THEN IN THE END, IT WAS THE

37:05 AGENCY'S FAULT WHEN WE WERE NOT ABLE TO GIVE THEM THE LICENSE IN THE TIMELY MANNER THAT WAS

37:11 EXPLAINED TO THEM. AND SO TRYING TO REALLY USE

37:16 TECHNOLOGY TO ADDRESS THAT AND NOT GO BACK TO A SELF-CERT.

37:23 >> UNDERSTOOD. WHAT IS YOUR TIMEFRAME FOR BRINGING THIS LEAP PORTAL TO

37:30 APPLICANTS, ALLOWING THEM TO APPLY ONLINE, PAY THEIR FEES ONLINE, ET CETERA. WHEN DO YOU EXPECT THAT PUBLIC

37:36 PORTAL TO BE FORWARD FACING? >> YOU KNOW, SOFTWARE LAUNCHES

37:42 ARE VERY, VERY DIFFICULT. IT HAS BEEN VERY, VERY CHALLENGING FOR US. WE HAVE A LOT OF KINKS AND AS

37:49 THE LAW CONTINUES TO CHANGE EVERY SESSION, WE HAVE TO BUILD NEW TOOLS. AND YOU KNOW, THERE IS A COST ASSOCIATED WITH IT.

37:55 SO-- >> WHO IS TAKING THE LEAD ON THIS? IS THIS INTERNALLY SLA FOLKS OR ITS WHO IS DRIVING THE SHIP ON

38:02 THE SOFTWARE? >> DEPUTY COMMISSIONER FOR

38:08 OPERATIONS, LISA OGDEN HAS BECOME A SOFTWARE ENGINEER AND SHE HAS DONE SO MUCH WORK AND

38:14 HAS DONE REALLY GREAT COMMUNICATING TWEJ THE STAFF--

38:20 BETWEEN THE STAFF AND ITS. ITS HAVE BEEN VERY SUPPORTIVE. THEY HAVE GIVEN US DEDICATED STAFF TO ADDRESS AND BUILD MORE

38:27 TOOLS AND TRY TO, YOU KNOW, ADDRESS THE FIRE DRILLS THAT ARE HAPPENING. >> YOUR DEPUTY SOUNDS LIKE IS

38:33 ACTING AS SORT OF A COORDINATOR BUT ITS IS BUILDING THE PORTAL.

38:38 IS THAT FAIR 12 34 . >> THERE IS ALSO A VENDOR WHO IS WORKING WITH ITS THAT IS ACTUALLY DOING THE WORK AND, OF

38:45 COURSE, THERE ARE CONTRACTUAL ISSUES, THERE ARE PAYMENT ISSUES. THIS HAS BEEN VERY, VERY DELAYED AND SO WE ARE ACTUALLY WAITING

38:53 FOR, YOU KNOW, FUNDING TO COME THROUGH FOR THAT WORK. >> I WOULD LIKE TO FOLLOW UP

38:58 WITH YOU OFF LINE ON THIS. AND WE TALKED A LITTLE BIT ABOUT THIS ON YOUR CONFIRMATION HEARING.

39:04 I'M INHERENTLY AN IMPATIENT PERSON AND PER PERHAPS NOT THE

39:09 BEST BROM TER HERE. >> SO AM I. >> BUT HAVE YOU TEENAGERS INVENTING APPS IN LIKE THREE WEEKS AND WE CAN'T GET AN SLA

39:15 PORTAL UP AND RUNNING AND FORWARD FACING IN A YEAR PERHAPS

39:32 WE CAN GET ITS TO BETTER PRIORITIZE THIS WORK AND GET IT UP AND RUNNING FASTER. THANK YOU VERY MUCH.

39:45 >> IN 20 22 , I PASSED A BILL TO GRANT NEW YORK CITY BUSINESSES THE SAME ACCESS TO TEMPORARY

39:51 LIQUOR LICENSES THAT BARS AND RESTAURANTSES IN THE REST OF THE STATE COULD ENJOY.



39:57 AND, TO BE HONEST, THIS HAS HELPED MANY RESTAURANTS IN MY DISTRICT TREMENDOUSLY I WONDER

40:09 YOU CAN SPEAK ABOUT THE EXPANDING OF HOW TO HAVE THESE LIQUOR LICENSES WOULD BE ABLE TO HELP YOUR ENDEAVORS IN

40:16 STREAMLINING THE SLA.

40:21 >> SO, YOU KNOW, THERE ARE ALWAYS TWO SIDES TO IT. I THINK THAT WE REALLY WELCOME

40:30 THE LEGISLATION TO ALLOW TEMPORARY PERMITS.

40:39 THAT HAS CREATED A FLOOD OF APPLICATIONS. AND MAKING IT LESS RESTRICTIVE

40:45 WILL BE HELPFUL BECAUSE THEN WE HAVE LESS WORK TO DO AS FAR AS PARSING IT OUT.

40:52 SO, YOU KNOW, IF EVERYBODY QUALIFIED FOR A TEMP UNDER THE LAW, THAT WOULD BE THE EASIEST THING FOR OUR AGENCY BECAUSE

40:58 THEN WE JUST GIVE IT TO EVERYBODY. DOES THAT MAKE SENSE? >> IT DOES. THANK YOU. I WANTED TO GET THAT ANSWER ON

41:04 THE RECORD. I'M GOING TO GET A LITTLE MORE HYPER LOCAL TO MY DISTRICT. YOU KNOW, I FEEL LIKE IN THE AGE

41:10 OF AMAZON, WHEN THERE JUST AREN'T THAT MANY DIFFERENT TYPES OF SMALL BUSINESSES ANYMORE,

41:16 ACTUALLY BARS AND RESTAURANTS ARE ALLOWED TO BRING A LOT OF

41:22 DIVERSE, DIFFERENT TYPES OF ENTERTAINMENT AND PLACES FOR PEOPLE TO ENJOY ALONG OUR

41:27 COMMERCIAL CORRIDORS. BUT ON SOME CORRIDORS, LIKE ROOSEVELT AVENUE, WHERE THERE

41:32 MIGHT BE AN OVERSATURATION OF BARS AND RESTAURANTS, I WAS

41:38 WONDERING IF YOU COULD DELVE A LITTLE DEEPER TO THE PART OF YOUR TESTIMONY WHERE YOU TALKED ABOUT COMPLAINT-BASED

41:46 INVESTIGATIONS AND WHAT TYPES OF SERIOUS VIOLATIONS YOUR TEAM

41:51 DOES TAKE THE TIME TO LOOK INTO. I KNOW FOR A FACT THAT THERE ARE -- AND YOU AND I HAVE SPOKEN

41:57 ABOUT THIS ISSUE, THAT THERE ARE A LOT OF BARS ALONG ROOSEVELT AVENUE, FOR EXAMPLE, WHO HAVE

42:03 GIRLS DANCING FOR \$2 A SONG, BUT HAVE NOT DISCLOSED THAT IN THEIR LIQUOR APPLICATION OR RENEWAL APPLICATION.

42:15 >> AGAIN, I WILL SAY THAT WE ARE COMPLAINT-BASED AND WE TAKE REFERRALS FROM LOCAL LAW

42:21 ENFORCEMENT. THERE ARE CERTAIN METHODS OF

42:26 OPERATION THAT, IF THEY'RE NOT DISCLOSED AND NOT APPROVED BY THE LICENSING BUREAU, IT WOULD,

42:33 IN THEORY, BE IN VIOLATION OF THE PREMISES LICENSE ASHED AND

42:39 SO WE WOULD WELCOME... >> (INAUDIBLE) VIOLATION?

42:47 >> YOU KNOW, I MEAN THERE ARE DIFFERENT LEVELS OF SERIOUSNESS, LIKE WHEN THERE IS A LOSS OF LIFE, THAT'S VERY SERIOUS.

42:53 WHEN THERE IS SALES TO MINORS, THAT'S VERY SERIOUS. NOT DISCLOSING, YOU KNOW,

42:59 EMPLOYEE DANCING WOULD BE CONSIDERED A, YOU KNOW,  
43:08 UNTRUTHFULNESS ON THEIR APPLICATION. IT'S NOT REALLY CONSIDERED  
SUPER SERIOUS, BUT IF THAT DANCING  
43:15 THEN IS LEADING TO COMMUNITY NOISE AND OTHER DISRUPTIVE  
43:21 BEHAVIOR, AND IT ENDS UP BEING A FOCAL POINT FOR POLICE, THAT IS VERY  
SERIOUS.  
43:26 >> INCLUDING AFTER HOURS OPERATING AFTER HOURS. >> ABSOLUTELY. I  
THINK VIOLATING ALLOWABLE  
43:33 HOURS IS A SERIOUS VIOLATION. BUT I THINK WE WELCOME THE COMPLAINT.  
PEOPLE SHOULD GO ON THE SLA  
43:41 WEBSITE AND LET US KNOW THAT, YOU KNOW, THERE ARE LICENSE  
PREMISES THAT ARE OPERATING  
43:47 OUTSIDE... >> IN YOUR OPINION, WOULD A NIGHT CLUB LIKE THE BROOKLYN  
MIRAGE, WHERE PEOPLE HAVE DIED,  
43:53 DO YOU BELIEVE THE SLA SHOULD TAKE AWAY THEIR LIQUOR LICENSE? >> SO  
I CAN'T COMMENT ON  
44:00 INDIVIDUAL LICENSES. IF THERE IS A LOSS OF LIFE, WE CERTAINLY TAKE IT  
VERY  
44:06 SERIOUSLY. >> OKAY, WELL I WOULD RECOMMEND YOU LOOKING INTO THE  
OPERATIONS OF THAT PARTICULAR PLACE.  
44:13 I THINK I CAN SQUEEZE IN TWO MORE. I HAVE A FORMER COMMUNITY BOARD  
44:19 MEMBER LIKE YOU AND LIKE MY DAD BEFORE ME. I LIKE THE WORK OF  
COMMUNITY  
44:26 BOARDS I HAVE KNOWN FOR A VERY LONG TIME THERE IS AN ENTIRE  
INDUSTRY THAT SURROUNDS THE  
44:31 ABILITY FOR THESE RESTAURANT OWNERS TO APPLY AND GET APPROVED  
FOR THESE LIQUOR LICENSES.  
44:37 SOMETIMES THERE ARE ACTUAL ATTORNEYS. SOMETIMES THEY'RE JUST  
SOME SORT OF COMMUNITY PROCESSORS THAT END  
44:43 UP CHARGING OUR ENTREPRENEURS, I MEAN THOUSANDS AND THOUSANDS  
OF DOLLARS.  
44:48 AND I'M WONDERING IF IT IS YOUR HOPE THAT, YOU KNOW, THROUGH A  
BETTER SOFTWARE INTERFACE OR,  
44:54 YOU KNOW, HOW IT IS THAT WE CAN SAVE OUR ENTREPRENEURS A LITTLE  
MONEY ON THIS FRONT, SO THAT  
45:01 THEY'RE ABLE TO ACTUALLY PUT IT INTO THEIR BUSINESS. IT JUST SEEMS  
LIKE NOT ONLY IS  
45:07 GETTING THE LICENSE TEDIOUS BECAUSE THE PROCESS IS SUCH, BUT ALSO  
JUST THE MERE COST OF ALL  
45:14 OF THE SUPPOSED HELP THAT YOU NEED TO ATTAIN ONE IS A LOT OF  
45:22 MONEY. >> I AGREE WITH YOU THAT IT BREAKS MY HEART ALSO THAT OUR  
APPLICANTS AND POTENTIAL  
45:27 BUSINESS OWNERS ARE BEING TAKEN ADVANTAGE OF BY SOME OF THESE  
45:33 REPRESENTATIVES. SOME OF THEM ARE VERY GOOD AND  
45:38 SOME OF THEM ARE TAKING ADVANTAGE AND NOT DELIVERING THE  
SERVICES THAT THEY SHOULD. IT CERTAINLY, AS SENATOR COMRIE

45:43 MENTIONED, IT IS A HOPE OF MINE THAT THE STATE CAN TAKE OVER SOME OF THE COSTS AND TRY TO  
45:51 EDUCATE AND BE AVAILABLE AND, YOU KNOW, THAT THERE IS A DIRECT LINE AND, YOU KNOW, MOVING  
45:57 FORWARD, WE HOPE TO PERHAPS WORK WITH CITY AGENCIES THAT ARE REALLY GOOD AT THIS AND TRY TO  
46:02 COORDINATE TOGETHER AND GO OUT AND DO MORE-- >> WHAT IS YOUR FAVORITE CITY AGENCY THAT IS GOOD AT THIS?  
46:09 COME ON.  
46:18 THEY CAN REVOKE LICENSES OVER UNPAID CHILD SUPPORT AND CIVIL  
46:24 VIOLATIONS. OVER THE SUMMER THEY PUBLISHED A SERIES OF REPORTS ON THE ENDEMIC WAGE WAGE THEFT THAT TAKES PLACE  
46:29 IN NEW YORK WITH A PARTICULAR FOCUS ON THE RESTAURANT INDUSTRY. DOES SLA TAKE LABOR VIOLATIONS  
46:35 INTO ACCOUNT WHEN CONSIDERING GRANTING OR RENEWING LICENSES?  
46:41 >> UNDER OUR STATUTE, WE DO NOT TAKE PRIOR LABOR VIOLATIONS INTO  
46:48 CONSIDERATION, BUT IF WE GET A REFERRAL FROM ANOTHER AGENCY, WE  
46:54 CERTAIN CERTAINLY TAKE THAT SERIOUSLY. >> WHAT DO YOU MEAN BY PRIOR? >> IF THEY HAVE AN EXISTING OR  
47:01 PRIOR LICENSE WHERE THEY WERE CHARGED WITH WAGE THEFT, WHEN THEY APPLY AGAIN FOR THE NEXT  
47:08 LICENSE, THAT IS PROBABLY NOT IN OUR RECORDS; HOWEVER, IF THEY ARE VIOLATING IT WHILE THEY'RE  
47:13 HOLDING THE LICENSE AND WE GET A REFERRAL, FROM THE DEPARTMENT OF LABOR OR FROM WORKER'S COMP  
47:20 ABOUT IT, WE CERTAINLY LOOK AT IT AND TAKE THAT SERIOUSLY AND WE HAVE AN IMPROPER CONDUCT  
47:25 CHARGE THAT WE WOULD FILE AND SO  
47:32 WE-- AS AN AGENCY-- DO OWE OUR LICENSEE A DUE PROCESS AND SO WE  
47:38 HAVE TO USE THE CHARGES THAT EXIST IN THE ABC LAWS TO GO AFTER OUR LICENSEE FOR THEIR  
47:48 VIOLATION. >> . I MENTIONING THIS BECAUSE LAST  
47:54 YEAR THE GOVERNOR SIGNED INTO LAW AN INCREASED CRIMINAL PENALTY FOR WAGE THEFT  
48:00 ESTABLISHING A THRESHOLD OF ONE THOUSAND DOLLARS. I DIDN'T SUPPORT THE BILL. BUT I DO SOMEHOW BELIEVE THAT  
48:06 WAGE THEFT HAS, YOU KNOW, NOT BEEN DETERRED ALL TOGETHER, AND PERSISTS, PARTICULARLY IN THE  
48:12 HOSPITALITY INDUSTRY. AND SO I DON'T BELIEVE THAT BAD ACTORS WHO CONTINUOUSLY ENGAGE  
48:19 IN WAGE THEFT KNOWINGLY SHOULD BE AWARDED A LIQUOR LICENSE  
48:26 RENEWAL. SO I HAVE INTRODUCED LEGISLATION PRECISELY TO ADDRESS THAT  
48:31 PERSISTENT ISSUE AND I'M HOPING IT WILL LEVEL THE PLAYING FIELD FOR THE BEST ACTORS IN OUR  
48:36 COMMUNITY. THANK YOU.

48:49 >> IF A RESTAURANT GETS RAIDED BY THE POLICE AND GETS A SERIES OF COMPLAINTS OR ACTIONS FILED  
48:54 AGAINST THEM, A LOT OF THEM DON'T KNOW HOW TO GO TO THE  
49:01 PROCESS TO GET IT REMOVED. WHAT IS THE PROCESS THAT YOU ARE AWARE OF THAT THOSE RESTAURANTS  
49:06 CAN GET BACK TO OPERATION?  
49:17 THE POLICE RAID A RESTAURANT AND THEY FIND VIOLATIONS OF, I GUESS  
49:25 WHATEVER THOSE VIOLATIONS ARE FROM EITHER PARTY AND ARE DOING BUSINESS ILLEGALLY OR NOT A  
49:33 SERIES OF TECHNICAL VIOLATIONS ARE ISSUED UPON THEM AND THEY  
49:40 HAVE NO IDEA HOW TO GET IT RESOLVED BECAUSE THEY'RE NOT-- THEY DON'T HAVE A LAWYER, THEY DON'T HAVE-- THEY HAVE TO ACCESS  
49:47 SOMEONE WHO HAS AN EXPERTISE IN THAT LEVEL.  
50:03 DO THEY HAVE A PERSON IN YOUR AGENCY THAT CAN HELP WALK THEM THROUGH WHAT TO DO TO HELP  
50:08 RESOLVE THOSE VIOLATIONS?  
50:14 >> SO, AGAIN, WE ARE COMPLAINT BASED AND WE TAKE REFERRALS FROM  
50:20 OTHER OTHER LOCAL LAW ENFORCEMENT. GENERALLY, I WILL TELL YOU THAT WE DO NOT HAVE THE STAFF TO GO  
50:26 OUT FOR VISITS. VERY, VERY OFTEN THE FIRST FEW  
50:33 TIMES LICENSEE IS RECEIVING A LETTER OF ADVICE FROM OUR AGENCY. WE ARE REALLY NOT A HEAVY HANDED AGENCY, YOU KNOW, BESIDE THE  
50:39 TIME DURING THE PANDEMIC THAT WAS A SPECIAL TIME OUR COUNCIL'S  
50:50 OFFICE DO TAKE THE EVIDENCE VERY SERIOUSLY. THEY REALLY LOOK AND MAKE SURE THAT THERE IS ENOUGH EVIDENCE TO  
50:57 MAKE THE CHARGE AND PROSECUTE THE CASE THE LICENSEE RECEIVE A  
51:03 NOTICE OF PLEADING AND THEY CAN CALL THE LAWYER IN CHARGE TO DISCUSS AND ASK MORE QUESTIONS  
51:11 ABOUT THEM. PROBABLY 90 % OF CHARGES ARE RESOLVED BY WHAT WE CALL CONDITIONAL NO CONTEST, VERY FEW  
51:17 PEOPLE ACTUALLY GO TO TRIAL WITH OUR AGENCY AND IT'S A FINE THAT THEY PAY.  
51:24 UNFORTUNATELY THOSE CHARGES BECOME PART OF YOUR LICENSE PREMISES RECORD AND IT GOES ON  
51:29 THE RECORD OF THE LICENSEE AND THAT IS THE COST SUBMITTING THE  
51:42 LICENSES TO NEW YORK. >> ACCORDING TO YOUR STATISTICS AND YOUR TESTIMONY,COURT  
51:50 PROCEEDINGS AGAINST 88 LICENSEES CURRENTLY 79 1 OPEN INVESTIGATIONS. >> YES.  
51:57 YOU DID 59 UNDERAGE OPERATIONS VISITING AND YOU COLLECTED OVER  
52:05 \$3 MILLION IN PENALTIES. TRYING TO UNDERSTAND HOW CAN A  
52:10 BUSINESS QUICKLY GET THROUGH RESOLVING THOSE ISSUES. YOU ARE SAYING YOU DON'T CURRENTLY HAVE THE STAFF TO MAKE  
52:17 OR GIVE THOSE FOLKS SOME CLEAR OPERATIONS ON HOW THEY CAN CLEAN  
52:22 UP THE VIOLATIONS. A LOT OF BUSINESSES DON'T OR ARE NOT AWARE THAT THEY'RE IN VIOLATION UNTIL AFTER THEY GET

52:29 FINED. THEY'RE NOT AWARE OF WHAT THEY'RE DOING. SOME ARE BUT MOST  
OF THEM ARE NOT. AND JUST WONDERING HOW WE CAN  
52:36 DEVELOP A PROCESS TO GET THEM SOME OPPORTUNITIES TO RESOLVE  
THESE ISSUES WITHOUT HAVING TO  
52:44 ... >> AGAIN, OUR COUNCIL'S OFFICE TAKE OUR RESPONSIBILITY ON DUE  
52:50 PROCESS VERY SERIOUSLY. IF WE ARE FILING CHARGES, WE ARE ACCEPTING  
NOTICES TO THE LANDLORD, WE ARE SENDING NOTICES  
52:56 TO THE LICENSEE AND WE ARE ALSO SENDING NOTICES TO THE LAWYERS. SO  
IF THEY DON'T KNOW ABOUT IT,  
53:02 THAT'S BECAUSE THEY'RE NOT CHECKING THEIR MAIL AND NOT CHECKING  
THEIR EMAIL.  
53:07 AND YOU KNOW, GENERALLY, THEY GET THE ONES WHERE WE GIVE THEM  
THE FINE, BUT THEY DIDN'T GET  
53:13 THE ONE BEFORE THAT. SO, YOU KNOW, SOMETIMES IT'S, YOU KNOW, WE  
ALSO HAVE QUESTIONS  
53:18 ABOUT WHY CERTAIN THINGS GET RECEIVED AND OTHER THINGS DON'T GET  
RECEIVED.  
53:23 WE DO OUR BEST IN MOVING IT ALONG. RIGHT NOW OUR HEARING BUREAU  
DOES NOT HAVE A BACKLOG IN  
53:32 DISCIPLINARY CASES. I MEAN REALLY, THERE ARE LESS THAN 20 , LESS THAN  
15 53:39 DISCIPLINARY CASES THAT ARE PENDING. ONCE DECISIONS COME OUT  
AND ONCE  
53:45 THEY'RE 13 4EU9ED, WE DO HAVE A QUEUE FOR EVERYTHING TO GO TO  
53:51 FULL BOARD TO GET RUBBER STAMPED SO TO SPEAK AND THAT QUEUE  
COULD TAKE A FEW MONTHS.  
53:57 BUT OTHER THAN THAT, THE PROCESS DOES WORK AND WE HAVE ONLY NINE  
54:05 FULL-TIME LAWYERS HANDLING LAST YEAR ALMOST 13 00 CASES.  
54:12 THE VOLUME IS HIGH, BUT WE ARE DOING THE WORK AND WE ARE  
DELIVERING ON THE PUBLIC SAFETY  
54:19 AND PROMOTING TEM PRANT SIDE OF OUR MISSION. >> GLAD TO HEAR YOU  
DON'T HAVE A  
54:25 REAL BACKLOG. THAT'S GOOD TO KNOW. SO THE CASES ARE BEING  
PROPERTY BEFORE THEM. I'M STILL GETTING COMPLAINTS,  
54:32 JUST TO BE HYPERLOCAL FROM MY RESTAURANTS THAT THEY SEEM TO GET  
CAUGHT IN VIOLATIONS ON A  
54:37 REGULAR BASIS FROM THE POLICE DEPARTMENT AND THEY ARE NOT EVEN  
AWARE THAT THEY'RE IN VIOLATION.  
54:44 THEY ARE GETTING COMPLAINTS SOME  
54:53 OF THE RESTAURANTS HAVE NO IDEA WHAT THEY'RE EVEN BEING ACCUSED  
OF UNTIL AFTER THE COMPLAINT IS  
55:00 MADE. IS IS THERE A WAY TO PREALERT SOME OF THE BUSINESSES THAT  
THEY'RE IN VIOLATION AS OPPOSED  
55:05 TO JUST HAVING THE POLICE DEPARTMENT COME IN AND SHUT THEM  
DOWN. >> I MEAN, AGAIN, WE DON'T SEND  
55:15 THE POLICE NECESSARILY. WE DON'T HAVE THE STAFF TO SHOW UP TO  
EVERYTHING THAT WE RECEIVE

55:20 COMPLAINTS ON IF THEY SHOW UP,  
55:27 IT IS LIKELY WE HAVE SENT MANY LETTERS OF ADVICE TO LET THEM KNOW  
THEIR NEIGHBORS ARE UNHAPPY  
55:33 WITH THEIR OPERATION. THAT'S WHY WE ENCOURAGE LICENSEES TO HAVE A  
GOOD RELATIONSHIP WITH THEIR COMMUNITY BOARD AND WITH THE  
55:40 LOCAL POLICE DEPARTMENT. IN THE END, IT'S A LOCALIZED PREAP THAT  
THEY NEED TO HAVE, YOU KNOW, WHEN I WAS ON THE  
55:46 COMMUNITY BOARD, WE ALWAYS ASKED THE LICENSEES TO GIVE THEIR  
PHONE NUMBERS TO THEIR IMMEDIATE  
55:52 NEIGHBOR. AND THEY HAVE TO MASSAGE THOSE RELATIONSHIPS AND MAKE  
SURE THE NEIGHBORS ARE HAPPY WITH THEM.  
55:58 AND NOT GET INTO A VERY ADVERSARIAL SITUATION BECAUSE WE, YOU  
KNOW, WE ARE THE VICTIM  
56:05 OF THAT AS WELL, WHEN PEOPLE FILE A LOT OF COMPLAINTS, IT'S ALSO  
WORK FOR US. SO WE WANT PEOPLE TO MEDIATE  
56:12 THEIR ISSUES LOCALLY AND FIGURE IT OUT BETWEEN ONE ANOTHER. >>  
THANK YOU.  
56:17 I APPRECIATE THAT ANSWER. THAT'S SOMETHING WE HAVE TO INFORM OUR  
LOCAL BUSINESSES.  
56:24 A LOT OF LOCAL BUSINESSES, AS THEY'RE ESTABLISHING, THEY'RE  
56:29 LEARNING HOW TO DO THAT AND THEY'RE NOT EXPERT AT COMMUNICATION  
AT THAT LEVEL.  
56:35 I'M CONSTANTLY WORKING WITH THEM TO BE BETTER IN THEIR  
COMMUNICATIONS WITH THEIR LOCAL  
56:40 COMMUNITY. I JUST WANT TO FEEBLE FINALLY ASK YOU ONE THING.  
56:46 I'LL GO BACK TO THE RECOMMENDATIONS THAT WERE IN THE 20 23  
LAW.  
56:53 DID 500 AND 20 0-FOOT RULE: DO YOU THINK THAT'S STILL NECESSARY IN  
THIS DAY AND TIME?  
57:01 >> WE ARE NOT OPINING ON ANY PENDING INVESTIGATION OR  
57:06 LEGISLATIVE IDEAS THAT ARE COMING. WE ARE ENFORCE THE LAW.  
57:13 IF IT'S WRITTEN INTO STONE, THEN WE WILL TAKE AWAY OUR PROCESS AND  
WE ARE HAPPY TO DO SO.  
57:19 BECAUSE THE 50 0-FOOT HEARINGS, THOSE ARE THE ONES WHERE WE DO  
HAVE A BACKLOG.  
57:25 AND IF WE DON'T HAVE TO DO THEM, YOU KNOW, WE WILL BE HAPPY.  
57:30 BUT, YOU KNOW, AGAIN, WE ARE MANAGING BOTH SIDES, RIGHT, IF YOU TAKE  
AWAY 50 0-FOOT THEN OVER  
57:37 SATURATION IS GOING TO BECOME A PROBLEM. THE LICENSING WILL BE  
EASIER BUT ENFORCEMENT WILL HAVE MORE WORK. THAT'S, YOU KNOW, A  
COMPLICATION  
57:43 OF OUR AGENCY IS THAT WE ARE HOLDING THE BAG ON BOTH SIDES. >> DO  
YOU THINK OVERSATURATION  
57:50 WOULD HAPPEN? I THINK WE NEED TO LOOK ABOUT ANOTHER PROCESS TO  
FIGURE OUT HOW MUCH DENSITY YOU CAN HAVE

57:56 FOR CERTAIN RESTAURANTS WITHIN A RESIDENTIAL NEIGHBORHOOD  
OPPOSED TO THAT RULE. I THINK THAT'S SOMETHING I WOULD  
58:02 LIKE TO EXPLORE WITH MY COLLEAGUES TO SEE HOW WE CAN COME TO THE  
AGENCY WITH ANOTHER  
58:09 SOLUTION. I DON'T KNOW MANY CHURCH THAT ARE HUNG UP ON THE 50  
0-FOOT OR  
58:15 20 0-FOOT RULE ANYMORE. I THINK THAT'S SOMETHING WE THEY'D TO  
LOOK AT OPPOSED TO  
58:22 AGAIN, AS I WAS SAYING IN THE BEGINNING, MY MAIN GOAL IS TO TRY TO  
MAKE THIS A MORE BUSINESS  
58:29 FRIENDLY STATE WITH THE ABILITY FOR NEW BUSINESSES AND START-UPS  
TO BE ABLE TO GET THEIR LICENSE  
58:36 ING AND APPROVALS DONE WITHIN A TIMELY MANNER NOT JUST  
58:43 SLA BUT NEW YORK STATE, BETWEEN THE BUILDINGS DEPARTMENT AND THE  
HEALTH DEPARTMENT AND THE FIRE  
58:49 DEPARTMENT AND CITY HALL AND NEW RULES, IT JUST TAKES WAY TOO  
LONG FOR BUSINESS TO GET UP AND  
58:56 RUNNING.  
59:07 >> JUST TO FOLLOW UP ON A COUPLE OF THINGS. THANK YOU AGAIN FOR  
YOUR TIME HERE. HOW MANY DAYS LONG DOES A  
59:16 TEMPORARY PERMIT STAY IN EFFECT FOR?  
59:22 >> SO THE INITIAL TEMP PERMIT IS 90 DAYS. >> AND RENEWALS ARE FOR 90  
DAYS  
59:29 AS WELL, RIGHT? >> RENEWALS IS THREE THIRD-DAY PERIODS. SO 90 DAYS  
IN EFFECT.  
59:36 >> IS THAT DURATION IN STATUTE OR DO YOU SET THAT DURATION? >> THAT  
IS IN STATUTE.  
59:41 >> IT IS. >> AND THE RENEWAL IS REGULATION FROM THE AGENCY. >> OKAY.  
59:51 IS THERE ANY-- LOOK, IF IT'S IN STATUTE, THIS IS ON THE LEGISLATURE ON US,  
BUT FOR THE RENEWALS AT LEAST, HAS THERE  
59:57 BEEN ANY CONTEMPLATION TO EXTEND THOSE DURATIONS? ONE OF THE  
FRUSTRATIONS THAT I  
1:00:03 HEAR, AS THE BACKLOG EXISTS AND HOPEFULLY ONE DAY SOON IT  
WILL NOT EXIST, BUT AS IT EXISTS NOW, ONE OF THE FRUSTRATIONS IS WHEN  
1:00:10 YOU HAVE AN APPLICANT WHO IS  
1:00:16 PURSUING A LICENSE, FROM THEIR POINT OF VIEW, THE REASON WHY  
THEY DON'T HAVE A LICENSE AND THEY HAVE TO WAIT 5, 6, 7, 8  
1:00:24 MONTHS, WHATEVER IT IS, IT'S AN SLA PROBLEM, NOT A PROBLEM  
WITH ME. IT'S A PROBLEM WITH THEM. YET THEY'RE THE ONES MAKING ME  
1:00:30 PAY FOR ALL THESE RENEWALS. >> YES. >> SO, YOU KNOW, I  
UNDERSTAND THAT THE INITIAL TEMPORARY  
1:00:38 PERMIT, THERE IS A COST ASSOCIATED. YOU WANT TO DO BUSINESS  
NOW WHILE YOU ARE WAITING. THERE IS AN ARGUMENT TO BE HAD  
1:00:43 THAT THAT IS A FAIR COST TO LEVY BUT HAS THERE BEEN ANY  
1:00:49 CONTEMPLATION ABOUT EXTENDING THE DURATION OF THE RENEWAL  
SO THEY DON'T HAVE TO APPLY FOR MULTIPLE RENEWALS AND PAY FOR

1:00:54 MULTIPLE FEES WITH EACH RENEWAL? >> THANK YOU FOR THE QUESTION. I APPRECIATE THAT I THINK WITH

1:01:05 ONE 90 DAY AND ONE RENEWAL 10 8 DAYS, WE ARE GETTING PRETTY CLOSE TO BE ABLE TO ISSUE

1:01:11 THE LICENSE. THERE MAY BE ONE MORE 90 -DAY AFTER THAT, GET US TO 27 0 DAYS. I JUST WANT TO MENTION THAT WHEN

1:01:17 YOU ARE OPERATING UNDER A TEMPORARY PERMIT, WHILE THE COST MAY BE HIGHER THAN A REGULAR

1:01:23 LICENSE, THE BUSINESS IS ACTUALLY OPERATING WITHOUT ANY ENFORCEMENT ABILITY COMING FROM

1:01:28 OUR AGENCY. AND SO WE TRY TO-- THERE IS A

1:01:36 REASON-- YOU KNOW, THERE IS A POLICY REASON FOR US TO KEEP IT AT 90 DAYS SO THAT IF THE

1:01:42 BUSINESS IS VERY DISRUPTIVE TO THE COMMUNITY, THAT WE HAVE AN OPPORTUNITY TO HEAR FROM LOCAL

1:01:47 LAW ENFORCEMENT AND PERHAPS NOT ALLOW THE RENEWAL TO HAPPEN. I'M NOT SAYING THIS IS HAPPENING

1:01:52 A LOT. THIS IS VERY, VERY RARE. BUT WE DO HAVE BUSINESSES OPERATING UNDER TEMPORARY

1:01:58 PERMITS THAT ARE CAUGHT TO SALE TO MINOR, CAUGHT WITH A LOT OF

1:02:04 DISTURBANCE, YOU KNOW, SOME HAVE SHOOTINGS HAPPENING. AND WE DO SAY THAT YOU CANNOT

1:02:13 RENEW YOUR TEMPORARY PER PERMIT. THE 90 DAYS GIVE IS US AN

1:02:18 OPPORTUNITY TO REVIEW THAT. OTHER THAN THAT, WE DON'T HAVE THE JURISDICTION TO FILE CHARGES AGAINST A PERMIT HOLDER.

1:02:25 >> I UNDERSTAND WHILE YOU MAY NOT HAVE THAT ENFORCEMENT POWER, CERTAINLY AT LEAST SOME OF THE THINGS THAT YOU RATTLED OFF ARE

1:02:31 CRIMINAL IN NATURE, FOR EXAMPLE, SELLING TO A MINOR. LOCAL POLICE CAN CERTAINLY

1:02:36 ENFORCE. >> ABSOLUTELY. >> AND WE GET A REFERRAL AND THEN' WE SAY THEY'RE OPERATING

1:02:42 UNDER A TEMP PERMIT AND THEN OUR AGENCY BETWEEN ENFORCEMENT AND LICENSING AND THAT'S ACTUALLY A

1:02:47 LOT OF OUR STAFF TIME IS TO REVIEW THESE TEMPORARY PERMITS AND MORE AND MORE HAPPENING.

1:02:57 WE REALIZE THAT IS A VERY DIFFICULT DECISION FOR THE PERMITTEE AND WE TRY AT ALL

1:03:04 COSTS TO TRY TO AVOID THAT BUT ONCE IN A WHILE IT DOES HAPPEN. >> MAYBE THERE IS A WAY TO THREAD THE NEEDLE SEPARATE

1:03:10 UNRELATED QUESTION AND I KNOW YOU UNDERSTANDABLY POINTED OUT A NUMBER OF TIMES THAT YOU CAN'T

1:03:15 COMMENT ON PENDING LEGISLATION. SO MAYBE I WILL TRY TO PHRASE THIS A LITTLE CREATIVELY TO TRY

1:03:22 TO ELICIT AN ANSWER. THOSE ARE RECOMMENDATIONS THE



1:03:29 SLA, YOUR PREDECESSOR PARTICIPATED IN, IN FACT LED THE  
1:03:35 COMMISSION. IT IS REASONABLE FOR SOMEONE,  
1:03:40 INCLUDING US, POLICY MAKERS TO LOOK AT THE RECOMMENDATIONS.  
THE SLA CHAIR AT THE TIME LED  
1:03:46 THE COMMISSION. THE SLA VERY SIGNIFICANTLY PARTICIPATED IN  
THOSE CONVERSATIONS AND THE BACKGROUND  
1:03:53 THAT LED TO THOSE CONVERSATIONS I THINK IT'S REASONABLE FOR  
1:03:58 SOMEONE TO TAKE AWAY FROM THAT, AT LEAST THE PRIOR  
ADMINISTRATION AT THE SLA  
1:04:04 SUPPORTED THOSE RECOMMENDATIONS THAT CAME OUT OF THE  
COMMISSION.  
1:04:11 DO YOU AND/OR THE SLA STILL SUPPORT THOSE 18  
RECOMMENDATIONS THAT CAME OUT OF THE COMMISSION?  
1:04:18 >> SIR, I WORK FOYE FOR THE GOVERNOR, SO IF THE GOVERNOR  
SUPPORTS IT, I SUPPORT IT. >> FAIR ENOUGH.  
1:04:24 THANK YOU. I TRIED. >> SO COMMISSIONER, AGAIN, I WANT TO THANK  
YOU FOR BEING  
1:04:32 HERE. THE MEMBERS HAVE BEEN ASKING QUESTIONS ABOUT SLAR  
SINCE AT  
1:04:38 LEAST THE LAST THREE YEARS. THEY TRY TO GET TO OPPORTUNITY  
FOR YOU TO COME TO US AND SPEAK  
1:04:43 TO US AND GIVE US AN UPDATE. IT'S VERY MUCH APPRECIATED. I JUST  
WANT TO ASK YOU, IS THERE ANYTHING THAT WE MISSED THAT YOU  
1:04:49 WANTED TO TALK ABOUT AND SHARE WITH US TODAY? >> I'M  
GRATEFUL FOR THE TIME  
1:04:55 THAT YOU HAVE GIVEN US. I DO BELIEVE THAT YOU HAVE A LOT OF  
THAT HAVE YOU TO KNOW AND I  
1:05:05 APPRECIATE YOUR BRAIN POWER AND LOOK FORWARD TO WORKING  
WITH YOU IN THE FUTURE. >> I HOPE THAT WE HAVE THE BRAIN POWER TO  
CONTINUE TO DO IT IN  
1:05:11 COLLABORATION AND IN A POSITIVE WAY. I HOPE THAT YOU CAN FEEL  
1:05:21 COMFORTABLE WITH CONCERNS AND ISSUES YOU V. WE WILL DO OUR  
BEST TO TRY TO HELP YOU IMPROVE THE AGENCY SO THAT WE CAN MAKE  
1:05:28 IT A HAPPY PLACE FOR PEOPLE TO ATTEND AS MUCH AS PEOPLE ARE  
1:05:35 EXCITED ABOUT OR DEALING WITH BUREAUCRACY, WE WANT TO MAKE  
IT TRANSPARENT AND ACCESSIBLE SO THAT WE CAN, YOU KNOW, MAKE OUR  
1:05:43 STATE MORE BUSINESS FRIENDLY  
1:06:00 THANK YOU FOR BEING HERE AND THANK YOUR TEAM. >> THANK YOU  
VERY MUCH. >> WE'LL GET THE NEXT PANEL.  
1:06:07 NEW YORK STATE DISTILLERS GUILD. BRIAN FAQUET PRESIDENT.  
1:06:14 AND HEAD DISTILLER FOR DO GOOD SPIRITS AND THE NEW YORK CIDER  
ASSOCIATION SCOTT RAMSEY.  
1:07:08 WE ARE GOING TO TAKE A FIVE MINUTE BREAK AND SAY A PROPER  
GOODBYE TO THE COMMISSIONER.  
1:07:30 >> GOOD MORNING, SENATOR. MY NAME IS  
**BRIAN FAQUET.**

I'M THE PRESIDENT OF THE  
1:07:35 NEW YORK STATE DISTILLERS GUILD. WHICH IS AN ORGANIZATION  
THAT REPRESENTS THE 16 0 DISTILLED  
1:07:40 SPIRITS LICENSEES IN NEW YORK STATE AS WELL AS THE PRESIDENT  
AND ACTUAL DISTILLER  
1:07:48 OVER AT DO GOOD SPIRITS IN ROSCO, NEW YORK. UP IN THE  
CATSKILLS.  
1:07:54 I APPRECIATE YOU LETTING US COME TODAY TO SPEAK. WE HAVE-- I  
KEEP HEARING IN THE  
1:08:00 CONVERSATION ABOUT NEW YORK BEING OPEN FOR BUSINESS. I  
WOULD LIKE TO SAY AS FAR AS OUR INDUSTRY OVER THE LAST 15 1:08:07  
YEARS, 15 -16 YEARS SINCE OUR LICENSES BECAME REDUCED TO  
ALLOW FOR NEW YORK STATE DISTILLERS,  
1:08:13 THE INDUSTRY HAS GROWN. WE HAVE CREATED, ACCORDING TO A  
JOHN DUNHAM ECONOMIC STUD WE  
1:08:23 GENERATE 3.2 BILLION-DOLLAR IN ECONOMIC IMPACT, WE CREATE  
NEW JOBS, PROTECT AGRICULTURE.  
1:08:28 MILLIONS OF BUSHEL OF GRAIN. OUR INDUSTRY IMPACTS SO MANY  
THINGS AS WELL AS TOURISM, SMALL  
1:08:34 TOWN DEVELOPMENT. WE ARE VERY PROUD OF IT AND WE HAVE  
APPRECIATED THE SUPPORT NEW YORK STATE HAS.  
1:08:39 AS FAR AS OUR INDUSTRY, THE NEW YORK STATE LIQUOR AUTHORITY  
AND HOW EIGHT PLIES, I KNOW YOU WERE ASKING-- HOW IT APPLIES, I  
1:08:48 KNOW YOU ASKED THE COMMISSIONER WHAT THEY ARE DOING TO BE  
OPEN TO BUSINESS TO HELP. OUR INDUSTRY ACTUALLY HAS ALWAYS HAD A VERY  
GOOD RELATIONSHIP  
1:08:54 WITH THE STATE LIQUOR AUTHORITY. BECAUSE WE WERE BRAND NEW  
TO MANY OF THE PEOPLE THAT WORK  
1:08:59 THERE TODAY, THEY HAD TO FIGURE OUT WHAT WE WERE. WE  
WEREN'T AROUND IN 19 33 WHEN  
1:09:05 THE THREE TIER SYSTEM WAS CREATED. NEW YORK STATE DIDN'T  
HAVE MANUFACTURERS. WE HAD A TWO TIER SYSTEM  
1:09:11 LARGELY. SO EVERY TIME LIME COMES IN, CIDER, SPIRITS, BEER,  
EVERYTHING HAS TO BE CREATED SO THERE HAS  
1:09:18 ALWAYS BEEN A WILLINGNESS TO GO THROUGH AND SAY LAWS HAVE  
BEEN CREATED, HOW DO WE MAKE THIS WORK. IN THE ADMINISTRATION WITH  
1:09:24 COMMISSIONER FAN, I WILL SAY THAT WE TOOK IT TO A DIFFERENT  
LEAF. THE COMMUNICATION IS PROACTIVE.  
1:09:29 THEY'RE REACHING OUT. WE HAVE ALWAYS HAD-- I CAN'T SAY ENOUGH  
THAT WE ALWAYS HAD A GOOD  
1:09:35 RELATIONSHIP BUT THE ATTITUDE ALWAYS WAS NO, YOU CAN'T DO IT.  
LAW IS THE LAW. YOU CAN'T CHANGE THINGS. THIS IS HOW IT WAS.  
1:09:42 THE NEW APPROACH IS LET'S LOOK AT IT. IF THERE IS AN ADVISORY  
NEGATIVELY IMPACTING YOUR  
1:09:48 BUSINESS, LET US KNOW WHY. LET US LOOK AT IT AND HAVE A  
LOGICAL PRACTICAL CONVERSATION

1:09:53 ABOUT IT. THAT'S WAS I WOULD SAY WE ARE EXPERIENCING RIGHT NOW. OUR INDUSTRY IS A LITTLE DIFFERENT. WE ARE FEDERALLY LICENSED.

1:09:58 WE NOT STATE LICENSED. WE ARE STATE LICENSED AS WELL. WE GO THROUGH A MUCH LONGER,

1:10:04 MUCH MORE SEVERE FEDERAL AND STATE LICENSING. WHAT IS HOLDING US BACK IN NEW YORK STATE IS THE SYSTEM

1:10:10 ITSELF. THE SYSTEM ITSELF WAS NOT CREATED FOR US. WE WERE NOT AROUND NOR ARE WE

1:10:17 MULTI-BILLION-DOLLAR COMPANIES, MOST OF US ARE NOT EVEN MULTIMILLION DOLLAR COMPANIES. WE ARE DOING THIS FOR SMALL

1:10:22 BUSINESSES THAT TAKE OUR FINANCIAL, PERSONAL FINANCIALS INTO ACCOUNT AND WE PUT

1:10:28 EVERYTHING FOR THIS IDEA OF HOPE , HOPE IS A POWERFUL THING. BUT WHEN YOU REALIZE IN AN

1:10:33 INDUSTRY THERE ARE RESTRICTIVE MARKET ACCESS THAT WE CANNOT REACH OUR CONSUMERS, NOW WHEN I SAY THAT, THE RETAIL

1:10:41 ASSOCIATIONS AND THE RETAILERS, WE LOVE THEM. WE LOVE RETAILERS. THEY'RE THE FABRIC OF WHICH THIS

1:10:48 INDUSTRY GETS PRODUCT SAFELY TO CONSUMERS. BUT WE ARE TOO SMALL TO COMPETE. WE DON'T HAVE THE FINANCES FOR

1:10:55 MASSIVE MARKETING CAMPAIGNS. WE CAN'T TAP INTO PUBLICLY TRADED FUNDS TO GO AND EXPAND.

1:11:00 WE ARE BASICALLY DRIVING THE STUFF LARGELY IN OUR OWN CARS TO RETAILERS WHO ARE WILLING TO

1:11:05 GIVE US A CHANCE AND WE THANK THEM. AS FAR AS MARKET ACCESS IS

1:11:11 CONCERNED, YOU KNOW, WHAT WE ARE LOOKING AT FROM OUR STANDPOINT, WE LOOK TO THE WINE INDUSTRY AS

1:11:16 A WAY FORWARD. IN THE 19 70 s,ATION, 80 S AND

1:11:21 90 s UNDERSTAND UP TO 20 05 , THEY CREATED LEGAL FRAMEWORKS ALMOST A SYSTEM WITHIN THE

1:11:27 SYSTEM TO ALLOW MANUFACTURERS TO REACH CONSUMERS. BUT YET EVERY TIME ONE OF OUR ASSOCIATIONS APPLIES FOR A NEW

1:11:33 LAW, WHICH IS NOTHING MORE THAN ASKING FOR PARITY FOR WHAT WINE HAD PROVEN WHAT WORKS.

1:11:39 WE SOMEHOW GET PUSHED DOWN, THAT OUR NEEDS DON'T MATTER. AND RIGHT NOW WHAT YOU ARE ACTUALLY EXPERIENCING IN

1:11:44 NEW YORK STATE IS WE ARE FAILING THE DISTILLERS HAVE BEEN FAILING SAYING THAT FOR TWO YEARS.

1:11:49 THREE YEARS. SINCE COVID. WE ARE GOING OUT OF BUSINESS. EVEN SINCE A MONTH AGO WE HAD

1:11:55 OUR MEETINGS IN ALBANY, WE HAD FOUR OTHER DISTILLERIES TELL US THEY'RE GOING OUT OF BUSINESS. ONE OF THEM BEING VERY CLOSE TO

1:12:02 ME PERSONALLY. WE ARE STRUGGLING FINANCIALLY TO REACH MARKETS. WE ARE STRUGGLING FINANCIALLY TO LEAVE THE STATE, YOU KNOW,

1:12:09 ALCOHOL IS A MULTISTATE THING. WE ARE ONLY FOCUSING ON NEW YORK AND WE CAN'T REACH THE SHELVES

1:12:14 HERE. WE ARE ASKING FOR OUR LEGISLATORS TO START LOOKING AT THE LAWS, LOOK TO THE PAST,

1:12:21 APPLY WHAT WORKS BECAUSE ALCOHOL IS ALCOHOL. IT IS NOTHING DIFFERENT.

1:12:27 CIDER, SPIRITS, BEER AND WINE ALL START WITH NEW YORK AGRICULTURE SO WHY AREN'T WE

1:12:32 PROMOTING IT THE WAY AND GIVING US THE SAME RIGHTS AND BENEFITS. THANK YOU.

1:12:38 >> THANK YOU. SIR. >> YEP. THANK YOU TO THE SENATE COMMITTEES FOR THIS OPPORTUNITY

1:12:44 TO ATTESTIFY ON THESE VERY SIGNIFICANT ISSUES.

**I'M SCOTT RAMSEY, EXECUTIVE**

1:12:50 DIRECTOR FOR THE NEW YORK CIDER ASSOCIATION AND WE ARE THE SINGULAR TRADE ASSOCIATION IN NEW YORK STATE FOCUSED ON CULTIVATING WHAT IS UNIVERSALLY

1:12:56 BECOME KNOWN AS THE WORLD CLASS NEW YORK HARD CIDER TEMPORARY.

1:13:02 THE NEW YORK CIDER ASSOCIATION REPRESENTS SMALL AND LARGE FARMS AND SMALL GROWERS, PRODUCERS,

1:13:07 MANUFACTURERS AND ENTREPRENEURS ACROSS THE STATE, MANY OF WHOM PRODUCE HARD CIDER FROM 10 TO 20%

1:13:12 NEW YORK APPLES. WHEN THE ASSOCIATION WAS FOUNDED IN 2015, THERE WERE ONLY A HANDFUL OF CIDERIES IN THE

1:13:19 STATE. I'M PROUD TO TELL YOU WE SUPPORT OVER 125 LICENSED HARD CIDER

1:13:26 PRODUCERS ACROSS NEW YORK WHICH IS A REMARKABLE GROWTH RATE OVER 2400% IN THE PAST 10 YEARS AND

1:13:32 REPRESENT A TOTAL ECONOMIC IMPACT TO THE STATE OF \$1.7 BILLION.

1:13:38 RECENT-- 1.7 BILLION. WE HAD AN ENCOURAGING MEETING WITH COMMISSIONER FAN AND HER

1:13:43 TEAM AND ENCOURAGED BY GOVERNOR HOCHUL'S INCLUSION OF CERTAIN UPDATES TO THE WINE BEER AND

1:13:50 CIDER PERMITS IN HER 2024 BUDGET. HOWEVER THE IT CONTINUES TO BE

1:13:56 STUNTED BY THE INABILITY TO ALLOW OUR SMALL PRODUCERS TO SHIP DIRECTLY TO THEIR CONSUMERS

1:14:01 AND BUILD THEIR BUSINESSES WITHIN THE CONTEXT OF THE 2024 CONTEMPORARY MARKETPLACE.

1:14:08 WE HAVE UNDERSTOOD THIS TO BE OUR BIGGEST CHALLENGE TO OUR INDUSTRY'S GROWTH FOR YEARS. AND WE HAVE BEEN FORTUNATE

1:14:14 ENOUGH TO HAVE THE ROBUST LEGISLATIVE SUPPORT FOR SEVERAL YEARS, EVEN BEFORE THE PANDEMIC

1:14:20 OF SENATOR RACHEL MAY AND PATRICIA FAHY WITH THEIR DIRECT

1:14:27 CONSUMER SHIPPING BILL AND INTO THE 20 24 SESSION EXPECTED TO PASS THE SENATE YET AGAIN BUT CONSISTENTLY GETS HELD UP IN THE

1:14:34 ASSEMBLY ECONOMIC DEVELOPMENT COMMITTEE AND HAS NEVER BEEN ELEVATED TO THE AGENDA FOR A VOTE ON THE FLOOR. AND OF COURSE WE ALSO FULLY

1:14:40 SUPPORT YOUR BILL SENATOR SKOUFIS, THANK YOU SO MUCH BECAUSE ALL CRAFT BEVERAGE

1:14:48 PRODUCERS SHOULD HAVE THE SAME ECONOMIC OPPORTUNITIES TO FLOURISH AND REPRESENT THE BEST OF NEW YORK STATE. SO DURING THE PANDEMIC, WHEN THE

1:14:55 GOVERNOR'S EXECUTIVE ORDERS ALLOW FOR THE DIRECT SHIPT OF CIDER VIA DRINKS TO GO ORDER THERE, WERE NO MAJOR ISSUES WITH

1:15:02 UNDERAGE RECIPIENTS OF ALCOHOL OR DELIVERY VIA COMMON CARRIER SUGGESTED BY THE RETAIL AND

1:15:09 DISTRIBUTION INDUSTRIES. NOR DID CIDERIES HAVE THE PRIVILEGE OF DIRECT SHIPPING AND IN FACT, THE NUMBER IN THE

1:15:16 COMMISSION'S REPORT SHOW DISTRIBUTORS DID EXCEEDINGLY WELL DURING THE SAME PERIOD IN WHICH DIRECT SHIPMENT WAS

1:15:21 AVAILABLE TO CRAFT PRODUCERS. SO WITHOUT THE ABILITY TO SHIP DIRECTLY TO THEIR CUSTOMERS,

1:15:28 NEW YORK CIDER PRODUCERS ARE FACED WITH AN ANTIQUATED DISTRIBUTION STRUCTURE DESIGNED FOR LARGE SCALE PRODUCERS AS BRIAN MENTIONED THAT CAN AFFORD

1:15:34 TO PARTICIPATE IN A SYSTEM THAT INHIBITS THE POTENTIAL OF SMALL BUSINESSES GROWING THEIR BRANDS, BUILDING THEIR CUSTOMER BASES

1:15:40 AND INCREASING THE ECONOMIC IMPACT TO THEIR COMMUNITIES. IN ADDITION, RETAILERS HAVE LIMITED SHELF SPACE AND

1:15:46 DISTRIBUTOR CAN ONLY FOCUS ON LIMITED SUPPLIER BASE.

1:15:52 THE ABILITY FOR NEW YORK CIDER FARM MANUFACTURERS TO SHIP DIRECTLY TO THEIR TO THE ABC LAW

1:16:01 WHICH WANTED TO SUPPORT ECONOMIC GROWTH, JOB DEVELOPMENT, THE

1:16:06 STATE'S ALCOHOLIC BEVERAGE PRODUCTION INDUSTRIES AND TOURISM RECREATION INDUSTRY AS WELL AS THE CONSERVATION AND

1:16:11 ENHANCEMENT OF STATE AGRICULTURAL LANDS. SO INTERESTINGLY, THE COMMISSION'S FINAL VOTE FOR RECOMMENDATION OF

1:16:18 DIRECT-TO-CONSUMER SHIPPING WAS ACTUALLY TIED 8-8, INDICATING THAT THERE IS A WELL DEVELOPED UNDERSTANDING OF THE NEED FOR

1:16:23 THIS OPPORTUNITY FOR NEW YORK CIDER AND ALL CRAFT BEVERAGE MANUFACTURERS IN NEW YORK.

1:16:28 SO WHAT WE ARE SEEKING IS SIMPLE. TO HAVE PARITY WITH AND PROVIDE FOR THE NEW YORK CIDER INDUSTRY

1:16:34 THE SAME ECONOMIC OPPORTUNITY THAT NEW YORK STATE AFFORDS ITS WINE INDUSTRY. NEW YORK IS THE SECOND LARGEST

1:16:39 APPLE PRODUCING STATE IN THE UNITED STATES AND WE HAVE MORE  
ACTIVE SIDERIES THAN ANY OTHER STATE IN THE COUNTRY AND WE ARE  
1:16:45 NUMBER ONE IN THE U.S. FOR MOST APPLE VOTING RIGHTS. SO CIDER  
IS AN AGRICULTURAL  
1:16:50 PRODUCT. JUST LIKE WINE. CIDER IS MADE WITH FERMENTED APPLES.  
WINE IS MADE WITH FERMENTED  
1:16:57 GRAPES. EVEN AT THE FEDERAL LEVEL, THE TD CLASSIFIED CIDER AS  
AN APPLE  
1:17:02 WINE AND NEW YORK CIDER MAKERS DON'T HAVE THE SAME  
OPPORTUNITY THAT NEW YORK WINE MAKERS HAVE HAD FOR OVER 30 YEARS IN  
BEING  
1:17:07 ABLE TO BUILD THEIR BUSINESSES, CONNECT DIRECTLY WITH THEIR  
CUSTOMERS AND BRING TREMENDOUS VALUE TO THE AGRICULTURAL AND  
1:17:14 AGRITOURISM INDUSTRIES OF THIS STATE. SO I THANK YOU SO MUCH  
FOR YOUR TIME AND APPRECIATE YOUR CONSIDERATION AND SUPPORT FOR  
1:17:23 NEW YORK CIDER'S INDUSTRIES AND NEW YORK GROWERS FARMERS  
AND PRODUCERS. THANK YOU VERY MUCH.  
1:17:33 >> THANK YOU FOR YOUR TESTIMONY AND POINTING OUT THAT YOU  
ARE NOT GETTING PARITY WITH THE LIQUOR INDUSTRY AND WE WANT TO  
1:17:39 THANK SENATOR SKOUFIS FOR BRINGING THIS UP EVERY YEAR AND IN  
CONFERENCE EVERY YEAR WE TRY  
1:17:45 TO HELP WORK WITH YOU WITH THE ASSEMBLY TO FIND OUT THE  
ROAD BLOCKS SO YOU CAN FINALLY GET  
1:17:51 PARITY. IT'S NOT FAIR. CLEARLY IT'S NOT FAIR WHAT IS GOING ON  
WITH YOU. AND I WILL WORK WITH SENATOR  
1:17:58 SKOUFIS TO TRY TO LOBBY OUR COLLEAGUES ON THE OTHER SIDE OF  
THE AISLE AND TO TRY TO GET THIS  
1:18:05 LOG JAB RE-- LOG JAM RESOLVED. I DON'T KNOW WHAT ELSE TO SAY  
OTHER THAN I APPRECIATE YOU  
1:18:10 COMING DOWN TO THE CITY TO AIR  
1:18:15 YOUR POINTS OF VIEW. CONGRATULATIONS ON YOUR PERSEVERANCE  
AND HOPE WILL YOU CONTINUE TO FIGHT FOR WHAT YOU  
1:18:21 TRULY DESERVE.  
1:18:26 >> THANK YOU BOTH FOR YOUR TESTIMONY AND I ECHO WHAT  
SENATOR COMRIE JUST SAID.  
1:18:32 ONE OF THE THINGS THAT I THINK WE ALWAYS TRY TO DO AS POLICY  
MAKERS IS TO GROW THE PIE, NOT  
1:18:37 JUST TO CUT THE PIE INTO MORE SLICES AND DIVVY UP SOMEONE  
ELSE'S SHARE.  
1:18:43 MY VIEW ON DIRECT CONSUMER IS THAT THIS IS AN OPPORTUNITY TO  
GROW THE PIE BECAUSE AS WAS  
1:18:50 RIGHTLY POINTED OUT, ESPECIALLY FOR OUR SMALLER CRAFT  
DISTILLERS  
1:18:59 AND CIDERIES, THIS IS A MATTER OF YOU ALL NOT GETTING SHELF  
1:19:06 SPACE IN THE SMALL LIKER STORE IN A COMMUNITY. YOU ARE NOT  
DISPLACING ALCOHOL

1:19:14 CONSUMPTION. THIS IS A MATTER OF GETTING YOUR PRODUCT TO CONSUMERS WHO ARE NOT ABLE TO GET IT ELSEWHERE.

1:19:21 MY QUESTION TO YOU IS, DO YOU HAVE ANY KIND OF SENSE OR HAVE YOU SEEN ANY DATA FROM WINERIES

1:19:30 ABOUT THAT SPEAKS TO HOW MUCH THAT PIE GROWS? WHAT DOES YOUR BUSINESS LOOK

1:19:36 LIKE IF IT'S AT X, IS IT X PLUS 20 % WITH DIRECT TO CONSUMER, X

1:19:42 PLUS 5%? GIVE ME A SENSE OF HOW MUCH GROWTH YOU SEE IF WE WERE TO DO

1:19:50 DTC? >> THERE IS ACTUALLY A STUDY BY A COMPLIANCE RELEASED ON THE

1:19:55 WINE INDUSTRY WE CAN SHARE BUT ONE OF THE THINGS THAT WAS INTERESTING AND IF I'M OFF BY THE STAT A LITTLE BIT OF THE

1:20:01 PRODUCERS OF WINE SHIPPING, MARKET OF THEM ARE SMALL. AND THIS IS WHERE PARALLELS TO

1:20:07 DISTILLED SPIRITS IN THE UNITED STATES. THERE ARE 27 00 -28 00 DISTILLERIES

1:20:13 IN THE UNITED STATES, NEARLY 90 % OF THE VOLUME IS PRODUCED BY 10 % OF THE PEOPLE.

1:20:18 THE REST OF THE DISTILLERS IN THE UNITED STATES PRODUCE LESS THAN A THOUSAND CASES. THIS IS ACTUALLY PARALLEL TO THE

1:20:25 WINE INDUSTRY. MOST OF THE PEOPLE THAT ARE SURVIVING ARE SURVIVING DUE AND THEY'RE ALL 5,00 0 CASE AND UNDER

1:20:32 SO SMALL FAMILY WINERIES. THEY'RE SURVIVING FROM THIS NUMBER. SO IT'S A MASSIVE AMOUNT OF

1:20:38 TAXES GENERATED WHICH WE CAN POINT TO THE REPORT. BUT IT'S NOT A MATTER OF MASSIVE

1:20:43 GROWTH FOR PEOPLE. IT'S THE IDEA THAT THEY HAVE ENOUGH TO HANG ON. THEY HAVE ENOUGH TO GROW THEIR

1:20:49 BUSINESSES IN A SELF CONTAINED ENVIRONMENT. >> I WOULD ECHO WHAT BRIAN SAID. I MEAN IT IS, YOU KNOW, OUR

1:20:56 FOCUS IS ON THE SUSTAINABILITY OF OUR SMALL BUSINESSES TO HAVE THIS CAPABILITY JUST GIVES THEM MORE OPPORTUNITY TO GROW THEIR

1:21:02 BUSINESSES. I THINK THAT THEY DO HAVE SOME GREAT DATA AROUND WHAT THIS COULD LOOK LIKE IF IT WAS

1:21:08 AVAILABLE. THE OTHER THING WOULD I HIGHLIGHT IS THAT WE ARE ALSO-- THE WORLD IS A VERY DIFFERENT

1:21:14 PLACE, ESPECIALLY AFTER THE PANDEMIC, AROUND CONSUMER BEHAVIOR AND CONSUMER INTEREST AND CONSUMER DEMAND.

1:21:19 YOU KNOW, EVERYTHING IS SHIFTED TO MUCH MORE OF AN ONLINE CAPABILITY AND DIRECT TO HOME

1:21:25 AND CONSUMER CAPABILITY. AND WE FEEL CONFIDENT-- WE HAVE TALKED ABOUT THIS BEFORE.

1:21:31 WE FEEL CONFIDENT THIS WOULD ACTUALLY HELP TO BUILD OPPORTUNITY FOR RETAILERS AND DISTRIBUTORS BECAUSE WE WOULD BE

1:21:37 HAVING ACCESS TO EXPAND OUR BRANDS AND ADVERTISE AND PROMOTE OUR BRANDS TO CONSUMERS SO THAT THEY WOULD CREATE MORE DEMAND

1:21:43 FOR ACTUAL RETAILERS AND DISTRIBUTORS THAT THERE IS NO WAY THESE BRANDS CAN GET ON THE SHELF OR IN FRONT OF A CONSUMER

1:21:49 TO BEGIN WITH. SO IT'S A GREAT DAY DATA POINT WE SHOULD LOOK UP.

1:21:57 >> WHEN WE LOOK AT DISTILLERIES.

1:22:04 WE HAVE TO ADHERE TO THE LAWS OF EVERY STATE. WE CANNOT SHIP OVER STATE LINE

1:22:11 UNLESS. SO UNLIKE MANY OF THE OTHER

1:22:16 TYPES OF SHIPPING THAT ARE AVAILABLE, WE CANNOT VIOLATE SOMEBODY ELSE'S LAW OR EL ELSE

1:22:21 WE LOSE THE FEDERAL LICENSE. SOMETHING TO KEEP IN MIND, AND THAT'S WHERE THE AMOUNT OF TAX GENERATION THAT IS GENERATED

1:22:27 ACROSS THE NATION IS THERE BECAUSE YOU HAVE FEDERALLY LICENSED ENTITIES THAT ARE

1:22:34 ADHERING TO STATE LAW IN EACH STATE THEY SHIPPED TO SO IT'S CONTROLLED.

1:22:39 >> WHEN YOU HAVE A DISTILLER OR CIDERY THAT HAS SOME AMOUNT OF

1:22:44 PRODUCT AND THEY CAN'T FIND SHELF SPACE IN LIQUOR STORES FOR

1:22:49 ALL OF THE PRODUCT WHAT HAPPENS TO THE PRODUCT? IS IT STASHED AWAY IN A BACK

1:22:55 ROOM SOMEWHERE? IS IT DUMPED SOMEWHERE TALK TO ME ABOUT WHAT HAPPENS WHEN YOU

1:23:01 HAVE EXCESS PRODUCT? >> I THINK MY PRODUCERS ARE PRETTY GOOD AT, YOU KNOW, BUILDING AND PRODUCING CIDER TO

1:23:07 THE EXTENT AT WHICH THEY CAN SELL IT. I DON'T THINK THEY ARE OVER PRODUCING BECAUSE THEY CAN'T

1:23:12 AFFORD IT. AND YEAH, THAT WOULD BE MY PERSPECTIVE.

1:23:17 >> CIDER WOULD GO BAD OVER TIME WHERE DISTILLED SPIRITS ARE GOOD

1:23:23 FOREVER. WHERE YOU LOOK AT THAT IS IT'S NOT, AGAIN, NOT THE RETAILERS FAULT THERE IS NO MARKET OR SHELF SPACE.

1:23:28 NEVER THERE FAULT. BUT WHEN WE ARE LOOKING AT OUR STILLS AND THE CAPACITY WHAT WE COULD GROW TO, WE ARE JUST

1:23:35 SITTING IDLE. A LOT OF DISTILLERIES AROUND THE STATE POINT TO SUCCESS STORIES, THE STILLS ARE NOT RUNNING.

1:23:41 THEY'RE NOT ACTUALLY RUNNING AND DISTILLING ANYTHING BECAUSE THEY HAVE NO MONEY.

1:23:46 THEY ARE SITTING ON INVENTORY, THEY HAVE INVENTORY. YOU HAVE DISTILLERIES SHUTTING

1:23:52 DOWN SELLING OFF NEGOTIATE BECAUSE IT DOESN'T GO BADS BUT YOU NEED TO PAY THE BILLS. WITHOUT MARKET ACCESS AND



1:24:00 REVENUE, YOU CAN'T STAY IN BUSINESS. SO THAT'S WHAT IS HAPPENING ALL OVER THE STATE.

1:24:05 NEW YORK WHISKEY, PEOPLE ARE SELLING FIRE SALE PRICES AT BULK AND TRADING IT TO OTHER PEOPLE.

1:24:11 >> THIS IS COMMON. >> BECAUSE WE ARE FEDERALLY LICENSED, WE CAN SELL BULK LOCAL TO DIFFERENT PEOPLE BUT THAT'S

1:24:16 HAPPENING ALL OVER THE PLACE RIGHT NOW. BECAUSE THERE IS NO MARKET FOR IT, YOU CAN ONLY PUSH SO FAR.

1:24:22 HAVE YOU TO PAY THE BILLS SO YOU ARE SEEING LESS PRODUCTION. SOME PEOPLE ARE DOING GREAT.

1:24:29 MOST OTHER PEOPLE THEY'RE SELLING WHAT THEY CAN. >> ON THE DISTILLER SIDE, IT SOUNDS LIKE IF DIRECT TO

1:24:35 CONSUMER WAS AN OPPORTUNITY HERE IN NEW YORK STATE, IT WOULDN'T EVEN SO MUCH BE OH WE ARE NOW ABLE TO PRODUCE, YOU KNOW, FIVE

1:24:41 TIMES, 10 TIMES AS MUCH PRODUCT AS NOW. IT'S REALLY NOW WE CAN ACTUALLY SELL ALL THIS PRODUCT THAT WE

1:24:47 ARE PUTTING ON FIRE SALES TO OTHER STATES. >> YOU CAN SELL IT. YOU KNOW, WHAT THE POTENTIAL IS

1:24:55 WHEN SOMEONE VISITS NEW YORK STATE ACE TOURIST. THEY WANT TO GO HOME WITH A BOTTLE BUT THEY CAN'T. THEY DON'T WANT TO CHECK IT IN

1:25:01 THEIR BAG. THEY WANT A SECOND BOTTLE, AND FOR ME TO GO TO ANOTHER STATE, IT'S HARDER TO DO BUSINESS IN

1:25:06 OTHER STATES THAN JUST AS HARD IF NOT HARDER THAN TO DO BUSINESS IN NEW YORK. SO FOR US NOT BEING ABLE TO

1:25:14 REACH THE PEOPLE WHO EXPERIENCE HOW GREAT NEW YORK STATE PRODUCTS ARE, IF THEY CAN'T GET

1:25:20 IT, THEY FORGET ABOUT YOU SO YOUR BRAND CAN'T GROW. DISTILLING INDUSTRY HAS BECOME ALMOST LIKE A BREW PUB OR CIDER

1:25:29 PUB. I NEVER WANTED TO FLIP A HAMBURGER IN MY LIFE. I WANTED TO BE A MANUFACTURER BUT I'M FLIPPING BURGERS TO PAY

1:25:37 THE BILLS THAT HAS NOT THE BEST BUSINESS PLAN IS TO, YOU KNOW, WE ARE DOING WHATEVER WE CAN TO

1:25:42 SURVIVE WITH WHATEVER THE STATE GIVES YOU BUT THAT'S NOT A MANUFACTURER. THAT'S A SHOP CLERK AND A

1:25:49 RESTAURANT PIECE SO IT'S A CHALLENGE. >> AS YOU GUYS PROBABLY KNOW. WE AMENDED MY DTC BILL LAST YEAR

1:25:59 AND ONE OF THE PRIMARY AMENDMENTS WAS INSTEAD OF US OPENING THE DOOR TO DTC TO

1:26:05 VIRTUALLY ALL MANUFACTURERS, WE ARE LIMITING IT TO CERTAIN CLASS SIZES, LICENSED CLASS SIZES OF

1:26:12 MANUFACTURERS TO REALLY FOCUS THE OPPORTUNITY TO SMALLER

1:26:20 DISTILLERIES AND CIDERIES: ARE YOU COMFORTABLE WITH THAT

1:26:25 APPROACH? >> WE ARE COMFORTABLE WITH IT AND ULTIMATELY WE WOULD LOVE OUR RETAIL PARTNERS IN THE STATE TO

1:26:30 SIT DOWN WITH US AND TALK ABOUT HOW ELSE WE CAN WORK TOGETHER TO MAKE SURE THAT EVERYBODY'S NEEDS ARE MET IN HERE BUT FROM OUR

1:26:39 STANDPOINT AND OUR MEMBERSHIP, WE ARE NOT AGAINST ANYBODY SHIPPING. WE ARE REALLY JUST WORRIED ABOUT

1:26:45 OURSELVES TRYING TO SURVIVE. >> WE TAILORED IT THIS WAY, I DO

1:26:51 HAVE MORE SENSITIVITY TO JIM BEAM SETTING, YOU KNOW, SHIPPED

1:26:57 DIRECT TO CONSUMERS IN NEW YORK STATE. JIM BEAM IS ON THE SHELVES IN LIQUOR STORES AND THAT'S

1:27:03 DISPLACING SALES WHEREAS PROVIDING THE OPPORTUNITY TO SMALLER OUTFITS THAT ARE NOT ON THOSE SELVES SHELVES IS NOT

1:27:10 DISPLACING THE SALES. SOUNDS LIKE YOU ARE COMFORTABLE. >> OUR LARGER PRODUCERS HAVE

1:27:15 ACCESS TO THE CURRENT DISTRIBUTION MODELS AND WE SUPPORT THE MODELS FOR THOSE FOLKS. IT'S REALLY ABOUT WE ARE SO

1:27:20 DIRECTLY TIED TO AGRICULTURE. WE ARE TALKING ABOUT FARMERS WHO ARE ESSENTIALLY GROWING APPLES TO PRODUCE CIDER THAT'S A VAST

1:27:26 MARKET OF OUR MEMBERSHIP. WE WANT OPPORTUNITY FOR THEM TO GROW THEIR BUSINESSES IN A MEANING IF WILL WAY. >> VERY GOOD. THANK YOU. >> THANK YOU.

1:27:34 >> GOOD. >> THANK YOU FOR COMING DOWN TO THE CITY TO TESTIFY AND SHARE WITH US YOUR PLIGHT AND WE WILL

1:27:40 DO EVERYTHING WE CAN TO TRY TO HELP YOU WITHIN THIS SESSION,

1:27:45 HOPEFULLY BEFORE JUNE WE CAN SEE SOME SUCCESS FOR BOTH OF YOU. FEEL FREE TO REACH OUT TO OUR

1:27:51 OFFICES AND WE'LL DO WHAT WE CAN. THANK YOU. >> WONDERFUL. >> THANK YOU BOTH SO MUCH.

1:27:58 NEXT PANEL IS GENERAL BUSINESS, BUSINESS COUNCIL OF NEW YORK,

1:28:07 **Mr. ZUBER.**

1:28:13 >> GOOD AFTERNOON, SENATORS. MY NAME IS PAUL ZUBER, EXECUTIVE VICE PRESIDENT OF THE BUSINESS

1:28:19 COUNCIL OF NEW YORK STATE. THE BUSINESS COUNCIL OF NEW YORK STATE REPRESENTS OVER

1:28:24 32 00 BUSINESS MEMBERS. AND I THINK, FROM OUR PERSPECTIVE, WITH THE ABC LAW IT IS INTERESTING BECAUSE WE REALLY

1:28:30 KIND OF HAVE EVERYBODY AND EVERY BUCKET IN THE ABC LAWS AND BECAUSE 70 % OF OUR MEMBERS ARE

1:28:36 SMALL BUSINESSES WE NOT ONLY HAVE SOME OF THE LARGER PLAYERS WITHIN THE ABC LAW. BUT WE HAVE SMALL RESTAURANTS,

1:28:44 WE HAVE, YOU KNOW, SMALL LIQUOR STORES, WE HAVE THE GAMUT SO IT'S KIND OF PROVIDED US A

1:28:51 UNIQUE PERSPECTIVE FIRST LET ME SAY TO THE SLA, I THINK THERE IS A BREATH OF FRESH AIR AT THE SLA

1:28:58 RIGHT NOW. YOU KNOW, I HAVE SEEN ADMINISTRATIONS FROM PATAKI TO

1:29:05 SPITZER TO PATTERSON TO CUOMO TO HOCHUL. I DON'T THINK I LEFT ANYBODY OUT

1:29:11 AND DIFFERENT ITERATIONS OF THE SLA. I THINK ONE THING THAT COMMISSIONER FAN BRINGS TO THIS

1:29:18 AGENCY IS AN UNDERSTANDING OF HOW IMPORTANT CUSTOMER SERVICE IS. AND I THINK SHE IS REALLY TRIED

1:29:23 HARD TO MAKE IT EASIER FOR PEOPLE TO BE ABLE TO GET LICENSE

1:29:28 FOR PEOPLE TO GET A RESPONSE BACK FROM THE SLA. I KNOW PREVIOUS ADMINISTRATIONS,

1:29:34 THAT HAS BEEN VERY DIFFICULT.

1:29:43 WE ARE OR DEALING WITH LAWS THAT WERE MADE DURING PROHIBITION. I THINK THERE ARE A COUPLE OF PERFECT EXAMPLES.

1:29:49 YOU KNOW, THE PROVISION THAT YOU CAN ONLY OWN ONE LIQUOR STORE. IF YOU GO INTO THE BILL JACKET

1:29:55 OF THAT PROVISION WHEN IT WAS PASSED RIGHT AFTER PROHIBITION, THE SOLE PURPOSE OF IT WAS THERE

1:30:00 WAS A BELIEF THAT HAVING A SINGLE LIQUOR STORE OWNER WOULD PROTECT THE COMMUNITY BECAUSE

1:30:05 THAT LIQUOR STORE OWNER WOULD BE IN THE LIQUOR STORE. HE WOULD KNOW THE KIDS IN THE NEIGHBORHOOD, HE WOULD KNOW WHO

1:30:11 HAS A DRINKING PROBLEM. HE WOULD BE KIND OF THE POLICE FOR THE COMMUNITY.

1:30:16 NOW WE ALL KNOW SOCIETY HAS CHANGED. THINGS HAVE CHANGED. THAT DOESN'T EXIST ANYMORE.

1:30:22 SO WHAT DO LIKER DOOR STORE DOZEN NOW? WHEN I WANT TO GROW MY LIQUOR

1:30:27 STORE THE ONLY WAY TO DO IT IS IF I HAVE A WIFE OR A SON OR SOMEBODY WHO, WITH INDEPENDENT

1:30:33 MONEY, OPEN UP THEIR OWN LIQUOR STORE. WE CAN NAME IT SORT OF THE SAME SO THE COMMUNITY KIND OF GETS THE FACT THAT WE ARE SOMEWHAT OF

1:30:40 A CHAIN. NOW THERE IS NOTHING WRONG WITH DOING THAT. IT'S DOING IT WITHIN THE LAW. BUT WHY SHOULD THEY HAVE TO GO

1:30:45 THROUGH THAT PROCESS? IT DOESN'T MAKE SENSE. ANOTHER EXAMPLE OF WHERE THE LAW

1:30:52 IS A PROBLEMATIC AND THIS HAPPENED TO ONE OF OUR MEMBERS. ONE OF OUR MEMBERS WANTED TO OPEN UP A SHUTTERED RESTAURANT

1:30:59 IN NICKER. THEY WERE ALL SET, READY TO GO. THEY WERE READY TO DO IT.

1:31:05 THEY OWN A SMALL INTEREST IN A SMALL WINERY IN CALIFORNIA. THEY'RE SO STRICT WITH OUR LAWS

1:31:11 THAT THEY COULDN'T BE LICENSED. THE ONLY OPTION WAS FOR THEM TO

1:31:18 GO TO THE LEGISLATURE, PASS LEGISLATION THAT CREATES MEETS AND BOUNDS FOR THAT PARTICULAR LOCATION. THAT DOESN'T MAKE SENSE BECAUSE

1:31:24 THAT WAS NOT WHAT THE LAW WAS INTENDED TO DO. I THINK YOU KNOW, THROUGH YOUR

1:31:30 INFINITE WISDOM AND THE GOVERNOR'S INFINITE WISDOM, WE DECIDED TO HAVE A COMMISSION TO LOOK AT THE ABC LAWS.

1:31:37 I WAS SKEPTICAL. I WAS A MEMBER OF THE COMMISSION. I WAS QUITE SKEPTICAL BECAUSE I'VE SEEN THIS SHOW BEFORE WHERE

1:31:43 WE GO IN AND WE TALK ABOUT THIS AND WHAT COMES OUT AS TWO CHANGES TO THE LAW BECAUSE EVERY

1:31:51 ENTRENCHED INTEREST FIGHTS AND FIGHTS EACH OTHER, RETAILERS DON'T WANT WHOLESALERS DON'T WANT RETAILERS AND SO ON AND SO

1:31:57 FORTH, BUT I WAS QUITE PLEASED WITH THE FACT THAT WE CAME OUT WITH 18 RECOMMENDATIONS. AND I THINK, I KNOW SENATOR

1:32:05 SKOUFIS HAS PUT IN A BILL TO CODIFY MANY OF THE RECOMMENDATIONS. I THINK IT'S REALLY IMPORTANT THAT WE GO DOWN THAT PATH AND

1:32:11 TAKE THE FIRST STEP IN CHANGING THE ABC LAW. THIS IS NOT THE ONLY 18 ITEMS

1:32:18 THAT NEED TO BE CHANGED. BUT THIS IS THE FIRST STEP. I THINK BRIAN, WHEN HE WAS UP

1:32:24 HERE, MADE A VERY INTERESTING POINT. HE SAID THE LAW WAS NOT CREATED FOR THEM.

1:32:30 AND THAT'S VERY TRUE BECAUSE THE WORLD CHANGES AND WE HAVE TO MOVE THE LAW AS THE WORLD

1:32:39 CHANGES. I WAS ON THE RADIO AND WE WAS ON

1:32:45 A DEBATE WHEN THE OWNER OF A LIQUOR STORE SAID WE OPENED THE

1:32:51 STORE IN 19 40 AND WE CAN NEVER CHANGE THE LAW. THAT'S CRAZY. IF SOMEONE SAID THAT TO YOU AND SAID WELL YOU KNOW WHAT SENATOR

1:32:57 COMRIE, YOU CAN NEVER CHANGE THE HEALTH LAW BECAUSE IT WAS CREATED THIS WAY. YOU WOULD LAUGH THEM OUT OF YOUR

1:33:03 OFFICE. SO I THINK IT'S TIME THAT WE CHANGE THE LAW. IT'S TIME THAT WE MAKE IT EASIER.

1:33:08 WE CREATE ECONOMIC DEVELOPMENT, WE MAKE IT EASIER FOR THE STATE LIQUOR AUTHORITY. I MEAN I JUST, I THINK THE FACT

1:33:14 THAT WE WENT THROUGH THIS AND GOT THOSE 18 RECOMMENDATIONS IS VERY IMPORTANT THAT WE PROCEED SO WE CAN CONTINUE TO CHANGE THE

1:33:20 LAW.

1:33:27 I DON'T HAVE ANY QUESTIONS FOR YOU. I JUST WANT TO THANK YOU FOR COMING DOWN SAND SHARING. I HOPE THAT WE CAN GET THESE

1:33:34 CHANGES ADOPTED AND SENATOR SKOUFIS HAS CODIFIED INTO ONE

1:33:40 BILL. I THINK IT'S IMPORTANT. I AGREE WITH YOU THAT NOTHING STAYS STATIC AND WE HAVE TO BE ABLE TO BE FLEXIBLE AND

1:33:46 UNDERSTANDING THAT THE WORLD IS CONSTANTLY CHANGING. AND WE HAVE TO BE ABLE TO CREATE THE OPPORTUNITY FOR BUSINESSES

1:33:52 TO IMPROVE AND BE ABLE TO ACCESS THE STATE AS MUCH AS  
POSSIBLE SO I LOOK FORWARD TO WORKING WITH

1:33:59 SENATOR SKOUFIS, I THINK I'M ON THE BILL ALL RIGHT AND TO TRY TO  
GET THIS BILL PASSED AND PUSH

1:34:05 PAST THE SPECIAL INTEREST THAT ONLY WANT TO STAY STUCK IN  
THE PAST AS WELL.

1:34:10 I THANK YOU FOR TESTIFYING TODAY AND I LOOK FORWARD TO SEEING  
YOU IN ALBANY AS WE WORK TO MAKE

1:34:15 SURE THAT THE OTHER LEGISLATORS ADOPT THIS BILL AND WANT TO  
PASS IT AS WELL.

1:34:23 >> CAN YOU TALK ABOUT HOW OUR

1:34:28 SORT OF PER CAPITA NUMBER OF LIQUOR STORES PER PEOPLE HERE  
IN

1:34:34 NEW YORK COMPARES TO SOME OF OUR SURROUNDING STATES, OUR  
NEIGHBORS. >> WHEN YOU LOOK AT SOME OF THE

1:34:40 DATA THAT COMES FROM OTHER STATES, WE ARE BEHIND OTHER  
STATES WHEN IT COMES TO, YOU KNOW, LIQUOR STORES PER CAPITA.

1:34:46 I THINK SOME OF THE ARGUMENTS THAT HAVE BEEN PLACED OUT  
THERE THAT, YOU KNOW, SOMEHOW BY TINKERING WITH THE LAW, WE ARE

1:34:52 GOING TO SUDDENLY, YOU KNOW, OPEN UP A DAM IS GOING TO BREAK  
AND SUDDENLY EVERYBODY IS GOING

1:34:57 TO BE IN THE STREETS DRINKING OR SOMETHING OF THAT NATURE, IT  
DOESN'T HOLD TRUE TO THE DATA

1:35:03 THAT COMES OUT OF OTHER STATES. AND I THINK THERE ARE A LOT  
OF STATES THAT HAVE SUCCESSFULLY

1:35:08 DONE SOME OF THE THINGS THAT WE SIMPLY WANT TO CHANGE IN  
THIS OR IN THESE LAWS AND I THINK, YOU

1:35:14 KNOW, IT'S PRETTY EASY YOU LOOK AT THE OTHER STATES THAT  
HAVE

1:35:20 DONE SOME OF THE OTHER THINGS SO TO YOUR POINT, TO YOUR  
QUESTION

1:35:25 YES, WHEN YOU LOOK AT THE DATA, THE DATA SHOWS THAT NEW  
YORK IS BEHIND OTHER STATES WHEN IT COMES TO THAT.

1:35:33 >> THIS HAS ALWAYS STRUCK ME AS UNUSUAL I DON'T BELIEVE THERE  
IS A SYSTEM LIKE THIS IN PLACE FOR

1:35:40 ANY OTHER INDUSTRY, BUT AS YOU KNOW, IF YOU WANT TO OPEN UP A

1:35:46 LIQUOR STORE IN NEW YORK, YOU NEED AN APPROVAL. YOU NEED  
BASICALLY PERMISSION

1:35:52 FROM THE SLA FROM GOVERNMENT IN ORDER TO OPEN UP YOUR  
BUSINESS. THERE IS NO-- I DON'T THINK

1:35:58 THERE IS ANY OTHER PARALLEL SITUATION OR INDUSTRY. IT'S AS IF  
SOMEONE WANTS TO OPEN

1:36:03 UP A HARDWARE STORE, AND THEY'VE GOT TO GO TO THE STATE  
GOVERNMENT, WELL, LET'S LOOK AT HOW MANY OTHER HARDWARE STORES

1:36:09 THERE ARE IN THE COMMUNITY AND WHAT KIND OF IMPACT ARE YOU  
GOING ON HAVE ON THEM. ARE YOU AWARE OF ANY OTHER

1:36:15 PARALLEL?  
1:36:22 >> BECAUSE UNDER THE LAW, YOU HAVE TO MEET THE PUBLIC  
CONVENIENCE AND ADVANTAGE WHEN  
1:36:28 YOU APPLY FOR A LIQUOR STORE LICENSE. THERE IS NO REAL  
DEFINITION OF WHAT PUBLIC CONVENIENCE AND  
1:36:34 ADVANTAGE IS. YOU ALSO HAVE TO APPEAR BEFORE THE BOARD,  
BEFORE THE FULL BOARD IN ORDER TO BE LICENSED.  
1:36:40 THERE ARE TWO RESULTS. FIRST IT REQUIRES YOU TO GET AN  
ATTORNEY, WHICH, QUITE FRANKLY, WHY DO YOU NEED AN ATTORNEY TO  
1:36:45 ACTUALLY HAVE TO FILE AN APPLICATION FOR SOMETHING AS SIMPLE  
AS A LICENSE? MAYBE IF YOU GET INTO TROUBLE AS  
1:36:53 A LICENSEE OR SOME OTHER THINGS, YES, YOU PROBABLY SHOULD  
GET COUNCIL BUT YOU SHOULD NOT HAVE TO GO THROUGH THAT PROCESS AND  
1:36:59 BECAUSE THE PUBLIC CONVENIENCE AND ADVANTAGE HAS NO  
DEFINITION, WHAT IT HAS DONE IS CREATED  
1:37:04 UNEVEN DECISIONS WITHIN THE SLA. SO YOU ARE SITTING THERE  
WONDERING WHY ONE PERSON'S  
1:37:13 LICENSE BUT THE OTHER PERSON IS NOT LICENSED. THERE WAS A  
SITUATION IN ROCHESTER WHERE A GENTLEMAN HAD  
1:37:18 PUT HIS LIFE SAVINGS INTO TRYING TO OPEN A LIQUOR STORE. HE DID  
EVERYTHING HE WAS  
1:37:24 SUPPOSED TO DO AND SUDDENLY HE GOT BEFORE THE SLA AND THEY  
DENIED HIM ON PUBLIC CONVENIENCE  
1:37:29 AND ADVANTAGE AND YOU KNOW I THINK THE PREVIOUS CHAIRMAN  
WAS ROUGH ON HIM DURING THAT  
1:37:35 HEARING. AND LUCKILY, HE DIDN'T WANT TO TAKE IT. HE WAS ONE OF  
THOSE GUYS WHO SAID I'M NOT GOING TO TAKE IT  
1:37:41 ANYMORE AND HE WENT TO THE PRESS AND HE ENDED UP BEING ABLE  
TO REAPPLY AND GET HIS LICENSE BUT  
1:37:48 WE SHOULDN'T HAVE TO GO THROUGH THAT PROCESS. IT SHOULD BE  
APPLICABLE TO  
1:37:56 LIQUOR STORES BUT YES, I DON'T KNOW ANYWHERE ELSE IN THE LAW  
WHERE WE GO THROUGH THESE HOOPS  
1:38:03 PARTICULARLY WITH ONE SECTOR OF THE INDUSTRY AND I THINK BY  
CHANGING THAT I THINK YOU ARE  
1:38:08 HELPING THE STATE LIQUOR AUTHORITY AND YOU ARE HELPING THE  
BACKLOG BECAUSE WHAT IS GOING TO HAPPEN IS YOU ARE NOT  
1:38:13 GOING TO HAVE AS MANY HEARINGS WITH HUNDREDS AND 00 DREZ  
OF DIFFERENT PEOPLE SEEKING LIQUOR  
1:38:18 STORE LICENSES AND SUDDENLY YOU ARE WONDERING WHY YOU  
KNOW, THE  
1:38:24 SLA HARNT GOTTEN TO OTHER APPLICATIONS. >> I'M SURE  
SOMETHING YOU HEAR  
1:38:33 THE PREMISE YOU HEAR THAT THIS IDEA THAT THERE IS A NEVER  
ENDING INVENTION OF WHOLESALER

1:38:40 FEES AND YOU KNOW, YOU'VE GOT DELIVERY FEES. YOU'VE GOT STORAGE FEES. YOU'VE GOT CASE CRACKING FEES.

1:38:48 AND, YOU KNOW, WHEN THE SLA TRIES TO PLAY WHACK A MOLE AND

1:38:54 THEY PUT A CAP ON ONE OF THE FEES, THERE IS A NEW FEE THAT POPS UP. IS THIS SOMETHING YOU HEAR ABOUT A LOT?

1:39:00 IS THIS SOMETHING YOU THINK THIS ISSUE WAS NOT ONE OF THE

1:39:06 RECOMMENDATIONS OF THE COMMISSION? PUTTING A LID IN AND ADDRESSING

1:39:12 THESE DISTRIBUTOR FEES? BUT IS THAT SOMETHING THAT THE BUSINESS COUNCIL FEELS WE SHOULD BE TAKING A LOOK AT?

1:39:18 >> YEAH, ABSOLUTELY. WE SHOULD BE TAKING A LOOK AT IT BUT I THINK WHAT THE COMMISSION DID DO, WHICH WE DID LOOK AT WAS

1:39:25 WHETHER OR NOT A BAR OR RESTAURANT COULD PURCHASE A LIMITED QUANTITY OF ALCOHOL FROM

1:39:30 A LIQUOR STORE. BECAUSE MANY OF US KNOW, WHAT HAPPENS IS, YOU KNOW, BUSY SATURDAY NIGHT AND SUDDENLY YOU

1:39:36 RUN OUT OF TITO'S VODKA. YOU NEED TO GET TITO'S VOD VODKA

1:39:44 SO THE BAR OWNER HAS TO LOOK AT HIS BAR BACK AND SAY HERE IS

1:39:49 \$10 0, GO TO THE LIQUOR STORE AND GET ME A CASE OF TITO'S AND HE IS IN VIOLATION OF THE LAW.

1:39:54 DOESN'T MAKE SENSE, IN DEFENSE OF THE WHOLESALERS, THEY'RE NOT GOING TO LOAD A TRUCK UP AND

1:40:00 BRING A CASE OF VODKA TO A BAR THAT MIGHT NEED IT. SO THIS IS LIKE A SIMPLE THING THAT WE DO WITH THE COMMISSION,

1:40:07 A SIMPLE CHANGE. A CHANGE THAT MADE SENSE. YOU KNOW, I JUST WANT TO SAY LIKE EVERY RECOMMENDATION THAT

1:40:14 WAS OR PROPOSAL THAT WAS PUT BEFORE THE COMMISSION WASN'T APPROVED. THERE WERE SOME THINGS THAT I

1:40:19 THOUGHT SHOULD BE APPROVED THAT WEREN'T APPROVED. BUT WHAT IS FRUSTRATING IS, YOU KNOW, WHEN PEOPLE SAY THEY'RE

1:40:27 GOING TO TAKE THEIR MARBLES AND GO HOME BECAUSE THEY DON'T LIKE THE OUTCOME OF A COMMISSION THEY HAVE BEEN APPOINTED TO, THAT'S

1:40:32 KIND OF MIND BENDING FOR ME, ALL RIGHT. WE ALL STOOD UP THERE, WE ALL HAD OUR OPPORTUNITY TO TALK.

1:40:41 EACH ONE OF US WAS REPRESENTED THE GOVERNOR, THE MAJORITY LEADER, THE SPEAKER THE TWO

1:40:48 MINORITY LEADERS. THERE WAS A BROAD GROUP OF PEOPLE, IF WE PASS THE 181:40:54 RECOMMENDATIONS, I KNOW WE HAVE DONE TWO, I BELIEVE, I THINK WE ROLL TOWARDS MAKING MORE CHANGES

1:41:00 TO THE ABC LAWS. THIS SHOULDN'T BE A LAW THAT IS KIND OF STAGNANT.

1:41:05 IT SHOULD BE A LAW THAT KIND OF GROWS AS SOCIETY CHANGES.

1:41:13 I DIDN'T KNOW THERE WOULD BE A DAY I COULD GO ON A APP, ORDER SOMETHING FROM THE LIQUOR STORE, GO TO THE PARKING LOT AND OPEN

1:41:19 MY TRUNK AND THERE IS SOMEONE WHO PUTS THE LIQUOR IN MY CAR AND I DRIVE AWAY. I NEVER THOUGHT THERE WOULD BE

1:41:24 AN APP WHERE I WOULD NOT HAVE TO LEAVE MY HOUSE AND HAVE LIQUOR DELIVERED TO ME.

1:41:29 THE WORLD IS CHANGING AND I THINK UNLESS WE DECIDE TO MOVE THE LAW IN REGARDS TO HOW

1:41:37 SOCIETY HAS CHANGED AND BUSINESSES HAVE CHANGED WE ARE GOING TO CONTINUE TO TIE THE SLA'S HANDS BEHIND THEIR BACK.

1:41:43 >> CAN YOU SHARE YOUR THOUGHTS ON THE 20 0 AND 50 0-FOOT RULE? >> UM YEAH I THINK, YOU

1:41:48 KNOW, THERE IS A WAY TO HONEST WILL I GET THIS DONE TO MAKE EVERYBODY COMFORTABLE. I KNOW SOME FOLKS IN THE CITY

1:41:54 HAVE SOME CONCERNS. BUT YOU KNOW, I'LL USE THE--

1:41:59 HIVE HAD THIS HAPPEN BEFORE I WAS WITH THE BUSINESS COUNCIL IN THE PRIVATE SECTOR WHERE, YOU KNOW, A HOTEL OPENS UP AND THEY

1:42:07 HAVE A RESTAURANT AND OOPS THEY DIDN'T KNOW THEY WERE WITHIN 20 . THEY GO TO THE CHURCH AND THE

1:42:13 CHURCH SAYS WE HAVE FLO PROBLEM WITH YOU SERVE-- NO PROBLEM WITH YOU SERVING ALCOHOL AND THE SLA

1:42:18 IS LIKE SORRY, OUR HANDS ARE TIED. YOU KNOW, AGAIN, THERE HAS TO BE SOME FLEXIBILITY IN THE LAW.

1:42:26 WE HAVE TO REMEMBER THAT WHEN THE LAW WAS FIRST WRITTEN, THERE WAS A STRONG CONCERN IN NEW YORK STATE THAT, YOU KNOW,

1:42:32 WE ARE COMING OFF A PROHIBITION. WHAT DID WE SEE DURING THAT TIME? WE SAW A LARGE INFLUENCE OF MOB

1:42:39 ACTIVITY TAKING OVER THE LIQUOR INDUSTRY, THERE WAS ALWAYS THE ONGOING CONCERN THAT ONCE YOU

1:42:45 ENDED PROHIBITION PEOPLE WOULD BE OUT ON THE STREET DRINKING ALL DAY LONG. SO YOU CREATED THESE LAWS TO KIND OF PROTECT THE CONSUMER AND

1:42:51 PROTECT, YOU KNOW, THE COMMUNITY. AND, YOU KNOW, THAT WAS 19 30 S.

1:42:57 SO NOW WE ARE IN 20 24 , SO NOW WE HAVE TO LOOK AT THINGS AND MAKING ITSELF THE CHANGES TO THE

1:43:04 LAWS THAT MAKE SENSE. >> AND FINAL QUESTION. IS THERE A PARTICULAR ISSUE OR

1:43:10 REFORM THAT THE COMMISSION DID NOT CONTEMPLATE THAT YOU THINK IS OKAY? IF WE DID ALL THESE-- THIS IS

1:43:16 ONE MORE THAT WE REALLY SHOULD DO? >> IN MATERIALS OF BEING APPROVED OR BEING-- >> EITHER.

1:43:21 IT WASN'T APPROVED OR WASN'T BROUGHT UP FOR CONVERSATION. >> YEAH, I THINK, YOU KNOW,

1:43:29 BRIAN WAS UP THERE TALKING ABOUT DIRECT TO CONSUMER. I WILL PROBABLY GET IN TROUBLE

1:43:34 WITH SOME PEOPLE FOR SAYING THIS, BUT YOU KNOW, AT THE END OF THE DAY, LET'S BE HONEST.

1:43:41 AS A CONSUMER, I'M NOT GOING TO GO TO THE INTERNET AND ORDER TITO'S VODKA ONLINE AND PAY



1:43:47 SHIPPING AND HANDLING FEES. I'M NOT GOING TO DO IT. BECAUSE THE LIQUOR STORE IS DOWN

1:43:53 THE STREET. SO WHO IS REALLY USING DIRECT TO CONSUMER? IT'S REALLY SOMEONE WHO WANTS OH

1:43:59 MY GOD THERE IS A SMALL BATCH THAT I WANT THAT, YOU KNOW, THEY ONLY MAKE A THOUSAND BOTTLES AND

1:44:04 THE WHOLESALER IS NO THE GOING TO DELIVER... >> VACATION TO THE FINGER LAKES.

1:44:09 >> A DISTILL DISTILLERY THEY VISITED AND WANT SOMETHING SHIPPED HOME.

1:44:14 >> I REMEMBER THE DEBATE FOR DIRECT SHIPMENT FOR WINE AND I WAS ON THE OTHER SIDE OF IT FOR A WHILE, MUCH TO THE CHAGRIN OF

1:44:21 MY FORMER BOSS BUT THAT'S ANOTHER STORY ENTIRELY. BUT IT WAS ON THE OTHER SIDE OF IT AND I REMEMBER THE ARGUMENTS

1:44:27 ABOUT THE FACT THAT, YOU KNOW, IF WE DO THIS, IT WAS GOING TO END CIVILIZATION, EVERYBODY WAS

1:44:34 GOING TO LIKE, YOU KNOW, LIQUOR STORES WERE GOING TO CLOSE AND IT WAS MUCH ADO ABOUT NOTHING.

1:44:41 AND I THINK WE HAVE TO BE REALISTIC AND HONEST ABOUT SOME OF THESE THINGS. YOU KNOW, I GET THE POSITION,

1:44:46 YOU KNOW, I HAVE A CONSTITUENCY, EVERYBODY HAS A CONSTITUENCY. AND I GET THE POSITION BY SOME

1:44:53 THAT THEY'RE WORRIED ABOUT, YOU KNOW, THEIR POSITION IN THE INDUSTRY. BUT YOU KNOW, CERTAIN THINGS MAKE SENSE AND I GO BACK TO WHAT

1:44:59 BRIAN SAID. THE LAW WAS NOT CREATED FOR THEM, RIGHT BECAUSE THEY WERE NOT CONTEMPLATED WHEN WE WROTE

1:45:04 THESE LAWS. SO BEGIN WE HAVE TO, AGAIN WE HAVE TO MOVE WITH THE TIMES AND

1:45:10 MODERNIZE THE LAW. >> THANK YOU. >> DO YOU HAVE ANY QUESTIONS? >> HI, PAUL.

1:45:16 I APOLOGIZE FOR MISSING YOUR-- I APOLOGIZE FOR MISSING YOUR TESTIMONY. I WAS TESTIFYING AT THE MTA

1:45:23 BOARD. SO I HAD TO STEP OUT. BUT I APPRECIATE YOU BEING HERE

1:45:29 TODAY. YOU KNOW, I FEEL LIKE BUSINESSES AND WE SEE THE HEADLINES EVERYWHERE, ARE VERY CONCERNED

1:45:34 ABOUT RETAIL THEFT AS OF LATE

1:45:39 AND SO, FOR EXAMPLE, AND I APOLOGIZE BECAUSE I DON'T HAVE INCOMER NOMS. I HAVE NATIONAL NUMBERS ON ME

1:45:45 BUT LARCENY RIGHT NOW IS AROUND \$5.3 BILLION.

1:45:52 BURGLARY \$4.1 BILLION AND THEN THERE IS WAGE THEFT.

1:45:57 MINIMUM WAGE VIOLATIONS IN THE UNITED STATES ARE AT \$23.2 BILLION.

1:46:03 OVERTIME VIOLATIONS ARE AT \$8.8 BILLION. REST BREAK VIOLATIONS ARE AT

1:46:09 \$4 BILLION. AND OFF THE CLOCK VIOLATIONS ARE AT \$3.2 BILLION. AND I GUESS WHAT I'M TRYING TO

1:46:16 GET AT HERE IS UNDERSTANDING HOW IT IS THAT THE BUSINESS COUNCIL  
1:46:21 CAN BE SUPPORTIVE OF, YOU KNOW, LEVELING THE PLAYING FIELD FOR BUSINESSES THAT DO THE RIGHT  
1:46:27 THING BY ACTUALLY ADDRESSING THE ELEPHANT IN THE ROOM AND THE I GOER PROBLEM, WHICH IS WAGE  
1:46:33 THEFT. >> I DON'T THINK AT ANY POINT WE WOULD SUPPORT WAGE THEFT. I MEAN OBVIOUSLY IF SOMEONE IS A  
1:46:40 BAD ACTOR-- >> WHAT IS THE ACCOUNTS COUNCIL CURRENTLY DOING TO COMBAT WAGE  
1:46:48 THEFT? >> I WILL BE HONEST WITH YOU, I DON'T KNOW THAT I HAVE ANY MEMBERS PARTICIPATING IN WAGE  
1:46:53 THEFT SO I THINK THAT, YOU KNOW, I UNDERSTAND YOUR POINT. I DON'T DISAGREE WITH THE  
1:47:00 CONVERSATION THAT YOU HAD WITH THE COMMISSIONER ABOUT, YOU KNOW, MAKING SURE THAT SOMEONE  
1:47:05 WHO IS APPLYING FOR AN APPLICATION WHO HAS, YOU KNOW, SOMETHING IN HER FILE THAT SHOULD BE IN THEIR FILE FROM THE  
1:47:11 DEPARTMENT OF LABOR THAT SHOWS THAT THEY'RE A BAD ACTOR AND THAT THEY HAVE STOLEN WAGES, WITHOUT QUESTION, I DON'T  
1:47:17 THINK... >> WOULD THAT BE THE BUSINESS COUNCIL'S POSITION, IS THE BUSINESS COUNCIL'S POSITION THAT WE SHOULD NOT BE REWARDING  
1:47:24 LIQUOR LICENSE RENEWALS TO RESTAURANTS THAT ARE ENGAGING IN WAGE THEFT. >> YEAH, I WOULD SAY THAT I  
1:47:29 WOULD SUPPORT THAT POSITION. I KNOW THERE ARE SOME BILLS OUT THERE AND I HAVE YET TO COMMENT ON THEM.  
1:47:35 BUT AGAIN, I'M NOT HERE TO AND I DON'T THINK THE BUSINESS COUNCIL IS HERE TO ALL OF A SUDDEN SAY  
1:47:41 OR EXCUSE SOMEBODY WHO HAS CLEARLY VIOLATED THE LAW AND HAS  
1:47:50 CLEARLY FLAGGED THEM AS VIOLATING THE LAW? I THINK TO THE COMMISSIONER'S POINT THERE ARE A COUPLE OF THINGS.  
1:47:55 WE HAVE TO MAKE SURE THAT OCCURS. WE ALSO HAVE TO MAKE SURE THAT THE SYSTEM OF TALKING BETWEEN  
1:48:01 THE AGENCIES, IS A LITTLE STRONGER BECAUSE OBVIOUSLY, YOU  
1:48:06 KNOW, THE AGENCIES NOR THE ALWAYS TALKING TO EACH OTHER AND THE SLA, WHEN THEY OPEN UP A FILE, THEY CAN ONLY GO BY WHAT  
1:48:12 IS IN THE FILE, RIGHT? SO I MEAN I KNOW THEY HAVE THE SAME PROBLEMS SOMETIMES WITH YOU  
1:48:17 KNOW, ISSUES WHERE PEOPLE SCREAM AT THEM AND SAY WELL WHY DIDN'T YOU SHUT DOWN THIS BAR? THIS BAR WAS, YOU KNOW, A BAD  
1:48:23 ACTOR AND CAUSING ALL THE PROBLEMS BUT WHEN THEY GO IN THE FILE, THE POLICE HAVEN'T GIVEN THEM ANYTHING TO GO ON, RIGHT?  
1:48:29 SO I DO AGREE THAT THERE ARE TWO THINGS THAT WE SHOULD NOT BE  
1:48:34 AWARDED BAD ACTOR.

1:48:41 EVERYBODY NEEDS TO KNOW WHAT THE PERSON BEFORE THEM HAS DONE OR NOT DONE.

1:48:53 >> THANK YOU AND FOR THE ISSUES OF CHURCH. I DON'T UNDERSTAND WHY SLA IS TURNING DOWN LETTERS FROM

1:49:00 CHIMPS. DO YOU UNDERSTAND WHY THEY ARE TURNING DOWN LETTERS FROM CHURCHES WHEN THEY SAY IT'S

1:49:06 OKAY? FOR A CHURCH SAYING IT'S OKAY FOR A BUSINESS TO OPERATE BECAUSE THEY DON'T HAVE A PROBLEM WITH THEM HAVING A

1:49:12 LIQUOR LICENSE. WHY IS THE SLA STILL TURNING DOWN THE APPLICATIONS?

1:49:18 >> WITHIN, IF THEY'RE WITHIN THE VICINITY OF A CHURCH? >> YEAH. >> I THINK THEY'RE STUCK WITH THE PROVISIONS OR THE STATUTE,

1:49:26 RIGHT BECAUSE YOU CAN'T-- I'VE HAD SEVERAL OCCASIONS AND, YOU KNOW, PRIOR DURATIONS OF MY

1:49:32 CAREER WHERE I HAVE LITERALLY BEEN ABLE LIKE I SAID BEFORE, THAT WE HAVE NO PROBLEM WITH

1:49:40 THIS ENTITY ABOUT SLA IS

1:49:45 SOMEHOW. TIED TO THE STATUTES THEY HAVE TO FOLLOW AND GOING BACK, THAT'S WHY IT WAS SO IMPORTANT THAT WE

1:49:50 POF FORWARD WITH THE 18 RECOMMENDATIONS BECAUSE I THINK WE CAN START MOVING FORWARD AND

1:49:55 START GOING THROUGH THE LAW AND LOOKING AT THE LAW AND TO YOUR POINT, SENATOR SKOUFIS FIST,

1:50:01 THERE ARE THINGS I'M PROBABLY NOT THINKING OF THAT NEEDED TO BE CHANGED BECAUSE WE WERE LIMITED IN WHAT WE COULD DISCUSS

1:50:06 THERE AND A LOT OF IT HAD TO DO WITH WAS VERY SPECIFIC IN THE STATUTE. BUT THERE IS A LOT OF OTHER

1:50:11 THINGS THAT WE NEED TO GO THROUGH. SO I AGREE THAT THE 20  
0-FOOT

1:50:17 RULE IS SIMILAR TO THE TIDE HOUSE LAW. IT'S DRA DRACONIAN IN WHO IT IS

1:50:24 INTERPRETED AND NEEDS TO BE INTERPRETED WITH MORE FLEXIBILITY. >> THANK YOU. I APPRECIATE YOU COMMENTING ON THAT.

1:50:30 SO THAT'S A FRUSTRATION FOR A LOT OF FOLKS THAT THEY CAN'T GET THEIR LICENSE EVEN THOUGH

1:50:35 THEY'VE GOTTEN PERMISSION FROM THE CHURCH THAT SLA STILL TAKES THEM THROUGH ANOTHER EIGHT-MONTH

1:50:42 PROCESS TO TRY TO CLEAR THAT UP. JUST ANOTHER REASON WHY NEW BUSINESSES ARE FRUSTRATED WITH TRYING TO GET ONLINE.

1:50:48 >> AND WE ARE FRUSTRATED, TOO, BECAUSE AS YOU KNOW, A LOT OF SMALL BUSINESSES OUT THERE THAT THEY'RE THE ONES HIRING PEOPLE

1:50:54 WITHIN THE COMMUNITY. BUT AGAIN, YOU KNOW, I GO BACK TO THE LAST THING I WILL SAY IS I GO BACK TO COMMISSIONER FAN

1:51:00 AND HER TEAM. BREATH OF FRESH AIR. YOU KNOW, ONE OF OUR MEMBERS IS

1:51:06 AN AFRICAN-AMERICAN CHAMBER THAT CAME TO US AND SAID OH MY GOD WE HAVE A MEMBER WITHIN OUR CHAMBER THAT CAN'T GET A LICENSE.  
1:51:12 AND IT WAS A SIMPLE THING THAT THE LAWYER DIDN'T KNOW THAT THEY COULD GET A TEMPORARY PERMIT. I MEAN I CANNOT ASK FOR A BETTER  
1:51:19 , YOU KNOW, CUSTOMER SERVICE FROM THE SLA TO MAKING SURE THAT THAT RESTAURANT WAS ABLE TO OPEN WITH A LIQUOR  
1:51:26 LICENSE. SO, YOU KNOW, THEY'RE DOING WHAT THEY CAN DO UNDER THE LAW. >> THANK YOU.  
1:51:33 THANK YOU FOR COMING. NOW WE'LL HAVE OUR NEXT PANEL  
1:51:40 WHICH WILL BE CONSISTING OF ON PREMISE LICENSING ISSUE.  
1:51:46 EMTIRE STATE RESTAURANT AND TAVERN ASSOCIATION **SCOTT WEXLER**, NEW YORK RESTAURANT ASSOCIATION  
1:51:51 **KEVIN DUGAN**, NEW YORK STATE LATINO RESTAURANT BAR AND LOUNGE ASSOCIATION, **SANDRA JACQUEZ** AND  
1:52:00 NEW YORK CITY HOSPITALITY ALLIANCE.  
**ANDREW RIGIE.**  
1:52:35 >> GOOD MORNING, GOOD MORNING. GOOD MORNING CHAIR COMRIE AND  
1:52:40 SKOUFIS AND SENATOR RAMOS. AND ALL THE MEMBERS OF THE COMMITTEE HERE TODAY. THANK YOU FOR HAVING THIS  
1:52:46 OPPORTUNITY HEARING ON THE STATE LIQUOR AUTHORITY AND ALCOHOL BEVERAGE CONTROL LAW REFORMS.  
1:52:52 I'M GLAD TO BE HERE TO SHARE COMMENTS ON THE PROMISING REFORMS AND STEPS THE SLA CAN  
1:52:58 TAKE TO BRING THESE PROCESSES INTO THE 20 FIRST CENTURY AND PROVIDE A BETTER SLA EXPERIENCE  
1:53:04 FOR RESTAURANTS AND NIGHT LIFE VENUES. I AM **SANDRA JACQUEZ**, THE  
1:53:12 PRESIDENT OF THE NEW YORK STATE LATINO RESTAURANT AND BAR ASSOCIATION WITH REPRESENTS THE  
1:53:17 INTEREST OF HUNDREDS OF MINORITY AND HISPANIC OWNED RESTAURANTS THROUGHOUT THE CITY OF NEW YORK. IN ADDITION TO MY ROLE AS  
1:53:23 PRESIDENT OF THE ASSOCIATION, I'M ALSO A ENTREPRENEUR AND RESTAURANT OWNER.  
1:53:29 DURING MY DECADES OF EXPERIENCE IN THE HOSPITALITY INDUSTRY, I HAVE SEEN FIRSHAND HOW OUTDATED  
1:53:35 LAWS CAN HINDER THE GROWTH OF SMALL BUSINESSES AND CREATE MANY CHALLENGES. THE CURRENT ABC LAWS ARE  
1:53:42 RESTRICTIVE FOR NEW AND EXISTING BUSINESS OWNERS AND LIMIT THEIR ABILITY TO ADAPT TO EVOLVING  
1:53:48 CONSUMER PREFERENCES, CHANGING NEIGHBORHOODS AND GROWTH THE PROPOSED REPORTS TO THE LAWS  
1:53:55 OFFER A CHANCE TO UPLIFT NEW YORKERS, BARS AND AND NIGHT LIFE  
1:54:01 ESTABLISHMENTS AND REMOVE THE POLICIES IN PLACE. THE ASSOCIATION HAS WORKED WITH INDUSTRY PARTNERS TO ADVOCATE

1:54:07 FOR THEIR RECOMMENDATIONS THAT CAME OUT OF THE COMMISSION  
TO STUDY REFORMS OF THE ABC LAWS  
1:54:14 LAST YEAR. THESE RECOMMENDATIONS ARE REASONABLE AND  
PRACTICAL AND WOULD PRESENT AN OPPORTUNITY FOR  
1:54:20 BUSINESS OWNERS TO THRIVE IN A DYNAMIC AND SUPPORTIVE  
REGULATORY ENVIRONMENT.  
1:54:25 THE ASSOCIATION SUPPORTS THE RECOMMENDATIONS MADE BY THE  
COMMISSION AS WELL AS THOSE MADE  
1:54:31 BY GOVERNORS -- THOSE MADE BY THE GOVERNOR INCLUDING  
ALLOWING OUR  
1:54:37 RESTAURANTS TO BUY DIRECTLY FROM LIQUOR RETAILORS WHICH  
SHOULD EASE THE HARDSHIP OF SMALL  
1:54:42 BUSINESSES THAT FACE IN THE PURCHASING THEIR LIQUORS.  
AMENDING THE 20 0 AND 50 0 FOOT  
1:54:49 LAW AN IMPORTANT STEP IN FOSTERING NEW BUSINESSES IN  
DENSELY POPULATED NEIGHBORHOODS.  
1:54:55 EXPANDING THE ELIGIBILITY FOR TEMPORARY LIQUOR LICENSES  
WHICH WOULD EASE THE DIFFICULTIES  
1:55:02 FACED BY RESTAURANT AND NIGHT LIFE VENUES BY REMOVING THE  
TWO  
1:55:07 YEAR BURDEN. AND THREE CRITICAL PROPOSALS IN THE GOVERNOR'S  
BUDGET FOR WHICH WE ARE URGING THE LEGISLATURE TO  
1:55:14 KEEP WHOLE WHEN THEY PRESENT THEIR ONE HOUSE BILLS.  
1:55:19 THE DEDICATED RESOURCES TO ELIMINATING THE BACKLOG OF THE  
STATE LIQUOR AUTHORITY AND SPEEDING UP THE PERMITTING  
1:55:25 TIMELINE. WHICH WILL ESPECIALLY HELP NEW RESTAURANT AND  
BARS DURING THEIR START-UPS.  
1:55:30 ALSO ALLOWING THE SALE OF ALCOHOL IN OUTDOOR DINING  
STRUCTURES SITUATED ACROSS THE BIKE LANE.  
1:55:36 A CRITICAL COMPONENT TO THE SUCCESS OF THE OUTDOOR DINING  
PROGRAM. WHICH ALLOWED BUSINESSES TO CONTINUE AND OPERATE CONDUCTED  
1:55:43 DURING THE PANDEMIC. AND FINALLY MAKING PERMANENT THE  
DRINKS TO GO PROGRAM AN  
1:55:48 IMPORTANT ADDITION IN THE DIRTY DAY AMENDMENT. ALL OF THE  
CHANGES WOULD ALLOW  
1:55:53 BUSINESSES TO PROVIDE GREATER SERVICES TO THEIR CUSTOMERS  
AND FOSTERING NEW BUSINESSES AND  
1:55:59 JOBS. OUR HOSPITALITY BUSINESSES SHOULD BE GIVEN THE  
TOOLS TO SUCCEED.  
1:56:04 UPDATING THE ABC LAWS WILL HELP TO DO THAT FOR OUR  
HOSPITALITY INDUSTRY.  
1:56:09 A KEY PART OF NEW YORK CITY'S CULTURAL FABRIC. WE HOPE THE  
LEGISLATURE WILL SUPPORT THE COMMISSION'S  
1:56:15 RECOMMENDATION AS WELL AS THE GOVERNOR'S PROPOSAL. THANK  
YOU FOR THE OPPORTUNITY TO  
1:56:22 PROCEED TODAY THANK YOU.

1:56:27 >> THANK YOU. SENATORS I'M **ANDREW RIGIE**. I AM THE EXECUTIVE DIRECTOR OF

1:56:32 THE NEW YORK CITY HOSPITALITY ALLIANCE WE ARE A NOT-FOR-PROFIT ASSOCIATION THAT REPRESENTS RESTAURANTS, BARS AND NIGHTCLUBS

1:56:39 ACROSS THE FIVE BOROUGHS AND THE HOSPITALITY ON THIS PANEL WITH ALL THE WATER POURING WONDERFUL.

1:56:44 THANK YOU FOR THE OPPORTUNITY TO TESTIFY. SUBMITTED TWO MEMOS AND AFTER

1:56:51 THE HEARING, I WILL SUBMIT MORE WRITTEN COMMENTS BUT WANTED TO TOUCH ON FOUR IMPORTANT POINTS

1:56:57 AND I JUST ADDED A FIFTH TO THE LIST. FIRST ONE, TEMPORARY LIQUOR

1:57:02 PERMITS. WE WANT TO THANK ALL OF YOU PARTICULARLY SPONSOR RAMOS,

1:57:10 SENATOR RAMOS ON THE INITIAL BILL ALLOWING TEMPORARY LIQUOR PERMITS TO BE ISSUED IN THE CITY OF NEW YORK.

1:57:15 THERE IS NOW A NEW BILL SPONSORED BY THE SENATOR THAT WOULD EXPAND THE ELIGIBILITY TO

1:57:20 RECEIVE A TEMPORARY LIQUOR PERMIT IN NEW YORK CITY WHICH IS ESSENTIAL. WHEN THIS BILL WAS INITIALLY

1:57:28 ENACTED, IT WAS IN A COVID MINDSET. AND THERE WAS ONE PROVISION THAT

1:57:33 SAID TO GET A TEMPORARY LIQUOR LICENSE THE PREMISES HAD TO HAVE LICENSED WITHIN THE PAST TWO

1:57:39 YEARS. DURING THE PANDEMIC, IT MADE SENSE. TONS OF PLACES CLOSED IN THE BEGINNING AND THERE WERE LOTS OF

1:57:45 VACANT RESTAURANTS AND BAR PACE SPACES OPEN. BUT NOW ALMOST FOUR YEARS SINCE

1:57:51 THAT SHUT DOWN, I CAN'T BELIEVE IT, WE HAVE PLACES THAT ARE

1:57:56 STILL VACANT FROM THE EARLY DAYS OF THE PANDEMIC THAT ARE NOT ELIGIBLE FOR A TEMPORARY LIQUOR

1:58:02 PERMIT. AND WE HAVE THE ABSURD EXAMPLES LIKE MOYNIHAN TRAIN HALL A NEW

1:58:08 CONSTRUCTION AND THEY HAVE GREAT RESTAURANTS I WAS JUST HEADED UP TO ALBANY AND LOOKING AND SAID I

1:58:13 CANNOT BELIEVE THE PLACES WERE NOT ELIGIBLE FOR A TEMPORARY LIQUOR PERMIT AND OTHER NEW

1:58:20 CONSTRUCTIONS OR CONVENTIONS NOT ELIGIBLE YOU HAVE FOLKS WAITING UP TO A YEAR TO PUT PEOPLE TO

1:58:26 WORK TO GET THEIR LIQUOR LICENSE. WE NEED TO GET IT PASSED ASAP TO

1:58:31 PUT PEOPLE TO WORK FASTER AND OPEN NEW SMALL BUSINESSES FASTER

1:58:36 IT MAKES SENSE. WE URGE THE STATE TO ENACT THAT. THE SECOND ONE WHICH SANDRA

1:58:43 MENTIONED, IS YOUR COLLEAGUE SENATOR PERSAUD HAS THE BILL  
IT'S ALSO IN THE GOVERNOR'S PROPOSAL THAT WOULD CLARIFY WHAT  
1:58:51 WAS CLEARLY AN OVERSIGHT WHEN YOU PASSED A BILL SEVERAL  
YEARS AGO TO ALLOW ALCOHOL TO BE  
1:58:56 SERVED IN NONCONTINUOUS SPACES, ESSENTIALLY THE ROADWAY  
DINING STRUCTURES.  
1:59:01 WHO WOULD HAVE KNOWN THAT IF IT WAS ON THE OTHER SIDE OF A  
BIKE LANE IN THE TRANSPORTATION LAW  
1:59:07 THAT BIKE LANE IS CONSIDERED A THOROUGHFARE AND YOU CAN'T  
SERVE ALCOHOL ON THE OTHER SIDE OF IT.  
1:59:13 EVERYONE THOUGHT BECAUSE THE POLICY ALLOWED ALCOHOL TO BE  
SERVED OR ROADWAY DINING  
1:59:19 STRUCTURES TO BE CREATED ON THE OTHER SIDE OF A BIKE LANE  
THAT  
1:59:25 YOU COULD SERVE ALCOHOL THERE. THIS MONTH THE CITY OF NEW  
YORK IS OPENING UP APPLICATIONS FOR  
1:59:30 THE PERMANENT OUTDOOR DINING PROGRAM THAT INCLUDES  
ROADWAY DINING ON THE OPPOSITE SIDE OF A  
1:59:36 BIKE LANE. IF THIS BILL DOES NOT PASS, THEN YOU COULD HAVE A  
SITUATION  
1:59:42 POTENTIALLY BASED ON YOUR INTERPRETATION WHERE HUNDREDS  
OF RESTAURANTS THAT ARE NOW  
1:59:47 APPLYING GOING TO GO THROUGH A MULTIMONTH PROCESS TO GET  
THEIR ROADWAY DINING SPEND TENS OF  
1:59:53 THOUSANDS OF DOLLARS ON PURCHASING THE NEW STRUCTURES  
AND TOLD NOPE IT IS UNUSABLE  
1:59:59 BECAUSE YOU CAN'T SERVE ALCOHOL THERE. I MEAN IT COULD WOULD  
BE A DISA.  
2:00:06 AND SENATOR ROMRY SAID THE STATE OF NEW YORK WANT TO BE  
MORE  
2:00:11 BUSINESS FRIENDLY IT'S NOT ONLY ABOUT THE DAY-TO-DAY  
OPERATIONS BUT THAT OVERALL PERCEPTION IN  
2:00:17 HOW OUR SMALL OWNERS FEEL ABOUT DOING BUSINESS HERE THIS IS  
SOMETHING THAT WOULD STRIKE THEM  
2:00:23 IN A DEVASTATING WAY. THEY WENT THROUGH THE TIME. LOSE THE  
MONEY. LOSE THE JOBS.  
2:00:29 AND HARM THAT NARRATIVE AND MAKE IT MORE OF AN UNFRIENDLY  
BUSINESS PLACE.  
2:00:34 THE THIRD WHICH IS MAKING DRINKS TO GO OR COCKTAILS TO GO  
2:00:39 PERMANENT IN THE GOVERNOR'S PROPOSED BUDGET. WE ARE  
SUPPORTIVE OF THAT. YOU COULD ALWAYS DO OR FOR A  
2:00:46 LONGTIME COULD DO BEER AND SIDER  
2:00:53 CHIDER THIS TO MAKING COCKTAILS TO GO PERMANENT IS HELPFUL  
SMALL BUSINESSES NEED ALL THE HELP  
2:00:59 THEY CAN GET. IT'S GREAT FOR CUSTOMERS WHY SHOULDN'T I BE  
ABLE TO GET A

2:01:05 BOURBON WITH MY BURGER DELIVERED BUT I CAN GET A BUGGER AND  
A  
2:01:11 BEER DOESN'T MAKE SENSE. I WAS ONE OF THE APPOINTEES TO THE  
COMMISSION TO STUDY REFORM  
2:01:16 OF THE ALCOHOL BEVERAGE CONTROL LAWS. WE ARE SUPPORTIVE OF  
THOSE  
2:01:22 RECOMMENDATIONS IMPACTING OUR INDUSTRY RESTAURANTS AND  
BARS, THEY ALL PASSED UNANIMOUSLY OR  
2:01:29 NEAR UNANIMOUS PARTICULARLY THE 20 0 FOOT LAW THAT IS  
SOMETHING WE HAVE MEMBERS IN HARLEM WHERE YOU ARE UNABLE TO GET A  
LIQUOR  
2:01:37 LICENSE WITHIN 200 FEET OF A PLACE OF WORSHIP OR A SCHOOL.  
2:01:43 MAKES NO SENSE. AT ALL. THERE HAVE BEEN BILLS IN THE PAST WE  
NEED TO GET RID OF IT  
2:01:48 ESPECIALLY SMALLER BUSINESS OWNERS THEY CANNOT GO THROUGH  
THE PROCESS FOR THEIR SPECIFIC LOCATION.  
2:01:54 50 0 FOOT LAW THAT IS ANOTHER THING. IF YOU WANT TO DO  
SOMETHING EASY THAT COULD HELP. YOU COULD REMOVE THE RESTAURANT  
2:02:01 CATEGORY FROM THE 50 0 FOOT LAW THAT WAY AND ESPECIALLY  
FOR THOSE APPLICANTS THAT HAVE GOT  
2:02:08 IN PAST AND GOT A FAVORABLE RESOLUTION FROM THE COMMUNITY  
BOARD, THEY ARE NOT CONTROVERSIAL THAT WOULD SPEED  
2:02:13 UP THE PROCESS BY A COUPLE OF MONTHS. AND OBVIOUSLY THERE'S  
OTHER THINGS IN THERE AS WELL.  
2:02:18 AND THE FIFTH ONE QUICKLY AS MY TIME RUNS DOWN, I WANT TO  
ADDRESS SENATOR RAMOS' QUESTION  
2:02:25 TO THE OTHER PANELS ABOUT THE WAGE THEFT. WE'VE HAD ONGOING  
CONVERSATIONS ABOUT THIS. I KNOW HOW MUCH YOU CARE ABOUT  
2:02:31 THE ISSUE. IT'S IMPORTANT. WE SUPPORT IT. WE SUPPORT DOING  
WHATEVER WE CAN  
2:02:36 DO TO STOP WAGE THEFT. YOU KNOW I SAY IT OVER AND OVER AGAIN  
WHATEVER IT IS IT MUST  
2:02:42 HAVE DUE PROCESS FOR THE BUSINESS OWNER. JUST LIKE WE NEED  
TO PROTECT WORKERS WE ALSO NEED TO PROTECT  
2:02:48 THE BUSINESS OWNERS IF THERE IS A BILL THAT PROVIDES OUR DUE  
PROCESS RIGHTS IN THIS FOR SMALL  
2:02:55 BUSINESS OWNERS THEN WE'RE HAPPY TO LOOK AT WAYS WE CAN  
HELP. AND I ALSO OFFER COMING INTO YOUR DISTRICT WITH OUR TEAM WE  
2:03:01 CAN DO A LABOR LAW EMPLOYMENT LAW TRAINING SEMINAR FOR  
RESTAURANTS IN YOUR DISTRICT.  
2:03:07 WE DID ONE LAST TWO WEEKS I'M OFFERING WE'VE GONE INTO  
2:03:12 DISTRICTS AND WE DO THEM CITYWIDE AND GET HUNDREDS OF  
BUSINESS OWNERS BECAUSE WE WANT  
2:03:17 TO GO AFTER THE BAD FOLKS AND WE HAVE TO UNDERSTAND THE  
CITY, STATE AND FEDERAL LABOR LAWS ARE



2:03:24 EXTRAORDINARILY COMPLEX. SO OFTEN TECHNICAL VIOLATIONS CAN RESULT IN MAJOR DAMAGES.

2:03:29 AS LONG AS WE CAN FIGURE OUT A WAY WHERE THERE'S DUE PROCESS RIGHTS, WE'RE HAPPY TO DO THAT.

2:03:35 AND WORK ON IT WITH YOU AND ANYONE ELSE. THANK YOU.

2:03:46 >> THANKS. GOOD AFTERNOON. SENATOR COMRIE, STEW FIST I'M

2:03:52 SCOTT WEXLER I'M HERE IN MY CAPACITY AS THE EXECUTIVE

2:03:58 DIRECTOR OF THE EMPIRE STATE RESTAURANT AND TAVERN ASSOCIATION. YOUR INTEREST IN IMPROVING THE

2:04:04 ENVIRONMENT FOR BUSINESS. I'VE SUBMITTED WRITTEN TESTIMONY IN THE INTEREST OF TIME I'M NOT GOING TO READ IT.

2:04:10 I'M CONFIDENT YOU HAVE THE COMPREHENSION STILLS TO READ THE TESTIMONY.

2:04:16 AND I WANTED TO START IN BRIEF COMMENTS BY ACKNOWLEDGING SLA CHAIR FAN AND HER STAFF AND

2:04:23 THANK THEM FOR THEIR EFFORTS. YOU'VE HEARD OF THEIR GOOD WORK. WE SHARE YOUR VIEW OF THEIR

2:04:30 PROGRESS. AND WE KNOW THAT THEY ARE COMMITTED TO HELPING NEW YORK BUSINESSES FOR WHICH WE ARE

2:04:35 GRATEFUL. I WANT TO ASSOCIATE MYSELF WITH THE REMARKS MADE BY MY COLLEAGUE

2:04:43 ON THE PREVIOUS PANEL I COVERED TOPICS COVERED IN MY TESTIMONY AS HAVE AND WILL MY COLLEAGUES

2:04:49 HERE. AS WE'VE POINTED OUT THE ABC LAW MOST OF IT WAS WRITTEN 10 0 YEARS

2:04:54 AGO DURING THE PROHIBITION ERA AND MANY PARTS DO NOT FUNCTION

2:05:00 WELL NOR DO THEY SERVE A PUBLIC PURPOSE. WE THANK THE SENATE THAT IS DOING THEIR JOB.

2:05:05 YOU HAVE A BILL, HAVE BOTH BEEN SUPPORTIVE OF ADVANCING THE

2:05:11 INTERESTS IN FACT MANY OF THE ISSUES THAT WE'RE ADDRESSING TODAY ARE ADDRESSED IN SENATOR

2:05:17 SKOUFIS IN YOUR BILL 67 85 B. WE SUPPORT IT.

2:05:23 WE'VE INCLUDED SECTION BISECTION COMMENTARY ON THE PARTS OF IT BUT I DID WANT TO HIGHLIGHT ONE

2:05:28 PART THAT IS MOST IMPORTANT. PAUL TALKED ABOUT A LITTLE BIT. PART D AUTHORIZES ON PREMISES

2:05:35 OPERATORS RESTAURANTS, BARS, TAVERNS ALL THE FOLKS THAT THE

2:05:40 PANELISTS REPRESENT MAKE LIMITED PURCHASES FROM LIQUOR STORES AND THAT IS THE SOLUTION AT THE ABC

2:05:47 COMMISSION RECOMMENDED TO ADDRESS THE COMBINATION OF THE EXORBITANT FEES THAT YOU TALKED

2:05:53 ABOUT AND THE LACK OF DEPENDABLE DELIVERIES BY THE WHOLESALERS

2:05:58 WHO SHOULD POINT OUT HAVE A MONOPOLY ON ALL THE PRODUCTS THEY SELL. THAT IS THE MOST WE SUPPORT ALL

2:06:05 OF THE COMPONENTS OF THE BILL THAT IS THE MOST IMPORTANT SECTION TO OUR ASSOCIATION. WE DO SUPPORT THE GOVERNOR'S

2:06:12 RECENT 30 -DAY AMENDMENT TO MAKE COCKTAILS TO GO PERMANENT.

2:06:17 WE AGREE WITH SANDRA AND WITH ANDREW IN THEIR COMMENTS. AND THEN FINALLY, ONCE AGAIN I

2:06:23 WANT TO THANK THE SENATE AND WE URGE YOU TO ADVANCE SENATOR

2:06:28 SKOUFIS' BILL DURING THE STATE BUDGET PROCESS. ENGAGE THE GOVERNOR AND WE WILL WORK WITH YOU TO HOPEFULLY

2:06:35 ENGAGE THE ASSEMBLY TO DO THE THINGS TO BRING THE CHANGES WE ALL AGREE ARE NECESSARY TO HELP YOUR COMMUNITY AND HELP OUR

2:06:41 BUSINESSES. THANK YOU. >> THANK YOU.

2:06:47 >> GOOD AFTERNOON SENATOR SKOUFIS AND SENATOR RAMOS. THANK YOU FOR CON REASONING THIS

2:06:54 HEARING AND INVITING US TO SPEAK I'M KEVIN DUGAN THE DIRECTOR OF GOVERNMENT AFFAIRS FOR THE NEW

2:06:59 YORK STATE RESTAURANT ASSOCIATION. I SUPPOSE THIS IS THE BENEFIT OR THE CON OF GOING LAST.

2:07:05 I ECHO MOST OF THE POINTS MY COLLEAGUES HAVE MADE UP HERE. ONE OF THE COMMON THEMES WE'VE

2:07:11 TALKED ABOUT IS ECONOMIC DEVELOPMENT. THE RESTAURANT INDUSTRY CAN ONLY

2:07:17 REACH ITS FULL POTENTIAL WITH THE STATE LIQUOR AUTHORITY THAT IS REACHING ITS FULL POTENTIAL WE NEED TO WORK HAND IN HAND

2:07:23 WITH THEM. WE'VE TALKED A LOT SORRY. WE CAN THE RESTAURANT INDUSTRY

2:07:29 CAN ONLY SURVIVE IN THE LIQUOR AUTHORITY THRIVES WITH US. TO TO THAT POINT I COMMEND

2:07:35 COMMISSIONER FAN FOR TAKING THE STEPS AND THE LEGISLATURE AS WELL IN CONVENING AND ENFORCING THEM TO LOOK AT THE BACKLOG

2:07:42 ISSUE THAT STILL FACE. THAT IS THE SINGLE MOST IMPORTANT ISSUE FOR THE RESTAURANT INDUSTRY IN REGARDS

2:07:49 TO THE SLA IS TURN AROUND TIME FOR LIQUOR LICENSES. YOU HAVE RESTAURANTS WHO AS

2:07:55 ANDREW MENTIONED WHO ARE WAITING TEMPORARY LICENSES FOR FAR TOO LONG WAITING FULL LICENSE

2:08:01 APPROVALS FOR FAR TOO LONG. WAITING TO OPEN PAYING RENT, HAVING STAFF WAITING AND THIS

2:08:07 DELAYING PROCESS IS SORT OF PUTTING THEM BEHIND THE EIGHT BALL BEFORE THEY ARE ABLE TO

2:08:12 OPEN THEIR DOORS. SO CERTAINLY SOMETHING WE NEED TO LOOK AT AS WELL AS THE COSTS

2:08:18 ASSOCIATED WITH LIQUOR LICENSES. NEW YORK STATE IS IN THE TOP FIVE ACROSS THE NATION OF HOW

2:08:23 EXPENSIVE IT IS TO OBTAIN LIQUOR LICENSES WITH SORT OF THE  
TIMELINE ASSOCIATED WITH IT DOES

2:08:30 PUT US AT A UNFORTUNATE STARTING POSITION. AGAIN, THE ABILITY  
FOR

2:08:35 RESTAURANTS AND SITUATIONS TO PURCHASE FROM LIQUOR STORES  
IT WOULD BE A BENEFIT TO OUR MEMBERS AND THE RESTAURANTS

2:08:40 AROUND THE STATE. YOU'VE BEEN SUPER SUPPORTIVE OF DRINKS TO  
GO AND I THANK YOU FOR

2:08:46 THAT EN ENCOURAGE YOU FOLLOW THE GOVERNOR'S LEAVE AND THE  
30 -DAY

2:08:51 AMENDMENTS ON LEGALIZING ALCOHOL TO GO GOING FORWARD  
WOULD LIKE TO THANK THE COMMISSIONER FOR

2:08:56 THE SUPPORT ON THAT ISSUE AS WELL. AND YEAH, I GUESS  
EVERYTHING

2:09:02 ELSE HAS BEEN SAID TODAY I'VE SUBMITTED TESTIMONY YOU CAN  
READ FURTHER DETAILS THERE.

2:09:07 AND CONSIDERING THE MAKEUP OF THE PANEL I WILL LEAVE IT AT  
LET'S GO METS.

2:09:16 AND. >> YOU GOT METS FANS HERE FOR

2:09:21 SURE. >> ALL THREE OF US. >> THANK YOU ALL FOR YOUR

2:09:27 TESTIMONY. SENATOR SKOUFIS DO YOU HAVE QUESTIONS? I DO.  
SOMEONE ELSE CAN GO FIRST.

2:09:32 >> YOU BANT ME TO GO FIRST. WONDERFUL. I DID HAVE QUESTIONS  
ABOUT YOU

2:09:39 KNOW, MY TEMPORARY LIQUOR LICENSE BILL. SINCE YOU MENTIONED  
WAGE THEFT.

2:09:44 LET ME SAY FOR THE RECORD THAT I'M SUPPORTIVE OF REPEALING  
THE 20

2:09:51 0 FOOT RULE AND THE 50 0 FOOT  
RULE. I GENERALLY AM A BELIEVER THAT IF YOU ARE A PERSON THAT  
REQUIRES PEACE AND DON'T WANT TO

2:09:57 DEAL WITH NOISE DON'T LIVE ABOVE A BAR IS MY GENERAL ADVICE  
FOR

2:10:02 PEOPLE. AND I DO THINK THAT THE LEGISLATURE SHOULD HELP IN  
THE

2:10:08 ENDEAVOR TO MAKE IT EASIER TO SELL LIQUOR, BEER AND WINE IN AN

2:10:14 OUTDOOR SEATING AREAS THAT WOULD HELP OUR RESTAURANTS. I'VE  
SEEN A LOW FOOT TRAFFIC AT

2:10:19 LEAST IN MY DISTRICT IN MANY RESTAURANTS SO I KNOW THAT OUR  
RESTAURANTS ARE STILL STRUGGLING

2:10:24 AND DEFINITELY, WE WANT TO ENCOURAGE VIEWERS AT HOME TO  
PATRONIZE THEIR SMALL BUSINESSES

2:10:30 AND NOT THE BIG CHAIN RESTAURANTS. THAT BEING SAID WE KNOW  
WAGE THEFT IS A PROBLEM IN

2:10:36 HOSPITALITY. I WANT MY RESTAURANTS TO HAVE ALL OF THE TOOLS  
TO MAKE AS MUCH

2:10:41 PROFIT AS POSSIBLE JUST NOT OFF THE BACKS OF WORKERS AND  
THAT IS

2:10:46 STILL THE CASE FROM THE SMALLEST RESTAURANT TO THE BIGGEST  
CHAIN

2:10:51 APPLEBEE'S TYPE RESTAURANTS IT IS A INDISCRIMINATE THE WAY WE  
SEE IT TAKE PLACE AND THIS IS

2:10:57 MILLIONS OF DOLLARS THAT IS MISSING FROM COMMUNITIES LIKE  
MINE, LIKE WASHINGTON HEIGHTS

2:11:02 WHERE THERE ARE SO MANY PARTICULARLY LATINO WORKERS WHO  
ARE SERVING BOTH THE FRONT AND THE BACK OF THE HOUSE.

2:11:09 NOW, THERE ARE DUE PROCESS ELEMENTS AND WE HAD A WAGE  
THEFT HEARING IN THIS SAME ROOM LAST

2:11:16 YEAR. THERE ARE DUE PROCESS ELEMENTS IN EVERY SINGLE OF THE  
BILLS THAT HAVE BEEN INTRODUCED. WHETHER IT'S THE SWEAT BILL.

2:11:22 WHAT I CALL SWEAT LIGHT OUR WAGE ATTACHMENT BILL AND NOW  
THE THREE NEW WAGE THEFT BILLS THAT

2:11:28 WE HAVE INTRODUCED ACTUALLY HAVE CURE PERIODS FOR THE  
ENTITY TO

2:11:35 BE ABLE TO REPAIR THE DAMAGE ULTIMATELY AGAIN, THE BIGGEST  
2:11:41 PROBLEM IS A WHEN THERE IS A TRANSFERENCE OF ASSETS FROM AN  
LLC FROM ONE RELATIVE TO

2:11:47 ANOTHER. THAT IS WHAT WE HAVE NOT BEEN ABLE TO SOLVE. AND  
EVEN IF THE WAGE THEFT CLAIM

2:11:53 IS ACCEPTED THE WORKER NEEDS TO GET PAID. AND I WILL GIVE YOU  
AN EXAMPLE

2:11:59 COLUMBIAN RESTAURANT I WANT TO BE FAIR, THE RESTAURANT IN  
TIMES SQUARE RIGHT NOW OWES WORKERS

2:12:05 MOSTLY COLUMBIAN WORKERS \$44 ,00 0 IN WAGE THEFT.

2:12:10 AND THEY HAVE PROMISED TO COME FORWARD AND PAY THE MONEY.  
I'VE BEEN TOLD THAT THEY HAVE

2:12:15 THE MONEY BUT THEY HAVEN'T PAID THE MONEY. WHAT RECOURSE  
THEN DO YOU GUYS

2:12:21 THINK WE SHOULD TAKE WITH THESE BAD ACTORS WHO ARE  
UNDERMINING

2:12:26 THE GOOD PLAYERS? HOW CAN I GET THEM TO PAY THEIR WORKERS  
THE 44 ,00 0 THAT ARE

2:12:32 OWED? WITH DUE PROCESS?

2:12:40 >> THIS SNTS' A CASE OF A TRANSFER OF ASSETS THIS IS A

2:12:46 RESTAURANT THAT IS CONTINUING TO OPERATE. AND NOT PAYING  
THE WORKERS, CORRECT?

2:12:51 >> IN THIS PARTICULAR CASE. BUT I MEAN IT RUNS THE SPECTRUM. >>  
SURE.

2:12:58 MY UNDERSTANDING THERE ARE LEGAL METHODS ESPECIALLY IF THE  
BUSINESS IS OPENING AND THEY ARE

2:13:03 OPERATING AND THERE ARE ASSETS TO BE HAD. I OBVIOUSLY CANNOT  
COMMENT ON

2:13:08 THE SPECIFIC SITUATION IF THEY HAVE MONEY TO PAY. SOMETIMES IT CAN BE AS BAD AS

2:13:13 THIS SOUNDS, A BUSINESS COULD OWE THE MONEY AND THEY MAY JUST NOT HAVE THE MONEY.

2:13:20 BUT PERHAPS THERE ARE OTHER TYPES OF ASSETS IF THERE'S BEEN A JUDGMENT FILED THAT YOU COULD

2:13:25 GO AFTER. >> HOW? HOW WOULD WE BE ABLE TO GO AFTER THE JUDGMENT?

2:13:30 >> I DON'T KNOW. SOMETHING THAT A LAWYER SPECIALIZES IN THIS FIELD. I DO KNOW THERE ARE WAYS TO GO

2:13:36 AFTER IT. BUT SPECIFICALLY TO THE BILLS, WE COMPLETELY UNDERSTAND THE

2:13:43 UNDERLYING ISSUE. AND MY POINT IS I JUST WANT TO BE VERY CLEAR THAT THERE'S A

2:13:49 DIFFERENCE BETWEEN AN ACCUSATION AND A JUDICIAL FINDING AND A

2:13:55 JUDGMENT. AND OUR CONCERN WITH THESE IS JUST THAT AN ACCUSATION COULD

2:14:02 RESULT IN A LIEN OR ACCUSATION COULD RESULT IN A LIQUOR LICENSE BEING SUSPENDED OR REVOKED OR AN

2:14:10 ACCUSATION COULD RESULT IN A SALES TAX ID BEING SUSPENDED OR REVOKED. AS LONG AS THE LEGISLATION --

2:14:17 >> BUT THAT IS NOT TRUE IT IS NOT A SIMPLE ACCUSATION THERE HAS TO BE A FILED CLAIM.

2:14:25 THERE HAS BEEN AN ENTITY WHO HAS SAID YES, WAGE THEFT TOOK PLACE HERE.

2:14:30 >> IF THERE IS A FINDING AND AGAIN EVERYTHING GETS TECHNICAL IF THERE IS A FINDING OF GUILT,

2:14:37 AND THOSE WORKERS ARE UNABLE TO COLLECT THE MONEY THEY ARE OWED,

2:14:43 THAT'S SOMETHING GENERALLY SPEAKING WE WOULD BE SUPPORTIVE OF TRYING TO FIND A WAY TO ADDRESS. >> WE'RE OUT OF TIME BUT MY

2:14:50 QUESTION WOULD BE HOW? AND I THINK IT'S INCUMBENT ON THE INDUSTRY LEADERS TO BE OUR

2:14:56 PARTNERS IF FIGURING THIS OUT. I'VE BEEN TRYING TO FIGURE OUT THE ANSWER AND WE CONTINUE TO

2:15:02 HAVE THESE ISSUES. THEY ARE WORSE THAN BEFORE BECAUSE EVERY YEAR THAT THE MINIMUM WAGE INCREASES WE SEE

2:15:08 MORE MINIMUM WAGE VIOLATIONS. AND QUITE FRANKLY I'M TIRED OF

2:15:14 SEEING MY PEOPLE BEING POOR AFTER WORKED SO DAMN HARD. THANK YOU. >> THANK YOU.

2:15:28 >> THANK YOU FOR YOUR TESTIMONY. TO BRING THIS BACK TO ABC LAW I WOULD LIKE TO HONE IN A LITTLE

2:15:34 BIT ON THE 50 0 AND 20 0 FEET RULES.

2:15:40 I'M BIG IN TRYING TO ACHIEVE IF IT'S NOT A FULL LOAF 80 % OF A

2:15:47 LOAF, 60 % OF A LOAF. AND PUTTING ASIDE MY IDEAL OUTCOME FOR THESE TWO RULES THAT

2:15:54 HAVE BEEN IN PLACE SINCE THE PROHIBITION ERA, THE B PRINT OF

2:15:59 OUR OMNIBUS BILL THAT WAS JUST INTRODUCED THE BILL THAT WAS

2:16:05 AMENDED, AGAIN, LOOKS TO TRY AND FIND SOMETHING THAT IS ACHIEVABLE AND NAVIGATE THE

2:16:11 DIFFICULT POLITICS THAT EXISTS IN THIS SPACE. AND SO ON THE 50 0 FOOT RULE, WE

2:16:17 LOOK TO REPEAL THE RULE STATE-WIDE EXCEPT FOR MANHATTAN.

2:16:26 THERE SEEMS TO BE HYPERSENSITIVITY TO KEEPING THE

2:16:31 RULE IN PLACE WITH MANY OF MY AND OUR MANHATTAN COLLEAGUES.

2:16:38 AND THEY FEEL IT IS AN IMPORTANT TOOL TO KEEP A LID ON

2:16:44 PROLIFERATION. I'D -- BEFORE I THROW IT TO YOU ON THE

2:16:50 20 0 FOOT RULE TO THREAD THIS NEEDLE WHAT WE ARE PROPOSING TO DO IS SORT OF ALONG THE LINES

2:16:57 WHAT SENATOR COMRIE WAS DESCRIBING WHERE IF THE CHURCH OR SCHOOL AFFIRMATIVELY SENDS A

2:17:02 MESSAGE TO THE SLA WE ARE FINE WITH THIS APPLICATION.

2:17:09 THEN THE 20 0 FOOT RULE IS WAIVED. AS OPPOSED TO THE CURRENT PROCESS IF THEY ARE FINE AND THE

2:17:15 LEGISLATURE IS FINE YOU HAVE TO INTRODUCE A BILL THAT COULD TAKE SIX MONTHS TO PASS AND ANOTHER SIX MONTHS FOR THE GOVERNOR TO

2:17:21 SIGN. AND THE WHOLE THING THAT EXISTED FOR A LONGTIME NOW.

2:17:26 DO THOSE TWO I WILL CALL THEM COMPROMISES WORK FOR YOU ALL AS

2:17:34 STAKEHOLDERS AND YOUR ASSOCIATIONS? >> .

2:17:40 >> I MEAN JUST FROM LIKE A PURIST PERSPECTIVE, YOU CAN HAVE A BEER AND WINE LICENSE WITHIN

2:17:46 20 0 FEET OF A SCHOOL OR PLACE OF WORSHIP. SO I DON'T KNOW WHY LIQUOR IS

2:17:53 ANY DIFFERENT. THAT BEING SAID, YOU KNOW, IN ALL OF YOUR WISDOM IF YOU FEEL

2:17:59 THAT IS A BETTER COMPROMISE IF YOU HAVE THE SUPPORT OF THAT PLACE OF WORSHIP FOR SCHOOL FOR

2:18:04 THAT LICENSE WITHIN 20 0 FEET, I THINK IN MANY, MANY CASES THESE

2:18:11 BUSINESSES WOULD GET THAT. SO I THINK THAT IS SOMETHING WE'D CERTAINLY HAVE A CONVERSATION AND ENTERTAIN.

2:18:18 AND THE FIRST PART OF THE 50 0 FOOT, I THINK WOULD CERTAINLY HAVE TO BE PART OF A LARGER

2:18:23 CONVERSATION. WE ARE A FIVE BOROUGH WIDE ORGANIZATION AND I THINK JUST OFTEN IN THE CITY WE FEEL LIKE

2:18:29 LAWS PASS AND IT IMPACTS A CITY OF A POPULATION OF A MILLION OTHER MORE AND IT'S NEW YORK

2:18:35 CITY WE WERE TALKING ABOUT THE TEMPORARY LIQUOR PERMITS.  
NEW YORK CITY FIVE BOROUGH WIDE HAVE BEEN DISCRIMINATED AGAINST  
2:18:42 HAVING NO TEMPORARY LICENSES WE WOULD WANT TO MAKE SURE IT  
WOULD BE OKAY. THE ISSUE I MENTIONED EARLIER  
2:18:48 ABOUT IF YOU HAVE A SUPPORT FROM YOUR COMMUNITY BOARD, YOU  
KNOW,  
2:18:54 REDUCING THE TIME OR NOT HAVING THE 50 0 FOOT OR THE 50 0  
FOOT HEARING COULD SPEED THINGS UP.  
2:19:01 I MEAN I THINK GENERALLY SPEAKING BOTH OF YOUR POINTS ARE  
WORTH CONSIDERING AND DISCUSSING  
2:19:06 FURTHER AND THERE COULD BE TWEAKS AROUND THE EDGES. IT'S ALL  
MOVING IN THE RIGHT  
2:19:13 DIRECTION. >> ANYONE ELSE? >> I WAS GOING TO MENTION I HAVE  
2:19:19 A MEMBER WHO EVEN CAME TO ME AND SAID SHE IS RIGHT IN FRONT  
OF A SCHOOL AND SHE SAID WHY CAN'T I  
2:19:27 SELL ALCOHOL AFTER SCHOOL, I WOULD BE WILLING TO EVEN  
COMPROMISE TO THAT.  
2:19:32 AFTER 3:00 P.M. ONCE THE SCHOOL IS CLOSED CAN WE SELL LIQUOR  
BECAUSE JUST LIKE ANDREW SAID  
2:19:38 SHE SELLS WINE AND BEER FROM 12:00 THE WHOLE DAY WHY  
CAN'T I  
2:19:44 SELL ALCOHOL THAT IS MAYBE ANOTHER CONSIDERS THAT WE COULD  
HAVE A CONVERSATION AFTER THE  
2:19:49 SCHOOLS ARE CLOSED LET THEM HAVE THEIR ALCOHOL. >> GOOD  
POINT. >> YEAH, THE RESTAURANT  
2:19:56 ASSOCIATION WOULD BE SUPPORTIVE OF THOSE MEASURES AND I  
WOULD SAY THIS HAS THE POTENTIAL TO SIGNIFICANTLY INCREASE THE TIME  
2:20:02 OF GETTING THROUGH THE BACKLOG. THE COMMISSIONER  
MENTIONED A LOT OF THE BACKLOG EXISTS BECAUSE OF  
2:20:07 THE VIOLATIONS OF THE 50 0 FOOT RULE AND MAKES THE  
PROCESS  
2:20:12 STREAMLINES GETTING THE APPLICATIONS APPROVED AND OUT TO  
FOLKS. THAT IS CERTAINLY SOMETHING WE  
2:20:18 WOULD BE SUPPORTIVE OF. >> I WILL ASK ONE FINAL QUESTION.  
2:20:23 MY STRONG OPINION THAT YOUR MEMBERS ARE BY AND LARGE HELD  
OVER A BARREL WHEN DEALING WITH  
2:20:32 THE LIQUOR WHOLESALERS IN THIS STATE RUN ALMOST EXCLUSIVELY  
BY  
2:20:39 TWO PARTICULAR COMPANIES. AND I WONDER IF YOU ALL CAN  
2:20:46 PROVIDE YOUR THOUSAND FOOT VIEW OF THAT TREATMENT. AND OR  
WHAT I BELIEVE IS  
2:20:54 MISTREATMENT. AND NOT JUST THE FEES, THE EXORBITANT FEES BUT  
PERHAPS YOU  
2:20:59 CAN TOUCH ON OVER THE COURSE OF A YEAR WHAT THOSE FEES  
MEAN AND LOOK LIKE FOR AN AVERAGE MEMBER.

2:21:06 THOUSANDS OF DOLLARS I ASSUME. BUT NOT ONLY THAT, BUT CERTAINLY

2:21:13 IN NEGOTIATING CONTRACTS FOR PRODUCTS CAN YOU TALK ABOUT THE MISTREATMENT?

2:21:19 >> HAPPY TO. YEAH. SO IT AFFECTS EVERY ASPECT OF

2:21:26 THE BUSINESS WHEN YOU HAVE A LIQUOR LICENSE AND FORCED TO ORDER FROM ONE OF THE TWO MAJOR

2:21:31 PLAYERS. AND ONLY REALLY ONLY ONE OF THEM WILL CARRY THE PARTICULAR BRAND THAT YOU ARE LOOKING FOR.

2:21:36 OVER A BARREL IS THE APPROPRIATE TERM. YOU HAVE TO PAY WHAT THAT PRICE IS NO MATTER WHAT ESPECIALLY

2:21:42 WITHOUT THE ABILITY THE INABILITY TO GO TO A LOCAL

2:21:47 LIQUOR STORE AND THAT IS ONE OF THE PROPOSALS WE'RE SUPPORTIVE. YOU ARE FORCED TO PAY WHAT THEY SET. THERE IS NO COMPETITION NO MUCH

2:21:54 OF ANYTHING. AND ALSO I THINK OUR FRIENDS FROM THE DISTILLERS GUILD SHELF

2:22:01 SPACE IS AN ISSUE IN STORES AND ISSUE OF GETTING THE LOCAL MANUFACTURERS INTO LOCAL

2:22:06 RESTAURANTS THERE'S MORE HURDLES THAN YOU WOULD EXPECT. BECAUSE OF SOME OF THE ISSUES WE HAVE WITH OUR WHOLESALERS.

2:22:13 SENATOR YOU MADE MENTION OF THE DELIVERY FEES WE'VE TALKED ABOUT HOW EXORBITANT THEY CAN GET.

2:22:21 WHAT ONCE STARTED AS THE SLA AGREEING TO A \$4 GAS SURCHARGE IN THE EARLY 20 00 'S MORPHED INTO

2:22:30 FEES UPWARDS OF \$45 PER LOCATION. AND YOU HAVE THESE OPERATIONS

2:22:36 WHO ARE GETTING MULTIPLE LIQUOR DELIVERIES IN THE SAME DAY. AT \$50 A POP.

2:22:42 THOSE CERTAINLY ADD UP QUICKLY AND ARE MEANINGFUL DOLLARS TO OUR MEMBERS.

2:22:47 THERE IS A LONG LIST OF THINGS WE CAN DISCUSS ABOUT HOW THE

2:22:52 WHOLE STATERS RELATIONSHIP WITH THE RESTAURANT MEMBERS AND THE STATE OF NEW YORK AND IT'S CERTAINLY SOMETHING WE WELCOME

2:22:58 MORE DISCUSSION ON. >> I'D LIKE TO ADD IN ADDITION TO THE WHOLESALERS DETERMINING

2:23:04 WHAT YOU WILL BUY AND HOW THEY WILL DELIVER ON TERMS AND CONDITIONS TO QUANTIFY THE FEES

2:23:11 KEVIN MENTIONED WE'VE SURVEYED OUR MEMBERS AND THE TYPICAL MEMBER OF OUR ASSOCIATION IS

2:23:16 BUYING TWO MIXED CASES OF LIQUOR EACH WEEK ONE FROM EACH OF THE MONOPOLY WHOLESALERS.

2:23:22 THOSE FEES ARE COSTING THEM \$10 ,00 0 A YEAR. SO IF THEY DIDN'T HAVE TO PAY

2:23:29 THE BREAKING THE CASE FEE OR THE DELIVERY FEE THAT SANDRA IS



2:23:34 PAYING, AND OUR MEMBERS ARE ALL PAYING THAT WOULD BE MONEY  
THEY COULD PAY TO EMPLOYEES AND  
2:23:39 INVEST IN THEIR BUSINESS AND SOME CASES THE WHOLESALERS WILL  
PULL THEIR TRUCK UP TO A STRIP  
2:23:46 MALL AND DELIVER TO FOUR RESTAURANTS AND CHARGE THEM EACH  
THE DELIVERY FEE THAT KEVIN JUST  
2:23:52 TALKED ABOUT. THE TRUCK DOES NOT MOVE. SO IT'S NOT JUST THE  
LITTLE BIT  
2:23:58 OF FEE HERE AND THERE IT ADDS UP TO A SUBSTANTIAL COST THAT  
COMES OUT OF THE ECONOMY.  
2:24:03 AND IT GOES. >> A LOT OF PINTS OF BEER.  
2:24:09 >> ADD ONE POINT EARLIER ON THE 500 FOOT RULE AN INTERESTING  
2:24:16 IRONIC PIECE OF HISTORY. WHEN A MEMBER OF THE LEGISLATURE  
2:24:21 HAD PASSED THE BILL THE 500 FOOT LAW, AFTERWARDS IT WAS TO  
ADDRESS SPECIFIC ISSUES IN HIS  
2:24:29 NEIGHBORHOOD IN QUEENS WHERE THERE WERE PROBLEMS.  
AFTERWARDS HE HAD SAID HE WOULD HAVE EXEMPTED MANHATTAN BECAUSE  
2:24:35 OF THE CONCENTRATION IF HE KNEW HOW IT WOULD HAVE HAD THE  
NEGATIVE IMPACTS AND TRYING TO  
2:24:41 ADDRESS ONE AREA NOW WE'VE SEEN HOW SOMETHING WAS DRYING  
TO ADDRESS A SPECIFIC ISSUE IN A  
2:24:48 GEOGRAPHIC LOCATION ENDED UP IMPACTING US CITYWIDE.  
COMPLICATED BUT LOVE THE  
2:24:53 DIRECTION THAT YOU ARE GOING WITH SO MUCH OF THIS. >> THANK  
YOU. >> THANK YOU.  
2:24:59 QUESTION. SELF CERTIFICATION DO YOU THINK THAT SHOULD COME  
BACK? >> I KNOW SOMETHING THAT HAD  
2:25:07 HELPED MANY BUSINESSES. SO I THINK WE NEED OPTIONS.  
2:25:12 IF THE CHAIR FAN IS WORKING HARD WITH OUR TEAM TO TRY TO  
ADDRESS THIS. AS LONG AS THERE'S BACKLOG, I  
2:25:19 THINK WE NEED TO LOOK AT ALL THE DIFFERENT WAYS THAT WE CAN  
EXPEDITE THE PROCESS TO GET  
2:25:26 PEOPLE LICENSED AND OPENED AND PUT PEOPLE TO WORK. I THINK  
EVERYTHING SHOULD BE ON THE TABLE.  
2:25:31 >> I APPRECIATE THE COMMITMENT TO TRY TO DO EVERYTHING WE  
CAN. BUT WHEN SELF CERTIFICATION WAS  
2:25:39 INSTITUTED OUR MEMBERS SAID THE COST OF GETTING A LICENSE  
JUST WENT UP BY SEVERAL THOUSAND  
2:25:44 DOLLARS. BECAUSE OF HAVING TO PAY THE CONSULTANTS. THE  
POINT THAT CHAIR FAN MADE I THINK IS THE MOST PERSUASIVE ONE  
2:25:52 TO ME. THERE WAS NO DISTINGUISHING IMPROVEMENT IN THE  
APPLICATIONS THE SLA RECEIVED BY HAVING  
2:25:59 LAWYERS SELF CERTIFY THEM. I THINK THAT THE SLA IS ON THE  
RIGHT PATH.  
2:26:05 SIMPLIFY THE APPLICATION. SENATOR COMRIE PROVIDE A OMBUDS

2:26:11 PERSON WHO COULD HELP THE LICENSEE UNDERSTAND THE APPLICATIONS THEY ARE WRITTEN IN  
2:26:16 ENGLISH BUT THEY ARE NOT UNDERSTANDABLE. YOU HAVE TO LIVE A LIFE OF DOING  
2:26:24 A LICENSE. SO I THINK WE WOULD LEAN IN THERE BEFORE WE WOULD CREATE AN  
2:26:30 EXTRA COST TO BUSINESSES. BUT I MUST COMMEND YOU FOR YOUR DILIGENT EFFORT TO WANT TO  
2:26:36 IMPROVE MAKE IT EASIER AND FASTER FOR SMALL BUSINESSES TO GET STARTED. >> I AGREE.  
2:26:41 I JUST WANTED YOU TO GO DOWN THAT PATH BECAUSE I THINK IF TAKING OMBUDSMAN MULTIPLE  
2:26:48 THROUGHOUT THE REGIONS IT WOULD HELP AND HOFLLY THE AUTOMATION  
2:26:53 THEY ARE PUTTING IN WITH THE COMPUTERIZATION WOULD MAKE IT EASIER. I'M CONCERNED NOT ABOUT THE  
2:27:00 NATIONAL CHAINS BUT THE LOCAL MOM AND POPS TRYING TO GET CERTIFIED. >> SENATOR THERE IS AN IDEA THAT  
2:27:06 I WILL FOLLOW-UP WITH YOU OUTSIDE OF THE HEARING. THE STATE PROVIDES AN ONLY BUDS  
2:27:12 PERSON TO HELP THE CRAFT DISTILLERS AND THE VICINITYER INS AND THE BREWERS PERHAPS THEY  
2:27:20 COULD DO THAT IN THE SMALL BUSINESS SECTORS. WE'LL SEE IF WE CAN COME UP WITH  
2:27:25 A PROGRAM THAT MIGHT MOVE FORWARD. >> GREAT. THAT MAYBE LEGISLATION WE WORK ON TOGETHER ALSO.  
2:27:31 I REALLY APPRECIATE EVERYTHING THAT YOU ALL ARE DOING IN YOUR RESPECTIVE AGENCIES, OFFICES AND  
2:27:38 GROUPS. TO TRY TO MAKE THE BUSINESS CLIMATE BETTER FOR EVERYONE. YOU CAN COUNT ON US TO WORK WITH  
2:27:43 YOU AS WE TRY TO CONTINUE TO MAKE THAT HAPPEN. THANK YOU FOR COMING TO TESTIFY  
2:27:50 TODAY. AND DOES ANYONE HAVE ANY FINAL THOUGHTS THEY WANT TO SHARE? >> THANK YOU. >> THANK YOU.  
2:27:55 SO THANK YOU EVERYONE FOR BEING HERE TODAY. OUR GIANT COMMITTEE MEETING LOOKING AT THE SLA IS HEREBY  
2:28:03 COMPLETED. THANK YOU SENATOR SKOUFIS. THANK YOU EVERYONE. HAVE A GOOD DAY EVERYONE.

English (United States)