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EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

STATE LIQUOR AUTHORITY

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**SLA CHAIRMAN TESTIFIES BEFORE ASSEMBLY COMMITTEE
At Assembly oversight hearing, Rosen says “I believe we have a great opportunity, here
and now, to fix an agency and a statute.”**

Albany, NY – State Liquor Authority Chairman Dennis Rosen testified today before the New York State Assembly Standing Committee on Economic Development regarding the recommendations of the New York State Law Revision Commission’s (LRC) report on the ABC Law and its administration. During his testimony, Chairman Rosen commended the LRC for its exhaustive and comprehensive report and thanked Assemblyman Schimminger and the members of the Committee for calling for the study. Rosen also voiced his support for an overhaul of the 76 year-old statute governing the manufacture, sale and distribution of alcohol in New York State.

“A major hurdle facing both the industry and the SLA is trying to do business in the 21st Century with a statute passed in 1934 coming out of Prohibition,” Chairman Rosen said. “I believe we have a great opportunity, here and now, to fix an agency and a statute.”

Following the two year study, the LRC issued a report on December 15, 2009 calling for major modifications to the ABC Law as well as changes to the way the agency is administered. The report noted, however, that the “substantial and significant progress” made under Chairman Rosen’s tenure was “remarkable.” In August 2009, the SLA faced a backlog of over 3,000 pending applications. Today that number has been slashed by over 1,000 applications to 1,974, a 34% decrease. At the direction of Governor Paterson, the SLA is committed to totally eliminating the backlog by October 2010.

Rosen’s testimony highlighted a number of new policies and procedures that were put into effect to tackle the backlog including quick technological and common sense fixes, implementing the Self-Certification Program, simplifying the application, reorganization of Counsel’s Office and hiring a Deputy CEO to manage the NYC office. Rosen also pointed to changes in workflow procedures and productivity improvements in the Licensing Unit noting,

“New processes and procedures put in place have helped us succeed in drastically cutting the backlog, and this success would have been impossible without the hard work and dedication of our Licensing staff.”

Rosen also testified on the agency’s renewed efforts to refocus the Enforcement Bureau’s priorities. The Chairman noted, “We are getting away from counting fruit flies in bottles to cracking down on underage drinking, sales to intoxicated patrons, and the bars and nightclubs that wreak havoc on their neighborhoods.” Rosen cited targeted enforcement actions, increased penalties and the use of the emergency summary suspension to crack down on serious offenders. Rosen also pointed to the recent appointment of a new Director of Enforcement with 30-years experience as a police professional, including highly successful eight-year tenure as the first female Chief of Police in Indiana. These changes have allowed the SLA to stretch agency resources by forging partnerships with local law enforcement agencies across the state.

Chairman Rosen’s testimony acknowledged the agency’s agreement with almost all of the Commission’s recommendations, noting the current statute is difficult for attorneys to understand, and almost impossible for licensees to know exactly what their responsibilities are under the law. One area of disagreement pertained to LRC’s recommendation against giving the SLA general rulemaking authority. Forty-three states currently grant their liquor industry regulators this authority, so an agency may interpret the laws they operate under in a manner consistent with the exigencies of modern times. Chairman Rosen stated, “New York State must follow these other states, or the SLA cannot but continue to be rightfully accused of standing in the way of economic development in the 21st Century.” Rosen concluded his testimony by reiterating his offer to work collaboratively with the committee to achieve an historic overhaul of the State’s liquor laws.

Chairman Rosen’s complete testimony, including his response to each of the LRC’s recommendations, may be read in its entirety at our website: www.abc.state.ny.us

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