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# Empire State Restaurant & Tavern Association

*Report From The Executive Director...Scott Wexler*

## February 2019

Governor's Budget Proposes to Expand Bottle Bill - Governor Cuomo's Executive Budget proposal includes an expansion of the Bottle Bill to add sports drinks, energy drinks, fruit & vegetable drinks, and ready-to-drink coffees and teas. Wine and liquor bottles are not immediately included in the new, broader mandate, but a task force is created by the proposal to study how to expand the law to these containers.

The addition of these new containers will strain a system that is struggling to manage the existing burden. But as hard as that might be - squeezing more containers into an already overloaded process - at least the soda and beer distributors have an existing process for managing bottle returns. Liquor and wine distributors are not in the bottle deposit/return business so they would have to make a significant investment in the infrastructure needed to handle this process – and you know who will pay for that!

While the Governor may be proposing a task force to plan for expansion of the Bottle Bill to include wine and liquor bottles, others may not be willing to wait. A coalition of waste disposal companies who oppose expansion of the Bottle Bill as proposed by the Governor are advocating for adding glass containers, including wine and liquor bottles, to the law.

More In the Governor's Budget - the Governor also proposed banning single-use plastic bags, although the proposed ban would not apply to restaurants. There are quite a few proposed exemptions to the ban which could become controversial and subject to legislative action. There's also a proposal to allow for adult use of cannabis (marijuana). One element of that proposal of note, no alcohol beverage licensed premise can be licensed for any purpose under the cannabis law. And the Governor's proposal includes a new proposal to crack down on wage theft.

New Threat to Tip Credit Emerges - While we're waiting for the Department of Labor to complete their review of the tip credit hearings and for the Governor to decide how he wants to respond, a new legislative proposal to eliminate the tip credit has emerged as a threat. State Senator Jessica Ramos and Assemblymember Ellen Jaffee last month introduced S1760-A1240 which eliminates the tip credit over several years. And in recent weeks members of ROC and One Fair Wage have been working the halls in Albany talking up elimination of the tip credit. We need to have our voices heard. It's especially important to have servers speak up to the legislature the way they did at the Department of Labor hearings or else all of our work last year might be completely wasted.