

---

# Empire State Restaurant & Tavern Association

---

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

## June 2024

Heads Up Lottery Agents...New Signed Agreement Required - The NYS Lottery has sent notices to all agents of a change in their regulations limiting the prizes agents can pay to under \$600. Previously the regulations allowed agents to pay prizes up to and including \$600 but it was determined this was contrary to the law and needed to be changed. As a result, **all agents must sign and return a new Sales Agent Agreement by July 1<sup>st</sup>** in order to remain an active lottery agent. Any questions can be directed to 516-222-8224 or emailed to [gaming.sm.AgentRecertify@gaming.ny.gov](mailto:gaming.sm.AgentRecertify@gaming.ny.gov).

Purchases from Liquor Stores Passes Senate, Stalls in Assembly - Our proposal to allow restaurants and tavern to make limited purchases from liquor stores passed the State Senate 59 -1 as this year's session came to a close. The bill failed to advance from committee in the Assembly as a result of concerns raised by Empire Merchants, Southern Wine & Spirits, and the New York State Beer Wholesalers' Association (on behalf of the their members). They continue to claim that this will lead to massive tax avoidance and that it will cause a substantial disruption to the market. They've convinced liquor store owners that it will be a compliance nightmare and so the associations representing New York package stores oppose or are neutral on the issue.

We did not get this proposal across the finish line, but we made significant progress towards our goal. We convinced the State Senate to include the proposal as part of their Alcohol Beverage Control package in the state budget and to pass separate legislation to accomplish this outside of the budget. We overcame the opposition from the industry's biggest players – not something to take lightly. We also gained the support of the State Liquor Authority Chair, Lily Fan. She understands the predicament of small retailers in the marketplace and passionately advocated for the proposal, actively pushing back on the nonsensical claims of the wholesalers.

So we have work to do to educate the Assembly Members and staff to your predicament – and that is what we're going to do. As your local Member of Assembly is out looking for votes, we'll be there – along with you I hope – to make them aware of this problem and our solution. Every elected official talks about supporting small business. This is a pretty clear David vs Goliath battle – let's see where folks stand.

A Good Time Was Had By All - We had 104 golfers tee it up at our Annual “Open for Hospitality” Golf Outing on June 3<sup>rd</sup> at Cronin’s Golf Course located in beautiful Warrensburg, New York. Playing on a course that offers spectacular views of the Adirondack Mountains, 26 teams competed for tournament honors (and prizes), enjoyed cold beverages donated by our generous sponsors, and the great hospitality of the Cronin family and their staff.

We had spectacular weather, perhaps the best golf day in 10 years, making for a most enjoyable and competitive outing. Our top three team all scored under 60! Thanks to the Cronin’s - John, James, James Jr., Jeannie - and their entire staff for another great day of golf and hospitality. Thanks to our tee sign sponsors for supporting the outing and to DeCresente Distributors and Saratoga Eagle for supplying door prizes. We also enjoyed the donation of products from Dana Distributors, Aspire Brewing, Newburgh Brewery, Adirondak Brew Pub. John Green from Mill House Brewery hosted a tasting as part of the event as well.

Our golf committee worked tirelessly to make this a successful day. Thanks to Brian Butler, Julia Cowles, Tom DiPietro, Ron Ferguson, Christine & Tommy O’Toole, and Tammy Timmerman for their contributions to this great event. Can’t wait to see everyone again next year!

SLA Posts Renewal Advisories - Experienced licensees know to expect the State Liquor Authority to send out a “Renewal Advisory” to your business about 90 days before your license expires. But recently some licensees have not received their, and without your official renewal advisory from the Liquor Authority, you can’t file your renewal. Unfortunately many licensees didn’t notice before it was too late to renew their license on time leaving them and the SLA to scramble to fix the problem.

The State Liquor Authority has posted the renewal advisories for all licensees with licenses due to expire over the next few months on their website so licensees don’t have to depend on the notice sent by mail to arrive. You can go to the SLA website and look for the link at the top of the page to find the list of renewal advisories (organized by type of licensee and by month). You’ll need to find the notice addressed to you in the file with all of the other retailers due to renew in that month and print your two-page notice. As you’ll see, the instructions direct you to the renewal application on the SLA website which needs to be completed, printed, and mailed to the SLA along with the renewal advisory, penal bond, and fee.

The SLA will continue mailing renewal advisories to the premises address on file with the Authority. Make sure to coordinate with your attorney, representative, manager, or anyone else who may assist you with your business to ensure you do not submit duplicate renewal applications and payments. While you will get a refund if you submit multiple payments, it will take months to have it processed and sent to you.

Also of note, as a result in a recent change in the law, One-Day Alcohol Event Permits, also known as a Temporary Alcohol Permit (previously known as a One-Day Beer and Wine Permit), now include the service of liquor. They authorize the sale and/or service of wine, beer, cider and liquor for consumption at a gathering for a period of 24 hours.