



THE NYSLSA BULLETIN

The Newsletter of
The New York State Liquor Store Association
Volume 1 Issue 2

New York State Liquor Store Association

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We Must Join Together to Fight Governor's Proposal

By *Stefan Kalogridis, Marc Ressler
& Al Platt*

Dear Fellow Retailers,

By now I'm sure all wine and liquor retailers from throughout New York have become aware that Governor Paterson has included a component in the budget he released a month early in December that would allow grocery and drug stores in NY to sell wine. Make no mistake, this is a dangerous proposal that is included in the budget and would dramatically change the landscape of our industry as well as put many of our fellow liquor retailers out of business. This is different than some of the threats of this type our industry has seen over the past years as once a proposal makes

it into the budget, it is difficult to have removed. Add to this the enormous deficit the state is facing and the fact that power in Albany has recently shifted, and we have a big problem that we are all facing regarding the viability of our wine business.

On Tuesday January 6th a meeting was held in Albany to refine a strategy aimed at keeping the proposal included in Governor Paterson's budget that would allow grocery and drug stores to sell wine from becoming a reality. The Albany meeting included the officers and Board members of the New York State Liquor Store Association, and Metro NY Package Store Association. These two asso-

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William McDevitt Passes Away

Our Industry Loses a Friend

By *Stefan Kalogridis*

On December 20, we lost a great friend and college, William L. McDevitt, a 37-year resident of Pelham, NY and dedicated servant of the state and local government. He was 72 and waged a valiant battle against cancer. As you know, Bill was the Executive Director of the Metropolitan Package Store Association. He held that position since 1976 and



*William
McDevitt*

worked with the Eastern New York Liquor Store Association while guiding Eastern and Empire to their merger.

Bill was on the Board of Directors of the American Beverages Licensees, the National Association of Retailers of Beverage Alcohol, and the Sky Ranch Foundation. Bill was also a founding member and sat on the board of the Council of Licensed Beverage Industries. In Pelham Bill served many committees and Boards.

(Continued on Page 2)

Update Your Rolodex!

Here is your contact information for the NYSLSA Office:

Your phone number is: 518-694-0483

Your fax number is: 518-463-8656

Your e-mail is: nyslsa@caphill.com

For membership or
advertisement information,
your principal contact is
Francesca Elacqua



PRESIDENT (Continued from Page 1)

ciations represent stores from throughout the entire state of New York. In attendance at this meeting were also representatives from the Albany lobbying firm that has been retained to represent both our liquor associations, The Vandervort Group (former lobbyist for Seagram's brands).

The meeting went very well with the most encouraging aspect being how well our associations were able to work together to form a plan to fight the Governor's wine in grocery proposal. We quickly formed committees to explore the overall negative economic impact the Governor's proposal would have on the state, as well as committees to offer alternatives to replace some of the money he was hoping to raise through the new fees associated with the flood of license applications by grocery and drug stores expected during the first two years as they apply for initial wine licenses.

An important aspect of our plan has been the building of a coalition of lobbyists from different areas of the wine and liquor industry to work on attacking the issue from different angles. This coalition which the Vandervort Group was instrumental in organizing includes lobbyists from liquor wholesalers including Empire and Southern, Discus (an organization that represents the countries distillers), and The Retailers Alliance (an organization that represents the 75+ largest liquor stores in NY). This coalition includes some of the most powerful and well-respected lobbyists in Albany who are working together on our behalf.

In the afternoon after a successful morning of planning at the January 6th meeting, we were led by our lobbyist through the halls of the state capitol for meetings with senators and legislators to start the grassroots effort of pleading our case to lawmakers. Although most of the state representatives we visited seemed to be on our side, some of them cautioned quite strongly that this will be a difficult fight as there appears to be some strong support for the Governor's proposal. The supermarkets are jumping at the chance, and are lobbying hard to add wine to their stores.

Many Liquor retailers have contacted us to see what they can do to help save their livelihood. The answer is a simple one, **GET INVOLVED**. We need help both financially and with your time. Join our association, send in your dues and please get involved. Contribute to our political action fund (PAC) and contact your local senators and legislators. Contact the local police and religious organizations many of our stores support with donations, and ask them for support in the form of a letter to the Governor asking to keep wine out of supermarkets and in liquor stores where owner operators have traditionally done a good job of keeping beverage alcohol products out of underage hands. **Please make a point to attend one of the meetings we have planned January 20th in both Buffalo and Albany and be sure to be present at our Syracuse meeting on January 29th which will be attended by retailers from throughout New York State. Details on these meetings can be found in this newsletter.**

Included in this newsletter is a toolbox with sample letters

and talking points to help you get started with your presentations. Current information as well as petitions for all retailers to place on the front counter of their store are available for you to print out on our temporary website at www.nyslsa.com. The website also contains a tool for quickly locating who your district's lawmakers are including their contact information. Please use these resources to help with the extremely important grassroots effort that is needed to be successful in our fight. Many of these fights are won through the use of these grassroots efforts which have been proven very effective in getting lawmakers' attention and support. This is where we need the most help. Please contact our office with any questions or comments and remember the more noise we make, the better chance we have of being heard. We can beat this thing and insure we keep our businesses viable, but it will take some elbow grease. The time to get involved is now.

We look forward to working together with you.

Stefan Kalogridis, President NYSLSA
 Marc Ressler, Vice President. NYSLSA
 Al Platt, Chair, Metropolitan Package Store Association

McDEVITT

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Bill was a very important asset to our industry he worked very hard for us and never gave up or gave us any excuses. Bill was still fighting for us right until he passed.

TRUE GENTLEMEN
 VERY TRUE TO OUR INDUSTRY
 MOST IMPORTANT TRUE TO HIS FAITH
 NO ONE CAN EVER REPLACE BILL

Upcoming Meetings

January 20, 2009 -- Buffalo Regional Meeting, 7:00pm
 Caputi's Sheridan Pub
 2351 Sheridan Dr, Tonawanda, NY 14150
 716-836-9758

January 20, 2009 -- Albany Regional Meeting, 7:30pm
 Comfort Inn
 37 Route 9W, Glenmont, NY 12077
 518-465-8811

January 22, 2009 -- Metropolitan Package Store Assoc., 10:00 a.m.
 Courtyard Marriott Laguardia
 90-10 Central Parkway East, Elmhurst, NY
 718-446-4800

January 29, 2009 -- Syracuse Regional Meeting, 7:00pm
 Turning Stone Resort and Casino
 5218 Patrick Rd, Verona, NY 13478
 315-361-7711

It's Time to Fight Against the Governor's Wine in Grocery Stores Proposal

By *Todd Vandervort*
Vandervort Group

As many of you are aware, Governor David Paterson included in his Executive Budget last month a proposal to allow grocery and drug stores to sell wine. The Governor believes that this proposal would provide \$105 million in 2009-10 through various franchise fees, excise taxes, sales taxes and license fees. In 2010-11 it is expected that this proposal will generate \$54 million and \$3 million each year thereafter. This is just one of the many revenue generating ideas that the Governor has proposed to help cover the state's \$15 billion deficit. While we certainly understand the grave economic situation facing NYS and Governor Paterson's difficult job to close the budget gap, liquor store owners can not afford to be put at such a competitive disadvantage. This proposal could force liquor stores out of business. Many liquor stores would not be able to survive on the sale of liquor alone.

An economic impact study was commissioned in 2005 by liquor store owners, distributors, and many other stakeholders that examined what would happen if wine were sold in grocery stores in NYS. The study predicted that 1,000 stores would go out of business primarily because many stores are located in shopping areas anchored by a grocery store. It was further estimated that 4,700 people would lose their jobs, liquor sales would plummet due to the reduction in liquor stores, and tax revenues would decrease substantially due to lost sales.

Efforts are being made at all levels of government to communicate our message that the sale of wine in grocery and drug stores would be harmful to liquor store owners and to the state. We had a very productive meeting in Albany on Tuesday, January 6th with the Metropolitan Package Store Association, Federation of NYS Package Store Associations and the NYS Liquor Store Association, where we discussed details on how to defeat this onerous budget proposal. After the meeting members of all three of the associations mentioned above walked the halls of the Capitol and met with several key legislators. Our aim was to discover how much initial support we had for keeping wine out of grocery and drug stores. And we're happy to report that each of the legislators we met with strongly supported our position and promised to help us.

While we will continue to meet with legislators in Albany on a weekly basis we need your participation as well in your cities and towns. It is extremely important that you reach out to your state legislators to let them know that you do not support this initiative by the Governor.

You should have received a petition and information from NYS Liquor Store Association on how to contact your state Assembly Members, Senators and the Governor. Please act now! Write letters, make phone calls, and have customers sign your petitions.

Also, the Governor announced this week that he plans on holding Town Hall style meetings across NYS. Please consider attending the meetings held in your region as this is a prime opportunity to voice your concerns. The first meeting is going to be held on Sunday, January 11th at 5 pm at the North Side Improvement League in Watertown, NY. The rest of the meetings are tentatively scheduled (times and locations are not finalized):

Feb 4th in Binghamton

Feb 11th in Rochester

Feb 12th at the State University College at Geneseo

Feb 18th Buffalo

In addition, please be ready to respond to our updates and action alerts. We will do our best to keep you updated on our campaign. Watch out for information from us on when the budget hearings are going to be (the Association will be testifying on your behalf), and for information on a larger lobby day, that we **STRONGLY** encourage you **ALL** to attend. Imagine the attention our issue would receive if all the liquor store owners in the state showed up in Albany on the same day to lobby their elected officials!

While you are helping us with our grassroots efforts in your communities be assured that we will be working hard to get our message heard here in Albany: that liquor stores are the only businesses that can safely and responsibly sell wine. However, the success of our campaign really depends on **YOU**, the liquor store owner, without your support, interest and **PARTICIPATION** in this campaign we will not be successful!

Remember the old adage that there is strength in numbers. So please contact your legislators and keep your eyes open for forthcoming updates.

Advertising in the Bulletin

The NYSLSA Bulletin is the official newsletter for the organization. The newsletter contains articles such as a Legislative Corner to track representatives on important issues; a member-dedicated section, so that members may share ideas relevant to on-going issues; and a section dedicated to distributors/wholesalers to make liquor store owners aware of any new products or service available to them and any special sales being offered. The newsletter will also contain any updates going on throughout the organization.

For rates and more information, contact Francesca Elacqua at the NYSLSA office (518-694-0483).

Sample Legislative Letter

December 31, 2008

Hon. [first name, last name]

Address

City, State Zip

Dear Assemblyman / Assemblywoman / Senator [last name]:

Thank you for considering my comments on Governor David Paterson's Executive Budget proposal regarding the sale of wine in grocery and drug stores. As a member of the NYS Liquor Store Association, I feel strongly that this proposal will negatively impact liquor stores in New York State on a large scale.

My store is a family-owned small business located in [county or town]. I am concerned that if wine were sold in grocery stores, sales of wine in my store would be greatly reduced. The livelihood of my store will be put in jeopardy because I will not be able to survive on the sale of liquor alone, since I make most of my money on the sale of wine. My store would be forced to close its doors, and [#of employees] people will be out of a job. Liquor stores simply cannot compete with the grocery store chains in their buying power and pricing strategies.

Another negative result from selling wine in grocery and drug stores would be an increase in sales to minors. Supermarket employees, many of whom are teenagers, will have a difficult time controlling sales to minors. As a liquor store owner, I am much more vigilant in ensuring that minors do not purchase alcohol because my license depends on it and I am subject to large fines. According to the State Liquor Authority, most off-premise violations are attributed to beer sales to minors by grocery and convenience stores. Teenagers who work in grocery stores will be tempted to sell to their underage friends, and will have easy access to wine in the store and in the back room. This will quickly become a public policy issue and likely lead to greater incidences of underage drinking and DWI.

A number of economic impact studies have been done on this very issue. A study by Global Insight that examined what would happen if wine were sold in grocery stores in New York predicted that 1,000 stores would go out of business primarily because many stores are located in shopping areas anchored by a grocery store. Shoppers would opt for the convenience of purchasing their wine in the grocery store. It was further estimated that 4,700 people would lose their jobs, liquor sales would plummet due to the reduction in liquor stores, and tax revenues would decrease substantially due to lost sales. Zogby International also conducted a statewide scientific poll on the subject of wine in grocery stores. Over 60% of those polled opposed the sale of wine in grocery stores and 80% were satisfied with the convenience of shopping for wine as it is currently available to them. This is clearly not a consumer-driven issue.

Liquor stores are an integral part of every community across the State, in every legislative district, and neighborhood. I respectfully urge you to seriously consider these comments as you debate this critical Budget proposal. I implore you to save a seventy year old industry, protect the laws prohibiting sales to minors, and prevent a large number of small businesses from going out of business. Our livelihood depends on your action on this issue.

Sincerely,

[name]

Legislative Petition

Keep Wine out of Supermarkets, don't unnecessarily put independent wine and liquor retailers out of business.

Store Name: _____ Date: _____

Address: _____

City/State/Zip: _____

License #: _____

We, the undersigned, wish it to be known that we are opposed to the sale of wine in grocery stores.

We strongly believe that the current system of licensed retailers is sufficient for the needs of consumers, and that this method allows the best assurance that controls over sales to minors will continue to be maintained and enforced.

Signature	Printed Name	Address	Phone
1. _____	_____	_____	_____
2. _____	_____	_____	_____
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18. _____	_____	_____	_____
19. _____	_____	_____	_____
20. _____	_____	_____	_____

Wine Proposal 'Talking Points' for Use in Discussions with Legislators

By Jim MacKenzie, Wine World, Amherst, NY

Unemployment /Employment

There are currently 2,600 stores in New York, employing over 12,000. Recent studies by Global Insight, previously read into the Legislative record, have indicated that allowing wine in grocery stores would force **the closing of approximately 1,000 liquor stores translating into the loss of 4,700 jobs.** A great many of these family businesses are located in plazas anchored by chain grocery stores. The result of allowing these stores to sell wine would have a direct impact on these businesses, forcing them to close.

Many of the lost jobs are high paying positions of owners and managers. **The loss of corporate and personal income taxes from these closings will overshadow any possible additional employment on the part of grocery stores.** When grocery stores reset their shelves for new products it is the same stock person who maintains those shelves. Let us not add thousands of newly unemployed to burden New York and its citizens.

Wine in grocery stores creates no new jobs.

The closing of 1000 retail outlets has other consequences as well.

The loss of tenants to Developer/Landlords' with such closings will aggravate the already ballooning number of unoccupied retail spaces.

Such closings will certainly have an impact on the business and personal finances of licensees. The ability to successfully pay SBA and other loans will be in jeopardy.

Social Consequences

The existing distribution of alcohol has shown that **the greatest number of violations, as reflected by the sale to minors; occur in grocery, convenience and drug stores.** Greater accountability by family owned businesses ensures that violations of this type are kept to a minimum as we have only two products to sell.

The 'self checkout' of grocery stores creates even greater problems in controlling the sale of alcohol. As this form of checkout becomes more common in grocery stores the incidence of abuse increases also. This will ultimately lead to an increase in under-age drinking and all of the negative consequences associated with it, i.e., increase auto accidents, high risk sexual behavior, violence and crime, alcoholism, etc. The increase in the cost of State programs to combat the results of such actions will offset the proposed revenue enhancement of wine in grocery stores.

New York State Wineries

The loss of 1000 retail outlets caused by allowing the sale of wine in grocery stores will have a direct impact on the well

being of New York State Wineries. Grocery and Drug Stores will carry nationally marketed brands at the expense of New York wines. Our fledgling wine industry is not financially equipped to compete against such wine products.

New York Wineries sell 35 -40 % of their products through retail licensees. The loss of 1000 retail outlets will be directly proportional to the loss of distribution suffered by New York Wineries. This loss of business will force the closing of many wineries and for others it will take many years to, hopefully, overcome. Several years ago when wine coolers were sold by New York licensed outlets they were New York State produced. When the courts allowed national brands' of wine coolers to be sold in New York all New York winery produced coolers disappeared from store shelves.

Legislative Time Line

- December 16, 2008 ... Governor Paterson Released his Budget
- December 16, 2008 ... NYSLSA released a Press Statement
- January 7, 2009 State of the State
- January 11, 2009 Governor visited Watertown
- January 12, 2009 Session Begins
- January 31, 2009 Petitions Due to the NYSLSA office
- February, 2009 Statewide Lobby Day (Date TBD)
- February 3, 2009 Budget Hearing ñ Taxes 9:30 a.m., Rm. C, 2nd Fl., LOB. Contact: Clinton Freeman @ (518) 455-5491
- February 4, 2009 Governor visits Binghamton (Time and Place to follow)
- February 11, 2009 Governor visits Rochester (Time and Place to follow)
- February 12, 2009 Governor visits State University College at Geneseo (Time to Follow)
- February 18, 2009 Governor visits Buffalo (Time and Place to follow)
- March 1, 2009 Governor's proposed date for passing the budget
- April 1, 2009 Beginning of State Fiscal Year 2009-10; date that budget must be completed by law.
- June 22, 2009 Session Ends

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Office: 949-333-1680
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