

**DIVISION OF ALCOHOLIC BEVERAGE CONTROL
NEW YORK STATE LIQUOR AUTHORITY
INVENTORY OF AGENCY PROGRAMS FY 2008-2009**

1. INTRODUCTION

This document is offered as the State Liquor Authority's Inventory of Agency Programs in compliance with Budget Bulletin B-1181. The SLA appreciates any suggestions that will further enhance the quality of this tool and its efforts to adhere to the Governor's goal of protecting the state's finances in an increasingly difficult economic and fiscal climate.

2. MISSION

Chapter 478 of the Laws of 1934, known as the Alcoholic Beverage Control Law, created the State Liquor Authority and the Division of Alcoholic Beverage Control. The Legislature enacted this measure "for the protection, health, welfare and safety of the people of the State." The SLA has two main functions: issuing licenses and ensuring compliance with the Alcoholic Beverage Control Law. The Authority's Licensing Bureaus are responsible for the timely processing of permits and licenses required by the ABC Law. The Compliance Unit is responsible for the protection of the public by working with local law enforcement agencies to uphold the law and bring administrative action against licensees who violate the law.

3. PROGRAMS

The core programs of the Authority are: reviewing applications and investigating applicants to determine license eligibility; issuing all licenses and permits for the manufacture, wholesale distribution and retail sale of any and all alcoholic beverages; regulating trade and credit practices related to the sale and distribution of alcoholic beverages at wholesale and retail levels; investigating licensees in connection with violations of the ABC Law; working with local law enforcement agencies to ensure compliance with the ABC Law; bringing disciplinary charges against licensees when appropriate; conducting disciplinary proceedings and hearings; revoking, canceling or suspending for cause any license or permit, and/or imposing monetary penalties where appropriate; inspecting premises where alcoholic beverages are manufactured or sold; exercising the Authority's discretion regarding the number and type of licenses issued as determined by public convenience and advantage; and promulgating rules to implement the ABC Law (See Attachment B and Attachment C for detailed information on each of these core programs).

Attachments

Agency Programs/Activities: Inventory and Key Data
[State Liquor Authority]

Relation to Core Mission (H/M/L)	Program/Activity	Spending Category (SO, ATL, CAP)	3/31/09 FTEs (All Funds)	General Fund Disbursements (\$000s)				State Special Revenue Funds Disbursements (\$000s) **				Capital Projects Funds Disbursements (\$000s)			
				2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan ***	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected
H	ADMINISTRATION	SO	17					\$4,558	\$4,477	\$4,869	\$4,645				
	<u>Administration/Executive</u>														
M	*Government Affairs														
M	*Communications														
M/H	*IT														
H	COMPLIANCE	SO	67					\$6,520	\$6,811	\$7,620	\$8,200				
H	*Enforcement														
H	*Hearings														
H	*Legal														
H	*Secretary to the Board														
H	LICENSING & WHOLESALE SERVICES	SO	79.8					\$4,640	\$4,821	\$5,598	\$6,300				
H	*Licensing														
H	*Wholesale														
			163.8					\$15,718	\$16,109	\$17,887	\$19,145				

* Please see Attachment C

** Special Revenue Fund disbursements include Personal Service, Fringe Benefit and Non-Personal Service expenditures

*** Does not include \$200,000 for Law Revision Commission

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Administration / Executive

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law §§ 2, 10, 11, 15, 17 & 18.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Division of Alcoholic Beverage Control is headed by the State Liquor Authority which consists of three commissioners. These commissioners are appointed by the Governor with the advice and consent of the Senate. The Chairman and Commissioners of the State Liquor Authority are known as the Members of the Authority. They meet on a regular basis (usually bi-weekly), in public, to review matters requiring a decision from them. These meetings are known as Full Board meetings. It is at these Full Board meeting where the Members consider licensing and disciplinary matters. The Administrative Unit of the State Liquor Authority coordinates the daily operations of the Agency, providing external support to a wide variety of public and licensed interests, as well as internal support to all Agency program areas. Members of the administrative team function as program liaisons with our host partner, the Office of General Services (OGS). All Finance and Human Resource activities are processed through this unit, providing Agency staff at four different locations with near immediate response to personnel or fiscal inquiries and requests.

The Administrative Unit directly supports the Chairman and other Members of the Authority, provides guidance and oversight in budgetary planning, supply and equipment acquisition, staffing plan, maintenance and inventory control, management of vehicle fleet, compliance with internal control requirements, telecommunications and information technology programs, and all matters related to our workplace tenancy.

Issues:

Population Served:

General public; DOB; OGS; OSC.

Performance Measures:

None.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Government Affairs

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Office of Government Affairs (OGA) is responsible for fostering positive working relationships with federal, state and local legislators, community boards and their staffs in order to encourage dialogue and cooperation on matters affecting alcoholic beverage control policy. OGA is also charged to present, discuss and gain passage of the agency's annual legislative program and, where appropriate, Governor's Program Bills bearing on alcoholic beverage control policy, thereby supporting the agency's overall mission.

Issues:

The NYS Law Revision Commission is currently analyzing the ABC Law in its entirety with a report due by June 1, 2009. This Agency is working closely with the Law Revision Commission on whatever is needed during their review.

Population Served:

State, local and federal elected officials; public officials; community boards; trade associations; state agencies; Executive Chamber; DOB.

Performance Measures:

None.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Communications

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17. See also State Freedom of Information Law (FOIL)

Mandated Funding Level:

None.

Brief Description/History/Background:

The Office of Communications is responsible for providing information to the public, working with the media, distributing press releases and coordinating press conferences. The communications Office serves as an information resource center for the public and employees by developing and implementing public information strategies as well as coordinating internal communications. The office manages the content of the Agency's website, enabling members of the news media, as well as individuals, to obtain the latest announcements, bulletins, press releases and media advisories. The Office's goal is to keep the media, licensees and the public up to date on news, policies and current events concerning the State Liquor Authority. In addition, the Office of Communications responds to requests for Agency records as provided for in the State's Freedom of Information Law (FOIL). The Agency receives hundreds of written, electronic and oral communications annually from interested parties requesting access to Agency records pursuant to FOIL.

Responding to these requests requires extensive review, research and retrieval of Agency records, making careful determination regarding what information is releasable, redacting from requested documents information not releasable and preparing a response providing the requested information or reasons why the request was denied.

Issues:

In 2007, the Office of Communications, under the direction of the Chairman revived the State Liquor Authority's newsletter, after a nearly 65 year intermission due to rationing and labor constraints during World War II. The goal of the SLA newsletter is to raise public awareness of the ABC Law and agency policies, continue to build upon statewide partnerships, and work with licensees, community groups and local law enforcement to ensure the protection of public health and safety and efficiently regulate the industry in a fair and consistent manner.

Population Served:

Media; general public; Governor's Press Office.

Performance Measures:

None

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: IT

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Information Technology Unit: provides quality help desk support to staff, licensees and the public; ensures the security and recoverability of the Agency's mission critical and user data; insures the security and functionality of the Agency's networks and systems, provides accurate reporting, statistical data and performance measurements as requested to all Bureaus of the Agency and the Public and provides innovative and cost effective technology solutions consistent with the vision and goals of the Agency.

Issues:

In 2007, the Information Technology (IT) Unit fully undertook on five major projects with the remaining two near completion. The three major projects implemented were the e-Wholesale Price Posting system, outsourcing of the Agency's scanning operations, and successfully complying with Executive Order #3 (EO3) for the webcasting of all the Agency's public meetings. All three projects have had a profound impact on Agency operations. In complying with EO3, the IT Unit was able to implement an Agency wide videoconferencing system that is used to not only broadcast and stream our Full Board meetings of the Members but also allows licensees and interested parties to appear remotely before the board from our Buffalo or Albany offices. With Agency offices located throughout the state, the videoconferencing system is also utilized on a daily basis by management and staff to communicate more effectively across zone offices. The IT Unit continues to expand the use of the technology as we look to provide an avenue for remote testimony and video recording of Agency administrative hearings.

The two projects near completion include the redesign of the Agency website and upgrades to the Agency's Licensing and Compliance systems. The redesign has given a new face to the Agency website. In an effort to increase staff productivity, application upgrades to Agency computer systems are underway with some of the highest priority deliverables already completed. A large scale project to re-engineer the Agency's existing Licensing and Compliance workflow management and document imaging systems is currently in the RFP (Request for Proposals) development stages. The project is priority for the IT Unit as we work to issue the RFP.

Population Served:

General public; applicants / licensees.

Performance Measures:

None.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Enforcement

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Enforcement Bureau is responsible for receiving complaints and investigating possible violations of the ABC Law. An investigation by the New York State Liquor Authority may include: (a) on-site inspections of a licensed establishment; (b) on-site undercover investigations by SLA Investigators and other law enforcement agencies; (c) a review of reports and investigations by other law enforcement and regulatory agencies; and (d) interviewing potential witnesses/complainants and collecting evidence of potential violations. Information obtained is reviewed to determine if there is sufficient evidence to bring administrative charges against a licensee. In April of 2006, the New York State Liquor Authority established the Rapid Enforcement Unit (REU). The Unit conducts priority investigations and institutes prompt disciplinary action where substantial evidence demonstrates a licensed premises poses an imminent threat to public health, safety or welfare. The REU immediately responds to allegations of criminal activity and serious repeat violations of the ABC Law.

Issues:

The SLA must constantly manage its enforcement priorities. Although many of the complaints received from the public relate to quality of life, the agency must focus its enforcement resources on matters related to public health and safety. NOTE: By July 1, 2008 a 50% reduction of aged open cases, with balance closed by December 31, 2008 will be achieved. Most significantly, the Enforcement Bureau participation in PROJECT MARCH Task Force Operations has reached an all-time high. SLA Investigators have assisted in 32 separate precinct actions in the first quarter, nearly tripling figures for the corresponding period in 2007.

Population Served:

The general public; licensees; law enforcement; local district attorneys.

Performance Measures:

See attached regarding performance measures and related statistics.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Hearings

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17. See also the State Administrative Procedure Act (SAPA) and Executive Order 131, which require that administrative hearings be conducted in a manner that is impartial, efficient, timely, expert and fair.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Hearing Bureau of the State Liquor Authority is comprised of four full time and several as-needed Administrative Law Judges (ALJs) and one secretary. The Hearing Bureau is located in New York City where most of the cases are calendared. Licensees charged with violations, such as sales of alcoholic beverages to underage purchasers, have the right to a fair and impartial hearing. The Hearing Bureau conducts all such disciplinary proceedings, which are prosecuted by the Authority's Office of Counsel. Hearings are formal, "of record" adjudicatory proceedings of the Authority. The role of the ALJ is to conduct the hearings in accordance with those requirements. Upon completion of hearings, ALJs sort out the facts and render written determinations. They include reasoned findings of fact, an opinion, including a review of the applicable law and a conclusion as to whether charges have been sustained. Determinations must be based upon the record of hearing which is central to all subsequent actions taken in any given prosecution. The record of hearing, including a transcript (or an audio recording) of testimony taken at the hearing, constitutes the basis upon which all succeeding reviews, including reviews by the Members of the Authority, or on appeal by the courts of the State of New York, are heard. In addition, the Hearing Bureau conducts hearings on license applications when such hearings are mandated by statute.

Primarily, the Hearing Bureau conducts two types of licensing hearings; a) hearings on applications for licenses when the application has been disapproved by the Authority's License Bureau and the applicant wishes to appeal that decision and, b) "500 Foot Rule Hearings" which are hearings mandated to be held when the Authority is presented with an application for an "on-premises" liquor license in a municipality of twenty thousand (20,000) or more people where there are already three or more "on-premises" liquor licensees within 500 feet of the applied for premises.

Issues:

With the acquisition of several as-needed Administrative Law Judges and a new Chief Judge of the Hearing Bureau, at the direction of the Chairman, the backlog of pending decisions has been reduced. This striking reversal of pending matters has brought long overdue consideration of disciplinary matters to the forefront. Timely prosecution and full adjudication of compliance matters sends a firm message to the licensed community that the SLA will not tolerate unchecked violations of the ABC Law. The Hearing Bureau has adopted and utilizes a universal decision reporting format, and offers statewide coverage of hearing matters, taking the cases closer to the neighborhoods where the infractions occur.

Population Served:

Applicants; licensees; community boards and municipalities; SLA; general public.

Performance Measures:

See attached regarding performance measures and related statistics.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Legal

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Office of Counsel is responsible for providing legal services to the State Liquor Authority. The Office currently consists of approximately 30 employees, including the Counsel to the authority, 12 full-time and several as-needed attorneys. Twelve of the attorneys are assigned to the prosecution of disciplinary cases against licensees. The Office of Counsel, also known as the "Legal Bureau", maintains offices in Albany, New York City and Buffalo. As noted previously, among its duties, the Office of Counsel prosecutes licensees in administrative proceedings for violations of the Alcoholic Beverage Control Law and the Regulations that govern the conduct of licensees. In addition to prosecuting licensees, the Office of Counsel represents the Authority in litigation brought by licensees and applicants who are challenging determinations made by the Authority.

These cases involve determinations made in both disciplinary and licensing matters. The bureau performs a number of other duties, including: advising the Members of the Authority and staff on legal issues; responding to requests from licensees and the public for interpretation and application of the Alcoholic Beverage Control Law; drafting legislation proposed by the Authority; and providing comment on pending legislation.

Issues:

Legal is addressing its backlog of disciplinary matters, as directed by the Chairman. It has set a benchmark of initial prosecutorial review and evaluation for charges to be completed within thirty days of case receipt. Once accepted for intake, pleading should be drafted and hearing scheduled within 60 days. Hearings will be conducted within 4 months.

Population Served:

General public; applicants / licensees; community boards; trade associations.

Performance Measures:

See attached regarding performance measures and related statistics.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Secretary to the Board

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Secretary's Office oversees the preparation of the agenda for the "Full Board" meetings of the Members of the State Liquor Authority. The Office receives matters from the Licensing Bureau, Counsel's Office, Hearing Bureau, as well as miscellaneous matter presented by other departments of the Authority. The Office is also administratively responsible for the processing and collection of civil penalties imposed by the agency.

Issues:

Population Served:

General public; applicants / licensees.

Performance Measures:

See attached regarding performance measures and related statistics.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Licensing

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The ABC Law defines 173 different licenses and permits within the general categories of manufacturer, distributor, wholesaler and retailer. The holder of a wholesale license is authorized to distribute alcoholic beverages to licensed retailers. A retail license authorizes the holder to sell alcoholic beverages directly to consumers for on or off-premises consumption. The length of the license period varies depending on the class or type of license issued. The fee structure for each license/permit is set by statute. It is the responsibility of the Licensing Bureau to ensure that all applicants meet the statutory requirements and qualify to obtain a license or permit. The Licensing Bureau reviews license and permit applications carefully, documents all findings and prepares detailed reports to ensure that either the Licensing Board or the Members of the Authority are able to make a reasonable determination on every application.

Issues:

The program currently faces a significant backlog of license applications. The program is attempting to address this backlog utilizing current resources.

Population Served:

On-premises and off-premises licensees/applicants; general public; community boards; industry associations.

Performance Measures:

See attached regarding performance measures and related statistics.

[State Liquor Authority]
PROGRAM INFORMATION SHEET

Program: Wholesale

Mandate:

General: U.S. Constitution, Article XXI; NYS ABC Law. Specific: ABC Law § 17.

Mandated Funding Level:

None.

Brief Description/History/Background:

The Wholesale Bureau is responsible for the statewide administration of NYS liquor and wine price schedules, brand label registration for beer, liquor, alcoholic cider and wine products and administering the retail delinquent/credit list. In addition, the unit provides assistance and guidance to manufacturers, wholesalers, retailers, representatives and other agency bureaus on matters concerning trade practices and policy issues; reviews and approves liquor and wine combination packages, and advises, in concert with Counsel's Office, manufacturers on matters relating to contests, sweepstakes, mail in rebates, promotions or other direct consumer giveaways. The Bureau is also responsible for processing and approving requests for centralized bookkeeping.

Issues:

In 2006, the Office of the New York State Comptroller (OSC) issued a report entitled *State Liquor Authority: Division of Alcoholic Beverage Control, Oversight of Wholesaler's Compliance with the Alcoholic Beverage Control Law* (Report 2005-S-33). OSC found that the Division needed to take a more active role in monitoring wholesaler compliance with the ABC Law. To this end, as directed by the Chairman, the agency appointed a Director of Wholesale and has taken steps to address the deficiencies pointed out by OSC as they relate to wholesale matters.

Population Served:

Wholesale applicants / licensees; retail licensees; wineries and farm wineries.

Performance Measures:

See attached regarding performance measures and related statistics.

PERFORMANCE MEASURES WORKSHEET

I. Licensing.

1. Number of Applications per zone
2. Number of COMPLETED application reviews per zone
3. Number of COMPLETED application reviews per zone per examiner
4. Number of Applications by type per zone
5. Number of Applications approved by staff per zone per type
6. Number of Applications disapproved by staff per zone per type
7. Number of Applications returned to applicant per zone w/ reasons for return
8. Number of Applications Pending per zone
9. Number of Applications Pending per type
10. Time to process to approval by staff or submission to the Members by staff per zone
11. Average time to process to approval by staff or submission to the Members by staff per zone
12. Number of 500 foot cases per zone
13. Number of pending 500 foot hearings per zone
14. Number of 200 foot cases
15. Number of 500 foot cases referred to the Members
16. Number of 500 foot cases disapproved by staff
17. Number of Applications denied by staff with an appeal pending to the Members (reconsideration) by type of licensed per zone
18. Number of pre-licensing investigations (pre-license field visit) initiated per license type per zone
19. Number of applications entertained with opposition cited, with reasons specified
20. Total applications by type: Original, Renewal, and Permits
21. Number of applications submitted in hard copy? Advanced on-line?
22. Number of days between the mailing of the "Approval, subject to" letter and the date of license issuance
23. Number of calls answered by Wholesale Bureau regarding delinquent list matters?
Average time per call?
24. Number of Brand Label Registration applications received by Wholesale Bureau?
Processed? Renewals?

II. Enforcement.

1. Number of Cases entered in the system w/o assigned investigator per zone
2. Number of Cases with an investigator assigned, but not initiated per zone
3. Number of Cases assigned, initiated, and pending per zone per type of violations (i.e., complaint alleges: ABC violations (i.e. availing, non-bonafide, gambling, noise, police referral, sales to intox, sales to minor, unauthorized source), Penal Law violations, Code (building, health, fire) violations
4. Number of Cases per investigator
5. Number of cases referred by source (citizen complaint, PDR etc.)
6. Time between case entered to assigned to initiated to completion and referred to Counsel
7. Number of pending Cases per investigator per zone
8. Number of complaints received (excluding PDR's)
9. Disposition of closed cases (cite action taken)

10. By investigator, hours in field, hours in office
11. Vehicle mileage logged by investigator (exclude office commuting mileage)

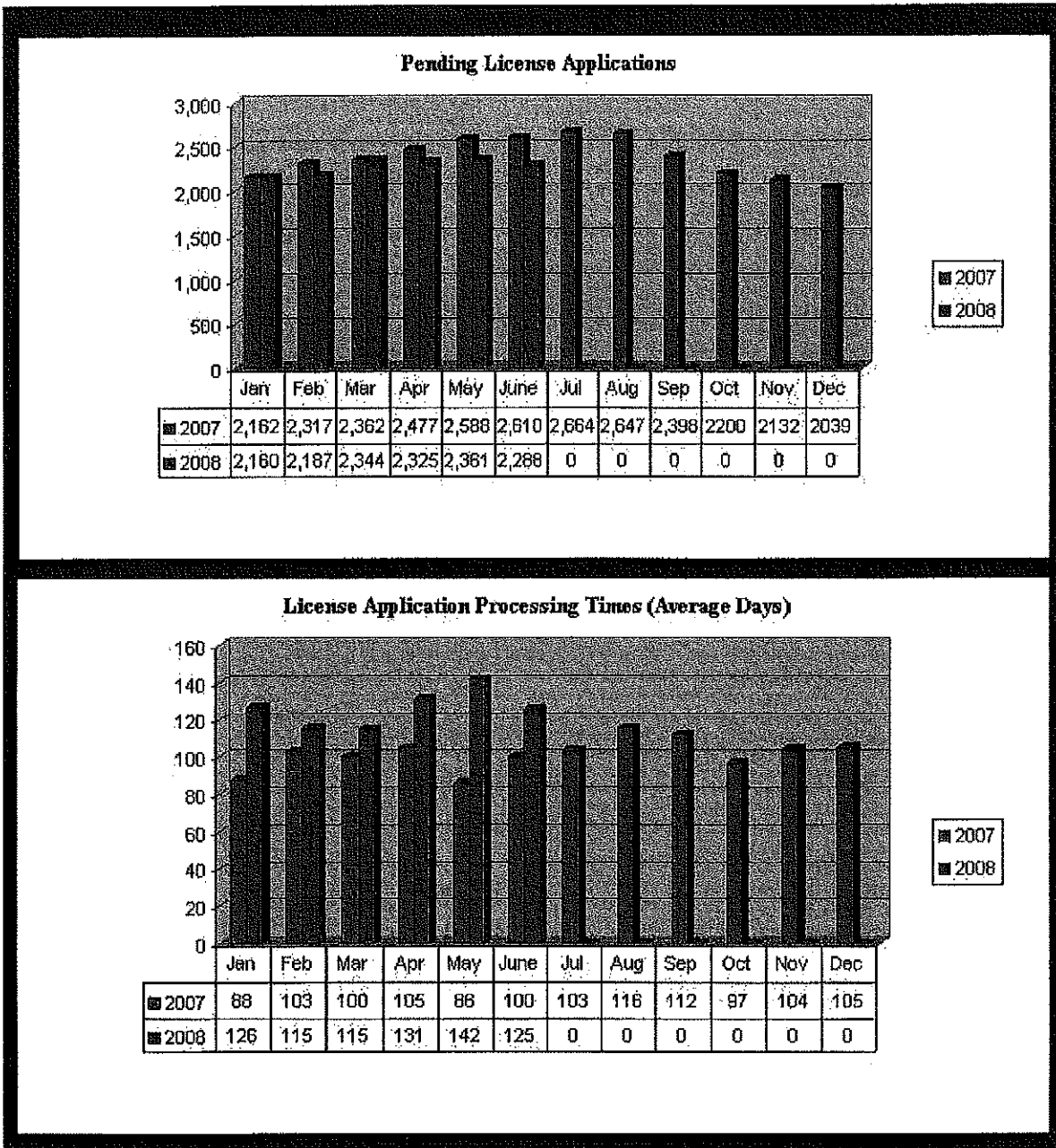
III. Prosecutions.

1. Number of Cases referred by Enforcement per zone
2. Number of Cases pending review per zone
3. Number of Cases reviewed and charges filed (notice of pleading issued) per zone
4. Number of Cases reviewed, no charges filed per zone
5. Number of Cases per attorney per zone per zone
6. Number of Cases with pending charges (notice of pleading issued) by license type per zone
7. Number of Cases in default
8. Number of Cases in default with charges sustained
9. Number of Cases with hearings scheduled per zone by attorney
10. Number of Cases with hearings adjourned more than one time per attorney (list ALJ) per zone
11. Average length of time between referral from Enforcement to review of report
12. Average length of time between referral from Enforcement to issuance of Notice of Pleading
13. Average length of time between referral from Enforcement to initial hearing date per zone
14. Average length of time between referral from Enforcement conclusion of hearing per zone
15. Number of Cases with sustained charges per zone
16. Average number of cases assigned per attorney per zone
17. Average number of witnesses per case
18. Reasons for Adjournment of Hearings listed in order from highest to lowest per attorney per zone
19. Number of PDR's received by county
20. Number of clock hours (quarter hour intervals) per case by attorney [*i.e., billable hours – aggregate will illuminate time on task – not referenced to attendance or arrival/departure times*]
21. Number of CNC's negotiated by attorney prior to hearing
22. Time spent in legal research

IV. Hearings.

1. Number of Cases referred by Counsel
2. Number of Pending Hearings (total scheduled and non-scheduled)
3. Number of Pending Hearings (scheduled) per zone per ALJ
4. Number of Hearings awaiting report
5. Average length of time between referral by Counsel and schedule of initial hearing
6. Average length of time between Hearing and issued report per ALJ
7. Number of Cases adjourned more than one time per ALJ
8. Average length of case per ALJ
9. Number of days between the conclusion of the hearing and the conclusion of the controversion period
10. Actual time at hearing? Office time?
11. Off site travel time
12. Time spent in legal research

LICENSING

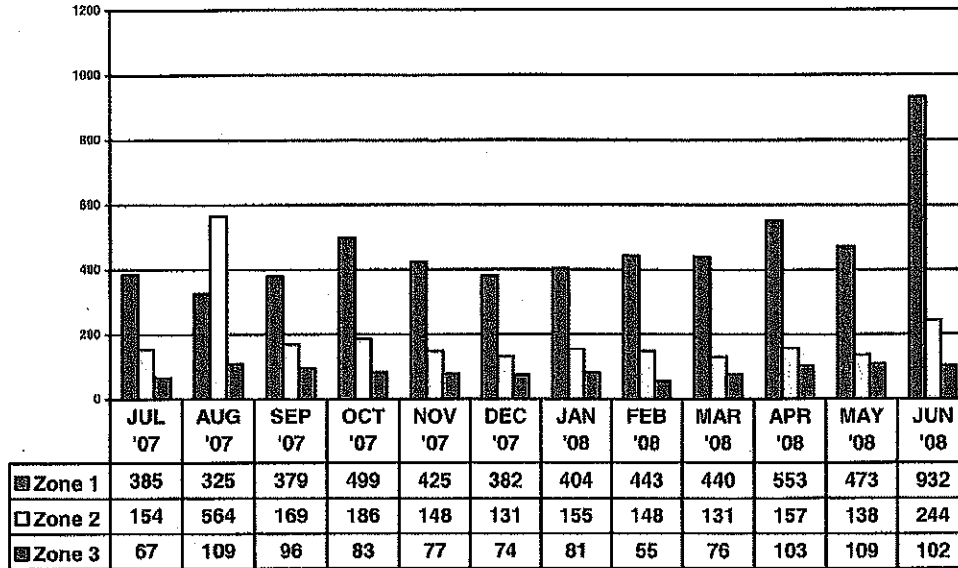


Licensing Goal – Reduction in backlog and license application processing times to the 30 day threshold required in statute (ABC Law Sec 120).

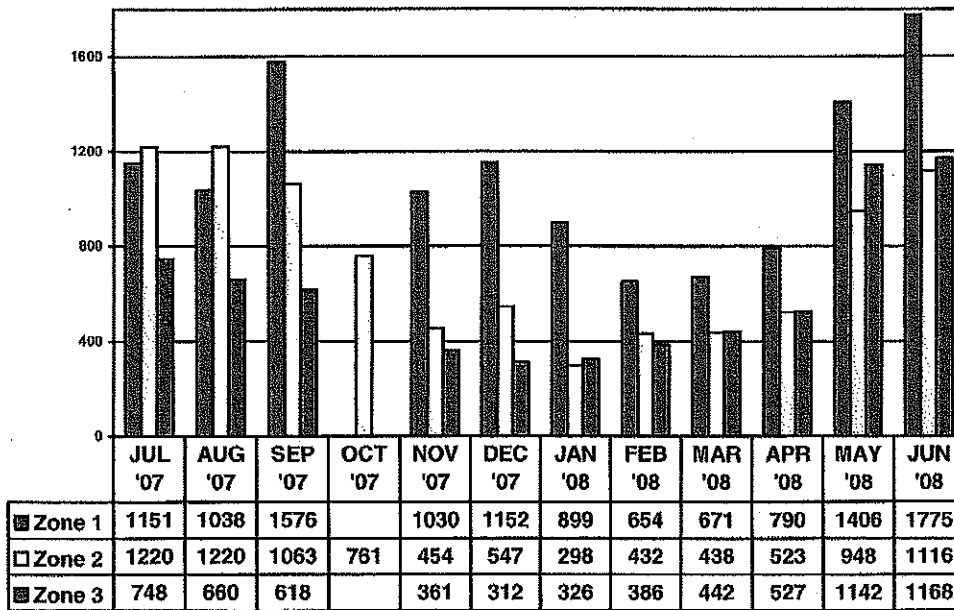
Benchmark – pending applications in Zones I (NYC) and II (Albany) have been reduced with the attention of newly acquired licensing examiners and procedural changes in the examination process. The Retail Application has been redesigned and made available for completion and download from the web site, and color coded license certificates allow quick visual identification of license type and permitted method of operation. **Though the processing time for applications appears to have increased, the number of days represented reflects the lengthy backlog presently being addressed. The aged licensing matters, once removed from the present workflow, will no longer inflate the processing times presently illustrated. The**

Agency has implemented new examination protocols and has also diverted other bureau staff to assist licensing in their review.

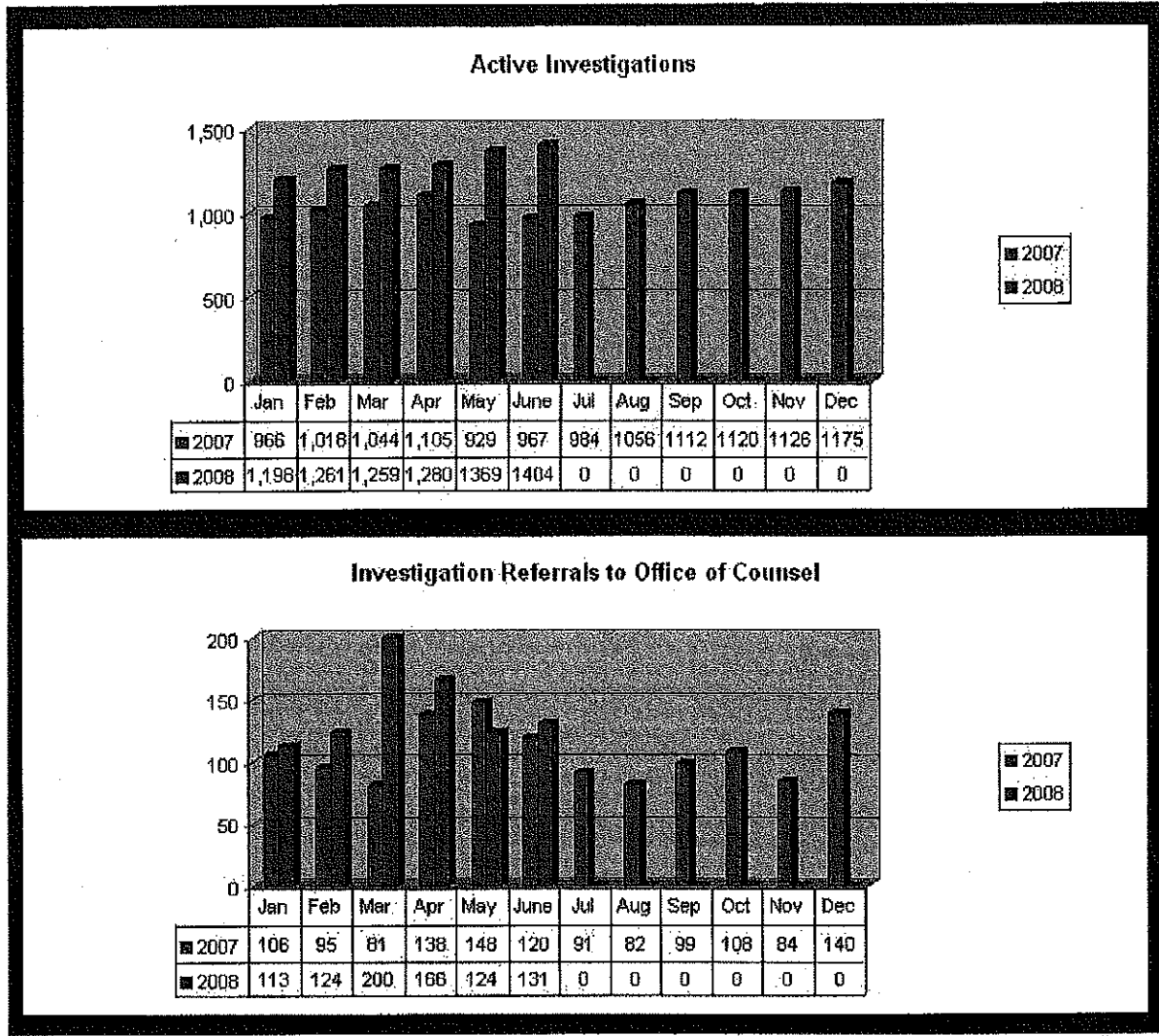
Number of License Applications Received Per Month By Zone



Number of Permit Applications Received Monthly By Zone



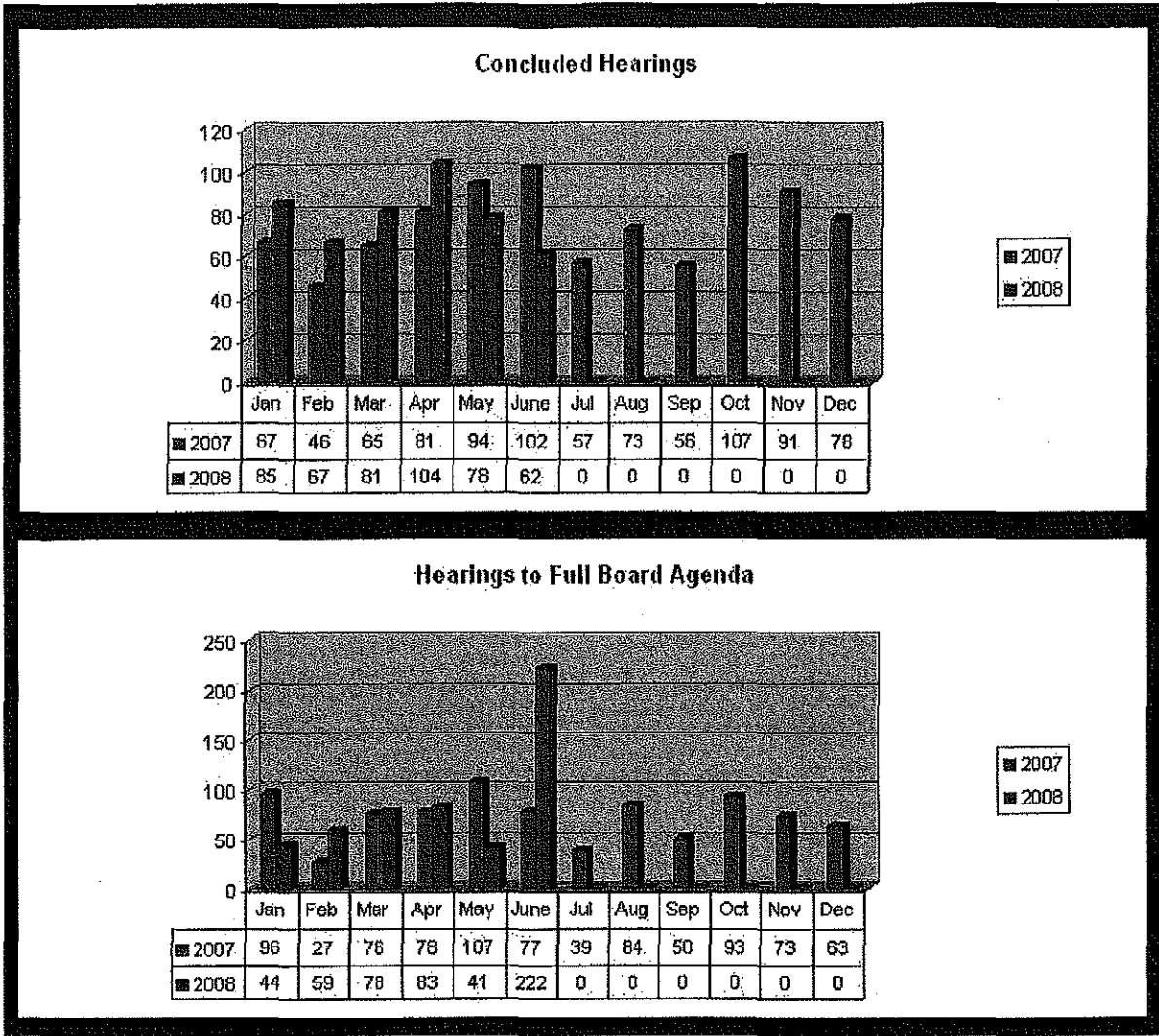
ENFORCEMENT



Enforcement Goal – Complete resolution of open cases that are more than 18 months old (aged), and final disposition on completed investigations; completed investigations to office of counsel within 90 days.

Benchmark – By July 1, 2008 a 50% reduction of aged open cases, with balance closed by December 31, 2008 will be achieved. Most significantly, the Enforcement Bureau participation in PROJECT MARCH Task Force Operations has reached an all-time high. SLA Investigators have assisted in 32 separate precinct actions in the first quarter, nearly tripling figures for the corresponding period in 2007.

HEARINGS



Hearing Bureau Goals –

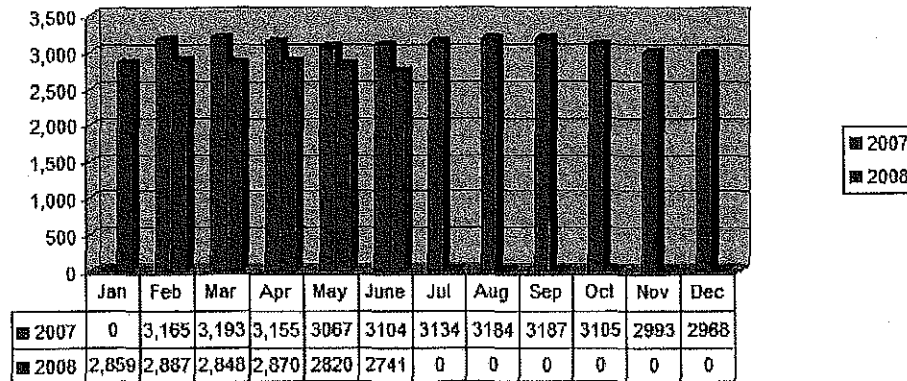
1. Achieve processing efficiencies that will eliminate decision backlog.
2. Improve quality, uniformity, and consistency in presentation of ALJ decisions.
3. Recruit additional per diem ALJ's for upstate assignments
4. ALJ's to render decisions within 30 days of conclusion of hearing.

Benchmarks -

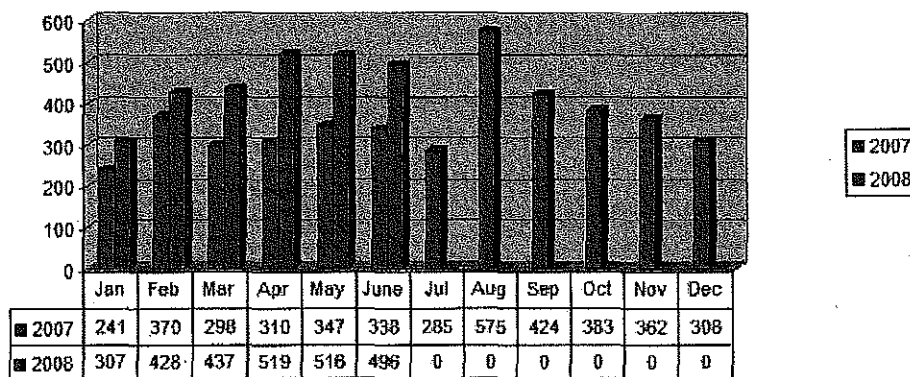
With the acquisition of part time Administrative Law Judges and a Chief Judge of the Hearing Bureau, the backlog of pending decisions has been reduced to zero. This striking reversal of pending matters has brought long overdue consideration of disciplinary matters to the forefront. Timely prosecution and full adjudication of compliance matters sends a firm message to the licensed community that the SLA will not tolerate unchecked violations of the ABC Law. The Hearing Bureau has adopted and utilizes a universal decision reporting format, and offers statewide coverage of hearing matters, taking the cases closer to the neighborhoods where the infractions occur. Swift justice is effective justice.

LEGAL

Pending Disciplinary Cases

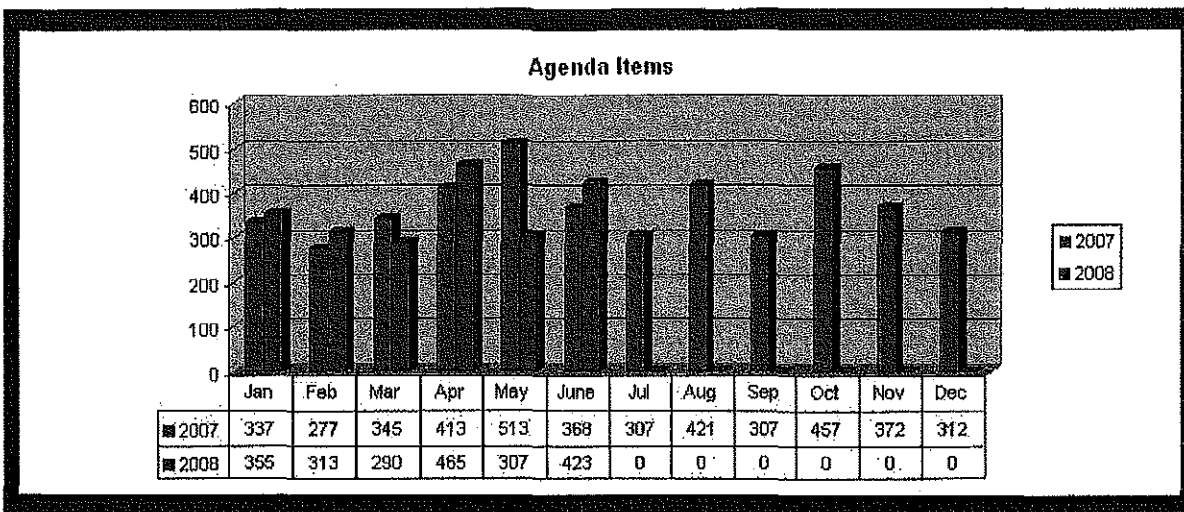


New Disciplinary Proceedings



Office of Counsel Goals – To resolve disciplinary cases in a timely fashion, a one year ceiling has been established for case processing through the disciplinary stages.

Benchmarks – Initial prosecutorial review and evaluation for charges to be completed within thirty days of case receipt. Once accepted for intake, pleading should be drafted and hearing scheduled within 60 days. Hearings will be conducted within 4 months. The Office of Counsel further advises that a backlog of 60 Full Board disapproval decisions has been reduced to 2; 30 Legislative Bill Memoranda have been researched and drafted; the Appellate Division, Third Department issued a decision upholding the Authority's requirement regarding grocery store cashiers; and the Authority formally adopted new Part 35 of Title 9, Subtitle B of the Official Compilation of Codes, Rules and Regulations regarding 24 hour permits.

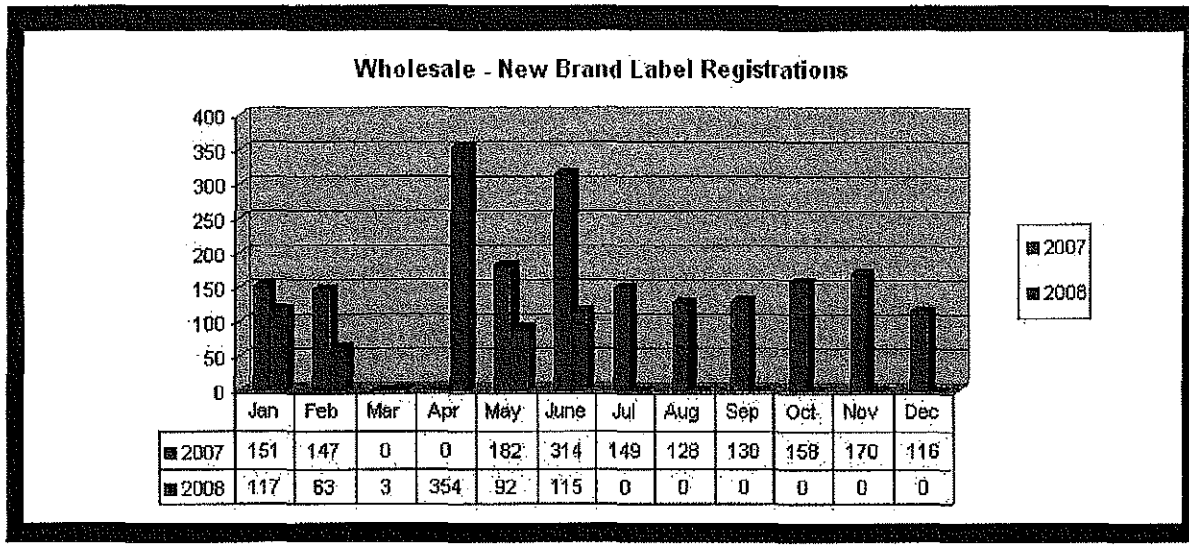
SECRETARY'S OFFICE**DISCIPLINARY ACTIONS**

	Revocations	Cancellations	Suspensions		Bond Claims Imposed	Civil Penalties Imposed	Summary Suspensions	Two-Year Proscriptions Lifted
			Total	# of Days				
June 2006	18	24	26	318	\$47,250	\$576,450	1	0
June 2007	32	23	16	314	\$52,400	\$581,700	0	5
June 2008	21	34	10	155	\$41,250	\$670,200	0	1

Secretary's Office Goal – Process member decisions in a timely fashion.

Benchmark – Compliance case notifications delivered within two days; licensing cases will receive written notifications of reasons for denial of application within 14 days; current backlog (40 decisions) will be erased.

WHOLESALE



Wholesale Goal – Processing of original brand label registration applications prior to automatic approval by default, and renewals to ensure licensee compliance.

Benchmark – A thirty business day ceiling is required. The Wholesale Bureau now has a full complement of staff, and is proactively monitoring trade practices and ensuring compliance with ABC Law requirements. Licensing, enforcement, and legal guidance is now available and provided by competently trained Agency staff. Inquiries are met with prompt replies. Given the Agency’s visible “watch dog” presence, wholesaler conformity with regulated trade practices has never been better. At the same time the Agency is sensitive to its facilitating role in our State’s viniculture proliferation, with the economic growth so important to our State’s business climate.