S T A T E O F N E W Y O R K

2090

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. SCHROEDER, PHEFFER, PEOPLES, MAGEE, MAISEL, EDDINGTON, JOHN, HOOPER -- Multi-Sponsored by -- M. of A. BRENNAN, BURLING, CALHOUN, FINCH, GIGLIO, KOLB, P. LOPEZ, MAYERSOHN, MOLINARO, QUINN, REILICH, SAYWARD, TOWNSEND -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to create a temporary state commission to provide for the dissolution of the state liquor authority and the reassignment of the powers and duties thereof; abolishes the state liquor authority; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. A temporary state commission on the dissolution of the state liquor authority, hereinafter referred to as the commission, is hereby created to develop and propose legislation abolishing the state liquor authority and recommending the appropriate state and local agencies or offices to assume the various responsibilities of such authority.

S 2. The commission shall consist of fifteen members to be appointed as follows: seven members to be appointed by the governor; three members to be appointed by the temporary president of the senate; three members to be appointed by the speaker of the assembly; one member to be appointed by the minority leader of the senate; and one to be appointed by the minority leader of the assembly. A chair of the commission shall be appointed by the governor from among his appointees. Vacancies shall be filled in the same manner as the original appointments.

S 3. The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

S 4. To the maximum extent feasible, the commission shall be entitled to request and receive and shall utilize and be provided with such facilities, resources, and data of any department, division, board,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD03141-01-9

bureau, commission, or agency of the state or any political subdivision thereof as it deems necessary or desirable to carry out properly its powers and duties hereunder.

S 5. The commission shall submit its findings and recommendations for legislation and transfer of the powers and duties of the state liquor authority in a report to the governor, the temporary president of the senate, and the speaker of the assembly not later than April 1, 2010.

S 6. The state liquor authority, as constituted by article 2 of the alcoholic beverage control law is hereby abolished and the powers, functions and duties of such entity shall be transferred, assumed or eliminated pursuant to the recommendations set forth in the report of the commission submitted in accordance with section five of this act.

S 7. This act shall take effect immediately; provided that the members of the commission created by this act shall be appointed within thirty days of such effective date; and provided, further, that this act shall remain in effect until one hundred twenty days after the commission submits the report required by section five of this act, at which time this act shall expire and be deemed repealed; and provided, further that section six of this act shall take effect December 31, 2010 and the amendment, enactment or repeal of any laws, rules or regulations necessary to effectuate the provisions of such section six of this act are authorized to be made before such date.