

Olympic-Size Danger

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It happens every four years. Skating. Double-lutzing. Posing on podiums. Carrying the torch.

No, it's not the Winter Olympics. It's a quadrennial election year in Albany, when New York State elects a governor, lieutenant governor, attorney general, comptroller, and all 211 members of the Legislature.

There are no medals, but there's a Senator named Golden and the Assembly Speaker is Silver and everybody is playing to win.

Like racers competing in the giant slalom, the careening candidates lean left, then sharply right – whatever it takes to get through the next gate.

And like the 90-meter ski jump, it's equal parts sport, spectacle, and train wreck waiting to happen. It's the time when the convenience store industry's vulnerability to damaging, politically inspired legislation reaches Olympic-size proportions.

Look at the start we're off to.

The legislative session opened January 4, and by January 17 our lame-duck governor had proposed both a \$1-a-pack increase in the cigarette excise tax and a one-year delay in enforcing the new law *he signed* last year requiring collection of taxes on tribal sales to non-Indian New Yorkers starting March 1st.

Meanwhile, the sponsor of legislation to expand the bottle bill to non-carbonated beverage containers – effectively turning C-stores into waste dumps – is ready to send it again to the floor of the Assembly, where it passed last year. This is the one that among other provisions requires you to display a "Bottle Bill Bill of Rights" advising consumers that they don't have to rinse out bottles and cans before bringing them back to your store for redemption. Fortunately, the measure died in the Senate, but its fate this year is in serious doubt.

The Republicans control the Senate by a narrow margin. They are nervous about keeping that majority on Election Day if the party can't field a gubernatorial candidate with long enough coattails to shield them from a feared Eliot Spitzer landslide. That could well mean that the traditionally business-friendly GOP Senators will drift leftward in order to appeal to Democratic and independent voters in their home district. And what better way to paint themselves green for November by embracing the "Bigger Better Bottle Bill," as its advocates are marketing it?

I just hope that with everything these elected officials are going to hatch this year in their crazed quest to experience the thrill of election victory, we don't end up suffering the agony of defeat.

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