

Testimony provided by:

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**Pennsylvania State Senate
Law and Justice Committee Hearing on HB 790**

April 30, 2013

Good morning. Chairman and members of the committee, please allow me to thank you for your continued support of the law enforcement community, specifically the Pennsylvania State Troopers Association (PSTA). We appreciate the opportunity to work together with you on issues that are important to the safety and security of over 12 million Pennsylvanians.

My name is Joe Kovel, I am proud to serve as President of the PSTA. The PSTA represents the men and women who have dedicated their lives to protecting our communities and residents of the Commonwealth. We are here today because the PSTA is committed to enhancing the ability and resources of the Pennsylvania State Police to handle the ever-increasing duties placed on our Department. As you know our current ranks are severely below authorized complement so we are very concerned with assuring adequate resources are directed towards any additional enforcement responsibilities that are asked of our Department.

I am not here today in opposition to, nor support of HB 790. I am here to share with you my concern with not just sustaining current funding levels for our present liquor enforcement efforts, but also draw attention to the additional enforcement efforts HB 790 will require of the Pennsylvania State Police.

When implemented, HB 790 will authorize additional license venues. Dependent upon how many current "D" license holders exercise their option to obtain the wine and liquor licenses, HB 790 could result in as many as 1500 or more new licensed venue responsibilities for PSP enforcement. I get to that number by the following:

- 820-850 new "G" license locations
- 60 standalone wine and liquor licenses if every one of the 1140 "D" license holders exercise their option, substantially more if significant numbers of current "D" license holders will not or cannot make the necessary investments
- 600 additional wine and liquor licenses issued as state stores are closed

That makes 1500 or more new licensed venues that will require an allocation of PSP resources for appropriate enforcement efforts. That is my concern.

As the LCB phases out of its wholesale and retail operations, where will the \$29 million in revenue come from to maintain the current enforcement costs directed to the State Police for liquor enforcement? Where will additional revenues come from to cover the costs of enforcement actions in 1500 or more new venues?

The language provided on page 72, lines 28-30 that direct that any fines collected by the administrative law judges from licensees shall be remitted to the enforcement bureau for continued enforcement efforts does not address my concerns as the Pennsylvania State Police is not the enforcement bureau.

However, this concept of a dedicated funding source is something that should be considered for the Pennsylvania State Police. Language could be amended into HB 790 that would assure that the State Police would not only continue to receive the current \$29 million for enforcement efforts, but also an additional \$5 million to cover the Pennsylvania State Police manpower needs in taking over the primary enforcement of liquor laws in the Commonwealth. Additionally any State Police manpower used exclusively for liquor enforcement should be designated to not count against the statutory complement level.

As State Troopers, my members will continue to perform their duties to the best of their abilities. But ladies and gentlemen, our ranks are currently further below authorized complement than at any previous time. You cannot continue to add to their responsibilities without providing the resources necessary to complete the job. Our Department can no longer do more with less. That is why we have seen the closure of one of our barracks and the attempt to eliminate a Troop headquarters. At this point, if these additional enforcement responsibilities are asked of us, it will require the diversion of personnel and resources from other enforcement efforts. The alternative would be lax enforcement at these new venues, neither alternative is desirable.

As always, the members of the PSTA look forward to working with you as this legislation receives further consideration. Thank you for your consideration of our concerns and I will be happy to respond to any questions you may have.