

Legislative History for Connecticut Act

HB 1248	(PA 180)	1949
LIQUOR CONTROL: 71-74		(4)

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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JOINT
STANDING
COMMITTEE
HEARINGS

CONDUCTED BY SEN. JAMES M. HANCOCK
AND SEN. JAMES M. HANCOCK

HEARD AT THE STATE HOUSE, HARTFORD, CONNECTICUT

ON WEDNESDAY, APRIL 24, 1947

IN SENATE CHAMBER 100

AT 10:00 A. M.

BY THE CLERK OF THE SENATE

STATE OF CONNECTICUT

OFFICE OF THE CLERK OF THE SENATE

HARTFORD, CONNECTICUT

1947

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LIQUOR CONTROL

TUESDAY

(18)

APRIL 8, 1947

✓ H.B. No. 1247 (Mr. Ellsworth) AN ACT
CONCERNING AN AMENDMENT TO THE LIQUOR
CONTROL ACT CHAPTER 151 AS AMENDED.

Sen. Giampietro: Is there anyone in favor of this bill?

Mr. Russell Patterson: This merely clarifies confusion regarding rebates. The following has been added: "The liquor control commission may, upon application of a permittee and the backer, direct the comptroller to rebate the entire fee, whenever a permit is issued but not used nor recorded with the town clerk of the town in which the permit premises is located, provided an application for such full rebate is made within sixty days of issuance of the permit."

They get permits and they do not file them with the Town Clerk and they should be refunded to the full extent within sixty days.

Mr. Gaynor Brennan: This is just an administrative change and of no interest to us.

Sen. Giampietro: Some had been referred to the Claims Committee.

Is there anyone else in favor or opposed to this bill? I declare the hearing closed on H.B. No. 1247.

✓ H.B. No. 1248 (Mr. Ellsworth) AN ACT CONCERNING
REGISTRATION OF BRANDS AND LABELS.

Sen. Giampietro: Is there anyone in favor of this bill?

Mr. Fitzpatrick: At the present time there is a statute and a regulation covering the subject. The registration of brands at the present time is that once the brand is registered, I presume it stays registered forever. At one time brands were more numerous than now. We have about 200,000 cards in the Commissioner's office covering different brands.

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What this will do is to provide a definite determination when a brand is no longer used, and I can well foresee to continue without a registration fee, that the Commission would not be large enough to carry all the cards.

This gives them an opportunity every year to examine the brands and to eliminate and prohibit that particular brand from being sold in the State, unless the Commission's requirements are met. Brands shall be registered annually at an annual registration fee of \$3.00 each, said registration period running from October 1st until September 30th the following year.

In the last paragraph: "The Commission should have the discretionary privilege of waiving and restricting in compliance with this section."

Mr. Gaynor Brennan:

I am not opposed to the bill, but I do think, Mr. Fitzpatrick, there is room for some confusion in the wording.

"Shall be registered with the liquor control commission annually on or before October first in each year with an annual registration fee of three dollars for each brand so registered."

I know it isn't the intention to refuse any liquor brand after October 31st, but the way it is written, it might be interpreted that unless you get your registration in by October 31st.

If this bill is considered the wording should be changed because as it now reads there could be no registration after the 1st of October. This certainly is not intended, therefore, it should read as follows:

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REGISTRATION OF BRANDS AND LABELS.

No holder of any manufacturer, wholesaler or out-of-state shipper's permit shall ship, transport or deliver within this state, or sell or offer for sale any alcoholic liquors unless the name of the brand, trade name or other distinctive characteristic by which such alcoholic liquors are bought and sold, the name and address of the manufacturer thereof and the name and address of each wholesaler permittee who is authorized by the manufacturer or his duly authorized representative to sell such alcoholic liquors, shall be registered with the liquor control commission with an annual registration fee of three dollars for each brand so registered, by the manufacturer or his duly authorized representative when such liquors are manufactured in the United States and by the importer when such liquors are imported into these United States, and until such brand, trade name or other distinctive characteristic shall have been approved by the commission. The annual registration period shall begin on October first and end September thirtieth of the following year. No alcoholic liquors may be shipped, transported or delivered within the state unless such registration fee is paid. A brand label once approved shall not require an annual re-approval unless such approval has been revoked or unless there is a change or variance in the contents of the container as originally approve, or a change in the descriptive phraseology on the label. The commission may use its discretionary powers to waive the requirement of a re-approval if the label change consists only of a new coloring, shading or label format."

Mr. Fitzpatrick:

The Commission would be glad to accept that change.

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Mr. David Levy, Hartford: If you build up a trade mark on certain brands, nobody can infringe upon it in the State if you got it. You can register it with the Secretary of State, but the registration of the thing with the Commission is a regulatory. I hope that sooner or later we will have in the commission a system of registering these labels so that when they appear different, it will necessitate a new registration. I know it will be a burden on some, but I am for it.

Mr. Fitzpatrick: We do require a new registration if there is a difference in the contents.

Sen. Giampietro: Is there anyone else in favor of this bill? Is there anyone else opposed to it? I declare the hearing closed on H.B. No. 1248.

✓ H.B. No. 1250 (Mr. Ellsworth) AN ACT CONCERNING AN AMENDMENT TO THE LIQUOR CONTROL ACT CHAPTER 151 AS AMENDED.

Sen. Giampietro: Is there anyone in favor of this bill?

Mr. Fitzpatrick: The original section is divided into two sections - one is "Unauthorized sale prohibited" and the other is "Registration of brands and labels".

We have made a new bill. There is no change.

Mr. Brennan: This merely separates an existing chapter into two chapters.