

HB 6990

PA 856

1971

General Law 41-44, 57-58, 79-80, 207 (9)

House 5055-5061, 6184-6188 (12)

Senate 3349-3352 (4)

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**GENERAL  
LAW**

**PART 1  
1-296**

**1971  
Index**

TUESDAY

GENERAL LAW

FEBRUARY 23, 1971  
10:30 A.M.

I'm sorry Commissioner Dunn.

Commissioner Dunn: That's perfectly alright. I would like to speak on the general subject of unit pricing and not on any individual bill that has been submitted. We favor unit pricing. As long as Bill #6990 is by title only, we feel it is difficult to select the bills with the proper provisions to protect the consumer. New York City has adopted and has run into legal problems with unit pricing concerning the constitutionality of certain aspects and provisions of their bill. Massachusetts did pass the first unit pricing law in the country. They have called for a public hearing on this bill on Feb. 25th in connection with the establishing of regulations and commodities to be covered. Their law was effective on January 1, 1971. Therefore, we recommend, if we may, supplying you with supplementary information on their bill and how it has worked out, after we hear from Massachusetts on their experience. We know that probably holding a second hearing after their hearing would be impossible, but either way would be fine with us as long as we could profit by their experience after that hearing which is just several days hence.

Rep. Webber: Well, the hearing, if I understand you correctly, will be devoted to the selection of those products that are to be put on the unit pricing basis?

Commissioner Dunn: No, they're going to...their hearing is in connection with establishing regulations, they have in their provision...they allow...its a different set-up, they do not have a commissioner such as we do, but they are allowed to have these commodities placed on unit pricing at various times, in other words everything in the grocery store, as I understand it, does not come under unit pricing at one time, so that they have a little different form of a bill than we have. If there seem to be any major problems in Massachusetts, we would like to have the privilege at that time of recommending...in other words, if they incur serious difficulties, if they find they have a terrible problem, then if there is an enormous problem, we would then suggest to you perhaps maybe an interim study to try and bring proper legislation so that we can avoid that type of pitfall and then discuss it in the 1972 Session under a committee bill. It might be proper, but on the other hand we may be anticipating problems and they will have none. We would like to leave these options open after February 25th. While we are anxious to implement this now if possible, we caution passing a bill which would prove to need constant study or drastic emergency changes in 1972. If such a bill passes now, we recommend the bill include the following: (1) a sufficient time for merchants to prepare for the program. (2) that the Commissioner of Consumer Protection should be able to designate articles

TUESDAY

GENERAL LAW

FEBRUARY 23, 1971  
10:30 A.M.

to come under the law. Hearings would be held and then items would be designated. The Massachusetts law allows gradual entrance into the program for those different commodities. The commodities are added piecemeal, they are not all added at one time. We think that we would be able to better implement this program if we did not have to have all commodities start at once. We would also like the designation to be made by the Commissioner of Consumer Protection for those commodities to be regulated. The procedure under the Fair Labeling Law in federal and state regulations does usually come this way, this is what they suggested that it come not all at once. With the Mom and Pop stores, if it is left to the store to do, we would recommend as in one of your bills to exclude three or more, not two or more, under the Mom and Pop. What we would like to do is if the manufacturer provides all of the materials to be used, then we would feel that perhaps including the Mom and Pop type store would be satisfactory. If however, the type and expense of providing the labels is not provided by the manufacturer but must necessarily be provided by the individual stores themselves, we do point out in the case of a Mom and Pop store that we are hesitant to include this 100%...we are hesitant to include this at the present time as currently outlined because we are afraid in a number of cases that this may very well lead to the store not being kept in operation which again might lead to unemployment and just plain loss of business completely, I'm talking about total closing out. If the regulation is such that these stores will have to provide these types of titles...you know, those little slips that are needed.....

Rep. Webber: Excuse me....Commissioner, you know having served in the Legislature with you and having gotten myself into the habit of talking to you and referring to you as Barbara, I can't break myself of the habit.

Commissioner Dunn: I don't think you should, that's fine.

Rep. Webber: In further testimony it will be pointed out that a chart, as I tried to explain to Rep. Papandrea, can be and has been developed and I think, and you can correct me if I'm wrong, that the giant supermarkets in Washington went on unit pricing on a voluntary basis, developed a chart which makes it very simple for the buyer, the purchaser, the housewife, to determine from this chart what he or she is paying per unit or per ounce or per pound. Am I expressing it correctly?

Mr. Ernie Eisenstadt: The chart makes it easier for the retailer to figure out the pricing.

10  
RSW

TUESDAY

GENERAL LAW

FEBRUARY 23, 1971  
10:30 A.M.

Commissioner Dunn: Right, my only point was that should the regulations, or should the statute whichever form it takes, require that under each item on each shelf be placed at the cost to the Mom and Pop store, individual items, it may in some instances be so burdensome that they will be out of business, and I think that you not only have them out of business which leads to unemployment, but further these stores certainly have served a definite function within the community in which they are now certainly doing business, and as long as we don't lead to unemployment and also lead to the store not being available to people, that is all we want. Now, may I ask, Sir, I have prepared statements on several other bills, would you like me to do that now, or would you prefer to go all the way through unit pricing? Either way is fine with me.

Rep. Webber: You have statements on other bills that will be heard this morning? Well, I don't think we ought to tie you up here all morning. Why don't you briefly give us, as briefly as you can, on the other bills.

Rep. Robert J. Vicino, 34th District: Excuse me, I have a question.

Rep. Webber: Sure. Are there any questions by any members of the Committee?

Rep. Vicino: Commissioner, do you anticipate testimony in Massachusetts to reveal something that testimony at our hearings in Connecticut would not reveal?

Commissioner Dunn: No Sir, I'm just saying that their law went into effect January 1, 1971, and it is possible through practical application in the month and a half, whatever period we're talking about, that they have found some difficulty which may then be resolved and which may in some way help us with our legislation, that's the only point I'm trying to make. If at that point, we find that there is something we think would help you to draft a better law or would help us to better administrate it, administer the law, we would like to just give you that supplementary information after February 25, and after such time as we contact Massachusetts to find out from their practical experience what advice they would give us.

Rep. Henry A. Povinelli, 120th District: Milford. Commissioner, just one question, does your Agency have any kind of a cost factor relative to staffing, to implementation of the proposed legislation? I imagine it would be a tremendous task to implement whatever proposed legisla-

TUESDAY

GENERAL LAW

FEBRUARY 23, 1971  
10:30 A.M.

tion on consumers....

Commissioner Dunn: Not that I'm aware of....just one second, I'll check with Mr. Eaton Smith, the Division Director... have you.....

Mr. Eaton Smith: ....have no figures at the present time....of course, we expect more retail stores in anyway.... inaudible.....

Commissioner Dunn: I think maybe there would be a slow-down in some small personnel, but they are in there...I know that that wasn't picked up on the mike.....any other questions?

Rep. Webber: Any other questions, members of the Committee? Go into your other bills...

Commissioner Dunn: Alright. The next one is the DATING AND LABELING OF FOOD AND FOOD PRODUCTS, #352. Its the one bill I have a copy of, I think there were perhaps several.

Rep. Webber: I might point out, Commissioner, and ladies and gentlemen in this room, there are many additional consumer bills that are still in the office of the Legislative Commissioners, that have not been printed yet, so there will be additional hearings on other bills in this area.

Commissioner Dunn: Having just this one at my disposal right now, it is #352. I would speak again to the general subject. In general, we believe the consumer should have a maximum opportunity to purchase wisely, and this idea would receive widespread favor with the average housewife. We are anxious to have the proper procedures adopted, but we hesitate to advise on proper methods at the present time because we cannot determine how best to date, whether to use the date of manufacturing and if so this might possibly be misleading as applied to such items as frozen food. While the date of probably spoilage is extremely difficult to find in many food substances, we just find that this can be a problem. We wonder if sufficient research statistics are available for the department to make the proper judgment on the many types of food to be sold. We would be happy to leave several newspaper clippings with you on this subject which we have prepared that would help you perhaps. Mr. Smith, I think, possibly may also have from his experience something to say on this, do you wish to.....o.k....We then just do caution you as we get into this with the frozen foods, that we don't in our eagerness to help the consumer find that by adopting this too quickly until a very fine method has been

24  
RSW  
TUESDAY

GENERAL LAW

57  
FEBRUARY 23, 1971  
10:30 A.M.

will cost too much is fallacious and should not stand in the way of passage of unit price legislation.

Rep. Webber: Thank you very much.

Mr. James Olson, 271 Humphrey St., New Haven: I'm a student at Yale Law School. I work with Yale Legislative Services and with the previous speaker was co-drafter of a unit pricing bill which was adopted by the Council of State Governments in 1970 as proposed state legislation and has been introduced this year with some modifications by Rep. Vicino as Bill #6990. (Copies of Abstract of Consumer Information Act left with Committee). The intent and content of the several unit pricing bills introduced is generally the same but they vary in specifics. I will briefly describe to you our bill and why it is structured the way it is. It begins on page 15 of the report I distributed to you....6990....it consists of six sections, the first consisting of definitions basically of what items are to be regulated and what unit price is. The second section ~~as~~ originally written listed certain goods which had to be unit priced and gave the Commissioner authority to designate others. That's page 15 of the report I distributed to you. I'm going over the second section now. As 6990, it omits the list thus giving the Commissioner more discretion. We have no real preference here, I believe Rep. Mettler introduced a bill, a unit pricing bill that did have a list...it seems to me that its a matter of how much authority the legislature wants to delegate to the Commissioner. That section also provides that the total selling price of all consumer commodities must be listed. It seems to us self-evidently desirable. Yet it is surprising how many times if you go to a market, the selling price of an item just isn't marked and there is no way of finding out. I went shopping yesterday myself in Fairhaven, my local store, and there were at least ten items ranging from a bag of potatoes to tuna fish that you couldn't tell the price of without going up to a check stand and finding out, which no one is going to do. Section 3 provides that the unit and total price can be disclosed in any of several ways giving maximum flexibility to the stores consistent with protecting the public's right to information. I believe Commissioner Dunn mentioned the danger of requiring labeling of each item as being hard on the retailer, and therefore we tried to give the retailer maximum flexibility and various options as to the kind of labeling he could do, such as just placing the unit

25  
RSW  
TUESDAY

GENERAL LAW

FEBRUARY 23, 1971  
10:30 A.M.

price on a runner if its a supermarket, or on a tag or if he wants to to label each can individually. Section 4 provides that any newspaper advertising of a regulated commodity must provide the unit price to prevent deceptive advertising practices. Section 5 grants various powers to the Commissioner to promulgate regulations, we tried to emphasize flexibility here in giving the Commissioner the right in case uncertain matters come up, to make regulations. The most important powers she has are to designate the commodities to be unit priced and to hold hearings when she believes a violation has been committed or when 25 citizens petition for such a hearing. This would give some citizen input into the legislation, and if a pattern of non-compliance is found, she may issue a warning or turn the matter over to the State's Attorneys Office. The reason we say pattern of compliance is to avoid holding a retailer in violation for perhaps an inadvertent violation of the act. This way it would take a consistent recurring pattern. The final section provides for a maximum penalty of \$500. or 30 days in prison for violation. This is a relatively light penalty provision and we made it that way because we felt that there will be relatively few willful violations of the act and therefore a harsh penalty isn't needed. Thank you.

Rep. Webber: Thank you. Mr. Schweitzer, I think....his name appears on that list. May I have that list, please? We'll go through it very quickly.

Mr. Dwight Schweitzer: Thank you, Chairman Webber. I realize Gentlemen, that we are running short of time, and there is a great deal of legislation to be discussed. My name is Dwight Schweitzer, I'm an attorney and Legislative Counsel to the Connecticut Consumer's Association, and what I would like to do is basically give you a quick rundown of the position that the Connecticut Consumer's Association takes on all of the legislation that is before you this morning. Certainly as to unit pricing, there is no question that Connecticut consumers need unit pricing, that unit pricing will take care of a great many of the terrible abuses that people of our communities are subject to due to these inadequacies that have been brought out before in lengthy testimony showing that prices are not fair, showing that people cannot make a fair determination of how to best use their money, and I would like to point out one thing that goes through most of the consumer legislation that is before you this morning and that is, as you know, the

the back to absorb some of the moisture, otherwise Mrs. Consumer comes into the store, gets her hand all wet and she doesn't know what to do, there is no Kleenex around, we are forced at this time to put a box of Kleenex. If we were to use these trays here we would have to put a box of Kleenex so that the ladies could wipe their hands after picking out the meat off the meat counter. Another thing that happens and I'll say that the plastic industry hasn't come far enough yet to warrant us to use these plastic trays for the simple reason that the blood after a day or so, the blood will tend to follow this cellophane and get under here where it will not do so on the paper tray...you see, the blood will come right out of here, follow right through, and therefore Mrs. Consumer on picking up the meat has her hands sticky with blood. Now, may I refer to an article that was written and a survey that was published in the current February issue of Good Housekeeping magazine. Representative panelists who spent between \$21.00 and \$40.00 weekly on food items indicate that they are satisfied generally with freshness, packaging, and labeling of the foods. However, one out of every four is unhappy about poor service, about store service, physical complaints about the check-outs, counters, cluttered supermarket aisles, and poorly trained personnel. So you see, the emphasis is not on meat and it seems to me, Gentlemen, that out of these issues this morning are aimed at the retailer. Now the question came on the profits. Now we work on about a 21% gross profit, and our operating cost is about 19½%. If we do have a 1½% net profit at the end of the year, we are doing a terrific business, a beautiful business. Now, if we are going to have the unit pricing, and as I say, this bill seems to be aimed at the retailer. Now, if we are to have unit pricing, let's put it up to the manufacturer to unit price those canned goods, or any items that pertain to the food industry. Let's not have this burden come on to the retailer who is working with a very very small margin and needs and requires a very heavy volume in order to break out in a paying business. Thank you very much.

Senator Strada: Someone else wish to speak?

Mr. Joseph Bober, Secretary-Treasurer of the Connecticut State Labor Council: speaking in support of #6990, 5617, and 5402. I've heard a lot of discussion on the

packaging, the see-through package. Various consumers have been led down the trail by the supermarket. There is one answer to the whole problem and that is go back to the butcher market that doesn't prepackage his goods. Now, I do the buying in my house and I have some background in the meat business. I sold meat, I was a salesman for a packaging house. I visit a butcher market that puts the meat out on a metal tray, you buy what you want, he weighs it up for you and the prices, strangely enough, are competitive with the chain stores. In fact in some areas, they are a lot cheaper. This would be the answer to all these packaging problems, because I get annoyed when I go in and buy a piece of meat and I know a cow is built the way it is, or a piece of beef is built the way it is, and you get a piece of soupmeat there is a thin part of a shank, and when you get up around the knuckle, its going to be big, and I can understand the problem of the merchant, he's going to show the best side, but it does annoy me; they cut their steaks on a slant. They'll show you a beautiful side, but on the back they cut it so that the fat, the pad fat around the edge, is thin on the side that they sell you and its fat on the other side. This you can't stop unless the butcher were to trim it off. He pays for that fat as well as the ultimate consumer. But all this is only designed for one purpose, to deceive the consumer. Unit pricing...the gentleman who just spoke before me, has the solution to unit pricing but unfortunately I don't think the state of Connecticut can get at the manufacturers, so we have to get at the retailer to require unit pricing, and we try the unit pricing by retailers, I'm sure the manufacturers will ultimately get the message. There is no need for all these different size container, absolutely no need, other than to make it impossible for the consumer to know how much he's paying per lb. Well, they have a few tricks that annoy me, one is on the prepackaged cold cuts. They put it in 5 oz. packages, now if they can put it in 5 oz. packages, they can put it in 4 oz. packages or 8 oz. packages, just as easy as a 5 oz. package. I think its even a little harder to get these hard fractions, so I think we have to attack through the retailer and by doing that, they in turn will pass our message down to the manufacturer and I think we'll avoid all the fancy prices, the odd lots, the peculiar sizes that we're faced with. I think both bills deserve your serious consideration. I'm not impressed with the arguments made by the industry that they can't do this and they can't do that, because it is being done every day. Thank you, Mr. Chairman.

particularly pertain here, but.....

Senator Strada: Thank you very much. Mr. David Blount?

Mr. David Blount: I represent...in fact I'm an Executive Board member of the Transport Workers Union. I represent on the Executive Board of the Federation in the Stamford shops here of the Penn Central Railroad many workers, railroad workers. I support and I am coming away from my job at the Penn Central ..... supporting bills in relation to credit, credit bills. I don't have many notes with me, but I marked some from the shopper today. H.B. 6990 relates to unit pricing. I support this bill because it would protect workers who need to see what the price is before and have the full price on the label, which includes every...taxes and whatnot, and when they get away from the store they know exactly what they're paying for. The other bill, I believe, is H.B. 5228. This is in regards to credit cards. Today before I left the shop I asked many of my fellow workers and I told them I was going to be at this hearing, what they had on their mind in regards to consumer protection, and they did talk of credit cards being loosely sent through the mail....where a woman might get one of these free cards and all of a sudden she runs down and might buy up \$300. worth of products and the bill comes in maybe two or three months later and all of a sudden they don't have the \$300. What I am trying to out in regard to these credit cards, eventually many of these workers who.....inaudible..... get caught up with a collection agency. In turn, it eventually leads into garnishments, and many of these workers have many children and of course they are protected by bills that have been supported by the Conn. State Labor Council in regard to the amount of money which would be collected from them provided this money....but in other words, I'm trying to bring out, this loose sending out of credit cards can be very damaging to a family who don't understand these credit cards, how easy it is to come by, to get caught and fooled by them, by not reading them properly. I feel that I support this bill wholeheartedly that they should be stopped, and before a credit card is issued they should be checked like it was in the past.

Rep. Holdsworth: Mr. Chairman, I wonder if we could just clarify this situation relative to this bill. It is illegal to indiscriminately send credit cards through the mail. This bill, all it is doing, is that the law now states that you have to request a credit card either by writing or verbally. This bill just strikes out the verbal part, so that a credit card can only be sent out by written request.

Mr. Blount: Well, I choose to stand here and say that you're wrong, because I have received numerous gasoline credit cards, Texaco, Citgo, call it what you could, I've had it from stores just sending them through the mail, a card....

Rep. Holdsworth: As of December 1, 1969, it was illegal to send them out indiscriminately and as I....

Rep. Webber: The bill came out of our Committee in the last Session. It is illegal to send out a credit card unless its requested either by written request or verbally. Now, this bill, as Mr. Holdsworth points

**H-118**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 11  
4831-5162**

Saturday, June 5, 1971

1

Act Concerning Taking Land to Enlarge Hospital. a

MR. SPEAKER:

Would the Majority Leader care to have this passed temporarily.

MR. GILLIES:

Yes, Mr. Speaker.

MR. SPEAKER:

Calendar 1387, Substitute for House Bill 6990 - An Act  
Concerning Unit Pricing of Consumer Commodities, from General Law.

MR. SPEAKER:

Gentleman from the 113th.

MR. WEBBER:

Mr. Speaker, we in the law committee are thrilled to see this matter on the calendar. This is a great bill. I move acceptance of the joint committee's favorable report and passage of the bill.

MR. SPEAKER:

Would you remark.

MR. WEBBER:

We think this is a housewives bill. This bill would eliminate the necessity of housewives to carry with them a portable computer, a slide rule or all types of measuring devices. This bill requires the conspicuous posting of the unit price of consumer commodities and unit price. It would also require that unit prices include in advertising of all consumer commodities. I shall like to yield to Representative Vicino.

Saturday, June 5, 1970

1

MR. SPEAKER:

Gentleman from the 34th.

MR. VICINO:

By passing the Unit Pricing Bill recommended by the General Law Committee you will help give the consumers of this state the weapon they need to fight inflation in the supermarket. With so many different sized and different priced packages of the same commodity available today, the average consumer cannot shop intelligently without knowing the unit cost—the cost per pound, per ounce or pint, of the items he or she buys. How can the shopper choose between a 15 ounce package for 43¢ and a 17 ounce package of the same item for 51¢ without knowing the unit cost of each? How can the shopper decide whether to buy the regular or the giant size of his favorite brand without knowing which size cost less per unit? And how can the shopper fight inflation when it requires a slide rule to figure out which of many competing brands will cost the least?

The bill we are proposing does 2 very simple things. First, it requires all stores to display the total selling price of all items sold. This requirement needs no explanation. Secondly, this bill empowers our Commissioner of Consumer Protection to designate selected commodities to be unit priced, and requires all stores with gross yearly sales above \$250,000 to show the unit prices of such commodities. By allowing the Commissioner to choose the items to be unit-priced, we ensure that unit pricing will be used where it is most helpful. And by exempting stores

Saturday, June 5, 1971

with sales below \$250,000 we exempt small so-called Mom and Pop stores, but include the large chains that sell over 75% of the food in the state, and in many cases have computers available to figure out unit prices.

There is really very little that can be said against unit pricing. Disclosure is one of the most basic of consumer protective devices - our free enterprise market system depends on possession of maximum information by consumers, who are then able to choose freely among competing goods. Unit pricing provides this needed information.

Now some retailers have claimed that unit pricing will be costly, and that the costs will be passed on to consumers. We are convinced, however, on the basis of studies performed by the New York Department of Consumer Affairs and Yale Legislative Services, that the cost of unit pricing will be minuscule, and even if this insignificant cost is passed on to consumers, it will be heavily outweighed by the 10% or more that studies have shown consumers can save by using unit prices. So economically unit pricing is a very sound proposition. This fact has been recognized by a few large food chains across the country, which during the past 6 months have voluntarily instituted unit pricing, with generally favorable results. Unfortunately, however, most stores in Connecticut have not seen fit to implement unit pricing voluntarily, so we must give them a prod. This bill will do just that.

When you vote for this bill you're voting for the hard-

Saturday, June 5, 1971

pressed homemaker trying to stretch a shrinking food dollar to cover expanding costs; you're voting for the low income inner city resident who out of economic necessity must get the most for his money - and you're voting for consumers across Connecticut, who have voted for you, and who now look to you for help in their battle against inflation. Don't let them down. Vote for unit pricing.

MR. SPEAKER:

Gentleman from the 125th.

MR. HOLDSWORTH:

Two important factors by unit pricing are compelling arguments for the adoption of this bill. One is that properly used unit-pricing can mean savings up to 10% of the weekly food budget in most families. The other fact is that 40 or more supermarkets chains around the country have already adopted unit pricing voluntarily and more chains have joining the parade every week. Obviously, unit-pricing is good business. A fair deal for the shopper, a fair deal for the retailer, two good reasons why this bill deserves our strong support.

MR. SPEAKER:

Gentleman from the 146th.

MR. NEWMAN:

As many members are aware, unit-pricing took effect in New York City June first. The New York ordinance raised no great outcry of protest from the large chain stores which are principally affected. The chains are aware that unit-pricing is an elementary

Saturday, June 5, 1971

10

protection which all consumers shall be entitled, rather than imposing a burden on the stores, unit-pricing is actually a good consumer relations tool for them. This is a good bill and it should be passed.

MR. SPEAKER:

The lady from the 17th.

MRS. YACAVONE:

This is a problem that I've been saying for years, talking about and saying, why don't they do something about it and I can now join in and help do something about it.

MR. SPEAKER:

Representative Frazier.

MR. FRAZIER:

I rise in support of this bill. There is just one thing wrong about this bill I don't like and that is the \$250,000 high. I believe that this should be reduced to about \$50,000 gross because these stores that are open on Sundays and I have watched the way that they upped the prices Saturday night in poor communities, this is a practice that is used and no one seems to be doing anything about it.

MR. SPEAKER:

Gentleman from the 56th.

MR. BLUMENTHAL:

This bill will allow the consumer to shop intelligently. The unit-pricing bill makes sense and saves dollars and let's pass it.

Saturday, June 5, 1971

MR. SPEAKER:

Gentleman from the 172nd.

MR. HARLOW:

It is a good bill. My wife has difficulty telling the difference between the giant economy size, extra large size and the super size. I suspect many other fellows have wives like that.

MR. SPEAKER:

Representative Edwards.

MR. EDWARDS:

I heartedly support this bill. I have from the beginning, it was part of my campaign, I think if we get the pricing down to a sensible basis, we can begin talking about the merits of the various products and not try and pull some little phonies on the public.

MR. SPEAKER:

Gentleman from the 152nd.

MR. FOX:

I hate to throw a comment in here, but the New York Times did quite a study on the introduction of unit-pricing and the jest of their article was that the consumers in the stores were paying no attention to it and were more confused than they were helped and the conclusion they came to was that this was not going to do the consumer any good. It might help a few, but it would be a bigger cost to the majority.

MR. SPEAKER:

Gentleman from the 46th.

Saturday, June 5, 1971

MR. DONNELLY:

To echo the remarks of so many previous speakers, in my opinion, this bill will be a tremendous help to the housewife, this is not a housewives bill, this is a husband's bill. We are the fellows that pay the bills and I am in favor of this bill.

MR. SPEAKER:

Gentleman from the 116th.

MR. VOTTO:

I have to agree with the Chairman of the General Law. I think this is a major piece of legislation and I am proud to have some hand in supporting it.

MR. SPEAKER:

Will you remark further on the bill. If not, the question is on acceptance of the joint committee's favorable report and passage of the bill. All those in favor will indicate by saying Aye. Opposed. The bill is passed.

CLERK:

May I call the member's attention to page 6 of the calendar.

MR. SPEAKER:

For the benefit of the members at this time, by agreement, a large number of individual appropriation items will be taken up for passage. To initiate that action, the gentleman from the 52nd, this is not the budget, this is not the tax program, not the bond program. These are individual appropriation bills, which, if we can obtain your cooperation can be moved from our calendar to the Senate calendar, so we will have a manageable calendar next week.

**H-120**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 13  
5555-6226**

Wednesday, June 9, 1971

54.

THE SPEAKER:

Is there objection to suspension. Hearing none, the rules are suspended. Is there objection to immediate transmittal. Hearing none, the bill is transmitted to the Senate.

MR. AJELLO: (118th)

Mr. Speaker, directing the Clerk's attention to Page 9, that's withdrawn, Mr. Speaker.

I would ask the Clerk to call the Disagreeing Action which he has just received from the Senate being Sub. for H.B. 6990. An Act Concerning Unit Pricing of Consumer Commodities. This has been received as a Disagreeing Action from the Senate just momentarily.

THE CLERK:

Substitute for H.B. 6990. AN ACT CONCERNING UNIT PRICING OF CONSUMER COMMODITIES, as amended by Senate Amendment Schedule A.

THE SPEAKER:

The Chair recognizes the gentleman from the 34th.

MR. VICINO: (34th)

Mr. Speaker, I move acceptance of the Committee's favorable report and passage of the bill as amended by Senate A.

THE CLERK:

Senate Amendment Schedule A for Sub. H.B. 6990, File 1559. In line 95, beginning with the word retail, delete the remainder Section 6 and ending on line 102. In line 95, after the words to any insert the words owner-operated single retail store.

roc

Wednesday, June 9, 1971

55.

MR. VICINO: (34th)

Briefly, Mr. Speaker, the amendment excludes the provisions of this act to individually owner-owned businesses. I move adoption of the amendment.

THE SPEAKER:

Further remarks on Senate Amendment Schedule A. If not all those in favor indicate by saying AYE. Excuse me, the gentleman from the 48th, Mr. King.

MR. KING: (48th)

I object to the amendment. In our community alone, there are single, owner-operated stores that are larger than the chain stores, operating in the same community. I think, Mr. Speaker, that when you indicate as this amendment does that you are exempting single owner-operated stores who are creating a built-in discrimination that has the mark of unconstitutionality stamped all over it. I do not object to unit pricing but Mr. Speaker, when you attempt to achieve your objective in this fashion, you have defeated all rules of fair play. This amendment is plainly, in my opinion unconstitutional and it should be defeated.

THE SPEAKER:

Further remarks on the amendment. Rep. Webber.

MR. WEBBER: (113th)

Mr. Speaker, I support the amendment. We must realize that unit pricing is brand new with us. This is a complete new concept and we feel that in one fell swoop we shouldn't make

roc

such a complete and radical change as the original bill would indicate. And I would point out too that we can play this matter by ear for a year or so and if it doesn't work out satisfactorily we can always make that change when we come back. Let's not kill unit pricing at this point, it is an important thing and something we all need and want and I hope you support the amendment.

roc

THE SPEAKER:

Representative DiMeo.

MR. DiMEO: (98th)

Mr. Speaker, I rise in opposition to the amendment. I concur with the comments made by Rep. King. The obvious purpose of this bill was to protect the consumer and one class of consumer which is usually the one who suffers most by the unethical practices which we now see in the food industry are those people who live in the poor neighborhoods. The poor are the ones who are purchasing these items in the smaller neighborhood stores because they do not have the advantages of having the larger department store and larger supermarkets. So when we pass this, we are actually defeating it because the poor are those usually least able to make a judgment as far as the mathematical computations necessary the way the packaging is carried on today. I think that we would actually be destroying the piece of legislation by passing this amendment and the intent of it.

THE SPEAKER:

Further remarks on the amendment. Rep. Stolberg.

MR. STOLBERG: (112th)

Mr. Speaker, I feel the amendment is a bad one and Rep. King's point is extremely well-made. Unfortunately, it is an amendment that has been tacked on because of various reasons in the Senate. Nonetheless, as an expression of confidence in the concept of unit pricing, I urge this body to pass the amendment and pass the bill.

THE SPEAKER:

I would remind the members that unless they take action on the amendment, this item will die as a disagreeing action. Further remarks on the amendment. Rep. Kablik of the 22nd.

MR. KABLIK: (22nd)

I realize that we have just barely 50 minutes left but I would indicate that the disagreeing action in terms of this change from what we sent up there is not particularly as bad as it may seem in that what we sent there as I recall had a dollar gross test and frankly that requires examining of books and everything else - that had problems. This has a few problems too, but I think it is a decent amendment, one we can live with and we need unit pricing.

THE SPEAKER:

Further remarks on the amendment. Rep. Vicino, speaking for the second time.

MR. VICINO: (34th)

Mr. Speaker, all we are attempting to do with this amendment is to exclude the mom and pop stores, the corner grocery store. This bill might place an unnecessary burden upon them.

Wednesday, June 9, 1971

58.

There are many stores in the State of Connecticut who are voluntarily involved in unit pricing. We do not want to place a burden on a small family store. This is what the amendment addresses itself to.

THE SPEAKER:

Are we ready to vote on the amendment. Rep. Rose.

MR. ROSE: (69th)

I just want to make two comments. First is we will lose the bill if we don't accept the amendment. Second, I think the amendment is not that bad because the large personally owned stores will either adopt unit pricing in order to attract their customers or they won't. There is nothing that prevents them from using unit pricing and if unit pricing is a good thing and they want the customers, they will adopt it. I see no harm at all with the amendment. I approve it.

THE SPEAKER:

Further remarks on the amendment. If not, question is on adoption of Amendment Schedule A. All those in favor indicate by saying AYE. Opposed. THE Chair is not in doubt. Senate A IS ADOPTED. The gentleman from the 34th.

MR. VICINO: (34th)

Mr. Speaker, I move adoption of the bill as amended by Senate Amendment Schedule A. and passage of the bill.

THE SPEAKER:

Further remarks. If not, all those in favor will indicate by saying AYE. Opposed. THE BILL IS PASSED.

S-82  
CONNECTICUT  
GENERAL ASSEMBLY

SENATE

PROCEEDINGS  
1971

VOL. 14  
PART 7  
2874-3413

June 9, 1971

Page 20

clarify matters relating to State Taxation, in exemption of the bonds which now varies from bond act to bond act from section 3-20. It would also authorize the State Bond Commission to adopt resolutions authorizing the bonds and appropriating and allocating the principle amount of the bonds authorized for the purpose of project therein stated and permit delegation of all other powers with respect to the bonds to the Treasurer unless the Bond Commission elected to resume such powers. It would permit the sale of bonds or portions thereof, authorized under separate bond acts, to be sold as a single issue. And it also makes the Commissioner of Finance and Control the Secretary of the State Bond Commission, to require official records of proceedings of the state bond commission to be maintained in his office.

Mr. President, it's a good bill and ought to pass.

THE PRESIDENT IN THE CHAIR

THE CHAIR:

Question is on passage. Will you remark further? If not, all those in favor of passage signify by saying, "aye". Oppose, "nay". The bill is passed.

THE CLERK:

CAL. NO. 1284. File No. 1559. Favorable report of the joint committee on General Law. Substitute House Bill 6990. An Act Concerning Unit Pricing of Consumer Commodities.

SENATOR STRADA:

Mr. President, I move for acceptance of the joint committee's favorable report and passage of the bill. The Clerk has an amendment.

THE CHAIR:

We will return to this matter as soon as the amendment is located.

June 9, 1971

Page 21

THE CHAIR:

Senator we have found the amendment.

SENATOR STRADA:

Mr. President, I would move the reading of the amendment be waived. I will explain it, if I may?

THE CHAIR:

SO ORDERED.

SENATOR STRADA:

Mr. President, the original bill, this is the unit pricing bill, the original bill exempted a store grossing less than 250,00 dollars a year. This amendment inserts in lieu thereof, the words owner operated single retail store. So that, any owner operated single retail store would now be exempt under this act. I move adoption/

THE CHAIR:

Question is on the adoption of the amendment. Will you remark further? Hearing none, all those in favor signify by saying, "aye". Opposed, "nay". The amendment is adopted. You may remark on the bill, as amended.

SENATOR STRADA:

Mr. President, members of the Senate, are aware of unit pricing took affect in New York on Tuesday June 1. The New York ordinance raised no great outcry of protest from large chains which are the ones principally effected. I think the reasons it did not are two fold. First, the chains are aware that unit pricing is an elementary protection to which all consumers should be entitled. Second, rather than imposing an burden on the stores, unit pricing is actually a good customer relations tool. And the cost of it initiating and maintaining unit pricing is only a small fraction of one percent of

June 9, 1971

Page 22

the gross volume of the chains. By enabling the consumer to compare prices quickly, unit pricing increases the shoppers confidence in the store. And eliminates the confusion which too often surrounds super markets shopping today.

I think the Connecticut consumer has a basic right to truth in Pricing and this is all this bill calls for. Today's super market shopper is beset on every side by what seems to be calculated confusion. Consider an item, Mr. President, like laundry detergents, which every household uses. They actually come in 15 different sizes. And for what conceivable reason, I really don't know. And, yet, the housewife tries to select from a bewildering array of brands and prices, doesn't have any way of knowing what kind of value she is getting for her money. Unless she were to carry a calculator, or a slide rule in her purse. I used to think that the larger package, really the lower price. But, a very careful survey of two large sections of the State, has shown that this is not at all the case. For example, in the case of 98 percent of laundry detergents, it is actually cheaper to buy a smaller size than the bigger size. I think it is about time, that we, the legislature, liberated the consumer from the jungle of jargon and confusion in which she is entrapped. I submit that this bill imposes no great burden on the food retail industry. The small stores, the so called, mom and pop stores, have been exempted and for the large stores, the cost of unit pricing would be on the order of 2/10 of 1 percent of their gross volume. They would more than make up for what that tiny cost item with improved consumer relations.

The shopper who trusts the store more, will be inclined to buy more.

So, Mr. President, I say let us move with the times and let us vote for truth in pricing.

June 9, 1971

Page 23

THE CHAIR:

Question is on passage of the bill, as amended. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it; the bill is passed.

SENATOR STRADA:

Mr. President, I move for suspension of the rules for immediate transmittal to the House.

THE CHAIR:

If there is no objection, it is so ordered.

THE CLERK:

CAL. NO. 1357. File No. None. Senate Bill 1084. Favorable report of the joint committee on Appropriations. An Act Equalizing the Retirement Age of Men and Women State Employees.

SENATOR HOULEY:

Mr. President, I move the acceptance of the joint committee's favorable report and passage of the bill. This act, if I'm correct here, equalizes the retirement age of both men and women in State service. It's long overdue. I urge adoption of the bill.

THE CHAIR:

Question is on passage. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The bill is passed.

SENATOR HOULEY:

Mr. President, I move for suspension of the rules for immediate transmittal to the House.

THE CHAIR:

If there is no objection; it is so ordered.