

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-89		6052	4	20	8
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Liquor Control 43-46</i> 				<u>House Pages:</u> <ul style="list-style-type: none"> 1013-1032 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 1038-1045

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 3
974-1450**

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as part of the Consent Calendar today. Hearing none, all those in favor will indicate by saying "aye". All those opposed. The Resolution is adopted.

PETER W. GILLIES:

Mr. Speaker, I move, pursuant to Rule 48, that the item on Page 4, Calendar No. 0178, House Joint Resolution No. 0040, File No. 143, a Resolution concerning the official State plan of conservation and development, be placed on the Consent Calendar.

MR. SPEAKER:

Is there objection at this time to Calendar No. 178, on Page 4, be placed on the Consent Calendar. Hearing none, the matter is so ordered and placed on Consent.

JOHN F. PAPANDREA:

Mr. Speaker, I move that the rules be suspended so that we may consider, out of order, Calendar No. 167, substitute for H.B. No. 6052, File No. 132, an Act concerning Sunday sale of liquor.

MR. SPEAKER:

The motion is for suspension of the rules for immediate consideration Calendar No. 167, on Page 3, substitute for h.b. No. 6052, File 132. Is there objection? If not, the rules are suspended. Will the Clerk please call the Calendar item.

THE CLERK:

on Page 3 of the Calendar, Calendar No. 167, substitute for H.B. No. 6052, an Act concerning Sunday sale of liquor. In your File 132.

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BRUCE L. MORRIS:

Mr. Speaker, I move for suspension of the rules for immediate consideration and passage of the Bill.

MR. SPEAKER:

The rules have been suspended, sir. The Chair will entertain a motion for acceptance of the Joint Committee's favorable report and passage of the Bill. Will you remark?

BRUCE L. MORRIS:

Mr. Speaker, substitute H.B. No. 6052...it's a Bill that will allow liquor sales in liquor restaurant licensees, club, cafes, and the like, to go to 11 o'clock limit on Sundays, if desired by the permittee. The necessity of this particular Bill, Mr. Speaker, is that the State of Connecticut has and is becoming a tourist attraction. It is also endeavoring to become a convention haven. We, in New Haven, are developing a coliseum to be second to none in the New England states. We feel that with people coming to the State of Connecticut, and particularly New Haven, that we can increase revenues for our downtown area in the restaurants, increase sales in the mercantile industry there and create a favorable climate and, by the way, a reputation for our fair city. We have undergone considerable redevelopment at cost, financial cost, and at the cost of losing population. To make our city more palatable for those who are living there today. And, Mr. Speaker, even in the future. Now, this Act, if enacted and signed into law by our new Governor, will also be advantageous for our border towns who are contiguous to New York State and

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Massachusetts and even the State of Rhode Island, because there is an exodus in this State on Sunday afternoon and in the evenings, particularly into the direction of New York State and Massachusetts. And I feel that we are interested in retaining the revenue here in our State because I think we need it...that an Act like this would be most favorable. We intend to increase our taxes on our alcoholic beverages, and what's the sense of increasing the taxes on alcoholic beverages if we do not increase the hours of consumption. I think it's quite salacious. So, Mr. Speaker, I'd like to end my remarks by saying it's a good Bill, and it ought to pass.

MR. SPEAKER:

Will you remark further.

VICTOR TUDAN:

Mr. Speaker, this is not the first time we've had this piece of legislation before us, and, truthfully, I think Rep. Morris just about said what I said two years ago, and evidently the Governor says we'll let the ladies sit at the bar, but we won't keep the bars open until 11 on Sunday. It was one or the other. So presently we have the Bill before us now to permit drinking on Sunday. This is so true...what Rep. Morris did say, and certainly we know that in the Committee on State Development we're doing our utmost to assist the Development Commission. Presently they're working for something like a quarter of a billion dollars on the tourists...hotel, motel, the industry...and to attract people to come into our State, and their goal is four seasons where they want to bring people to Connecticut, not only in the summertime

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but year-round and build this up to a one-billion-dollar industry and as such, and if Mr. O'Neill promises not to say anything if I mention the states again...he shot us down last time...but there are states all over the Union, and these people, we try to attract them into our State of Connecticut. We do our utmost, and they come here, and they come here from hither and yon, and, truthfully, they come here with the families, with their groups, their organizations, with conventions. Certainly, Mr. Speaker, coming from Hartford, you know the various hotels that they're putting all over. We're trying our best, our utmost, to increase the tourist industry in our State, and when these people come here, truthfully, on a Sunday night, they're just simply shattered when the ...maybe they will be shattered if we let them drink until 11 o'clock...but these people will come from out-of-state. We've done our best to entice them to come here, and if they come with the family, and they'll put the youngsters to bed...they go out for dinner, and when they see the laws that we have...knowing what they have...their own laws in their own particular state, and it just seems that we're doing our utmost to discourage these people to come to our State of Connecticut. So that, without going on and shattering anymore people, I'll say that I wholeheartedly support this Bill.

MR. SPEAKER:

Does the gentleman arise on behalf of the shattered... or hither and yon?

CARL R. AJELLO, JR.:

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Mr. Speaker, I think that the question really is whether they're going to get shattered here or some place else. But I rise in support of the Bill and, because I think that in this area in all of Connecticut's liquor laws we have traditionally been somewhat archaic in our approach and that the standards and needs of modern life are such that this is the kind of liberalization that we ought to entertain. It seems to me that it's a very significant point made by the gentleman from New Haven about the desirability of maintaining Connecticut's climate as a more favorable place for the tourist business, enabling our cities with major convention facilities to do their utmost to attract conventions to their areas, enabling people who simply want the convenience of being able to go out to a dinner and enjoy their evening to the fullest to do it here in Connecticut rather than driving over the border to one of our neighboring states. It seems to me that we're losing both economic revenues to the owners of the businesses and taxes as well. I realize that the owners of businesses employing rather fewer employees so that the burden of longer hours falls more heavily upon them are opposed to this, but it seems to me that since it is an entirely voluntary thing, the greater public convenience and necessity is well-served by the adoption of this kind of legislation. So I support the Bill.

MICHAEL L. MORANO:

Mr. Speaker, I'm not going to speak for those who come here to be shattered...the ones who...but for those who live here and want to be shattered. Mr. Speaker, those of us who live along

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the coastline joining our sister state of New York realize that on a Sunday evening, after motoring their little boat...rowboat, canoe or cabin cruiser...they might be convinced to have dinner after being (inaudible) to a party on the boat all day long, and when they are invited to go out to dine and arrive at the restaurant at 20 minutes to nine and order a very delightful, chilled bottle of wine...as you well know, Mr. Speaker, they are asked, at five minutes to nine, to remove their glasses from the table. Now you know, Mr. Speaker, when you screen this list after many, many hours, or many minutes, and choose this delightful wine, that your nerves can get shattered, and you know, Mr. Speaker, that there's nothing more delightful to enjoy your dinner than a good glass of wine. Thank you, sir.

JOHN D. PRETE:

Mr. Speaker, I believe that we're consistently using the wrong word to describe the reaction of out-of-state people when they come here. I think the word should be smashed rather than shattered. In any event, it would be rather hard put to find reasons...logical reasons...why the Bill should not pass, unless you happen to be a bartender. In any case, I think it's a good bill, a good legislation, ought to pass.

MR. SPEAKER:

Will you remark further.

DONALD F. ESPOSITO:

Mr. Speaker, I rise in support of this Bill 6052. I concur with the sentiments of the people who have already spoken

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in favor of this legislation. I would like to add, too, in conjunction with the testimony about those people who would rather enjoy their wine till 11 o'clock...or their liquor. We speak here on behalf of the owners in some cases. With the higher increase in rent costs, the increase in the liquor, the increase in labor costs, the increase in the food...some of their testimony to us in the Committee showed that because of 9 o'clock, or giving them an additional two hours, they feel that the additional revenue to them...not only how it would help the State but them...and substantiating their overall cost would be beneficial to them. I move the passage of the Bill.

MR. SPEAKER:

Will you remark further?

WILLIAM LYONS, JR.:

Thank you, Mr. Speaker. Mr. Speaker, not being a drinking man myself, I rise here to support this Bill, only because I know it will make other people happy.

OTHA N. BROWN, JR.:

Mr. Speaker, I rise to support this Bill. I would just like to point out that I rise as an individual and not as Chairman of the Welfare Committee. I want it strictly understood that if we do pass this Bill, at the present time we have no legislation that would allow welfare recipients to take part.

MR. SPEAKER:

Will you remark further?

HERBERT V. CAMP, JR.:

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Mr. Speaker, less there be complete unanimity on this question, I oppose the Bill. I don't think we need to extend drinking laws to attract people to Connecticut. It's attractive enough without them. I don't think encouraging people to drink later on on Sunday nights, when our highways particularly...I've been on the Connecticut Turnpike going back to New York...is a disaster, and I hardly think extending the drinking laws at that time will be conducive to safer driving or a better place in which to make Connecticut to live. I oppose the Bill.

MR. SPEAKER:

Will you remark further?

PHILIP N. COSTELLO, JR.:

Mr. Speaker, I rise to support this Bill on behalf of five of my constituents, who are in the gallery today. They are among the others that Mr. Lyons referred to who would appreciate the passage of this Bill. This is not in the way of an introduction of them, but I think you might recognize them by the applause that they will render if this Bill is passed.

MR. SPEAKER:

Will you remark further. Does the gentleman rise for the purpose of invoking Rule 16.

GEORGE V. CONNORS:

Mr. Speaker, coming from one of the fringe areas, same as Mr. Morano, we have a problem. We have a problem where people come in from their canoes, and their big launches, and their yachts, and they can't have their dinners. So they go into

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Portchester, or Lewisburg, or Vista, or one of those other places. The law, to me, at 9 o'clock, being a nondrinker myself, I feel I'd like to support this Bill. My wife wouldn't be too happy, but it's all right, because she brings me home at 9 o'clock every night. And don't forget the taverns. After all, there's others besides the restaurants. We do have people that don't own automobiles, and now that we have a little depression, you know people can't (inaudible) that much cash to go down the throughways, and I think it will be a lifesaving Bill for the simple reason we have people driving our throughway that never would be on there if they could stay in their own communities regardless of whether it's Stamford, Greenwich...I'm not going to mention Bridgeport. I got enough trouble the other day. But I feel this is a good Bill, and it should be passed. I know a lot of the bartenders don't like it because they've got to work longer hours. Thank you very much.

MR. SPEAKER:

Will you remark further?

WILLIAM A. O'NEILL:

Mr. Speaker, today will perhaps be my day to say "oh, shucks", but I'm standing on my feet to oppose this particular piece of legislation. I think that the arguments that have been put forth for the passage of this Bill really don't have too much strength, Mr. Speaker...or merit...thank you, sir. First of all, we're talking about conventions. Well, I know of very, very few conventions that start on a Sunday. I know of very few conventions that would not come to the State of Connecticut because

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they would not be able to obtain a drink after 9 P.M. in the evening. As far as changing our present statute to 11 P.M. rather than 9 because we will not have the exodus to the other states, the other states presently stay open till 1 A.M., Mr. Speaker, so it would be a matter of instead of going at 9 o'clock, going at 11 o'clock to New York, Massachusetts, or Rhode Island. And then we talk about the people that have been partying all day on the boat and pull into Greenwich, or Stamford, or wherever they may pull into, and can't buy a drink after 9 P.M. Well, perhaps, Mr. Speaker, if they've been partying on the boat all day, they shouldn't buy a drink at 9 P.M. as it is. Presently the liquor outlets, as far as over the bar serving, are open 105 hours per week. You would be adding two more hours. You'd be calling it 107 hours per week. It seems to me that if a person doesn't have the opportunity to get a drink within 105 hours in a week, the additional two hours isn't going to make that much difference. Mr. Speaker, I will save further comments, and at this present time I would ask when the vote be taken, it be taken by roll call.

MR. SPEAKER:

Motion is for a roll call vote. All those in favor will indicate by saying "aye". In the opinion of the Chair, the necessary 20% have requested the roll call. The Chair will announce it. There will be an immediate roll call in the Hall of the House. It would be appropriate, at this time, while we're waiting for Members to come to the floor, to make points of personal privilege or announcements.

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DOROTHY R. MILLER:

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Mr. Speaker, I would like to oppose this Bill, also. I don't feel that the State can be enjoyed to the fullest by having two more additional hours of drinking on Sunday. In my town we do allow drinking...we have one local establishment that is near a residential area, and I have had complaints from people in that area against this type of legislation. They feel that on Sunday, 9 o'clock is time enough to be allowed to drink. I oppose it.

MR. SPEAKER:

Will you remark further on the Bill. Are there further announcements or introductions at this time?

MICHAEL L. MORANO:

Mr. Speaker, I would like to announce there will be an immediate caucus of the Republican House Members in Room 409 immediately following adjournment, and it will be a very short meeting, but I would urge that they all be prompt.

HOWARD M. KLEBANOFF:

Mr. Speaker, just a brief announcement that there'll be a very important executive meeting of the Joint Education Committee right after adjournment today in Room 406.

OTHA W. BROWN, JR.:

Mr. Speaker, may I just make a short announcement that at 2:30 there will be an executive session of the Committee on Corrections, Public Welfare and Humane Institutions in the Committee room. We would like for all Members to be present.

MR. SPEAKER:

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Are there further announcements?

E.F.H.

VICTOR TUDAN:

Mr. Speaker, I would say that immediately following this vote, State Development's in executive session upstairs...402.

MR. SPEAKER:

Are there further announcements? If not, for the benefit of the Members who were off the floor, the matter before you is on Page 3 of the Calendar, Calendar No. 167, substitute for H.B. No. 6052, File 132, an Act concerning Sunday sale of liquor. Roll call vote has been ordered. Will you remark further?

BERNARD L. AVCOLLIE:

Mr. Speaker, I'd like to register in favor of this Bill for a reason not given heretofore and which Mr. O'Neill didn't cover in his very fine remarks in opposition. That is in my town we like to enjoy a pizza pie on a Sunday evening. All of our pizza palaces close at nine because the bars close. Therefore, on behalf of all those that do enjoy pizza, as well as the other meals served in Danbury and the outlying districts, I'd like to speak in favor of the Bill.

MR. SPEAKER:

Would you remark further?

WILLIAM A. O'NEILL:

Mr. Speaker, speaking for the second time, sir. There's no law on the books that says you can't serve pizza 24 hours a day. And may I also say, Mr. Speaker, there was no law on our statutes ...no laws in our books that says you cannot serve food 24 hours a

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day. Any restaurant can stay open on a 24-hour day basis, seven days a week, but they are limited in their sales of liquor to 105 hours per week. Now, Mr. Speaker, I wonder really who wants and who needs this particular piece of legislation. I say to you fellow legislators, has the general public in your area been banging on your doors saying, "Please, please allow me to drink two more hours on Sunday." Someone behind me said "yes". I don't know where you live (inaudible). It seems to me, Mr. Speaker, that you're not going to solve any convention problem...you're not going to solve any problem by extending the hours two more hours on Sunday evening. The public is not clamoring for this. The average restaurateur certainly is not clamoring for this. But it does seem to me that the only people that are strongly supporting this legislation are the hotel, motel individuals...the hotel, motel corporations...big business, Mr. Speaker, not perhaps in the general interest of the public but in their own particular interest of making more money themselves. Mr. Speaker, I think we could talk about this for the rest of the afternoon, but I think the lines have been drawn, and so be it, and let the vote come as it may.

BRUCE L. MORRIS:

Mr. Speaker, speaking for the second time. Mr. Speaker, there were two bills introduced for extended hours on Sunday...one introduced by the Representative from Danbury, Mr. Esposito, and one introduced by me. This happens to be my particular Bill, and Mr. Speaker, I wish that I could say that a restaurateur or an

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organization gave me this Bill to introduce. I've introduced this Bill since 1967, when I was a freshman, and I have no particular interest in it. My interest is really for the people, because I feel that the people in this State feel that they are mature enough and adult enough to be able to handle two additional hours on Sunday. Now it's unthinkable, if you think about this...it's unthinkable to have beer without pizza, if you're over 21, so I think that is a salacious argument. Pizza without beer...right! I'd rather have the beer and the pizza first. And in light of our convention trade that we're trying to develop in the State of Connecticut, I also feel that we are not attracting conventions here on Sunday because of our archaic laws in terms of our liquor hours...the hours of consumption of alcoholic beverages on Sunday. So maybe we can stimulate some activity in this area, particularly after sporting events on a Sunday. And, Mr. Speaker, I say again, it's a good Bill, and it ought to pass.

MR. SPEAKER:

Will you remark further?

THOMAS E. O'BRIEN:

Mr. Speaker, I will resent the solid South as a (inaudible), whether George Connors likes it or not, but however in attendance of a Liquor Committee meeting...oh, two years or so ago... that there's a sacrifice of income in Greenwich, Stamford area that go to New York. There's also a sacrifice of young people in death. If we pass this Bill today, and if we save one life, it'll be worth it, because they're doing it anyhow. They're drinking...

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they're doing it...so just make it legal. That's all I say, Mr. Speaker, because they're doing it anyhow, whether it may be in New Haven, or Hartford, but in our area it's so convenient to go to New York, for 20 minutes to go over the border line, and I think that it's not fair to the State of Connecticut doesn't get its fair shake of the closing hours. There are very prominent owners of famous name restaurants in the Westport-Greenwich area has testified before the Liquor Committee before that they do lose approximately fifty to a hundred thousand dollars in revenue. They, themselves, in their own restaurants. So that in itself would mean, with the extension of two hours, would keep that in Connecticut. So, Mr. Speaker, I rise in support of this Bill. Thank you.

EFH

MR. SPEAKER:

Will you remark further?

BRUCE L. MORRIS:

Yes, Mr. Speaker, for the third time and the last time.

MR. SPEAKER:

Before speaking, the Chair would note the unanimous consent is necessary for a Member to speak more than two times. Is there any Member who has objection to the gentleman from the 111th speaking for the third time?

BRUCE L. MORRIS:

Thank you very much.

MR. SPEAKER:

Hearing none, the gentleman from the 111th.

BRUCE L. MORRIS:

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Mr. Speaker, if any town enacts a local ordinance...

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MR. SPEAKER:

Has the gentleman completed his remarks?

BRUCE L. MORRIS:

There was an obvious method in my madness, but I think that it has been sufficiently dictated...I can't talk anymore... but quickly, Mr. Speaker, I'd like to say, any town that does not desire the extended hours on Sunday, from 9 till 11, can enact an ordinance against it...for one...and any proprietor who does not wish to stay open until 11 o'clock can close down without permission from the Liquor Commission. So I'd just like to make that... indicate those two particular points. Thank you very much.

MR. SPEAKER:

Will you remark further?

ALBERT PROVENZANO:

Mr. Speaker, in behalf of Bruce Morris, I'd like to arise and support the Bill. It should be noted for the record that the Committee worked very hard and heard a great deal of testimony on this Bill. It should be also noted that there was no opposition, except for one individual, in the State against this Bill. The restaurant people, State-wide, and even the local associations, were in support of this Bill. We took the precautions of including in the Bill a stipulation which took away from the Liquor Control Commission the authority to regulate the hours. The disgression is with the restaurant owner, and the restaurant owner alone has disgression. I want to make it clear for

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legislative intent and to clear the record for those who want support or vote on this measure. This is a good Bill. It, for the first time, gives the disgression of operation of time to the restaurant operator. I certainly hope that you will give it your support. EFH

RUBIN COHEN:

Mr. Speaker, everybody in this room admits that they never take a drink, but I take a couple once in awhile, and I think 9 o'clock Sunday night is time enough to quit, and for the three of us...Dr. Blake, Groppo, and I, we're going to oppose the Bill. Thank you.

MR. SPEAKER:

Will you remark further?

DONALD S. GENOVESI:

Mr. Speaker, I rise to oppose this Bill. We've had a few laughs with it this afternoon, and levity at times is good for the heart, I suppose. But I don't see any public clamor for the Bill. I don't think it's a good Bill. I will vote against it, Mr. Speaker.

MR. SPEAKER:

Will you remark further?

HERBERT V. CAMP, JR.:

Mr. Speaker, speaking for the second time. Sunday night is very genuinely, for many people in this State, a time to drive home with their family...either to another state if they've been to Connecticut, or to drive home within the State. It seems to

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me we've adopted already in this Session a Bill that seemed ill-
advised to me that would reduce the penalties on speeding. Now we
want to go a little further, it seems to me, and endanger the high-
ways further, on one of their most crowded times of the year...or
rather, the week...by making, presumably, people who have been
drinking longer...put them on the highways, too. I don't think
this is a very sensible thing to do. I hope we vote against this
Bill.

MR. SPEAKER:

Will you remark further?

MORRIS B. HOGAN:

Mr. Speaker, one of the bow hunters has written an arti-
cle in the paper that says I'm probably the most disrespectful
Member of the Assembly, and I think that they ought to be rein-
forced by the booze hunters, too, so in order to be consistent, I
will be compelled to vote "no".

MR. SPEAKER:

Will you remark further?

JOSEPH PUGLIESE:

Mr. Speaker, I guess I come from the town that has no
chance of being a resort town. I'm going to vote against the Bill
primarily because I think it is worded in reverse. If it were
permissive legislation...to allow the communities to pass an ordi-
nance to allow the additional hours...I could support it, but to
force them to pass an ordinance to oppose the two hours, I think,
would cause a great deal of hardship and animosity in the

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community. One of the main reasons that I think the timing is bad for increasing the drinking on Sunday is that I think it will probably only be a matter of time before the age of maturity becomes 18, and I think we're going to have some problems along those lines with drinking of 18-year-olds without increasing the hours. So I vote against this.

MR. SPEAKER:

Will you remark further, or are you prepared to...take the vote?

GEORGE V. CONNORS:

Mr. Speaker, I stopped in to see a good friend of mine in Portchester, and he told me if this Bill is passed, you ruin the people in Portchester. Mike Morano agreed with me on this. Between the out-of-town trade that comes down after hours and go out...I don't have any yachts, so I don't go fishing either...but the people who come in there are mostly from out-of-town, and they do bring a lot of business in to Portchester, Harrison, Mamaronack, Larchmont, whatever part you want to talk. New York State will get hurt...not Connecticut. Connecticut will fair well. By law, any man...I can tell you many places in my own locality...they have the right to close any time they feel like it. I can name many places that are not even open on Sunday, and they don't intend to open. They are closed every Sunday, so it's local option as far as the owner is concerned. If they don't care to work... put in 105 hours...they don't just have to work. In other words, a lot of people who own these places feel they can save money by

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closing on Sunday. A lot of people feel they can save on the labor costs. But that...how about the fellow who is willing to take a chance. He's willing to try to make a couple of dollars and meet expenses. I feel this is a good Bill. I feel this Bill should be passed. Thank you. EFH

MR. SPEAKER:

Are you prepared to vote? Will the Members please take their seats. Will all non-Members please leave seats of Members and clear the aisles. The machine will be opened. Have all the Members voted, and does the board properly reflect the way you voted? The machine will be closed. Will the Clerk please take a tally. When the Clerk is prepared, will the Clerk please announce the tally.

THE CLERK:

Total number voting - 141. Necessary for passage - 71.
Yea - 97. Nay - 44. Absent and not voting - 36.

MR. SPEAKER:

For what purpose does the gentleman from the 52nd arise?

WILLIAM A. O'NEILL:

To say one word, sir. Shucks!

MR. SPEAKER:

Bill passed. Will the Clerk please return to the Calendar, to the regular order of business...Page 2, Calendar No. 104.

THE CLERK:

Calendar 104, substitute for S.B. No. 859, an Act concerning six man jury trials in all civil cases. In your File,

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SENATE

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tax on conveyance of real estate. The federal tax was based upon consideration rather than fair market value and the history was that it was a very workable tax program. In my judgment this amendment would make the Connecticut conveyance tax a fairer tax. And a more workable tax and would obviate certain hardship situations that are now in existence.

THE CHAIR:

Will you remark further on the amendment? Senator Dupont.

SENATOR DUPONT:

Mr. President, I rise in favor of this amendment. I think it goes a step further than the bill as originally in the file. That expanded the exemptions. And I understand that there were still more possibility of exemption. I think that it makes some sense to limit the tax to those where there is considerations.

THE CHAIR:

Will you remark further? Question is on the adoption of Senate Amendment Sch. A. All those in favor say aye. AYE. Opposed nay. The ayes have it. The chair will rule it is a substantial amendment. We cannot proceed on the bill today.

THE CLERK:

Turn to page 2 of your Calendar please. Top of the page Cal. 155 File 132. Favorable report Joint Standing Committee on Liquor Control on Substitute H.B. 6052 An Act Concerning Sunday Sale of Liquor.

THE CHAIR:

Senator Dupont.

SENATOR DUPONT:

Mr. President, I move acceptance of the committee's joint favorable

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report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR DUPONT:

Mr. President, members of the Circle this bill is not an unfamiliar one to this chamber. It extends the hours of sale of liquor in hotels, restaurants, cafe, clubs and golf country clubs from 9 p.m. on Sunday evenings until 11 p.m. There is a provision in this bill that any town may by town meeting or ordinance reduce those hours of sale to any earlier time on Sunday. And I understand they could eliminate the sale on Sunday completely if they so desire. Also I believe there is a protection in this bill to protect the individual permittee in that he may close at an earlier time on Sunday if he so desires. Its a House bill and it has passed the House and a similiar bill was passed in the previous session.

Mr. President and members of the circle I think that we are aware of the fact that on Sundays many families do go out to dinner. And as part of their dinner people frequently have a cocktail or a glass of wine. Or something of that nature. And 9 a.m. in our society is a relatively early hour. And this bill extends that hour to 11 o'clock so that people can finish a meal on Sunday evening leisurely and have a drink with that meal or after the meal. Also I think its beneficial to those areas of the state that border on other states such as Rhode Island, Massachusetts, and New York which have later closing hours. And which has been a boom to the restaurant in the neighboring towns around Connecticut because many of our residents who want to go out on a Sunday evening for some form of entertainment or for dinner. Rather than staying their home state of Connecticut

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will journey to another state. With respect to the public hearing on this bill. We did have a number of people who came in and spoke in favor of the bill. There were many people who came from some of the establishments in Hartford as most know. The city of Hartford is presently in the process of building a civic auditorium. I understand they have already hired a gentleman who is lining up conventions for that auditorium and they feel its important that the closing hours be extended to accommodate people who come to these conventions. Although the conventions starts on Monday, most of the guests arrive on Sunday evening. And they would like to have some sort of reception. Or its customary to have a reception for them and as part of that liquor is usually served. In addition we received a great deal of testimony with respect to the so called three day week-end or the Monday Holiday. They feel as a result of this many people will be going out Sunday evening and though they might stay out until later, they wouldn't have to report to work on Monday morning. So they would have that opportunity. I believe its a good bill and it should pass. And I move that when we vote we vote by roll call.

THE CHAIR:

Senator Fauliso.

SENATOR FAULISO:

Mr. President, I have a decision to make whether I should serve the special interest or the public interest. I want to make it perfectly clear that I am not a tea-totalier. I don't object to people drinking. As a matter of fact my grandfather died at the age of 94. And I think he never drank a drop of water. And I think he drank wine all his life until

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the time of his death. And he was hail and hearty up to that point. And I think old age just got the best of him and he died quietly in his sleep. And of course I could well remember that every fall he made at least four barrels of wine. But he drank this within the confines of his home. And if got drunk he didn't bother anybody. So that he didn't encroach on the rights of other citizens. Now I personally characterize this bill as a special interest bill. And God knows time is really pleading. Time is going by and we must act in the areas, in those larger areas of poverty and destitution. And housing and so many other areas. And to take the time of this circle to act on a special interest bill is really taking the time, valuable time of the Senate and the General Assembly.

It seems to me that Sunday is a sacred day. Its a sacred day to all of us. It has been traditionally. People can drink all they want up until 9 o'clock. And they know that 9 o'clock is the deadline. The fact that other jurisdictions around us or contiguous have 3 o'clock closing. Or 1 o'clock closing. I think it not relevant. The question is what do we regard as prudent. What we regard as reasonable. Now its obvious to me that if we now extend this to 11 o'clock, in this session. Then the push will be on again or a year from now, or certainly some time in the near future to extend it to midnight or 1 a.m. Now I watched that television show last night in the Judiciary. I am a member of the Judiciary, but because of illness in the family, I watched it on television. And I was fascinated. It seems to me a little bit incongruous when we are discussing safety on the highway. When we are thinking of reducing the presumptive level from .15 to .10 so that we can achieve reasonable safety on the

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highways. It seems to me unreasonable and certainly it is hard to reconcile that if we are interested in reducing the presumptive levels of .10, from .15 to .10. That we should encourage this kind of legislation. Now I realize that I am going to alienate people in my own district. But there comes a time I think that you cannot serve both masters. And I think that I want to serve the public interest. I know there are many restaurants and many cafe and maybe a hotel or several motels in the particular area that I represent. But I am concerned with the fact that people still have the right at 9 o'clock, if they haven't been tanked up to sufficiency in the public cafe or restaurant they still can go home and drink there if they wish. But to remain in the cafe and to remain in the restaurant or in the hotel and the motel, then to get into the automobile and endanger the innocent people. I think that is going too far. I personally think that this is not the kind of legislation that I would want to endorse. Not withstanding the pressure groups. Not withstanding those people who are thinking of the buck, the dollar. I know that conventions start on a Monday. And if somebody wants to get a flying start on a Sunday. That's his business. But let him do it in the confines of his room with his family and with his friends if he so desires. He doesn't then have to embark on the highway and endanger my life and the life of other people. And those perhaps who even ride with him. Because the most courageous people are those who imbibe and say that they are all right to drive. I've never seen yet an individual who says I am too drunk to drive and you drive sir. Or I'll take a cab. So the thing that is central in this issue is what is reasonable for the state of Connecticut, 9 p.m. on Sunday. A Sacred day

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its the Sabbath that we observe. And I think that we have time enough to drink all that we want up until 9 p.m. And I think that's where we draw the line. And I would oppose this bill.

THE CHAIR:

The question is on passage of the bill. Will you remark further?

Senator Dupont.

SENATOR DUPONT:

Mr. President, members of the circle. I have to take issue with the Senator from the First. Particularly with his calling this a special interest bill. I don't think this is a special interest bill in any sense of the word. It seems to me that this is a bill that puts some faith in the people of the state of Connecticut. That they are responsible enough to go out and have a drink and imbibe and certainly 11 o'clock isn't an unreasonable hour. If it was a special interest bill, I think it would be a bill such to limit the hours. For the special interest of individual restaurants or hotels. But I think these restaurants and hotels and establishments have a duty to serve the people of the state. And I think in our modern society I don't staying open until 11 p.m. is unreasonable in any sense of the word. I also have to remark with respect to Senator Fauliso's remarks in regard to highway safety. And getting tanked up. This sort of thing. It seems to me that this is just an argument for prohibition. And we have been through that once already. A person is going to drive under the influence, they certainly have plenty of time between 12 and 9 on a Sunday to accomplish that. If they want to get tanked up they certainly have plenty of time to do that. Limiting the hours from

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9 to 11, I don't think are going to accomplish any of Senator Fauliso's objects. It seems to me that this extension is something that the people of the state of Connecticut, the public want and are interested in. We had many people come before our committee and ask for the passage of this. We had many legislators, state senators who are in this group today spoke at that public hearing in favor of it. I feel that it is a fair and good bill and should pass.

THE CHAIR:

The question is on passage. Will you remark further? Senator Rimer.

SENATOR RIMER:

Mr. President, very briefly I wish to identify myself with the remarks of Senator Dupont in favor of this bill.

THE CHAIR:

Will you remark further? Senator Finney.

SENATOR FINNEY:

Mr. President, just as briefly. I want to identify myself with the remarks of the Senator from the First.

THE CHAIR:

Will you remark or identify yourself further? Senator Alfano.

SENATOR ALFANO:

Mr. President, I just would like to move for a roll call vote.

THE CHAIR:

Will you remark further? The motion has been made. There will be a roll call vote. All those in favor of a roll call vote signify by saying

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aye. AYE. Opposed nay. More than 20% having so voted. A roll call vote is ordered in the Senate.

We will stand at ease for about 60 seconds so that everyone will have a chance to vote on this bill.

Let us proceed with the roll call vote.

Vote on H.B. 6052;

Whole number voting 30
Necessary for passage 16
Those voting Yea 22
Those voting Nay 8
Those absent and not voting 6

The bill is passed.

THE CLERK:

Continue with the Calendar please. Cal. No. 192, File No. 152
Favorable Report Joint Standing Committee on State and Urban Development
on Substitute H.B. 7358 An Act Concerning the Designation of Nonprofit
Development Corporations as Municipal Development Agencies .

THE CHAIR:

Senator Murphy.

SENATOR MURPHY:

Mr. President, in the absence of Senator Lieberman, I move for acceptance of the committee's joint favorable report and adoption of the resolution.

THE CHAIR:

Will you remark?

SENATOR MURPHY:

Mr. President, all this does is add to those groups that can be designated as a municipal development agency. A non-profit development

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me and told me they thought it was a very good bill. I hope that you will consider passage of this bill.

I also would like to go on record for House Bill 5103. Thank you.

Chairman Provenzano: Any other legislators who would like to express their feelings on any of the bills? Any other legislators? If not, we will then open our hearing to the general public and I would suggest that you confine your remarks that are in category. Senate Bill 133, House Bill 6052, House Bill 6219, House Bill 7346, and House Bill 7803. These bills are all generally the same and they have to do with extension of hours for Sunday nights for a restaurant for on-premise consumption or rather house premise consumption permits. Anyone wishing to speak in favor of any of the bills which I outlined, please come forward and give your name.

Joseph Begnal, President of the Waterbury Restaurants Association: Our Association would like to go on record as being in favor of these bills. Most of the time when the general public goes out on a Sunday to eat or a Saturday night to eat, they probably sit down to eat about 8:00 P.M. They may have a glass of wine before the meal for an appetizer. They probably order a bottle of wine to have with their meal but at 9:00 P.M. when they are just in the middle of their meal, the waiter has to come over and take the bottle of wine off the table. They can not have an after-dinner drink. It is causing real hardship on a lot of the restaurants that are on the bordering states, especially down in the Fairfield County area, up around Danbury, where the people can go to New York and can drink and eat and really enjoy a meal.

Representative Esposito: Do you have any specific hour - 11, 12 or 1?

Joseph Begnal: Any change would be appreciated. The later the better. Well, I pointed out that a lot of people like to eat at eight o'clock. Maybe some one wants to sit down at ten o'clock for a late lunch.

Representative Crockett: My question is local option. Would you rather see us pass a bill that would make it mandatory - in other words a bill within the whole state of Connecticut or a local option basis?

Joseph Begnal: I think local option is the best. There are people in this state who really don't want this. There are people in the business who don't want Sundays at all. But, like I pointed out before, Greenwich, Danbury and around there need this thing to carry on their business because Sunday is a big eating-out day as we all know and they are being really hurt.

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Representative Sherer: Does it really make any difference as to time limitation assuming that a restaurateur would like to close his shop earlier than, let's assume a designated time, say 1:00? Wouldn't that be his option if he wanted to close, say at 11:00?

Joseph Begnal: With special written permission from the State Liquor Control Commission?

Representative Sherer: Couldn't we put this in one of the bills? Make it an option of the individual.

Joseph Begnal: We would like to have you.

Representative Sherer: Let the man make up his own mind as to whether he wants to stay open to eleven o'clock at night.

Joseph Begnal: In fact, we would like to have this for every day of the week. Because we have restaurants in areas that would like to close at eleven o'clock as from eleven to one there is no business on certain nights of the week but they don't just want to take the time and effort to get the special permission from the Liquor Control Commission. Most of us in the restaurant business feel that the further we stay away from the Liquor Control Commission the better off we are.

Chairman Provenzano: Anyone else wishing to speak in favor of the bills outlined. If the general public doesn't mind, we will hear from the two additional legislators. If they will speak very briefly in their remarks.

Senator Romeo Petroni, 24th District: First of all, I apologize for my being late and apologize to the gentleman who's place I have taken. The bill I am in favor of is Bill No. 133 which would extend the hours for restaurants, hotels and cafes throughout the state until twelve midnight on Sundays. This committee is familiar with this problem. It has been before it in other sessions and I think that the time has come and hopefully the committee will report it out favorably and then it goes through the legislative process of enactment into law. It would serve the public in the sense that the hour now I think causes people to have to rush through their dinner and - rather than enjoying the relaxation that goes with going out to dinner that we all are familiar with. Some previous speaker pointed out the Danbury area, which I represent, does lose some business on my discussion of this problem with some of the restaurant owners during the campaign and years ago where they feel that many people go out with their families on Sunday night to a New York restaurant which adjoins the area that I refer to. This, I think, is a poor policy, if the business is in fact going elsewhere. Therefore, I ask you to consider this loss of business and also the convenience that the public expects when they go out on Sunday night.

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Now, on the question of local option that Representative Crockett points out, I think it presents more problems than some towns want to contend with. I think that traditionally we look to the legislature and to the Liquor Control Commission for regulations and law in this area of liquor control and I think that it presents less of a problem if it is enacted on this level and I would prefer to have the legislature set the time.

Chairman Provenzano: Let me just say this. For your information, and the others of the committee, there is a law that regulates our Sunday drinking hours and it is now presently by local option so that the entire law would have to be changed also. Our present law then allows for local option.

Senator Petroni: I am familiar with the application and it does point to that. The only thing is I think that the approach that you just mentioned would make it less cumbersome and more definitive once and for all if you repealed it and had the hours set in the statute.

Chairman Provenzano: I have a question of Senator Petroni. As you know, this bill was passed two years ago and the Governor vetoed it. What is your impression if it were to pass this session. Do you think this present Governor would veto the bill?

Senator Petroni: Mr. Chairman, I have not discussed this specific point with the Governor or any member of his staff so it would be presumptuous of me to make that judgment but I would do this. I would be willing, if this committee and the legislature decides in its wisdom to pass this law, I certainly would recommend to the Governor that the people in the 24th District, the people most affected by it, feel it is a reasonable bill.

Representative Bruce Morris, 111th District: I represent the 111th District in New Haven. I am Assistant Majority Leader as referenced by our illustrious chairman. I am not representing the leadership today. I am representing myself. I have, in fact, introduced four bills, 6051, 6052, 6053 and 6054. I have been introducing this type of legislation since my first term in 1967. I feel that maybe this time we will have our greatest opportunity to pass these bills and sign in to law by our illustrious Governor, Mr. Thomas Meskill.

Representative Connors: Are you a republican?

Representative Morris: No, I am a democratic but I give credit where credit is due, sir. I feel there is a crying need in the State for the extended hours on Sunday and even, if you will, during the week particularly in view of the contiguous towns with the other states in reference to Danbury, in reference to Greenwich. But also as far away as New Haven, I, myself, maybe on a Sunday will go up to

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Springfield because they stay open to 1 o'clock or I may go to New York on a Saturday night or on a Sunday. If you look around, and I guess some of the legislators from Hartford will testify, Sunday night in Hartford is like a desert ghost town, the reason being that the majority of the people go to Springfield to enjoy themselves. In light of the economic conditions of our State, we do need money now, I feel that this would be added revenue obviously to the State of Connecticut in terms of new taxes because we do plan, I am assuming this, we do plan to go up on our taxes of alcoholic beverages so, Mr. Chairman, I think it a worthy time and I am open for any questions from this committee.

Representative Connors: We in Stamford probably have one of the biggest problems because we are on the fringe of New York State. We are worse than Danbury even because we are closer. So you put a quarter in the toll, you go to Harrison, you can go any place in New York State, right across the line and Bruce has got a good point. Thank you Bruce.

Representative Cretella: 9th District Your three bills, 6052, 6053 and 6054 are options one, two and three. They all relate to the same statute. Is your first choice 6052 the one which extends it the longest?

Representative Morris: I put in several bills. My choice would be to extend it the longest but I am willing to compromise. I do not believe in local option. I do not believe that would be the way to do it. I feel that local restaurants that do not wish to stay open to the hours to which we extend it should file a report with the Liquor Commission.

Representative Sherer: If this is passed and the restaurateur must keep his place of business open to a designated time, is this fair?

Representative Morris: No it is not but I would accept an amendment that would allow a restaurateur to close if they did not want to stay open. By petition.

Chairman Provenzano: Thank you Representative Morris. Any other legislators who wish to speak?

Representative Morgan, 8th District: City of Hartford. To make it very brief, I am interested in House Bill 6119 and this is extension of liquor laws until 2:00 A. M. I have just heard the representative before me and he has covered everything. This particular bill, 6119, is optional for cities of 100,000 or over but I am in favor of any particular bill that will extend the liquor hours to different places until 2 o'clock.

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One of my particular interests in this particular bill as being of Hartford, as you know we are building a big civic center in Hartford, and we are going to try to attract some of the convention business into this particular city and this nine o'clock closing which we do have in this State, which you all know, isn't up to par and while the residents in my particular area in the City of Hartford are frequenting Massachusetts on a Sunday night's closing and this is likewise all over the State of Connecticut and the cities that are border towns. I would like to have this committee look into this bill particularly and give it a favorable report. Thank you very much.

Chairman Provenzano: We will continue with those bills dealing with the extension of hours for Sunday evenings for restaurants, hotels, motels.

Richard Hahn, General Manager of The Hartford Hilton: I speak in favor of extending the closing hours on Sunday to one A. M. One of the reasons I would like to submit is our constant attempt to bring new business into Hartford and into the State, convention business, group meetings, corporations, are bringing their corporate offices and sales representatives and when it is five P. M. on the west coast it is already 9 P. M. in Hartford and it is too late at present to buy a drink. Many conventions have hospitality suites or open houses on the first night of their conventions to get to know each other and they are practically prevented from having this type of a function on a Sunday night and we need this business so badly, this business of added influx and tourism and traffic and travel into our state, especially on a Sunday. Things are then relatively quiet. So I am in favor of extending the closing hours on Sunday on a statewide basis.

Chairman Provenzano: Thank you Mr. Hahn. Your remarks are well taken. I have never heard that argument before about the difference in hours. Thank you very much. Anyone else wishing to speak in favor of those bills extending those hours on Sunday.

James Ballard, General Manager of Hotel Sonesta: For the same reasons that Mr. Hahn has just outlined, I also am in favor of the bills being discussed here today. I also think that we have certainly an obligation, if you will, of service to our residents but also those visiting the State of Connecticut and I think we can help provide the service and the responsibilities with the passing of a statewide law permitting the sale of liquor until one A. M. I do not believe it should be localized. I believe it should be a state law. I do feel that many people, or restaurateurs, should have the option, if you will, either not to open on a Sunday or to close earlier as is the case now I believe. So I am in favor and I think additionally it would go to some extent

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perhaps very little but it would help us in the financial situation here in the state by extending the hours. Thank you very much.

John Gerardo, representing the Hotel Association: I have been their attorney for about twelve years and in priorities of bills, except for the tax bills, this business of extension of closing is really a most important group of bills that we have been faced with and I would certainly like to go on record in favor of the extension of the closing hours.

Roland Simard, General Manager of the Stratfield Motor Hotel in Bridgeport: I am also a Director of the Hotel-Motel Association and I would only like to bring out one more point with regard to the Sunday closing hours. In light of the uniform Monday holidays, I think Connecticut would be losing a great deal of revenue, the State as well as the individual operators, if we must continue to close at nine o'clock on Sunday because you are breaking up a nice three day holiday. I doubt that we will be able to get a number of these week-end group businesses unless we are able to offer to our clients and to our guests the privilege of being able to purchase alcohol until 1 A. M. on Mondays. Thank you.

Kevin Kenny, 75 Pearl Street, Hartford, Connecticut, Attorney for the Associated Restaurants of Connecticut: There is very little for a representative of the restaurants to say right now to this committee. All these bills, as the committee is well aware, increase the time limit on Sunday evening and some of the legislators have testified which represents in my mind the public thoughts of the people in Connecticut. The businessmen have testified which indicates the convenience to the public and the increased income to their business which also is good for Connecticut and, of course, the increased taxes which would go into the state, I think, will help balance our budget. That's about all I can say on this.

Representative McHugh: What do you think on closing early? Somebody else has remarked on the possibility of getting permission from the Liquor Control Commission to close early and made the off-side remark that it is best to keep away from them. Is there any difficulty in getting permission to close early if you wish to?

Kevin Kenny: As far as my actual knowledge, that has not been a problem sir. That is, of course, one of the reasons I think the Association is convinced that local option is not a good idea on this bill merely because the towns are so close that driving ten miles from one town to another and you are going to have more friction developing throughout the state.

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Representative Connors: Is this option voted on in each community?

Kevin Kenny: The bill that is listed here with local option would require the legislative governing body of each community to vote on it by ordinance at a town meeting in order for the letter to prevail so we would prefer a statewide statute on it without the option.

Representative Cretella: I think there has been at times some confusion in talking about options. Now, if we are talking about the option of a town to allow a late opening, that is one option but I think that most of the time what we are talking about is the option of the hotel or motel keeper and at his option he may close earlier. He would not have to stay open until 1 A. M. I think that would be the most acceptable form, wouldn't it? The keepers have their own right to stay open or not stay open, however, their economics dictate.

Kevin Kenny: That is definitely our position.

Senator Dupont: Just one other thing, Mr. Kenny. As I understand the law presently, it is a local option whether or not you should be open or closed or permit the premises in your town to be open or closed on Sunday in any event. Is that correct?

Kevin Kenny: As I understand it , it is presently nine o'clock.

Senator Dupont: What we are trying to do is to get your opinion, in other words, if a town decided to stay open on Sunday, they would be open until the time that this particular bill specified, whether it be 11, 12 or 1 o'clock. Of course, at one o'clock you are getting into another day.

Kevin Kenny: It is my understanding of the bill, none of these bills would be that they would not have local options so that those times would supercede it. If you put in eleven, it would be state law. I don't think they would have local option again as the present set-up.

Senator Dupont: Well this is something I think the committee would have to look into. It is my understanding there is a local option with respect to Sundays to begin with.

Kevin Kenny: If we pass the bill, one of these bills, it would be straight across the board and wouldn't require local options unless the committee puts it in. I think it will supercede those other options.

Representative Cretella: If there is a local option now, I think it is that the towns may act not to open and if they don't take any action they may open because I know in our town, we are open on Sunday and we never passed

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any option to allow it. We weren't even aware that there is an option. If there is an option, I think they can act to close.

Kevin Kenny: Whichever way the committee wants it - we would have no objection to that particular aspect being in the new statute that the towns could act to close. In other words, we don't want them having to go through 169 towns to assert an option to open.

Edward A. Lehan, Executive Secretary to the City Manager of the City of Hartford: I am appearing on behalf of the City Council on Bill 6119, which was introduced by a group including Representative Morgan who already spoke.

Representative Provenzano: If you represent the City of Hartford, we would be glad to accept your testimony but we are not really on that subject matter but you may continue, sir. Basically, we are interested in Sunday. The basic thrust of the bill is to Sunday. This is extension of hours during the week.

Edward A. Lehan: The basic experience is building about the construction of our Civic Center. We hired a manager and he is now trying to book conventions. We are developing an experience that indicates to us that we are in need of some relief on the Sunday hours, the later portion of Sunday evening. Most of the conventions begin on Monday and the other cities in which we are in a competitive position, such as New York City, permit liquor to be sold on a Sunday evening. People travel on a week-end, come into the City, and are at a very serious disadvantage trying to book them and we would like to have some relief in this regard. Also, we are asking for an extension of the week hours to 2 A. M. instead of 1 A. M. I know that most of the information is available to you. There is one additional thought that I think you should be aware of. We would not be able to build this Civic Center if it had not been for action of the 1967 legislature. They tied into our charter, the recreational facilities act and the public parking garage bill, making it economically possible for us to actually go ahead with the Civic Center proposition. We are now going into the ground and digging and we are committed to \$30 million and now we are running into this other problem which may undermine all of our efforts, including the efforts made by the 1967 legislature to help us out. I think it is one more step and I think we would be home-free with a very handsome operation which would be of credit to the legislature, recognizing all of the problems we have had along the line. Thank you.

Gene Spaziani, Owner of Skipper's Dock in Noank: I am representing the 140 members of the Connecticut Hotel-Motel Association. I speak for them. We are in favor of the extension of liquor hours on Sundays to one o'clock for the obvious advantage which has been stated before. This also goes for the smaller operator as well as the larger operator and perhaps the