

Legislative History for Connecticut Act

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House 4856-4864, 8362-8372 (20)
Senate 2079-2081, 2098, 4740-4741,
4783-4784, 4875, 5052-5055, 5063-
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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1981

VOL. 24
PART 14
4490-4879

House of Representatives

Tuesday, May 12, 1981

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SPEAKER ABATE:

The bill as amended passes.

CLERK:

Calendar page 13, Calendar No. 508, Substitute for Senate Bill No. 1110, AN ACT CONCERNING PACKAGE STORE BEER PERMITS AND DRUGGIST PERMITS FOR BEER ONLY. Favorable Report of the Committee on General Law.

REP. ATKINS: (140th)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Atkins.

REP. ATKINS: (140th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's Favorable Report and passage of this bill in concurrence with the Senate. Will you remark, sir?

REP. ATKINS: (140th)

Yes, Mr. Speaker. This bill would simply eliminate one part of the statutes which is presently obsolete. There are presently 3 beer only permits in this state. One belonging to a package store owner, and 2 druggists permits. And this would

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grandfather those three establishments, under the present statute.

I move adoption of the bill.

SPEAKER ABATE:

Will you remark further on this bill?

REP. ALLYN: (43rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Refus Allyn.

REP. ALLYN: (43rd)

Mr. Speaker, the Clerk has an amendment, LCO 6810. Would the Clerk please call and I be given permission to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 6810, designated House Amendment Schedule "A". Would the Clerk please call the amendment?

CLERK:

LCO No. 6810, designated House Amendment Schedule "A", offered by Rep. Allyn of the 43rd District.

SPEAKER ABATE:

The gentleman has requested leave of this Chamber to summarize this amendment in lieu of Clerk's reading. Is there objection? Hearing none, you may proceed with summarization, Rep. Allyn.

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REP. ALLYN: (43rd)

Mr. Speaker, the court recently made a ruling relative to the sale of alcohol on Good Friday. This amendment, simply brings our statutes in conformity to that ruling. I move passage of the amendment.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "A"? Will you remark further on the adoption of House Amendment Schedule "A"? If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

No.

SPEAKER ABATE:

The Chair will put the question again. All those in favor, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

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REPRESENTATIVES:

No.

SPEAKER ABATE:

The Chair will order a roll call vote.

Would all the members please be seated. Staff and guests to the well of the House, please. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked. The Clerk will take the tally.

REP. EMMONS: (101st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Emmons.

REP. EMMONS: (101st)

I would like to cast my vote in the affirmative.

SPEAKER ABATE:

The Journal will so note that Rep. Linda Emmons has cast her vote in the affirmative.

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REP. ZARNOWSKI: (115th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Zarnowski.

REP. ZARNOWSKI: (115th)

Mr. Speaker, I would like to cast my vote negative.

SPEAKER ABATE:

Rep. Zarnowski. Would the House of Representatives please come to order. Rep. Zarnowski has cast his vote in the negative.

REP. MC CLUSKEY: (86th)

Mr. Speaker.

SPEAKER ABATE:

Rep. McCluskey.

REP. MC CLUSKEY: (86th)

May I be recorded in the negative, please.

SPEAKER ABATE:

The Journal will so note. Rep. McCluskey has cast her vote in the negative.

It's only due to the lateness of the hour that the Chair will indulge such frivolity. The Chair stands corrected. Thank you, Rep. Rowland. No, Rep. Tripp was the one who corrected me on that, I'm sorry, sir.

Would the Clerk please announce the tally?

CLERK:

House Amendment Schedule "A" to Senate Bill 1110.

| | |
|-------------------------|-----|
| Total number voting | 147 |
| Necessary for adoption | 74 |
| Those voting yea | 83 |
| Those voting nay | 64 |
| Those absent not voting | 4 |

SPEAKER ABATE:

The amendment is adopted and ruled technical.

House Amendment Schedule "A".

After line 326, insert section 7 as follows:

"Sec. 7. Section 30-91 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The sale or the dispensing of consumption or the presence in glasses or other receptacles suitable to permit the consumption of liquor by an individual of alcoholic liquor in places operating under hotel permits, restaurant permits, cafe permits, bowling establishment permits, club permits, coliseum permits, coliseum concession permits, special sporting facility restaurant permits, special sporting facility employee recreational permits, special sporting facility guest permits, special sporting facility concession permits, special sporting facility bar permits, golf country club permits and charitable organization permits shall be unlawful on Saturday between two o'clock a.m. and nine o'clock a.m. and Sunday after two a.m., (Good Friday) or ON Christmas, except when any Sunday is December thirty-first or January first, except that alcoholic liquor may be sold on Christmas for consumption on permises when served with hot meals, and except that any town may, by a vote of a town meeting or by ordinance, (1) allow the sale

of alcoholic liquor between the hours of twelve o'clock noon on Sunday and one o'clock a.m. on Monday in hotels, restaurants, cafes bowling establishments, clubs, golf country clubs and places operating under charitable organization permits, a university permit, a coliseum permit, coliseum concession permit, a special sporting facility restaurant permit, a special sporting facility employee recreational permit, a special sporting facility guest permit, a special sporting facility concession permit or a special sporting facility bar permit and (2) prohibit the sale of alcoholic liquor from twelve o'clock midnight on Saturday until two a.m. on Sunday; and such sale or dispensing or consumption or presence in glasses or other receptacles suitable to permit the consumption of alcoholic liquor by an individual shall be unlawful on any other day between the hours of one o'clock a.m. and nine o'clock a.m., except that such sale shall be lawful on January first until three o'clock in the morning. Notwithstanding any other provisions of this section to the contrary, such sale or dispensing or consumption or presence in glasses in places operating under a bowling establishment permit shall be unlawful before five p.m. on any day, except in that portion of the permit premises which is located in a separate room or rooms entry to which, from the bowling lane area of the establishment, is by means of a door or doors which shall remain closed at all times except to permit entrance and egress to and from the lane area. Any alcoholic liquor sold or dispensed in a place operating under a bowling establishment permit shall be served in transparent containers such as, but not limited to, clear plastic or glass. When any Sunday falls on December thirty-first or January first, sale of alcoholic liquor in any club, golf country club, restaurant, cafe, bowling establishment, coliseum, hotel or place operating under charitable organization permit shall not begin before twelve o'clock noon. The sale or dispensing or consumption or the presence in glasses or other receptacles suitable to permit the consumption of liquor by an individual of alcoholic liquor in places operating under night club permits may not be allowed except during the hour immediately following the closing time established under this section for the other permits listed in section 30-21a and on the days allowed under such other permits. Any town may, by vote of a town meeting or by ordinance, reduce the number of hours during which sales under this subsection shall be permissible.

(b) The sale or dispensing of alcoholic liquor in places operating under package store permits, (package store beer permits,) drug store permits (, drug store beer permits) or grocery store beer permits shall be unlawful on the day of any

state or municipal election, except any election held within the limits of a town, city or borough at which not all of the electors of such town, city or borough may vote, on (Good Friday,) Decoration Day, Independence Day, Labor Day, Thanksgiving Day, New Year's Day, Sunday or Christmas or, if Independence Day, Christmas or New Year's Day occurs on a Sunday, on the Monday next following such day; and such sale or dispensing of alcoholic liquor in places operating under package store permits, package store beer permits, drug store permits, drug store beer permits, and grocery store beer permits shall be unlawful on any other day before eight o'clock a.m. and after eight o'clock p.m. Any town may, by a vote of a town meeting or by ordinance, reduce the number of hours during which such sale shall be permissible.

(c) The Sale of the dispensing or consumption or the presence in glasses or other receptacles suitable to permit the consumption of liquor by an individual of alcoholic liquor in places operating under a tavern permit shall be unlawful on Saturday between two o'clock a.m. and nine o'clock a.m. and Sunday after two a.m. (, Good Friday) or ON Christmas; and such sale or dispensing or consumption or presence in glasses or other receptacles in such tavern shall be unlawful on any other day between the hours of one o'clock a.m. and nine o'clock a.m. Any town may, by a vote of a town meeting or by ordinance, reduce the number of hours during which such sale shall be permissible or prohibit the sale of alcoholic liquor from twelve o'clock midnight on Saturday until two a.m. on Sunday or allow the sale of alcoholic liquor between the hours of twelve o'clock noon on Sunday and one o'clock a.m. on Monday in places operating under a tavern permit. In the case of any tavern wherein, under the provisions of this section, the sale of alcoholic liquor is forbidden on certain days or hours of the day, or during the period when a tavern permit is suspended, it shall likewise be unlawful to keep such tavern open to, or permit it to be occupied by, the public on such days or hours.

(d) In all cases when a town, either by vote of a town meeting or by ordinance, has acted on the sale of alcoholic liquors or the reduction of the number of hours when such sale is permissible, such action shall become effective on the first day of the month succeeding such action and no further action shall be taken until at least one year has elapsed since the previous action was taken. Nothing in this section shall be construed to require any permittee to continue the sale or dispensing of alcoholic liquor until the closing hour established under this section."

SPEAKER ABATE:

Will you remark further on this bill as amended by House Amendment Schedule "A"? If not, would all the members please be seated. All staff and guests please come to the well of the House. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked. The Clerk will take the tally.

Would the Clerk please announce the tally.

CLERK:

Senate Bill 1110, as amended by House Amendment Schedule "A".

| | |
|-------------------------|-----|
| Total number voting | 146 |
| Necessary for passage | 74 |
| Those voting yea | 129 |
| Those voting nay | 17 |
| Those absent not voting | 5 |

SPEAKER ABATE:

The bill as amended passes.

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REP. RYBAK: (66th)

Mr. Speaker, I neglected to vote on the roll call and may I please be recorded in the affirmative?

SPEAKER ABATE:

The Journal will so note.

Would the Clerk please announce the tally?

CLERK:

House Bill No. 6152 as amended by House Amendment Schedule "A" and Senate Amendment Schedules "A", "B" and "C".

| | |
|-----------------------------|-----|
| Total number voting | 142 |
| Necessary for Passage | 72 |
| Those voting Yea | 131 |
| Those voting Nay | 11 |
| Those absent and not Voting | 9 |

SPEAKER ABATE:

The bill passes.

CLERK:

Calendar page 12. Calendar No. 508. Substitute for Senate Bill No. 1110, AN ACT CONCERNING PACKAGE STORE BEER PERMITS, DRUGGIST PERMITS FOR BEER ONLY AND CONSUMPTION OF LIQUOR ON GOOD FRIDAY. As amended by Senate Amendment Schedule "A" and House Amendment Schedule "A". Favorable report of the Committee on General Law.

REP. CARRAGHER: (5th)

Mr. Speaker,

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SPEAKER ABATE:

Rep. Robert Carragher.

REP. CARRAGHER: (5th)

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's favorable report and passage of this bill in concurrence with the Senate. Will you remark, Sir?

REP. CARRAGHER: (5th)

Mr. Speaker, the Clerk has an amendment, LCO No. 7816 which has been previously designated Senate Amendment Schedule "A". I request that the Clerk please call and may I be allowed permission to summarize?

SPEAKER ABATE:

The Clerk has in his possession an amendment LCO No. 7816 previously designated Senate "A". Would the Clerk please call the amendment?

CLERK:

LCO No. 7816 previously designated Senate Amendment Schedule "A" offered by Sen. Sullivan of the 16th District.

SPEAKER ABATE:

The gentleman has requested leave of the Chamber to summarize.

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Is there objection? Hearing none, you may do so. Rep. Carragher.

REP. CARRAGHER: (5th)

Mr. Speaker and members of the House, current law now determines and states what the relationship shall be between out of state manufacturers or distributors of alcohol, wine, etc, and our in-state wholesalers. Current law dictates the following in that regard: "When a holder of a hotel permit has had the distributorship of any alcohol, beer, spirits or wine product of a manufacturer or out of state shipper for a period of twenty-four months or more, such distributorship may be terminated or a geographic territory diminished upon a) the execution of a written stipulation by the wholesaler and manufacturer of out of state or out of state shipper agreeing to the change and the approval of such change for the Department of Liquor Control or b) the sending or a written notice by registered mail, return receipt requested by the manufacturer or out of state shipper to the wholesaler, a copy of which notice has been sent simultaneously by registered mail, return receipt requested, to the Department of Liquor Control.

No such termination or diminishment shall become effective except for just and sufficient cause provided such cause shall be set forth in such notice and the Department of Liquor Control shall determine after hearing that just and sufficient cause exists, Mr. Speaker, what this amendment would do would be to change the

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twenty-four month period to six months or more and, add in the language, regarding the shipper, for the successors or assigns. Mr. Speaker, that is specifically what this amendment does and I would move its adoption.

SPEAKER ABATE:

The question is on adoption now of Senate Amendment Schedule "A". Will you remark further on its adoption?

REP. CARRAGHER: (5th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Carragher.

REP. CARRAGHER: (5th)

Mr. Speaker, the reason for this amendment is quite frankly that this twenty-four month period in which an out of state shipper has the right to revoke doing further business with an in state wholesaler, the twenty four month period has been on the books for a number of years. Quite frankly, the reason for the change to six months is because we have a situation in Connecticut right now where an out of state manufacturer has decided to drop his relationship with three Connecticut wholesalers and give the entire State of Connecticut business for his product to only one wholesaler.

And under current law, he can do this within a twenty-four month period. This amendment would change that period to six

months and would thereby save the business of these three wholesalers and hopefully prevent this out of state manufacturer from doing this without showing just and sufficient cause.

SPEAKER ABATE:

Will you remark further on the adoption of Senate "A"?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

I would hope that Rep. Carragher would listen if I'm wrong, but as I understand it, in case anyone is of a mind to say that they are not worried about whether wholesalers lose business being the nature of the product involved here -- as I understand this, really if you don't do something like this, you could allow the distillery level the foreclosure of the number of wholesale outlets for a product. And if you recall the minimum mark-up bill we just passed, you would thereby allow the distillery level, the distiller to really circumscribe the opportunities for retailers to go outside their franchise area because there would, in fact, be nobody who had the product. So, I support the amendment, Mr. Speaker.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment

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Schedule "A"?

REP. CARRAGHER: (5th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Carragher.

REP. CARRAGHER: (5th)

Mr. Speaker, Rep. Van Norstrand is absolutely right, and that is the reason that this amendment is before us.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment Schedule "A"?

REP. BENVENUTO: (151st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Benvenuto.

REP. BENVENUTO: (151st)

I would like to absent myself because of a possible conflict.

SPEAKER ABATE:

The Journal will so note, Sir.

REP. DEL PERCIO: (127th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Del Percio.

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REP. DEL PERCIO: (127th)

Mr. Speaker, will the Journal note that I am absenting myself because of possible conflict?

SPEAKER ABATE:

The Journal will so note, Sir.

All those in favor of the adoption of Senate Amendment Schedule "A", please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

Nay.

SPEAKER ABATE:

The ayes have it. The amendment is adopted. Will you remark further on this bill as amended by Senate "A"?

REP. CARRAGHER: (5th)

Mr. Speaker,

SPEAKER ABATE:

Rep. Carragher.

REP. CARRAGHER: (5th)

Mr. Speaker, this bill, previously passed by the House by a large majority, all it does is eliminate package store beer permits and druggist permits for beer only. The bill would also

prevent minors working in premises licensed under a grocery store beer permit to handle, carry and deliver beer rather than permit minors working in premises licensed under a package store beer permit to do so as is presently the case.

It also grandfathers the three existing beer permit only premises within our state and there have not been -- there is no need to continue that particular permit because no one really is applying for it. It is totally unnecessary. The House amendment which also passed the Assembly deletes those sections of the statutes which have already been ruled unconstitutional with regard to the sale of liquor on Good Friday. I would move passage.

SPEAKER ABATE:

Will you remark further on this bill as amended? Would all the members please be seated? Staff and guests please come to the well of the House. The machine will be opened,

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately?

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately?

Have all the members voted? Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked and the Clerk will take the tally.

REP, KEMLER: (18th)

Mr. Speaker.

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SPEAKER ABATE:

Rep. Kemler.

REP. KEMLER: (18th)

May I please be recorded in the affirmative?

SPEAKER ABATE:

The Journal will so note that Rep. Kemler has cast her vote in the affirmative.

REP. CASEY: (118th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Casey. Rep. T.J. Casey. The Chair would observe that after the machine was locked, your vote was placed in the affirmative on the assumption that that was how you were going to vote. Would you please announce for the record, Sir, if you want your vote cast in the affirmative?

REP. CASEY: (118th)

Yes, Sir. In the affirmative.

SPEAKER ABATE:

The Journal will so note.

REP. KEZER: (22nd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Kezer.

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REP. KEZER: (22nd)

Evidentially, the machine was off when I pressed the button.
Please record me in the negative.

SPEAKER ABATE:

In the negative. The Journal will so note.

REP. YACAVONE: (9th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Muriel Yacavone.

REP. YACAVONE: (9th)

Could I please be recorded in the affirmative?

SPEAKER ABATE:

In the affirmative.

REP. SMOKO: (91st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Smoko.

REP. SMOKO: (91st)

I'm registered in the negative. Could I be changed to the affirmative, please.

SPEAKER ABATE:

The Journal will so note. Rep. Smoko's vote should be cast in the affirmative and not in the negative.

Would the Clerk please announce the tally?

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CLERK:

Senate Bill No. 1110 as amended by Senate Amendment Schedule "A" and House Amendment Schedule "A".

| | |
|-----------------------------|-----|
| Total number voting | 142 |
| Necessary for Passage | 72 |
| Those voting Yea | 125 |
| Those voting Nay | 17 |
| Those absent and not Voting | 9 |

SPEAKER ABATE:

The bill passes.

REP. CARRAGHER: (5th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Carragher.

REP. CARRAGHER: (5th)

Mr. Speaker, I move suspension of the rules for immediate transmittal of this bill, Senate Bill No. 1110 as amended to Governor O'Neill.

SPEAKER ABATE:

The question is on a suspension of the rules for the purpose of immediately transmitting the stated bill to the Governor for signature. Is there objection? Hearing none, it is so ordered.

CLERK:

Calendar page 14. Matter recalled from Legislative Commissioner's

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for in the Senate. Will all Senators please be seated.

THE CHAIR:

Machine is open. You may cast your vote. Machine'll be closed and locked. Total voting 32. Necessary for passage is 17. Those voting yeas, 32, those voting nay, 0. The bill is adopted. Senator Fahey.

SENATOR FAHEY:

Thank you, Mr. President. I just want to make an announcement while most of us are here that the Appropriations Committee will meet tomorrow morning at ten o'clock to take action two bills that have been referred back.

THE CHAIR:

Clerk will call the next item of business.

THE CLERK:

Moving along on the calendar to page 7, calendar No. 289, File 421. Substitute for Senate Bill No. 1110. AN ACT CONCERNING PACKAGE STORE BEER PERMITS AND DRUGGIST PERMITS FOR BEER ONLY with a Favorable Report of the Committee on General Law.

THE CHAIR:

Senator Mustone.

SENATOR MUSTONE:

Mr. President, I move acceptance of the committee's joint favorable report and passage of the bill.

THE CHAIR:

Will you remark, Senator?

SENATOR MUSTONE:

Yes, Sir. This bill would eliminate package store beer permits and druggists permits for beer only. Presently, one person in the State of

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Connecticut holds a package store beer permit and two people hold druggist's permits for beer only. This bill would grandfather these three and eliminate further licenses. It would also permit minors working in premises, licensed under a grocery store beer permit, to handle, carry and deliver beer rather than permit minors working in premises licensed under a package store beer permit to do so as is presently the case. If I might explain, for instance, if there is a young man who is working in a supermarket, who presently is not able to carry out a bag of groceries that contains beer in it, this would allow this person to do so for those grocery store permits who have, a grocery store who have beer permits. If there's no objection, Mr. President, I move it be placed on consent.

THE CHAIR:

Senator Matthews.

SENATOR MATTHEWS:

A question through you to Senator Mustone.

THE CHAIR:

Proceed, Senator.

SENATOR MATTHEWS:

Senator Mustone, do you have any way of helping us by telling us how long the two or three stores that you refer to have had this privilege?

THE CHAIR:

Senator Mustone, if you care to respond?

SENATOR MUSTONE:

Yes, Sir. Through you Mr. President, Senator Matthews, they have -

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this beer permit and the druggist permit have been on the books in the Liquor Control Commission for many years, so I would expect that they probably go back twenty years and there has been one new permit issued in the last two months and that person would also be grandfathered her under this. I think the rationale, Senator Matthews, is that there have been many of these pop shops, these shops that sell soda have been opening up in the state, and the Liquor Control Commission feels with this kind of permit on the books, it would encourage these pop shops to make application for a beer permit only.

THE CHAIR:

Senator Matthews.

SENATOR MATTHEWS:

Yes, thank you. Your answer, I guess, indicates to me that the ones that have had it for a long period of time are grandfathered and that they are in no situation which would require them to be closed or to release that permit.

SENATOR MUSTONE:

No, Sir.

SENATOR MATTHEWS:

Thank you, Mr. President.

THE CHAIR:

The motion has been made to place the bill on consent. Is there any objection? Hearing none, it's so ordered.

THE CLERK:

Moving to page 8 of the calendar, page 8, calendar 301, File 437, Sub-

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Petition No. 58, in accordance with provisions of joint rule 19, the Committee on Appropriations is respectfully requested to report to the Senate Bill No., Senate Bill No. 145 entitled A.A.C. Establishing A Statistical Division in the Worker's Compensation Commission and Petition No. 59, the Committee on Appropriations is respectfully requesting to report to the Senate Bill No. 1082, entitled An Act Concerning A Program Format For The Governor's Budget. The Clerk is now prepared to move on today's consent calendar. Moving on today's consent calendar, on page 1, calendar 45, on page 2, calendar 130 and 160. On page 3, calendar 184, SB 1152, 190 on 442, HB 7321 page 4, calendar 209. On page 5, calendar 227. On page 6, calendar 253, SB 1049, 1348 257, 280. On page 7, calendar 289. On page 8, calendar 301, 302, and HB 6058, SB 45, 1110, 1434, HB 6064 that concludes today's consent calendar.

THE CHAIR:

Any question on the consent calendar? If not, machine is open.

Senator Owens.

SENATOR OWENS:

A brief announcement that on Thursday morning at 11:30 there'll be a meeting of the Committee on Judiciary for bills that have been reported to the committee from the floor and elsewhere. Thank you.

THE CHAIR:

Is Senator LaBriola in the Republican caucus room? It's the consent calendar. Machine'll be closed and locked. Clerk will take a tally. Total voting is 35, necessary for passage is 18. Those voting yea 35, those voting 0, the consent calendar is adopted. Senator Schneller.

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Wednesday, May 27, 1981

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closed. You were not here during the debate.

SENATOR LABRIOLA: (15th)

Mr. President, may I excuse myself from the vote under Rule 15.

THE PRESIDENT:

The record will so note that Senator Labriola has excused himself under Rule 15.

SENATOR LABRIOLA:

Thank you, sir.

THE PRESIDENT:

The machine will be closed and locked.

Total Voting is 35. Necessary for Passage is 18. Voting Yea is 25. Voting Nay is 10. THE MEASURE IS PASSED AS AMENDED.

THE CLERK:

Cal. 289, File 421,830. Substitute for Senate Bill 1110. AN ACT CONCERNING PACKAGE STORE BEER PERMITS, DRUGGIST PERMITS FOR BEER ONLY AND CONSUMPTION OF LIQUOR ON GOOD FRIDAY, as amended by House Amendment Schedule A.

Favorable report of the Committee on General Law.

Senate passed bill on April 28.

The Clerk has some amendments.

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THE PRESIDENT:

Senator Mustone.

SENATOR MUSTONE: (13th)

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill as amended by House Amendment Schedule A.

The four amendments in the Clerk's possession have been withdrawn. LCO 7145, LCO 5911, LCO 4655 and LCO 6779. These were presented last week but they have since been withdrawn.

May I comment on the bill, sir?

THE PRESIDENT:

Yes, you may remark, Senator.

SENATOR MUSTONE:

This bill passed this chamber on April 28 and the amendment which the House put on it simply brings the statutes into conformity with the recent court ruling on the sale of alcoholic liquor on Good Friday.

If there is no objection, sir, I move that it be placed on the CONSENT CALENDAR.

THE PRESIDENT:

Is there any objection to placing this matter on Consent? Hearing no objection, it is so ordered.

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SENATOR ZINSSER:

Mr. President, I did but the people who were here visiting had so much excitement for one day that they just couldn't take it any longer and they have left. However, I will say that the people who were here were my campaign manager, Attorney Glendaniel and some friends visiting them from West Germany who are in this country for a short period of time. Thank you, sir.

SENATOR SCHNELLER:

Will the Clerk call the Consent Calendar up to this point?

THE CLERK:

Under the heading of Disagreeing Actions,
 starting on page nine - Cal. 45, Cal. 140. Page ten - SB1152, SB970
SB518, SB872
 Cal. 167 Cal. 206. Page eleven - Cal. 289, Cal. 336, SB1110, HB6881
SB376, SB1342
 Cal. 346, Cal. 354. Page twelve - Cal. 376, Cal. 379, SB587, SB1453
SB1393, SB1318
 Cal. 392, Cal. 403. Page thirteen - Cal. 405, Cal. 414, SB1391, SB534
SB684, SB1274
 Cal. 422 and Cal. 423. Page fourteen - Cal. 508, Cal. 577. HB7360
HB6681

That concludes the CONSENT CALENDAR under the heading of Disagreeing Actions to this point.

THE PRESIDENT:

Are there any errors or omissions? The Clerk please make an announcement for an immediate roll call.

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THE CLERK:

An immediate roll call has been called for in the Senate. Will all senators please take their seats. An immediate roll call in the Senate. Will all senators please be seated.

THE PRESIDENT:

We are now voting on the Consent Calendar. The machine is open. Please record your vote. The machine is closed. The Clerk please tally the vote.

RESULT OF THE VOTE: 36 Yea - 0 Nay. THE CONSENT CALENDAR IS ADOPTED.

SENATOR SCHNELLER:

Mr. President, I would move for immediate trans, ah, suspension of the rules for immediate transmittal of these items that have been adopted on the Consent Calendar as some will be going down to the House and others will be going directly to the Governor.

THE PRESIDENT:

Without objection, so ordered.

Senator Schneller, is it your desire now to move on to the Unfavorable Reports on page fifteen. Is that the order?

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SENATOR SULLIVAN:

Yes, Mr. President.

THE CHAIR:

Motion is for reconsideration, of Substitute
for Senate Bill 1110, File 421,830. Do you wish to
remark?

SENATOR SULLIVAN:

No Mr. President. I just move reconsideration.

THE CHAIR:

Anyone in opposition to reconsideration? All
those in favor signify by saying aye. Those opposed,
nay. The ayes have it. The motion for reconsideration
prevails. Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, may the matter be PT'd.

THE CHAIR:

PT'd. Passed temporarily. So marked, without
objection.

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SENATOR SULLIVAN:

Mr. President, you've got the Bill? Mr. President I would move readoption of the Bill and I believe the Clerk has an Amendment.

THE CLERK:

The Clerk has Substitute Senate Bill 1110, AN ACT CONCERNING PACKAGE STORE BEER PERMITS AND DRUGGIST PERMITS FOR BEER ONLY, and the Clerk has an Amendment.

SENATOR SULLIVAN:

Mr. President, I would ask to waive the reading of the Amendment so I can explain it. I move adoption of the Amendment.

THE CHAIR:

You may proceed.

SENATOR SULLIVAN:

[Senate Amendment Schedule "A"]

Mr. President, the Amendment that I'm putting on this particular Bill, in Section 2 of 30-17 of the General Statutes, it has a requirement that the wholesale permits distributors of any alcohol, beer, spirits or wine or products, there is a franchise period of 24 months. You

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must hold a franchise from an out of state shipper for a period of 24 months. Within that 24 month period, the out of state shipper can cancel the franchise at any time without cause. After that 24 month period, they must fulfill certain requirements set forth in the statutes and regulations of the Liquor Commission. My Amendment will reduce that 24 month period to a six month period, based on the fact that an in state independent wholesaler goes through much expense and cost to establish the line that he is going to sell to the out of state shipper and we feel that in six months if he does this in accordance with his contract for a period of six months and expended that kind of money, that should be the time at which his permit cannot be withdrawn without cause, as set forth again, in the statute.

The second thing that this Amendment does, Mr. President, is that it not only affects the out of state shipper, but it also affects their successors and assigns, any new buyer of that out of state shipper's permit within the State of Connecticut.

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And the third thing it does Mr. President, is make this entire act effective on passage.

Mr. President, I again move adoption of the Amendment.

THE CHAIR:

Will you remark further on the Amendment? Senator Mustone.

SENATOR MUSTONE:

I have checked this Amendment out very carefully and find that I was very, very careful to find that it does not have any impact on the retail liquor stores and I'm very satisfied with the Amendment. I think it's a good Amendment and I urge its passage.

THE CHAIR:

Will you remark further on the Amendment? If not, all those in favor signify by saying aye. Those opposed, nay. The ayes have it. The Amendment is adopted. Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I move the Bill as amended.

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THE CHAIR:

Will you remark further? The previous remarks are applicable and any further remarks?

SENATOR SULLIVAN:

And if there are no objections, Mr. President, I move it to the present Consent Calendar.

THE CLERK:

Just for the record, Senator, I'd like to read the Amendment in. Senate Amendment is LCO 7816, offered by Senator Sullivan, LCO 7816.

THE CHAIR:

The Amendment has been adopted. There are no further remarks. Senator Sullivan has moved for the adoption of the Bill as further amended. No further remarks or opposition, it may be placed on the Consent Calendar.

SENATOR SULLIVAN:

Thank you Mr. President.

THE CHAIR:

Senator Schneller.

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Senate. Will all Senators please take their seats. An immediate Roll Call has been called for in the Senate. Will all Senators please be seated.

THE CHAIR:

Please give your attention to the Clerk who will read the matters that went on the Consent Calendar and we'll then have a Roll Call.

THE CLERK:

The Consent Calendar is as follows, Senators. Page 2, Calendar 615; Page 7, Calendar 662; page 9, Calendar 248 and on yesterday's Calendar, 289, page 11, the item that was moved for reconsideration with Senate Amendment, Schedule A, LCO 7816, that also is on the Consent Calendar.

HB6152, HB6761
SB1419, SB1110

THE CHAIR:

Any questions? Any errors or omissions? The machine is open. Please record your vote. Has everyone voted? Senator Schneller, Senator Gunther, Senator Baker, Senator Knous, Casey The machine is closed. Clerk please tally the vote.

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The result of the vote?

35 YEA

0 NAY

The Consent Calendar is adopted. Senator
Schneller.

SENATOR SCHNELLER:

Mr. President, at this time, I would ask for
suspension of the rules for immediate transmittal of
all items going to the House, to be sent to the House.

THE CHAIR:

Without objection, so ordered. Clerk has some-
thing to be read in. Mr. Clerk.

THE CLERK:

The Clerk has a Disagreeing Action, Report from
the Joint Standing Committee on Finance, Revenue and
Bonding, Substitute for Senate Bill 58, AN ACT CONCERNING
REGIONAL CONVENTION AND VISITORS COMMISSIONS AND
COLISEUM AUTHORITIES.

THE CHAIR:

Table for the Calendar. Senator Schneller.

JOINT
STANDING
COMMITTEE
HEARINGS

GENERAL

LAW

PART 2

353-675

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REP. DE ZINNO: What town do you live in?

MR. RUPPAR: Wethersfield. And I know also, sir, negatives can be reproduced. You can take any 35 mm and have it reproduced and if the photographer wants to, he can make a whole series of copies of it for himself and give me the original. No problem there.

REP. DE ZINNO: Well, it seems that you could have a negative made on your own for \$2.00 or \$3.00, but let me get into 1227. I don't see how this is possibly going to help you.

If we're going to adopt this, and pass it, if we pass it, it won't be effective until October 21 and nowhere in this legislation, do I see it being retroactive to encompass what happened in 1980.

MR. RUPPAR: Perhaps next year you could grandfather it by amendment.

REP. DE ZINNO: Well, maybe we can do it this year, if one of the members so desires. Thank you.

MR. RUPPAR: Thank you.

REP. ZAJAC: Carroll Hughes.

MR. CARROLL HUGHES: Thank you. Chairman Mustone, members of the General Law Committee. My name is Carroll Hughes, representing the Connecticut Package Stores Association.

I'd like to speak on three bills that are before you. One is Senate Bill 1110 which basically eliminates the package store beer permit which no one has right now. We would support that because every package store is allowed to sell beer, wine and liquor with the high fee that it does pay now.

There is one item in that bill, though, that you should be aware of, that the way it's drafted right now, you are allowed 16 or 17 year olds to handle beer, and the last lines, No. 154 to 162 you have changed from the package store beer permit, which no one has right now, as I understand it, there may be 1 in the state, you just changed it to grocery beer in that section which allows minors to now handle all the alcoholic beverages, to deliver them and whatever outside the

MR. HUGHES: (continued)
store, I don't think you really intended that to be there.

SEN. MUSTONE: What line was that?

MR. HUGHES: It's in Page 4 at the back section, section 4.
line 154, to line 162.

154 to 162. No minors shall be employed in any tavern,
in any capacity on handling any alcohol liquor and delivering
any alcoholic liquor to and carrying or conveying any alcoholic
liquor from any permit premises except when the permit premises
operating under a package store beer permit, and grocery store
beer permit is now in there which will allow grocery stores to
hire minors to deliver the beer wherever.

Any questions on that? Section 4, basically the whole section.
I think you should strike the whole section, or you just strike
the -- we're getting it now.

154 to 162. But basically the part that's of concern starts
on line 159. No minors shall be employed in any tavern in
any capacity except permit premises operating under a, it was
package store beer permit, in fact, I was really unaware that
someone could deliver previously under a package store beer
permit, who is a minor, because it really doesn't occur now.
They're not permitted to operate in the store and I really
quite frankly, was never aware that a minor could do that and
since nobody has a package store beer permit, it really didn't
matter. But now, I think you should strike that section out
of there.

REP. CARRAGHER: Mr. Duffy.

MR. DAN DUFFY: Mr. Hughes. Striking the whole sentence, the whole
section, rather, would strike the prohibition against minors
being employed.

MR. HUGHES: Yes, so it's 159. So you're really probably starting
at 159.

MR. DUFFY: That's the whole section. 159 and if you want to
prohibit --

MR. HUGHES: Okay, I see what you're saying. So you just take out
the last line.

MR. DUFFY: Where it begins on line 1 --

MR. HUGHES: -- permit premises operating under a grocery store beer permit.

MR. DUFFY: Right.

MR. HUGHES: So, I guess that does it really.

MR. DUFFY: That's you what you really mean.

MR. HUGHES: Nobody's got it now. Nobody's been doing it. But what you're doing, you're really allowing every grocery beer permit now to have minors convey the material anywhere they want outside the store.

MR. DUFFY: To take it to cars.

MR. HUGHES: To deliver it to homes, whatever.

MR. DUFFY: Thank you.

MR. HUGHES: I think they are allowed to sell it in the stores, unlike package stores, 16 and 17 year olds are allowed to check it out at the checkout counter under supervision in the grocery stores, which is not permitted in package stores. But you can ask Mr. _____ to elaborate on that.

The other bill I'd like to speak on is the Senate Bill 608 which is reducing the permit fees for a farm winery from \$200 to \$50. I really find this kind of ironic, that they're asking to reduce the permit fees at the same time that there's a companion bill which is expanding all, which I'll speak to in a minute, expanding all retail sales and tastings, etc. and almost everybody seems to be up around that permit fee of \$200 plus the package stores are over \$400 and almost everybody seems to be up in that category. I can't see why they, farm wineries should be down around a \$50 permit fee. In many cases they have more opportunities than other retailers and manufacturers are doing business in the state of Connecticut.

REP. CARRAGHER: I would only note in response to that, that that Bill which you are speaking to, was not favorably acted upon by this Committee, but rather was petitioned by its sponsor, Senator Post.

MR. HUGHES: Oh, I see. Thank you Rep. Carragher.