

PA 11-250

HB6267

General Law	35-42, 65-69, 222-223, 224-225, (237-238), 343, 344, 349, 439-440, 445-449	29
House	7834-7838	5
<u>Senate</u>	<u>7171, 7176-7178, 7182-7183</u>	<u>6</u>
		40

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW
PART 1
1 – 369**

**2011
INDEX**

SENATOR DOYLE: Any other questions from committee members?

Seeing none, thank you very much.

WILLIAM DEDOMINICUS: Thank you.

SENATOR DOYLE: Next speaker is Robert Duguay, then Jay Hibbard, then Bob Heffernan, and Dan Silver.

Mr. Duguay.

ROBERT DUGUAY: Senator Doyle, Representative Taborsak.

Mr. -- Senator Witkos has been very supportive of me.

I come here to speak in -- in favor of Raised Bill 6267, AN ACT CONCERNING THE SALE OF WINE WITH GIFT BASKETS.

I'm a florist. I'm in business. I employ people, I pay tax, and presently I'm discriminated against as are -- I don't know how many florists there are. There's somebody following me who can tell you, four or 500 -- there are people in the gift basket business.

If anybody on this panel wants to send a neighbor, a relative, anybody, a bottle of wine with some cheese or whatever, you can do so legally, but you have to call out of state. You can call these people -- I won't mention their name -- you can call anybody of 50 or 100 companies. I have no idea how many. You go on their Websites, you call their 800 number, you tell them what you want, you might be able to customize your gift as you would with a local person like me, have it sent -- there's laws about FedEx, UPS, you can pay an extra buck or something, you get signature of somebody over

21, easy. You can probably have it delivered tomorrow if you wish. But you can't call me, and I'm resentful.

Again, I live here, I employ, I pay tax, I want to do business in Connecticut, but I'm discriminated against, as are people -- each one of your districts, everybody here, whether you're a Senator or -- or a -- or a Representative, has to have somebody who's in the -- who's a florist, or a fruit -- fruit basket person, or a gift basket person, and this would open it -- open it up to them.

The way the act is written right now, I'm not sure that even -- I see -- I assume a lot of liquor store people here; maybe they're in the business, too. They can, as I -- as I understand, they can package wine. Whether they can package it like this, I don't know. But I'm asking to be treated fairly, with out-of-state competitors. I don't want anything more or anything less, frankly.

This is the fourth time this bill has been before this Legislature, and I'm embarrassed to say I'm here again. I'm not sure what the issue is that would prevent me from competing with people out of state, but I ask you to sit back, look at equity, look at fairness, look at people in your own districts, and support the bill.

Is my time up? That's a joke.

Next thing is, I just don't -- I ask this as a -
- this is a --

SENATOR DOYLE: Your time is up, but I'll --

ROBERT DUGUAY: Oh, is that true?

SENATOR DOYLE: -- but I'll let you --

ROBERT DUGUAY: I didn't know. I thought it was a cell phone.

SENATOR DOYLE: -- I'll let you --

ROBERT DUGUAY: I apologize.

SENATOR DOYLE: -- I'll let you continue --

ROBERT DUGUAY: Okay, I'm sorry.

SENATOR DOYLE: -- but if you could summarize, thank you.

ROBERT DUGUAY: Just one -- one more short issue. There's a lot of interest in Sunday sales -- of Sunday sales, obviously. This bill is unique. It does expand, perhaps the sale of liquor, or of wine. I don't want liquor. Forget liquor, forget beer. Wine with cheese and some sausage or something. This is a unique bill. Please, don't let it be confused with the interest on Sunday sales. Please respect the confines of the bill as it's written.

I'm -- I'm sorry. Thank you very much, Senator.

SENATOR DOYLE: Oh, no problem. Thank you.

ROBERT DUGUAY: Thank you.

SENATOR DOYLE: I'd just like to point out, Mr. Duguay, you're not the only one that's ever been frustrated by the legislative process. I'm -- I'm being serious. A lot of bills take a --

ROBERT DUGUAY: I understand.

SENATOR DOYLE: -- long time to get through. And a lot of -- I'm new as Chair of this committee, but alcohol issues, in particular, are very

challenging, so, you know, you have to keep the faith. It takes a lot of work and there's a lot of different interests all over the place that make legislation -- achieving legislation challenging.

ROBERT DUGUAY: That's -- that's why I ask, sir, that this be treated distinctly. It's not tied up with all the other issues. This is -- I would think this would be a consensus bill, but -- I shouldn't say obviously not. Maybe it will be.

SENATOR DOYLE: Yeah.

ROBERT DUGUAY: Maybe because I raise this issue, it will be, but --

SENATOR DOYLE: We shall see.

ROBERT DUGUAY: Yeah.

SENATOR DOYLE: But it -- trust me, it will be treated separately --

ROBERT DUGUAY: Thank you.

SENATOR DOYLE: -- from any other legislation.

ROBERT DUGUAY: Thank you, sir.

SENATOR DOYLE: Senator Kissel.

Thank you very much, Mr. Chairman.

I just want to thank you for coming and testifying. My -- my wife and my in-laws had run a florist shop in Enfield for about 25 years, and it just got to be so difficult. They were working 50, 60 hours a week --

ROBERT DUGUAY: Uh-huh.

SENATOR KISSEL: -- just to pay bills, and so, come October, they closed up. So I know how difficult this economy and the recession is affecting small businesses, and if there's any way that we can do anything to help assist you - - and I think you asked a very interesting question. I don't know if the small Mom and Pop package stores can -- can -- basket things up and send them out either. And it really -- it troubles me that we have a carve-out, apparently, for all these out-of-state companies that don't pay us taxes, or we get very little from them as far as employment and revenues, and yet we apparently discriminate against people that are living and working and trying -- and trying to make ends meet here in our own state.

ROBERT DUGUAY: This -- this is discrimination, pure and simple.

Thank you, Senator.

SENATOR DOYLE: Representative Tallarita.

REP. TALLARITA: Thank you, Mr. Chairman.

I just wanted to thank you also for coming here to testify today. I understand your frustration. I have a similar bill that's on the agenda today that's taken several years, and so I do hear the frustration. But I thank you for coming forward and talking about fairness. Retail fairness, because that is what your bill is about, and that is what Sunday sales about, too. So they're not separate issues. It's about allowing a business to open and do business they way that they want to do business if they choose.

So, again, thank you very much for coming forward. And, you know, I hopefully can support your legislation when it goes on.

ROBERT DUGUAY: Thank you. Thank you, Madam.

SENATOR DOYLE: Thank you.

Senator -- Witkos, sorry.

SENATOR WITKOS: Thanks.

Bob, thanks for coming up for round number four. I know, you know, you're taking time out of your workday today to be here to testify, just to put Connecticut's businesses on an even keel with out-of-state businesses. We all talk about jobs in the economy and here's a small businessman in front of us for the fourth year in a row, taking time out of his busy day just to make sure that Connecticut businesses are treated just as fair as the out-of-state businesses. So, hopefully this will be the year for your bill. Thank you.

ROBERT DUGUAY: I hope so. Thank you so much.

SENATOR DOYLE: Thank you.

Any other questions? Representative?

REP. D'AMELIO: Thank you, sir, and thank you for your testimony.

I have one question. How do you envision the purchase of your wine? Will it be through a distributor, or a package store?

ROBERT DUGUAY: Oh, no, through a package store. We don't.-- you know, the bill has changed a little bit since it was first submitted some time ago. I just saw it -- as it is today, two days ago, I think or so, or last Friday, I guess. An no, we want to -- I'm going to buy it through these guys right here, or somebody like them, and we -
- I don't have the money to -- first of all,

some distributors want to deal with me. Secondly, I don't want inventory, 5,000 bottles of wine or something like that. I want -- as a matter of fact, I want to be able to tell somebody, oh, you like a certain vintage of a certain -- certain winery, whatever, I'll just go pick it up on the way home, you'll get it tomorrow.

I have no -- we don't want to compete with the people here, or -- or -- or anybody else. Distributors -- I can't possibly -- I cannot imagine I'd have any volume to the point where some distributor would want to stop and sell to me, and I don't want a -- I don't want the hassle. So we would just buy it retail. And frankly, we -- we -- there was -- there was an element of this bill that said that the basket -- although it's not here now -- that the basket we might sell would have to be at least five times the retail cost of the -- of the wine.

We don't want people to perceive that we're going to be selling wine to willy-nilly the people if it's -- I would prefer that almost just -- because I don't want people coming in and saying, well, you can sell wine, you know, just sell me a bottle of wine. I don't want that. I would prefer, sir, sirs -- I would prefer that the -- that an element of the bill say that any gift I might sell would have to be -- have retail value five times the price of the wine. That justifies buying the wine. It justifies getting some food along with it, the packaging. You know, there's a lot of personal -- as the Senator here knows, there's a lot of effort goes into just delivering a little something down the street. So having said that, remains to be seen what happens. Thank you, sir.

SENATOR DOYLE: Thank you.

Any other questions from committee members?

Seeing none, thank you very much.

ROBERT DUGUAY: Sure, thank you.

SENATOR DOYLE: And before I -- I call up the next speaker, I just want to clarify, our LCO staff answered the question about the brewery.

Okay. All right. Clarification, just to clarify the issue of going to a brewery on Sunday, what you can and cannot do. You can go there from 11:00 a.m. to midnight, do a tour, and consume beer on site. You cannot purchase it and take it off site on a Sunday. So current law, you cannot sell on Sunday at these brew pubs.

The next -- the next speaker is Jay Hibbard, then Bob Heffernan, Dan Silver, and Paul Jahnige. Sorry if I mispronounced your name.

Mr. Hibbard.

JAY HIBBARD: Good morning, Senator Doyle, Representative Taborsak, members of the committee. My name is Jay Hibbard. I represent the Distilled Spirits Council of the United States.

We're a national trade association representing the makers and marketers of distilled spirits here in the United States, and I have submitted written testimony in support of H.B. 6264, but let me take just a couple minutes to summarize that testimony, and why we support the change.

A Sunday is the second-busiest shopping day of the week in today's dual income households. Most shopping, as you probably all know, is done

Again, all of the states that I'm aware of that adopted off-premise sales, Sunday sales, had a Sunday sales statute in place for on-premise sales. So what we may have see some happening, but I -- I -- not measured would be Super Bowl Sunday where the person goes to the bar and spends the day there drinking versus going to the package store and purchasing and going home. And I can't -- I can't quantify that for you because we have not studied that. So I'm -- I have to say that I couldn't tell you with any certainty.

REP. TABORSAK: Thank -- you for your honesty and your answers.

SENATOR DOYLE: Is there anyone else on the committee that has any questions here?

REP. TABORSAK: Thank you, sir.

JAY HIBBARD: Thank you.

SENATOR DOYLE: Thank you.

Next speaker is Bob Heffernan, then Dan Silver, then Paul Jahnige, and then Tim Devanney.

Bob Heffernan.

BOB HEFFERNAN: Good morning. Bob Heffernan, the Executive Director of Connecticut's Green Industries which are all of the flower shops, the greenhouses, the nurseries, the garden centers, the landscapers of the state of Connecticut.

HB 6267

I have to remind everyone that Monday is Valentine's Day and I hope everyone in this room buys flowers and plants for their loved person, and do it early because Monday will be a crazy day.

But many thanks to the General Law Committee for raising the bill. Actually, I've had this proposal way back in the 1990s for allowing wine with gift baskets, or floral arrangements. You would be surprised at how much this is requested on a daily basis in the flower shops and the garden centers in the state of Connecticut, and I guarantee you, especially this week, it's a big request, and, you know, most of our member firms obviously cannot comply with the request. So it would be a huge new area of business, I think, for the state to be able -- it would become a new product -- to be able to ship an arrangement with a bottle of wine or champagne, and the same with gardening materials of the like.

There are about an estimated 1,000 flower shops, garden centers, greenhouses, nurseries, in Connecticut that do sell retail, very supportive of this concept which would finally allow them to provide this service to the people of Connecticut.

The other thing too is, you know, all of our companies get tons of phone calls on a daily basis from outside the state. Say the son moved out of Connecticut to San Francisco and he wants to send something back into the state and he'll call the flower shop directly. There's that kind of business too, and of course, in some other states I think they're used to being able to -- to routinely add wine to a gift basket.

We also believe it would generate some revenue for the State, I mean, the bill before the committee has a 500-dollar permit fee. If you figure at least 500 companies come forth, that's at least a quarter of a million dollars there. If 1,000, there's a half a million, and then the

extra taxes that we -- the State would reap on the sale of the -- the products.

So anyhow, I would ask that specifically on the bill, H -- the Raised Bill 6267, that Section 1B contain a new item number 8, flowers, plants, garden-related items. We also hope, and expect the permit would include champagne in addition to wine. I'm not sure if, legally, champagne's considered a wine item.

When we first proposed this back in the nineties, we did envision it where the local flower shop and garden center would purchase the product from a package store. That -- because we're independent businesses and we supported them also. So that's kind of how we always envisioned it ourselves. And then we also supported a threshold in the bill, which means you would have to have at least so much of other product, not -- not just the alcohol. For example, we had said \$30 worth of flowers or something else, and that's -- we would support that. I think that's fair.

SENATOR DOYLE: Thank you.

Any -- Representative Rebimbas.

REP. REBIMBAS: Thank you, Mr. Chairman.

Good morning.

BOB HEFFERNAN: Good morning.

REP. REBIMBAS: Thank you for your testimony.

I guess I have a comment, but then maybe just a clarification. I do find it very tough to understand the reasoning why we would allow florists outside of the state of Connecticut to conduct business in this way in the state of

Connecticut, but at the same time, not allow it for our own florists in the state of Connecticut. So there's no sense, at least in my -- my mind regarding that.

Just a point of clarification, if this were to pass and we were to allow this for the florists, this would not include any florist department in a large supermarket. Is that correct? Because my understanding is they don't have the ability to sell wine. Would this be creating an ability for them? Or does this exclude a florist department in a large retail store?

BOB HEFFERNAN: That I don't know. I just don't know. As I read the bill, it's unclear to me. Sorry.

REP. REBIMBAS: Okay, thank you.

SENATOR DOYLE: Thank you.

Any other questions?

Representative Baram.

REP. BARAM: Thank you, Mr. Chairman.

Can you tell me, would a bottle of wine in a basket be subject to both the excise and sales tax in Connecticut?

BOB HEFFERNAN: I heard that question earlier and I thought, oh, my God, I hope he doesn't ask me that.

I don't know the answer to that either. Definitely sales tax. Everything that we produce in Connecticut, in the garden center or flower shop, is all subject to the sales tax, so we're used to that. As a matter of fact, you know, I always educate people. Flowers and

plants are the biggest part of agriculture in Connecticut. We're more than half of all (inaudible), what we produce in flowers and plants, and it's -- and most of agriculture is not subject to the six percent sales tax, but what we produce is. When you buy flowers or plants, you have to pay six percent on it.

REP. BARAM: And just one last question. Is a Connecticut company currently allowed to ship a basket with wine outside the state with the current law as it is? (Inaudible.)

BOB HEFFERNAN: Not that I'm aware of. I don't think so.

REP. BARAM: Thank you.

BOB HEFFERNAN: Certainly my members are not.

SENATOR DOYLE: Thank you.

Any other questions from committee members?

Seeing none, thank you.

BOB HEFFERNAN: Thank you.

SENATOR DOYLE: Next speaker is Attorney Dan Silver. Then, again, Paul Jahnige, and I apologize if I -- mispronounce your name. Then Tim Devanney, Carroll Hughes, Jack Malone.

DAN SILVER: Good morning, Senator Doyle, members of the committee. My name is Dan Silver. I'm an attorney in New Britain with the law firm of Silver and Silver. I'm here this morning to speak in opposition to H.B. 5739, and S.B. 458.

To begin my discussion, I would indicate that as a good part of my firm's practice is in the area of representing permit holders in all various

deny a permit. I can think of one instance off the top of my head in New Haven where there was an establishment that was, you know, a documented case of chronic drug dealing and chronic arrests. You know, repeatedly documented.

And when we -- it took the City many years to finally get a remonstrance hearing and when we went we offered our testimony and what the -- what the permit was actually suspended for was a tax violation. The owner was hiring help under the table and not taxing them. So I -- I'm assuming that all that we offered wasn't good enough. It wasn't good enough that it was a problem location a, you know, a den of drug dealing and places where shootings had occurred.

So I'd say the veto power of the chief is what we're asking for and that the -- perhaps the bar is too high for the -- the Liquor Commissions to shut the establishment down.

REP. TABORSAK: That's all I have. Thank you for answering that question.

SENATOR DOYLE: Thank you.

Any other questions?

Thank you very much, Gentlemen.

SENATOR LOONEY: Thank you, Mr. Chairman.

Thank you very much.

SENATOR DOYLE: Next speaker Roger Loeb, Dan Canova, Mark Smith, Abner Burgos-Rodriguez, and Mary Lou Burcome. Roger. Thank you.

ROGER LOEB: Chairman Doyle and Taborsak, my name is Roger Loeb. I am Chairman of Allen S. Goodman,

SB 462 SB 866

HB 6267

a family-owned wholesaler of wine, spirits, and beer located in East Hartford. Today I come before you not only representing the interests of our company but also member companies of the Wine and Spirits Wholesalers of Connecticut.

Our company is responsible bringing to market and distribution in excess -- just our company of 2,500 brands of wine, spirits, and beer. These range from such household names as Miller, Coors, Smirnoff, Jack Daniels, Beringer, Sterling and perhaps less recognized names such as Yado, St. Michelle, Silverado and Gentleman Jack.

Our company works in partnership with suppliers and manufacturers to bring their products to Connecticut package stores, grocery stores, restaurants, and other retailers. Our company also provides marketing assistance for the retailers, daily deliveries and promotional assists to the retailers. We have 50 trucks a day out on the road delivering to these stores, these people behind me. The company was found by my stepfather right after repeal in 1933.

The company has been owned and operated ever since and we are currently in the process of third generation. My son in law's trying to kick me out. Assuming the leadership -- and he might do it yet -- and assuming the leadership of the company. We provide jobs for 200 people, Connecticut residents through the state mostly in the East Hartford area. And we have excess of \$17 million in wages and benefits for our employees. I'd like to discuss some of the bills. I think I have a solution for -- for one of them.

So let's start. The first one I'd like to talk about is 462, AN ACT AUTHORIZING THE SALE OF CONNECTICUT FARM WINE AT FARMER'S MARKET.

That's such a dangerous bill. I can't begin to tell you. That means a guy selling corn on the -- on the side street or in West Hartford Center, a guy with wine can come up and set it right next door and sell wine at any place. So some wineries can have a thousand different people out there selling wine on the weekend out there. And by having a farm market right next to you. You know, a portable farm market.

They don't have -- we don't have the police nor anybody to keep track of selling to minors. It's a bill that can't go. If you go that route you're opening up liquor, wine and beer to everybody. Because there's no way the police can spend hours, days, people that are doing it and everything. You can't run that type of thing (inaudible). The second one on the same type of idea is wine festivals, AN ACT CONCERNING -- this is 866. It's wine festivals. There was a lot of talk about it in the past couple years. We as wholesalers and many others were against it but we -- the proposed bills seeks to increase the number of wine festivals from one to two. The -- oh.

All I could say is we made a deal with the -- with the farm wineries two years ago. They agreed to the one. They were happy with that. If you extend it you're going to have a lot of problem because there's farm wine associations will be brought in -- Gallo and all the rest of them will be in here selling off trucks. You'll have no control over these types of things. The last one if you'll let me do is I have an idea for gift baskets. I think that you can do this -- the way the law that you're looking to change they would have to get a license themselves.

The flower companies would have to get a license in order to sell the products and everything. If you put in a law saying that flower shops and

HB 6267

everything can buy wine to put in their wine baskets and everything, come through Connecticut package stores and everything I think you can get around this. You'll solve the problem and I think everybody will be happy with that type of thing.

SENATOR DOYLE: Thank you for your testimony.

Any questions?

Thank you, sir.

ROGER LOEB: Okay.

SENATOR DOYLE: We have Dan Canova followed by Mark Smith, followed by Abner Burgos-Rodriguez.

DAN CANOVA: Good afternoon members of the Committee and thank you for the opportunity to testify before you today. My name is Dan Canova and I am the Store Manager for Cumberland Farms in Deep River, Connecticut. I am also a resident of Connecticut. Cumberland Farms presently operates 64 convenience stores in Connecticut, employs over 600 employees and serves thousands of customers each day. Our stores and employees help fuel Connecticut's economic engine. In today's challenging economy Cumberland Farms has continued operating all stores in your State despite the economic downturn.

We at Cumberland Farms for S.B. 864, which would allow convenience stores like ours to sell beer. The bill would treat customers fairly and our convenience store business would be treated similar to other small format businesses if this bill passed. Currently many convenience stores are denied a permit to sell beer in Connecticut because they simply do not qualify under the current law even though they sell many food and grocery items. This is because current law

SENATOR KISSEL: (Inaudible) from Sunday sales to the convenience stores.

ALAN WILENSKI: Package Store Association is vehemently opposed in addition to the addition of any additional retail outlets.

SENATOR KISSEL: So what about, I mean the florists? Do you know? You know, we've listened to these folks. They want to put together a gift basket. In fact the gentleman that spoke on behalf of the wholesalers indicated that perhaps we could create a special permit for them and try to limit it that way. And then -- and the florists -- hold on.

(HB 6267)

ALAN WILENSKI: I'm sorry. I apologize.

SENATOR KISSEL: They'd be willing to make it just a small portion of their overall product, \$30 or five times the value of the bottle of wine. I mean is there any -- is there any give or flexibility at all with your association regarding any of these issues or is it your position that you just -- everything's perfect. Don't touch us. Leave everything alone.

ALAN WILENSKI: Sarcastically I would say that. But the -- the florist issue is still relatively new. We haven't had a chance to specifically dissect that. Mr. Loeb, who I've known for many years, and I think even one of the florist speakers that said that they'd be happy to buy from the liquor stores. You know, certainly that -- that mitigates some of the problem and we could probably discuss and possibly work out a bill with that.

I think to a certain extent under current law also as a grocery store, a Stop and Shop florist or whatever, they're prohibited from owning two permits. So, if they had a florist permit I

would assume under current circumstances they would have to give up their beer permit. It's illegal to own two -- two type of permits.

SENATOR KISSEL: Well I -- I appreciate your passion regarding this issue. I understand where you're coming from and you've got hundreds and hundreds of members that are probably just, you know, trying to stretch a dollar as far as it can go. This recession's obviously impacting everyone out there in Connecticut.

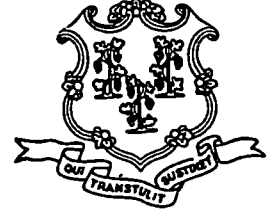
You know, we're very near the bottom in job growth. I know just in our neck of the woods people are scrambling. The fact that your own association took a poll through Mr. Hughes and there were seven package stores in Enfield in favor of Sunday sales, eight opposed. That's pretty much, you know, that comports with what I'm hearing. I'm not saying it's a divisive issue. I'm just saying that as much as your folks are scrambling with this recession and trying to make ends meet, as you get closer to the border some of our folks are seeing revenue cross the border.

HB 6264

And -- and for my whole term in office, I mean it's not just the, you know, alcohol, it's been gasoline and cigarettes. And then the interesting thing about the tax issue is my understanding is that the government, the Legislature of Massachusetts passed the sales tax increase but they have initiative and referendum and they put it on the ballot. And they voted it down. We don't have that in Connecticut.

We don't have a mechanism where the people can say, you know what, Legislature you thought that was a great revenue stream but we like it the way it was so we're going to vote that tax down. And I think that's what happened up there. And

Department of Consumer Protection



Testimony of John Suchy
 Director of Liquor Control Division
 Department of Consumer Protection

SB 462 HB 6267
HB 5739 SB 458

February 8, 2011

Sen. Doyle, Rep. Taborsak, Sen. Witkos, Rep. Rebimbas and Honorable members of the General Law Committee, I am John Suchy, Director of Liquor Control in the Department of Consumer Protection. Thank you for providing me the opportunity to offer written testimony regarding a number of proposed bills on your agenda today.

I would begin my testimony by noting that none of the bills before you today are proposals introduced by the Department. As such, the purpose of my testimony is not to seek your support for any of these bills. Nor is it for me to speak in opposition to them. Rather, I offer the following testimony to provide information to committee members regarding the impact these bills would have on the current resources of the DCP.

I am aware that we are at a relatively early stage in the legislative session and that some of these proposals may be amended as the committee sees fit. As such, please note that my comments address the bills as they are currently drafted. Should there be changes considered at some later date, please know that the Department is happy to continue to provide you with additional information and to answer any questions you may have of us.

With that in mind, I respectfully provide comments on the following 5 bills on your agenda today.

SB 864 AN ACT CONCERNING GROCERY STORE BEER PERMITS

This bill as drafted would greatly expand the number of retail stores that would qualify as grocery stores and thus allow them to obtain a permit to engage in the sale of beer. We note that while the stated intent of the bill is to include "convenience stores" within the definition of "grocery stores," the bill would further expand that meaning to include many other retail stores engaged in the sale of groceries such as department stores,

pharmacy stores and similar businesses. The precise number of new convenience & retail stores that would qualify under this bill has yet to be determined but the Department's initial estimate is approximately between 2,500 to 4,000. This number of potential new permit applicants and permit holders would pose a staggering resource demand on the Department. To put that number into perspective, there are today approximately 7600 active liquor permits issued in Connecticut—of which 1200 include off-premise consumption permits such as “package store” and “grocery beer” permits. We presently handle the serious responsibilities associated with licensing, investigation, complaints and enforcement with an ever-diminishing number of staff. As such, a change to allow this large a number of new applications and permit-holders requiring investigation and enforcement resources would require a significant number of additional staff to accommodate. I must stress that should this proposal be enacted, failure to provide those additional resources for the Department would necessarily lead to unsatisfactory delays in our ability to investigate and process applications, respond to consumer inquiries and complaints, and enforce the crucial provisions of our liquor laws.

SB 462 AN ACT CONCERNING THE SALE OF CONNECTICUT FARM WINE AT FARMERS' MARKETS

Over the past number of years there has been significant discussion regarding proposals to allow for the sale of wine at Farmers' Markets. DCP has readily participated in this discussion and stands ready to continue that again this year. We note that SB 462 is not a fully drafted bill and so we anticipate that proponents are continuing to craft final language. To that end we would encourage them to incorporate the language contained in last year's bill, HB-5231 (2010) “AN ACT CONCERNING THE SALE OF WINE AT FARMERS' MARKETS.” The Department was involved in discussion with various parties and concluded that the provisions included in that proposal were acceptable and could be accommodated within existing DCP resources. It is our hope that any proposal moving forward this year would be limited to provisions that could similarly be done without imposing substantive new burdens on department resources.

HB 6267 AN ACT CONCERNING THE SALE OF WINE WITH GIFT BASKETS

This proposal would create a “gift basket retailer permit,” to allow for the sale of bottles of wine within gift baskets prepared by the permit holder. The language as drafted does not define the individuals or businesses that would be eligible to apply for this new permit type. The intent appears to be for those in the gift industry such as florists and gift shops and the like, but as written would allow for a vast number of other individuals and enterprises to be eligible. Regardless, it would appear to result in a very large number of new applications and permit holders. As in my previous remarks I must state that additional staff resources would be required if this proposal was enacted. The failure to do so would necessarily hamper our ability to carry out the duties of the Department's mission.



WINE AND SPIRITS WHOLESALERS OF CONNECTICUT, INC.

PETER A. BERDON
EXECUTIVE DIRECTOR
GENERAL COUNSEL

February 8, 2011

**Testimony of Wine & Spirits Wholesalers of Connecticut Concerning
H.B. 6267, An Act Concerning The Sale of Wine With Gift Baskets**

Raised Bill 6267, as drafted, establishes a new retail permit for the internet sale of wine to consumers in Connecticut. While the WSWC supports the proposal to permit gift basket vendors to purchase wine from licensed Connecticut package stores and to sell and deliver those gift baskets to Connecticut Consumers, the WSWC opposes proposals, such as H.B. 6267 which will harm Connecticut's beverage alcohol industry and which are a subterfuge for lowering permit fees in an unbalanced fashion.

House Bill 6267, proposes to allow a "gift basket retail permit" to sell "gift baskets" of wine which may (there is no requirement that non-wine items be included in the gift basket) include food, clothing, ice, nonalcoholic beverages, and wine making kits. The permit fee is proposed to be \$500.00. There is no requirement that the wine be purchased from a Connecticut business, either package store or wholesaler or that the gift basket permittee be located in Connecticut.

- Connecticut will lose permit fee revenue. An out of state business which desires to sell wine over the internet or through mail order catalogs will use this permit as opposed to the "Out-of-State Shipper's" Permit (CGS § 30-18) to sell and ship wine into the state at forty percent (40%) of the current permit cost.
- Connecticut will lose excise tax and sales tax revenues. Gorilla Economics Group, in a 2009 study, determined that there is a aggregate ten percent (10%) shortfall of reported state excise gallonage as compared to reported federal gallonage. (Connecticut's Excise tax revenue for FY 09 was \$42.4M) While the loss of excise tax revenues is significant, it pales in comparison to the loss of sales taxes for unreported sales as sales tax on an averaged priced wine six times that of the excise tax. The total loss to Connecticut is at least as high as \$4.213M on wine sales alone and likely exceeds that amount¹. Connecticut should work to prevent this leakage of tax revenue, not expand upon it.
- Connecticut will lose jobs. Sales which are made by out of state businesses mean few jobs for Connecticut citizens. While the incremental loss of jobs may be small as compared to the overall workforce there will be lost jobs. Equally important Connecticut's business will lose sales and sales revenue to out of state businesses.

House Bill 6267 can be corrected by requiring a "wine basket permittee" to be located in Connecticut and to purchase wine from a package store licensee.

¹ Based upon average bottle price of \$11.99. Actual loss likely exceeds estimate as Connecticut ranks 6th in wine consumption among states, and suffers disproportionately from underreported sales.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW
PART 2
370 – 743**

2011

CONNECTICUT PACKAGE STORES ASSOCIATION

p 30
ln. 8

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MIDDLETOWN, CT 06457
PHONE - 860.346.7978
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Executive Director
Carroll J. Hughes
Assistant Executive Director
Josh D. Hughes Esq.

SBB/4

Senator Doyle, Representative Taborsak and members of the General Law Committee. The Connecticut Package Stores Association (CPSA) represents the 1,100 off-premise package store retailers in the state of Connecticut. We work to promote and protect their integral role as one of the three tiers of the alcohol beverage industry in CT. We are submitting this testimony on the following bills:

The Connecticut Package Stores Association urges that the Committee take a close look at the risk of the precedent that Proposed Bill 464 will set. We therefore urge caution when deciding on the fate of Proposed Bill 464 AN ACT AUTHORIZING THE SALE OF CONNECTICUT FARM WINE AT FARMERS' MARKETS.

This bill, although not yet drafted, in past years has allowed an exemption for farm wineries enabling them to sell their products away from their permit premises at farmer's markets. All other beverage alcohol retailers are required to make their sales at one permitted location and cannot utilize their permit to travel to additional towns.

Additionally, in light of the Supreme Court Granholm decision, any situation that is allowed for in-state entities must also be allowed for an out-of-state entity. Allowing an in-state winery to sell at various locations around the state might also open an opportunity for an out-of-state winery to establish retail locations throughout Connecticut without regard for an established permit premises. We also urge that a local permit be sought from local law enforcement before such permits are authorized by the Department of Consumer Protection.

We understand the importance that the farm wineries provide to Connecticut residents. However, we want to ensure that there are no loopholes which would allow abuse by out of state entities.

We want to make suggestions concerning Raised bill 6267 AN ACT CONCERNING THE SALE OF WINE WITH GIFT BASKETS. We support the entrepreneurial spirit and innovation that would bring additional businesses and jobs to our state, and we have, in the past, supported the increased sales opportunities of the state's brewpub and farm winery industries. We cannot support this bill as written. We offer the following issues that could cause concern amongst the tiers of the existing industry and variances in the existing laws and regulations:

- No business entity may hold more than one class of permit. For example, the holder of a package store permit may not also hold a grocery beer permit or vice versa. Therefore, it would seem that an entity that holds a grocery beer permit should be prohibited from obtaining one of these permits for their floral / gift basket department even if they were to establish their own corporate entity to do so.

- We would suggest some limit on the volume of purchasing that an entity operating under this permit would be capable of and want to prevent it from developing into a package store. Package stores do not want to be in the gift basket or floral business.
- We continue to be concerned, as a result of the recent Supreme Court decision Granholm, in expanding the number of ways that alcohol is delivered to the consumer. The Court decision stipulates that an out-of-state entity may not be treated differently than one that is in-state. This could enable out-of-state florists/gift basket companies to deliver alcohol products directly to the consumer with no capacity of our state agencies to enforce our laws and penalties on those businesses.
- Wine cannot currently be sold in food stores. Package Stores and Wine and Spirit Wholesalers vehemently oppose any back-door efforts that would allow food stores to purchase and sell wine through their stores.

CPSA has concerns with S.B. No. 864 (RAISED) GENERAL LAW. 'AN ACT CONCERNING GROCERY STORE BEER PERMITS. Alcohol is a regulated product and as such we take very seriously all issues involving expansion of availability of the product. Many convenience stores currently sell beer because they meet the threshold of selling enough grocery items in the store. We believe this is an appropriate requirement. We are concerned with the precedent that would allow such retailers as Walmart, Super K-Mart, Costco and other Big-box stores to also sell beer even though they do not meet the threshold of selling enough grocery products to qualify for a grocery-beer permit. For years package stores have fought to prevent Big-Box stores from changing the definition of grocery beer because of the unfortunate consequences once these entities start to sell beer or other alcohol products in their mega stores. Regional substance abuse councils and the CT Coalition Against Underage Drinking, our partners in protecting the public from unlimited access to alcohol, share our concerns about additional venues for alcohol purchase and the potential for additional opportunities for minors to purchase, especially if gas stations begin to sell beer in cold singles.

We would be happy to make ourselves available to further discuss these issues.

Alan Wilensky
President, CPSA
Owner, Max's Package Store
East Lyme, CT



Connecticut Farm Bureau Association
775 Bloomfield Ave., Windsor, CT 06095-2322
(860) 768-1100 • Fax (860) 768-1108 •
www.cfba.org

(date)

Testimony in Support of: -

HB 6267 SALE OF WINE IN GIFT BASKETS

Submitted by: Donald Tuller, President, Connecticut Farm Bureau Association
The following testimony is submitted on behalf of the Connecticut Farm Bureau, a statewide nonprofit membership organization of over 5,000 families dedicated to farming and the future of Connecticut agriculture.

Senator Doyle, Representative Taborsak, and Members of the General Law Committee.

The Connecticut Farm Wine Industry is an important, and growing segment of Connecticut Agriculture. Connecticut produced wines are not only gaining popularity through tastings and direct sales, but are also winning awards in competitions that go beyond the borders of Connecticut. This creates an additional demand, as a result, a marketing opportunity for Connecticut Wine to be included in gift baskets put together by gift basket retailers. Your support of HB 6267 SALE OF WINE IN GIFT BASKETS, would be a positive step for Connecticut Wine Producers, and the growth of the Connecticut Economy

Thank you for your consideration of this issue. Don Tuller Connecticut Farm Bureau Association

page 5
line 5

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Email: sales@dialgift.com
Visit us at: www.dialgift.com

Re: **Raised Bill No. 6267 - An Act Concerning the Sale of Wine With Gift Baskets.**

Dear Chairmen and Committee Members;

I am a true Connecticut based small businessman who is seeking equity and fairness. I own a florist/fruit basket company with six full and part time employees. My 40+ year old business must compete daily with out-of-state firms that can legally ship wine to Connecticut consumers while, due to present state law, I am prevented from doing so. While I am unsure exactly how much business I lose because of this circumstance, and scores of other Connecticut based businesses lose, I am sure that I can count at least one large Christmas order I lost this past holiday due to our laws. Ironically, that client was an employee of a major Connecticut based company located in Fairfield County.

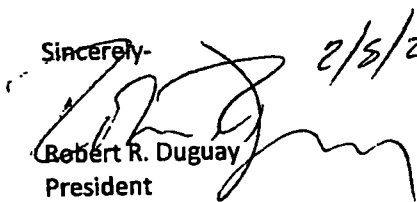
There are hundreds of small florist and gift basket shops in Connecticut that are discriminated against daily due to our archaic liquor laws which remain on our books from times gone by. Again, it is a matter of equity and fairness that we be treated in the same manner as are out-of-state firms.

Attached to this testimony are only three examples of non-Connecticut based firms that ship wine, with food items into Connecticut. I could have sent 50 examples. *Where is the justice?*

This is my fourth attempt in six years to have this legislation passed by our General Assembly. Obviously, all others have failed. I have fear that this proposed bill will be paired with the notion of Sunday openings and the sale of alcoholic beverages by liquor and other stores. I ask that you please judge this legislation on its merits and not group it with other contentious legislation. All florists and my other competitors want is a level playing field so that we are not discriminated against because we choose to do business here.

I respectfully request that all members of this committee support and pass this legislation as a basic matter of equity and fairness to all other florists and gift baskets companies in Connecticut and I will answer any questions you might have of me. Thank you.

Sincerely-


Robert R. Duguay
President

2/5/2011

Wine Country Gift Baskets 4225 N. Palm Street, Fullerton, CA 92835-1045

www.winecountrygiftbaskets.com

(800) 394-0394

Customer Number

Catalog Code

177449138

3162389

As of press time, ALL wine may be shipped to:
AK, AZ, CA, CO, CT, DC, FL, HI, ID, IL, IN, IA, KS, KY, LA, ME, MI, MN,
MO, NE, NV, NH, NJ, NC, ND, OH, OR, SC, TN, VT, WV, WI, WY.
Bear Creek Cellars, Cliffside, Hobson Estate, Karma, Little Lakes,
Steeptechase, Talaria and Windwhistle wine gifts
may be shipped to: GA, NY, TX, VA, WA.

Visit our website or call for details and more gift selections.

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MR. ROBERT DUSUAY
11 HOD BROOK DR
SIMSBURY CT 06070-3015



THE CONNO

Everyone is impressed by the quality of the items in this exclusive collection. We'll ship it for you.

A beautifully handcrafted basket is piled high with truffles and dark chocolate salt olive oil crackers. Jack's garlic herb chocolates, Ghirardelli milk chocolates with peanut butter, chocolate drops, Bavarian style pretzels, Betty's gourmet snacks, dark chocolate truffles, Mountain Chocolate, chocolate covered pretzels and peanut English breakfast tea. White chocolate nut cookies, Lily O'Brien chocolate chip, pomegranate candy, a cheese knife and bamboo board are ideal for entertaining and serving this collection.

GIFT SIZE 17" x 8" x 10"

ITEM 517

\$49.95 (+\$9.95 SHIP) FRS

FREE SHIPPING

Shop Your Way

Cart:

Get Started:

To proceed to our Wine Club site, select the state you will be shipping to. You will be directed to our Wine Club site, where wine purchases are processed, sold and shipped separately. Please be sure to complete the rest of your Harry & David order before proceeding.

Wine may be delivered to 25 states and the District of Columbia. Where would you like to send wine?

You are shipping to: Connecticut

Welcome to the new Cheers to Happiness Club! For more than 75 years, Harry & David has been delivering the finest fresh fruit and gourmet gifts. We know what brings people happiness, and make it our mission to deliver it. The Cheers to Happiness Wine Club includes award-winning artisanal wines - the wines offered are all meticulously curated selections - they're hard to find, but easy to sip and savor.

Each month's selection of wines includes an information sheet describing the growing region, the vineyard, notes from the winemaker about the specific wine, and suggested "perfect pairings" from Harry & David. You'll also receive a portfolio to keep these and future information sheets for reference.



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present to sign for receipt. By law all alcohol orders require an adult signature for delivery

Shipping

Delivery Times

We apologize if you encountered shipping delays for some East Coast and Midwest states due to the blizzard. Please check your tracking numbers

The delivery carrier (UPS or FedEx) will make up to 3 delivery attempts. You can expect your delivery in a few days, so please use an address where someone over 21 will be present to sign

Search Our Wines



STANDARD

- NY and CA: 2-3 Business Days
- IL, CT, NJ : 4-10 Business Days
- Others: 3-6 Business Days
- AZ, TX: Allow 1-2 weeks

2-DAY GUARANTEED

This is the perfect shipping option to use for those last minute gifts, guests, or parties. Place your wine or gift order by 5 pm EST and it will ship the following business day. We're sorry but this service is not available in AZ, CT, IL, MA or NJ

Orders Placed	1st Delivery Attempt
Friday - Sunday	Wednesday
Monday	Thursday
Tuesday	Friday
Wednesday	Monday
Thursday	Tuesday

Where We Ship

As a reminder, even if we do not ship to your state, you can still send a gift to eligible delivery states

Deliveries are made to AZ, CA, CT, IL, MA, MD, MI, MN, NY, NJ, NC, OH, PA, RI, TN, VA, VT, WA, WI, and WY

Deliveries are made to AL, DE, FL, GA, HI, IA, IN, KS, KY, LA, ME, MO, MS, MT, NE, NM, ND, OR, SD, UT, and WY. Send gifts to Georgia, Maine, Pennsylvania, Vermont and Washington

Shipping Restrictions

NOTE OF 6: In order to offer complimentary shipping, we standardize our shipping to increments of six. On individual wine bottle orders you can order in any combination you choose; all of one wine, all different, as long as the total number of bottles equals 6, 12, 18 or so on. Any of our wine packs or gift baskets can ship separately.

EXCEPTIONS: There are shipping charges for the NHL Alumni Signature Wine Series. This program is a collaboration with the NHL Alumni Association, prestigious alumni, Ironstone Vineyards, Artemis Sports Group. These wines you can buy in any increment- the 6 bottle or pack restriction does not apply. A portion of the proceeds of the sale of each bottle goes to a charity of the players choice and the NHL Alumni Association's "Hockey's Greatest Family Fund "

ZIP CODES: In accordance with regulations for FL, NH, NC and TN, several zip codes and towns are listed below where we can not currently deliver

Florida: 32008, 32059, 32060, 32064, 32066, 32321, 32331, 32340, 32425, 32427, 32428, 32437,

H – 1114

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 23
7574 – 7912**

Those voting Nay {0

Those absent and not voting 17

DEPUTY SPEAKER GODFREY:

The bill, as amended, is passed in concurrence.

Mr. Clerk, Calendar 35.

THE CLERK:

On page 38, Calendar 35, Substitute for House
Bill Number 6267, AN ACT CONCERNING THE SALE OF WINE
WITH GIFT BASKETS, favorable report of the Committee
on Finance Revenue and Bonding.

DEPUTY SPEAKER GODFREY:

The distinguished Chairman of the General Law
Committee, Representative Taborsak, of Danbury.

REP. TABORSAK (109th):

Thank you, Mr. Speaker.

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

DEPUTY SPEAKER GODFREY:

The question is on acceptance and message. Will
you explain the bill please, sir.

REP. TABORSAK (109th):

Certainly, Mr. Speaker.

Mr. Speaker, there is a strike-all amendment in
the Clerk's possession, LCO Number 6379. I'd ask that

rgd/gdm/gbr
HOUSE OF REPRESENTATIVES

154
June 4, 2011

the Clerk please call the amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 6379, which will be designated House Amendment Schedule "A". Will the Clerk please call.

THE CLERK:

LCO Number 637, House "A," offered by Representatives Taborsak, Rebimbas and Senators Doyle and Witkos.

DEPUTY SPEAKER GODFREY:

The gentleman has asked believe of the Chamber to summarize. Is there objection? Hearing none, please proceed, Representative Taborsak.

REP. TABORSAK (109th):

Thank you, Mr. Speaker.

Mr. Speaker, we talk a lot in this Chamber about being able to help out our small businesses. Well, this bill presents such an opportunity. It creates a gift basket retailer permit allowing entrepreneurs in this state, florists, anyone who really wants to apply, subject to the criteria of the legislation, to get a gift basket retailer permit and be able to sell up to four bottles of wine in gift baskets and other

complementary items as identified in this statute, that most of us would agree, would make sense being sold with wine.

And it's a good bill for businesses. It creates a new revenue stream for some of our small business owners in the state.

Mr. Speaker, I move adoption.

DEPUTY SPEAKER GODFREY:

The question is on adoption. Will you remark on House Amendment Schedule "A"?

Representative Aman.

REP. AMAN (14th):

Thank you.

Thank you very much, Mr. Speaker.

Yes. This bill has come forward, I believe, at least a couple of times in front of the General Law Committee. And I believe that the strike-all amendment solves many of the problems that had been presented.

The -- as was stated, they have to purchase the wine from a local package store. Many of the flower shops actually like that restriction because it allows them to offer a wide range of wines without having to store and secure them, et cetera. It also addresses

the problem of what happens when wine is delivered. Does someone have to sign for it, that a child is not receiving it, and it covers that.

So the bill has gone through the committee. The amendment is signed off by both ranking members of the General Law Committee, and I urge my colleagues to pass the strike-all amendment and the subsequent bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "A"? If not, let me try your minds. All those in favor, signify it by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by

roll call. Members to the Chamber, please.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? If so the machine will be locked. The Clerk will take the tally. And the Clerk will announce the tally.

THE CLERK:

House Bill Number 6267 as amended by House "A".

Total number voting	134
Necessary for passage	68
Those voting Yea	134
Those voting Nay	{0
Those absent and not voting	17

DEPUTY SPEAKER GODFREY:

The bill as amended is passed. Please call
Calendar 72.

THE CLERK:

On page 39, Calendar 72, Substitute for House
Bill Number 5326, AN ACT REQUIRING THE PRESENCE OF
CARBON MONOXIDE DETECTORS IN ALL PUBLIC SCHOOLS,
favorable report of the Committee on Appropriations.

DEPUTY SPEAKER GODFREY:

The distinguished Chairman of the Education
Committee, Representative Fleischmann.

S - 633

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 22
6915-7208**

cd/lg/sg/mhr/gbr
SENATE

568
June 8, 2011

-- Madam President --

THE CHAIR:

So ordered.

SENATOR LOONEY:

-- move to place the item on the Consent
Calendar.

Thank you, Madam President.

Calendar page 21, Calendar 647, House Bill 6267;
Madam President, move to place the item on the Consent
Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Continuing Calendar page 21, Calendar 650, House
Bill 6344; Madam President, move to place the item on
the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 21, Calendar 648, House Bill 5326;
Madam President, move to place the item on the Consent
Calendar.

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the items placed on the first Consent Calendar begin on Calendar page 10, Calendar Number 478, House Bill 6488; Calendar 480, House Bill 5256.

Calendar page 11, Calendar 513, substitute for House Bill 6557.

Calendar page 12, Calendar Number 535, substitute for House Bill 6226; Calendar 555, House Bill 6259.

Calendar page 13, Calendar 560, substitute for House Bill 5368; Calendar 567, substitute for House Bill 6157.

Calendar page 14, Calendar 574, substitute for House Bill 6410; Calendar 578, House Bill 6156.

Calendar page 15, Calendar 591, House Bill 6263; Calendar 594, substitute for House Bill 5508; Calendar 595, substitute for House Bill 62 -- 5263.

Calendar page 16, Calendar Number 606, substitute for House Bill 6581; Calendar 609, substitute for House Bill 6501.

Calendar page 17, Calendar 610, substitute for House Bill 6224; Calendar 613, substitute for House Bill 6453.

Calendar page 18, Calendar 614, substitute for House Bill 5068; Calendar 628, substitute for House Bill 5008; Calendars 633, House Bill 6489.

Calendar page 19, Calendar 635, substitute for House Bill 6351; Calendar 640, House Bills, 6559.

Calendar page 20, Calendar 642; House Bill 6595.

Calendar page 21, Calendar 645, substitute for House Bill 6267; Calendar 648, substitute for House Bill 5326; Calendar 650, substitute for House Bill 6344.

Calendar page 22, Calendar 651, substitute for House Bill 6540.

Calendar page 23, Calendar Number 655, substitute for House Bill 6497; Calendar 657, substitute for House Bill 6262; Calendar 658, House Bill 6364; Calendar 659, House Bill 5489.

Calendar page 24, Calendar 660, substitute for House Bill 6449.

Calendar page 36 -- correction -- Calendar page 33, Calendar Number 390, substitute for Senate Bill 1181.

Calendar page 36, Calendar Number 481, House Bill 5472.

Calendar page 37, Calendar Number 584, substitute for House Joint Resolution Number 34; Calendar 585, substitute for House Joint Resolution Number 54; Calendar 586, House Joint Resolution Number 65, Calendar 587, House Joint Resolution Number 66.

Calendar page 38, Calendar 588, House Joint Resolution Number 80; Calendar 589, House Joint Resolution Number 63; Calendar 590, House Joint Resolution Number 35; Calendar 620, substitute for House Joint Resolution Number 45.

Calendar page 39, Calendar Number 621, substitute for House Joint Resolution Number 47; Calendar 622, House Joint Resolution Number 68; Calendar 623, substitute for House Joint Resolution Number 69; Calendar 624, substitute for House Joint Resolution Number 73.

Calendar page 40, Calendar 625, substitute for House Joint Resolution Number 81; Calendar 626, House Joint Resolution Number 84.

Madam President, I believe that completes the items placed on Consent Calendar Number 1.

THE CHAIR:

cd/lg/sg/mhr/gbr
SENATE

579
June 8, 2011

Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk, please call for a roll call vote, and the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Gomes?

If all members have voted; all members have voted? The machine shall be locked.

And, Mr. Clerk, will you please call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 1.

Total number voting	36
Those voting Yea	36
Those voting Nay	0

Those absent and not voting 0

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR LOONEY:

Madam President?

THE CHAIR:

Yes, Senator.

The Senate will come to order.

SENATOR LOONEY:

Yes. Madam President, the Clerk is in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, June 8, 2011.

Copies have been made available.

THE CHAIR:

Senator Looney.