

PA13-27

HB6540

Environment	1531-1540, 1816-1821	16
House	1743-1757	15
Senate	1859-1864, 2068-2070	9
		40

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 5
1323 - 1665**

2013

passing the arborous task does not necessarily ensure that one will be a good tree warden.

As you might imagine, part of it is knowing about trees. But the other part is knowing how to deal with people, with institutions of government, knowing the process that a tree warden has to go through, and the authority that they do their job within. So, I think it's close, but not quite on the arborous versus the full tree warden training.

SENATOR CHAPIN: Thank you. Thank you, Madam Chair.

REP. GENTILE: Thank you. Thank you, Eric.

Dwayne Kratt. Dwayne will be followed by Dwayne Southerland.

DWAYNE KRATT: I have some props, too.

Good afternoon.

REP. GENTILE: I hope you brought enough of those for the Committee members that braved the weather today.

DWAYNE KRATT: I think there probably is enough. There's one product I don't want you to drink because I don't want you to breaking the law. There's two other products we have and then one is a juice. And we'll get to that.

Thank you very much for being here. My name is Dwayne Kratt. I am the senior director of state government affairs for Diageo. Our North American Headquarters is in Norwalk where I work with about 650 other folks. Diageo is a premier alcohol beverage company. We compete in the beer, wine, and spirits category.

I'm here to offer my support for House Bill

6540, AN ACT CONCERNING THE SALE OF CERTAIN
BEVERAGES AND MIXED MATERIAL CONTAINERS.

Pouch packaging is very common. If you go to a grocery store, you'll see it in juices. You'll see it in sauces. You'll see it in detergents. You'll see it in a whole host of things. The interesting thing about the displays that I have here is three out of these four are sold in the state and sold in the state legally. One is not and that's my product. And it's because it's a malt-based product. It is not allowed to be sold in the state based on a 1980s era law that what we believe was the case that was concern back then that a malt-based pop -- malt-based pouch would mess up the container deposit recycling stream with single source recycling. That is no longer an issue.

So, what we really now have in our minds is a fairness issue. And we would like to have that fairness issue addressed through this legislation.

This package in Connecticut that's not allowed to be sold. Connecticut is the only state in the country that prohibits it. And the other main point that I did want to make -- if I could find my notes here. While I'm very appreciative and have an opportunity to speak beforehand, I'm very appreciative that the Committee has raised this bill, I would like to propose two modifications.

First, I propose that the legislation exempt beer, as well as, malt-based products. It's a means list distinction and, quite frankly, might cause confusion. A malt-based product is a beer. A beer is a malt-based product.

And then the second one is I would ask if the Legislature did move forward with this that it

would be effective upon passage. I'd really like to have the opportunity to settle this this summer when, quite frankly, it does the best.

With that, my only other point -- I was going to be joined by two other colleagues, manufacturing colleagues. Unfortunately, the weather precluded them. They have submitted testimony, Mark Anthony Brands, North American Brewers. And I'm very grateful for the support of the two beer wholesaler groups who have also supported this effort as well.

I'm happy to take any questions.

REP. GENTILE: Thank you, Dwayne. I appreciate you bringing this to our attention. As you stated, the current law that is on our books is some 30 years old. And at a time it was placed on our books at a time when recycling, basically, was in its infancy. And with technology and the advancements in recycling, I'm sure that this is a time for this bill to be looked at. And with all due respect to our esteemed department, we appreciate the fact that your headquarters is right here in our own state and that you employ 650 people. And with that, I think that it goes a long way that we should be able to help individuals, particular -- particularly, businesses that are doing business here in our state. So, we appreciate your information on this.

DWAYNE KRATT: Thank you.

REP. GENTILE: Senator Meyer.

SENATOR MEYER: I wanted to ask you, you recommended that we amend this to add beer. As beer would be then -- could then be sold in a mixed material package. Is that what you're saying?

DWAYNE KRATT: Well, it's not so much for that purpose. And, quite frankly, I'm not aware of what we might -- first, beer and malt beverages, it's the same thing. So, what my fear would be is you'd pass this legislation. You would get rid of the -- and other malt beverages. But there still would be a law that says beer can't do it. And someone might come back and say, well, you're a malt beverage, you're a beer, therefore, you still can't do it. The purpose statement of the bill notwithstanding. So, to end any potential confusion on that matter, I would request that it be beer and malt beverages eliminated from the law.

SENATOR MEYER: Well, is beer sold in mixed material containers now?

DWAYNE KRATT: This, by definition, is a beer. As a malt beverage, this is a beer. Now, beer that, you know, one of our products Smithwicks or Guinness, you know, is a beer also. It's a carbonated beverage. This is not carbonated.

And then to ask -- answer the other part of your question, I'm not aware of those kinds of beers being sold nor plans for those kinds of beers.

The really cool and unique thing that this packaging does and it does it for these other two products, too, you freeze it. And then you open up the package, you pour it in and it's kind of a -- your Frozen Daiquiri type drink.

SENATOR MEYER: I'm sorry. I'm not understanding your -- if we add malt beverages and malt beverages include beer, why do we have to -- why are you suggesting that we change the language here to add the word "beer"

103
lk/gbr ENVIRONMENT COMMITTEE

March 8, 2013
10:30 A.M.

specifically?

DWAYNE KRATT: No, I don't want you to add the word "beer", I want you strike the word "beer" in the law. Because it says beer and malt beverages, mineral waters, and soda. I'd like you to strike also beer along with and other malt beverages.

SENATOR MEYER: Okay. Because it's already included in malt?

DWAYNE KRATT: Correct.

SENATOR MEYER: Okay. Thank you.

REP. GENTILE: Thank you. Representative Shaban.

REP. SHABIN: Thank you, Madam Chairman.

Following up on the Senator's line of questioning and that's what confused me because, remind me, I mean, a malt beverage. Malting is the process by which you take a seed, you germinate it, and then you cook it. So, wouldn't a malt beverage also include bourbon or anything else that's distilled from that same ash?

DWAYNE KRATT: No, this is brewed. Distilled is a whole different process.

REP. SHABIN: I understand. But, so, maybe I'm just getting hung up on the malt beverage, the malting.

DWAYNE KRATT: Malt beverage -- malt beverage and beer, those two words are -- those three words are indistinguishable. A malt beverage is a beer. A beer is a malt beverage.

REP. SHABIN: Don't you also malt the kernel to

104
lk/gbr ENVIRONMENT COMMITTEE

March 8, 2013
10:30 A.M.

create other types of alcohol by definition
also? And I'm not -- I think this is a great
bill and I'm with you.

DWAYNE KRATT: Right.

REP. SHABIN: I'm just making sure we're not
(inaudible).

DWAYNE KRATT: Beer also then has other definitions
that would connote a brewing process which
separates it from a distilled spirit which is
going to be a distillation process or a wine
that's going to be an affirmation. Although,
there's fermentation in beer.

REP. SHABIN: I understand that, but my -- and I was
reading the DEP's testimony. And if we get rid
of malt beverages which would mean that a malt
beverage can be sold in those packages --

DWAYNE KRATT: Right. But then if you keep the word
beer --

REP. SHABIN: No, and I understand your (inaudible).
And I'm saying by throwing away -- by getting
rid of the definition of malt beverage, are we
opening the door broader than we think we are?
Could that also include something mixed with
Bourbon or Scotch or --

DWAYNE KRATT: Actually, this product right here is
mixed with the distilled spirit.

REP. SHABIN: Okay.

DWAYNE KRATT: And it's legal to be sold. And this
beverage right here is mixed with a wine and
it's legal to be sold. This is the only
alcohol beverage that is not allowed because
it's based on a malt base.

105
lk/gbr ENVIRONMENT COMMITTEE

March 8, 2013
10:30 A.M.

REP. SHABIN: Okay.

DWAYNE KRATT: I probably should have answered that question that way the first time. I'm sorry.

REP. SHABIN: I probably didn't ask my question that well. It's a great topic. So, I just love dwelling on it.

All right. So, perhaps, it's just really definitional issues. And I understand your input. Thank you. Thank you, Madam Chair.

REP. GENTILE: Thank you, Representative Shaban. And I'm most impressed by your knowledge of the malt process.

REP. SHABIN: University of Colorado bowler.

DWAYNE KRATT: Something tells me you may have visited the Coors' facility out there?

REP. SHABIN: They have a chair with my name on it.

DWAYNE KRATT: Very good.

REP. GENTILE: Representative Mushinsky.

REP. MUSHINSKY: Thank you, Madam Chair.

I am -- I appreciate that you have a company in Connecticut. However, your product is flying in the face of our long history of pushing products towards a more recycled ability. And your product is a laminated product that has a plastic on metal pressed together and attached to each other. And if you talk to the recycling people, they can't handle those type of products. So, you're asking us to change the law to make it harder to recycle these products. And if they're no longer covered by deposit, as well, they would no longer have

value to be picked up by folks who clean up the roadsides and help keep our communities looking nice. And, now, it just becomes part of castoff trash that people like me and volunteers who work with me have to go out and cleanup every spring.

So, why is, you know, it seems to me we're going in the opposite direction from the way the state has been moving. And I wish I could sell your ingredients to us, but not in a container that makes life difficult for recyclers and for community volunteers who are trying to keep the community clean.

DWAYNE KRATT: Well, I very much appreciate your comments. And I would respond in two ways. First, and I recognize the DEP's testimony. I have to tell you, I'm a little disappointed because when we talked about this last year, there was a willingness that they said, you know, we'll try to work with you. They recognized that that law based in the 80's wasn't necessarily fair based on the other products that are already out here. And because of what we believe was the reason for that, that it dumbed up the recycling stream. That doesn't exist today.

To say that this is not recyclable isn't exactly true. To say that it's not recyclable in the way we do it today with some of the recyclers, that is true. Many of you may know that schools often have collections for some of the juice pouches. They go somewhere to be reused. I am aware of a company based in Trenton, New Jersey that takes this packaging and turns them into other products including handbags and other things.

Is it as widespread as how we, you know, recycle aluminum and glass and those kinds of

107
lk/gbr ENVIRONMENT COMMITTEE

March 8, 2013
10:30 A.M.

things, absolutely not. I can't tell you that it is. And, you know, I fall back. I mean, why would this product be discriminated against these others included sauces and other products which is, obviously, a much bigger issue.

REP. MUSHINSKY: Okay. I agree with your argument that there seem to be two categories. But I would say all of those folks -- all of those containers should be in the same regulated community. I wouldn't exempt you. I would ask those other three to the regulations because -- just because I've seen the experience of trying to deal with this stuff and the recyclers have difficulty with it. They don't like the laminates. And the community has difficulty when containers which are single-serve containers are then cast aside and it now becomes the town's responsibility to have to clean this mess up just because somebody had the convenience of taking a portable drink outside.

So, you know, that's my issue with it. I would rather include all four of those in the law then exempt you.

DWAYNE KRATT: And the hundreds more.

REP. MUSHINSKY: And, potentially, the hundreds and thousands more.

REP. MUSHINSKY: Right. Thank you.

REP. GENTILE: Thank you, Representative Mushinsky.

Representative Miller.

REP. MILLER: Thank you, Madam Chair.

I know a lot of companies now are like tuna fish now comes in a bag.

108
lk/gbr ENVIRONMENT COMMITTEE

March 8, 2013
10:30 A.M.

DWAYNE KRATT: Yes, sir.

REP. MILLER: And, so, I guess there's a trend towards -- on different type of containing for various food items which maybe a problem with recycling. If it's not a can will go -- go into the garbage. But I just want to know if you're going to leave those samples here, so, we can --

DWAYNE KRATT: I'm happy too. But, again, I would not --

REP. MILLER: -- to investigate this --

DWAYNE KRATT: Don't drink this in this state. You can go somewhere else.

You know, I think there's two things. One, as this package becomes more prevalent, I think you probably will see greater ability for this to be recycled. And, two, there is a very, very positive attribute to this packaging. It's much lighter. Therefore, it's easier to transport and, therefore, it has a smaller carbon footprint. So, there is a positive environmental attribute for these kinds of packaging.

REP. MILLER: Thank you, sir.

REP. GENTILE: Thank you. And, Dwayne, I'd just like to say that I found it really troubling in your testimony that you have your company here in Connecticut and we are the only state that you cannot sell your product in. So, we'll see if we can help you on that.

DWAYNE KRATT: Thank you very much.

REP. GENTILE: Thank you. David Sutherland. David

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 6
1666 - 2009**

2013

TESTIMONY IN SUPPORT OF HOUSE BILL 6540, AN ACT CONCERNING THE SALE
OF CERTAIN BEVERAGES IN MIXED MATERIAL CONTAINERS

DWAYNE A. KRATT

SR. DIRECTOR, DIAGEO – NORWALK, CT

Good morning Senator Meyer, Representative Gentile and members of the Environment Committee. My name is Dwayne Kratt and I am the senior director for state government affairs at Diageo. I work with roughly 650 colleagues at our North American headquarters which is located in Norwalk, CT. Diageo is a leading player in the alcohol beverage industry with premium brands in all three categories: beer, wine and spirits.

I am here today to testify in strong support of House Bill 6540, An Act Concerning the Sale of Certain Beverages in Mixed Material Containers. HB 6540 authorizes the sale of malted beverages in containers that are composed of one or more plastics and that also include aluminum or steel.

This bill would allow my company to sell malt based pouch products in the State of Connecticut. Currently, Connecticut is the only state in the country that prohibits this packaging for malt based products. Pouch packaging is very common. Visit any grocery store; you will notice that this kind of packaging is used for many, many products, including sauces, juices, pecans, laundry detergent, cookies, pretzels, various cleaning products and so on.

In fact, you even can buy other alcohol beverages products in pouches. Specifically, you can buy – in Connecticut – spirit products and wine products in pouches. HB 6540 would even the playing field among the various categories of alcohol.

The pouch packaging is light, durable and flexible. It also has a smaller carbon footprint compared to other packaging due to its light weight. For our malt beverage product purposes, this packaging allows us to provide to legal drinking age consumers a value added proposition of frozen drinks without any hassles.

H.B 6540 would amend a law that was passed in the early 1980s. We think the law was passed then to prevent packaging that would interfere with the container deposit recycling stream. Of course, single stream recycling technology has eliminated this problem.

I am very grateful that the Environment Committee has raised this bill. I would like to propose two modifications to the current version. First, I propose that the legislation exempt beer as well as malt based product. It is a meaningless distinction: both are malt beverages. While I am not

aware of any plans to put beer in a pouch, the distinction would only cause confusion. Second, I propose that HB 6540 be effective upon passage.

In conclusion, I would like to thank the Connecticut beer wholesalers and my industry colleagues who also support this legislation. I would be happy to answer any questions.

Thank you



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 8, 2013
Environment Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented by Deputy Commissioner Macky McCleary

Raised House Bill No. 6540 - An Act Concerning The Sale of Certain Beverages In Mixed Material Containers

Thank you for the opportunity to present testimony regarding Raised House Bill 6540 - An Act Concerning The Sale of Certain Beverages In Mixed Material Containers. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP opposes the changes proposed in Raised House Bill 6540. The current law prevents the sale of beverages in certain beverage containers because such containers are composed of a mixture of materials that cannot be recycled. The proposal in Raised Bill 6540 would exclude malt beverages from this law, and by doing so – and we understand that the proponents of this bill agree - would permit malt beverages to be sold in containers that *cannot be recycled*. The containers from such beverages would have to be thrown away.

This proposal runs against the many years DEEP has spent promoting and encouraging recycling, rather than disposing of waste. And while DEEP supports innovation and change in the use of beverage containers, it is unable to support a proposal that is clearly anti-recycling, that encourages that use of containers that cannot be recycled. This proposal is not consistent with Connecticut's existing Solid Waste Management Plan and runs counter to the current waste transformation efforts of DEEP that are aimed at *increasing* the rate of recycling and reuse in the state.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance, at 860-424-3401 or Robert.LaFrance@ct.gov.



MARK ANTHONY BRANDS INC.
We Build Distinctive Brands

March 8th, 2013

Chairwoman Linda Gentile
Chairman Edward Meyer
Environment Committee
Room 3200, Legislative Office Building
Hartford, CT 06106

Re: HB 6540 An act concerning the sale of certain beverages in mixed material containers
(Support)

Dear Chairwoman Gentile, Chairman Meyer and Members of the Committee,

I am writing to register my support for HB 6540, introduced by the Environmental Committee that would authorize the sale of malted beverages in containers that are composed of one or more plastics that also include aluminum or steel.

This bill would allow flavored malt beverages to be sold in pouches, just as juice, wine, spirits, detergent, sauces and many other items have been sold in Connecticut and around the country. We believe that when this law was originally enacted, it had been done in response to concerns that pouches would contaminate the deposit waste stream. Those concerns are no longer valid.

We believe this innovative package will give our consumers additional choices when they go to market.

We hope you support the passage of HB6540.

Sincerely,

Sergio Manzano Barrios

Vice President of Government Affairs

Mark Anthony Brands Inc.

CONNECTICUT BEVERAGE COALITION, INC.

DICHELLO DISTRIBUTORS * HARTFORD DISTRIBUTORS * LEVINE DISTRIBUTING

House Bill 6540
Environment Committee
Public Hearing: 3/8/13

The Connecticut Beverage Coalition (CBC) strongly supports the passage of **House Bill 6540—An Act Concerning the Sale of Certain Beverages in Mixed Material Containers.**

There is growing demand from Connecticut consumers who want to purchase malt beverage/beer products in safe, pliable pouches. The pouches are not breakable and are not dangerous, and they are easy to store in small refrigerators and coolers. In fact, Connecticut already allows many other types of products to be sold in pliable pouches – juices, wines & spirits, laundry detergent, etc.

It's our understanding from manufacturing companies in our industry that malt beverage pouches are offered for sale in every other state in our Nation, including in our neighboring states – Massachusetts, Rhode Island and New York.

Allowing malt beverage/beer pouches to be sold in Connecticut will help us better compete with our neighboring states – we don't want Connecticut consumers crossing the borders to buy pouch products that are not currently available here.

Please support HB 6540. This change in the law will encourage Connecticut consumers to buy malt beverage pouches here in Connecticut.

Thank You.

North American
Breweries

February 25, 2013

Representative Linda Gentile
Senator Edward Meyer
Co-Chairs of Environment Committee
Room 3200, Legislative Office Building
Hartford, CT 06106

HB 6540

Dear Representative Linda Gentile and Senator Edward Meyer,

We are writing to request your support to strike the provision of the Connecticut General Statutes that prohibits the sale of malt based products in pouches. Not allowing the sale of these products is discriminatory and just plain unfair. Since juice, wine and spirit based products, sauces, detergent and numerous other products can be sold in pouches in Connecticut, malt based products should be allowed to be sold as well.

We produce Seagram's Escapes frozen pouches and offer them for sale in every other state in the country. These are good products that are well received by our consumers. Unfortunately, due to a law that was enacted in the '80's, our products cannot be sold in CT. While there may have been concerns regarding the impact these products would have on the deposit waste stream, we believe these concerns are no longer valid.

We are working with both Diageo and Mark Anthony, who produce similar malt based products that are also affected by this issue. We should also note that our beer wholesalers are supportive of our efforts to allow the sale of these products in CT.

We encourage you to strike this discriminatory provision of the law and allow the sale of malt based products in pouches in CT.

Sincerely yours,



John B. Henderson
VP of Contract Manufacturing and Regulatory Affairs
North American Breweries



H – 1155

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 6
1695 – 2023**

pat/gbr
HOUSE OF REPRESENTATIVES

69
April 24, 2013

Yes. In today's Calendar, Page 17, House
Calendar 251, Favorable Report of the Joint Standing
Committee on Environment, Substitute House Bill 6540
AN ACT CONCERNING THE SALE OF CERTAIN BEVERAGES IN
MIXED MATERIAL CONTAINERS.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Good afternoon. Mr.
Speaker, I move for acceptance of the Joint
Committee's Favorable Report and passage of the bill.

SPEAKER SHARKEY:

The question is on the Joint Committee's
Favorable Report and passage of the bill. Will you
remark, madam?

REP. GENTILE (104th):

Thank you, yes, I'd be happy to. Mr. Speaker,
currently, the beverage law that we, the beverage
packaging law that we have in place prohibits the sale
of beverages in mixed material packages.

This bill would exempt beer and other malt
beverages from the law's definition of beverage, thus
allowing the sale and offering of these products.

Now currently, the state sells other products in pouches, such as juices, laundry detergents and a number of cleaning products, but forever, since the beginning of our recycle days, this particular product has been banned.

What this bill does will level the playing field and Mr. Speaker, I urge passage.

SPEAKER SHARKEY:

Thank you, madam. Will you remark? Will you remark further on the bill that is before us? Representative Ayala of the 128th, did you care to speak, madam? No? Representative Candelora of the 86th.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. If I could, just a quick question to the Representative.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. Mr. Speaker, in Lines 4 through 6, we are clearly excluding the beer and other malt beverages from this, from the packaging. How does this affect wine, or does it? Through you, Mr. Speaker.

pat/gbr
HOUSE OF REPRESENTATIVES

71
April 24, 2013

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker. This does not impact the sale of wine. That is currently allowed.

SPEAKER SHARKEY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker. This appears to be a good bill and I thank the Representative for her answer.

SPEAKER SHARKEY:

Thank you, sir. Representative Bolinsky of the 106th.

REP. BOLINSKY (106th):

Thank you, Mr. Speaker. I plan to vote yes on this bill and encourage everybody else to do so.

As the good Chair of the Environment Committee has already said, this is a leveling of the playing field and what it does is, it allows private enterprise to work in a competitive marketplace and it's good legislation to keep everything fair, so I will be voting for this.

Thank you very much.

pat/gbr
HOUSE OF REPRESENTATIVES

72
April 24, 2013

SPEAKER SHARKEY:

Thank you, sir. Representative Ziobron of the
34th District.

REP. ZIOBRON (34th):

I'll defer to my colleague.

REP. SHABAN (135th):

Mr. Speaker. Representative Shaban, 135th,
Ranking Member. I think you called Representative
Ziobron, but my light came on, so I'll pick up the
ball because I'm ready to go.

SPEAKER SHARKEY:

Okay. Does Representative Ziobron also want to
speak? She's also lit up on the board.

REP. ZIOBRON (34th):

I would after my colleague, thank you.

SPEAKER SHARKEY:

Okay, Representative Shaban of the 135th, you
have the floor, sir.

REP. SHABAN (135th):

Well thank you, Mr. Speaker. I, too, rise in
support of the bill. I mean, it's, on a lot of
occasions, especially with the Environment Committee,
there's an argument about how we don't always look to
what's good for Connecticut business or we're a little

pat/gbr
HOUSE OF REPRESENTATIVES

73
April 24, 2013

myopic on the way we do things, viz-a-viz commerce and what not.

This bill actually proves quite the opposite, so I think it's a good bill. It supports commerce. It supports Connecticut business and it's high time we iron out this wrinkle, so I urge my colleagues to support it.

SPEAKER SHARKEY:

Thank you, sir. Representative Ziobron, are you available?

REP. ZIOBRON (34th):

Thank you. Thank you, Mr. Speaker. I am. Thank you so much.

SPEAKER SHARKEY:

You're quite welcome.

REP. ZIOBRON (34th):

I also rise in support of this bill. As a Member of the Environment Committee we heard some testimony regarding possible concerns for littering or other things regarding this container, but I believe that it actually is helpful to the environment, because now using this sort of container it will be much easier for people to take home what they bring in and it also supports a Connecticut company, and I think when we

pat/gbr
HOUSE OF REPRESENTATIVES

74
April 24, 2013

can help the environment and help a Connecticut company it's a win-win, so I urge my colleagues for passage of this bill. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you very much, madam. Will you remark? Will you remark further on the bill that is before us? Representative Demicco of the 21st.

REP. DEMICCO (21st):

Thank you very much, Mr. Speaker. With all due respect to the Chair of the Environment Committee and the Committee itself, I voted against this bill in Committee and I'll be voting against it again today on the Floor.

I feel that it sends us in the wrong direction. We're supposed to be heading towards, or trying to be heading towards encouraging recycling here in Connecticut as well as throughout the country and I just feel that by allowing this we're sending a, we're going in the wrong direction and for that reason I'll be voting no. Thank you.

SPEAKER SHARKEY:

Thank you very much, sir. Will you remark further? Representative Mushinsky of the 85th District.

pat/gbr
HOUSE OF REPRESENTATIVES

75
April 24, 2013

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker. I, too, will oppose this bill and hope Members interested in recycling will oppose it.

We're making this exception because one industry has produced a package and feels unfairly treated. My response to that would be, the other three industries that are escaping recycling packages should also be required to make a recyclable package.

Just because we have three that are disregarding the state policy doesn't mean we should add a fourth company to disregard the state policy. And remember, whatever can't be recycled becomes a burden on our municipalities, so I hope you will reject the bill. Thank you.

SPEAKER SHARKEY:

Thank you, madam. Will you remark?
Representative Gentile of the 104th, for the second time.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Just in light of some of the remarks that were made here this afternoon. With our current system of single stream recycling, I

pat/gbr
HOUSE OF REPRESENTATIVES

76
April 24, 2013

believe that their concerns will be addressed through single stream recycling.

SPEAKER SHARKEY:

Thank you, madam. Representative Becker of the 19th District, you have the floor, sir.

REP. BECKER (19th):

Thank you, Mr. Speaker. A question to the proponent, please.

SPEAKER SHARKEY:

Please proceed, sir.

REP. BECKER (19th):

I would like to ask the good Chairwoman to expand on her last comment with the single stream recycling. I see that there was testimony from the DEEP saying that the materials, that these containers cannot be recycled and I believe it's because of the way they are manufactured with the mixed materials, and that that prevents them from being recycled. So I'm not sure that single stream is really the answer to that and would like to hear the good Chairwoman's explanation of that.

SPEAKER SHARKEY:

Sir, could you please phrase a question for the proponent of the bill?

pat/gbr
HOUSE OF REPRESENTATIVES

77
April 24, 2013

REP. BECKER (19th):

Yes, Mr. Speaker. Would you please expand upon your answer as to how single stream recycling would allow for these containers to in fact be recycled in spite of the DEEP testimony saying it cannot be?

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Yes. I actually can comment on that. Just this week I attended, along with a couple of my other colleagues a grand opening, along with the Governor, of a single stream recycling center in Shelton and the technology that is now available is, they have these very large conveyor belts.

And for instance, any material that has a metal in it, a mixed material packaging that has a metal, they have these big magnets that will take out that package and separate it, so that's how the single stream addresses it.

SPEAKER SHARKEY:

Representative Becker.

REP. BECKER (19th):

pat/gbr
HOUSE OF REPRESENTATIVES

78
April 24, 2013

Thank you, Mr. Speaker. Through you, again, my understanding is that with single stream recycling it can separate out different types of material, but not when they're mixed in the same container. I'm not sure how you separate the aluminum from the plastic when it's in the same container as opposed to an aluminum container from a plastic container, and would just ask again, if the good Chairwoman could explain that, please.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Again, I can only go by what I saw demonstrated this past week and it's my understanding that they have the capability of separating out some of these materials.

Now, if it's a combination of aluminum and metal mixed together, then that is a system whereby they would remove it by hand, but the, I have been told that the magnets on these machines are strong enough to be able to separate the materials.

SPEAKER SHARKEY:

Representative Becker.

REP. BECKER (19th):

Thank you, Mr. Speaker. I'd like to thank the good Chairwoman. I don't believe that aluminum reacts with magnets but I'll leave it at that and thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Representative Alberts of the 50th District.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I think I'm following up on my predecessor's comments. A question if I may, to the proponent of the bill.

SPEAKER SHARKEY:

Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I'm looking at the fiscal note for the bill and the bill as I see this, it alludes to the containers not being recyclable and there may be a minimal increase in the cost of municipal solid waste, and I just wanted to confirm that that's the proponent's understanding as well, through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

pat/gbr
HOUSE OF REPRESENTATIVES

80
April 24, 2013

Thank you, Mr. Speaker. Yes, that is our understanding, but it is nominal cost.

SPEAKER SHARKEY:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And I thank the gentle lady for her answer.

SPEAKER SHARKEY:

Thank you very much. Representative Case of the 63rd.

REP. CASE (63rd):

Thank you, Mr. Speaker. To the proponent of the bill, please.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CASE (63rd):

Just for a clarification. I'd like to make sure that everybody knows. These packages that we're talking about are the same packages that I believe we use in children's drinks today. Is that correct? Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

pat/gbr
HOUSE OF REPRESENTATIVES

81
April 24, 2013

Through you, Mr. Speaker, that is absolutely correct.

SPEAKER SHARKEY:

Representative Case.

REP. CASE (63rd):

Okay. Thank you. If we use these packages now, what is the difference of helping out Connecticut companies to use them in a few different beverages? I believe they're in Kool-Aid, any drink you buy and you put a straw in it for your young child.

So these packages are out there and they're probably out there in more mass on the beaches and the state parks and they are being picked up and they are being recycled, so we're just moving on commerce in the State of Connecticut and I think that's what we're here to do to move jobs and to help things move forward in the state.

So thank you, madam.

SPEAKER SHARKEY:

Thank you, sir, for your comments.

Representative Vicino of the 35th District.

REP. VICINO (35th):

Mr. Speaker, I'd like to make a comment. After going through the testimony it looks like this

pat/gbr
HOUSE OF REPRESENTATIVES

82
April 24, 2013

Connecticut company manufactures these products in Connecticut, provides 650 jobs in state, but cannot sell this product in Connecticut.

This would be a good move to keep more jobs in Connecticut. Thank you very much.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further? Would you care to remark further on the bill that's before us?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

Will Members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the Members voted? Have all the Members voted? Will Members please check the board to make sure your votes are properly cast.

If all the Members have voted, the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally.

pat/gbr
HOUSE OF REPRESENTATIVES

83
April 24, 2013

THE CLERK:

Bill Number 6540.	
Total Number Voting	145
Necessary for Passage	73
Those voting Yea	120
Those voting Nay	25
Those absent and not voting	5

SPEAKER SHARKEY:

The bill passes.

Are there any announcements or introductions?

Representative Davis of the 57th.

REP. DAVIS (57th):

Thank you, Mr. Speaker. We have the great honor of having our interns from the Legislative Internship Program for 2013 with us here in the Well of the House.

(APPLAUSE.)

As the Internship Committee Chairman this Session, it's been a great honor to help oversee the program. We had 61 interns from all over the state participate. There was 22 schools who sent interns to our program this year. We have 25 community college students, 27 public four-year university students and 13 private four-year students participating.

S - 658

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
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cah/meb/gdm/gbr
SENATE

183
May 14, 2013

Well, you should be your Honor.

THE CHAIR:

Oh, thank you.

SENATOR COLEMAN:

Again, I'm not certain what the posture members of the Senate are on the bill especially considering what has transpired on the amendment -- the debate on the amendment. But if there is no objection, I would ask that the bill be placed on our consent calendar.

THE CHAIR:

Are there any -- seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Thank you -- thank you, Madam President.

Madam President, if the Clerk would proceed to call as the next item, Calendar page 20, Calendar 461, House Bill 6540 and then after -- after that, if the Clerk would then call Calendar page -- under matters returned from committee, Calendar page 40, Calendar 123, Senate Bill 434 and Calendar page 45, Calendar 196, Senate Bill 961 and also under matters returned Calendar page 52, Calendar page 52, Calendar 385, Senate Bill 1070. Thank you, Madam President.

THE CHAIR:

Thank you.

Mr. Clerk.

THE CLERK:

On page 20, Calendar 461, Substitute for House

cah/meb/gdm/gbr
SENATE

184
May 14, 2013

Bill Number 6540, AN ACT CONCERNING THE SALE OF CERTAIN BEVERAGES IN MIXED MATERIAL CONTAINERS, favorable report of the Committee on Environment.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Madam President, I do move acceptance of the Committee's Joint and favorable report and move passage of this bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR MEYER:

Yes. Colleagues, the Connecticut beverage law in general with exceptions prohibits selling or -- selling or offering for sale beverages in plastic containers that contain aluminum or steel. That was enacted I think back in the 1980s when we were unable to recycle aluminum or steel. That is not the case today. Diageo, a major beverage distributor in Norwalk, came to us in January and put on the table a bunch of containers, pouches that had aluminum and steel in them as well as other products and said, my gosh, we're allowed to sell these pouches containing wine, spirits, juices, sauces, but under -- under Connecticut law, we're not allowed to sell in pouches, beer or other malt beverages and so they asked us for a level playing field and the Environment Committee agreed with that and we passed this bill which would permit beer and other malt beverages to be sold in Connecticut in these kinds of pouches realizing that they're not as environmentally offensive as they once were. So that is the bill and it's interesting and I'm so pleased the Majority Leader called it today because the company is hopeful of being able to put these pouches of malt beverages on shelves by Memorial Day and that would be a boost for

cah/meb/gdm/gbr
SENATE

185
May 14, 2013

Connecticut's economy. So again, I urge its passage. Thanks.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Chapin. Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

Madam President, I rise in support of the bill before us. It's a good bill that's both consumer friendly and good for business in the state of Connecticut and I encourage my colleagues to support it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Chapin.

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President.

A question to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR MAYNARD:

Yes, thank you, Madam President. For legislative intent, I was just wondering if the language of the bill would require a deposit on these new -- on the pouches that you're referring to.

THE CHAIR:

Senator Meyer.

cah/meb/gdm/gbr
SENATE

186
May 14, 2013

SENATOR MEYER:

Yes, through you, Madam President, to Senator Maynard, there is no deposit whatsoever required by this law or any law that I'm aware -- by this bill or any other law that I'm aware of so there is no cost there. I also want to thank Senator Chapin for his support of the bill as well.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Madam President.

I thank the proponent and I also encourage support of the bill. Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

SENATOR MAYNARD:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

Just a question, mostly out of curiosity, through you, to Senator Meyer.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Thank you.

And to be very blunt, I'm unfamiliar with these

products you're talking about, but I have seen, for example, that there is wine that is sold in pouches. Through you, Madam President, is that included in this legislation or are those products sold in recyclable pouches? Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MCKINNEY:

Madam President, through you to Senator McKinney, the way the Connecticut beverage law is written, the pouches for wine and spirits and juices are allowed. Pouches containing aluminum and steel are allowed for those and that was the point Diageo was making to us is they put these products on the desk in the Environment Committee so we just felt that this bill would create a level playing field.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Madam President, the following question is probably self-evident, but I can't speak to if my opinion is shared by the masses out there. I've never heard the beverages you're talking about, but I've certainly heard of wine and other beverages that come in the allowable nonrecyclable pouches. So is it safe to assume, through you, Madam President, that what we currently allow in terms of volume is significantly greater than what we would be including with these other products in terms of volume. Is that -- does that question make sense, through you, Madam President?

THE CHAIR:

Senator Meyer.

cah/meb/gdm/gbr
SENATE

188
May 14, 2013

SENATOR MEYER:

Through you, Madam President, it does make sense and it is true that the existing pouches will far outweigh what's going to be added by passage of this bill.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Senator Meyer.

I appreciate the answers.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

SENATOR MEYER:

Madam President, if there is no objection, I would ask that this be placed on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR MEYER:

Thank you.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 42, Calendar 123, Substitute for Senate Bill Number 434, AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND E-GOVERNMENT,

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might now call the items on the Consent Calendar before proceeding to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 545, Senate Resolution Number 27; also on Page 1, Calendar 546, Senate Resolution Number 28. On Page 2, Number 547, Senate Resolution Number 29. On Page 2, Number 549, Senate Resolution Number 31. On Page 5, Number 184, Senate Bill 1026. On Page 7, Calendar Number 253, Senate Bill Number 763. On Page 16, Calendar Number 412, Senate Bill Number 962. On Page 17, Calendar Number 436, Senate Bill Number 673. On Page 18, Calendar Number 438, Senate Bill Number 761. Also on Page 18, Calendar Number 443, Senate Bill Number 1056. On Page 19, Calendar Number 449, Senate Bill Number 828. On Page 20, Calendar Number 461, House Bill Number 6540.

On Page 21, Number 469, House Bill Number 6574. On Page 23, Number 480, Senate Bill Number 238. On Page 25, Calendar Number 501, House Bill Number 5799. Also on Page 25, Number 507, House Bill Number 5117. On Page 26, Calendar Number 508, House Bill Number 6571. On Page 26, Calendar Number 509, House Bill Number 6348. Also on Page 26, Calendar Number 510, House Bill Number 6007 and on Page 26, Calendar Number 512, House Bill Number 6392.

On Page 40, Calendar Number 48, Senate Bill Number 519. On Page 40, Calendar Number 60, Senate Bill Number 859. Also on Page 40, Calendar Number 104, Senate Bill Number 833.

cah/meb/gdm/gbr
SENATE

393
May 14, 2013

On Page 41, Calendar Number 107, Senate Bill Number 917. On Page 42, Calendar Number 123, Senate Bill Number 434. On Page 43, Calendar Number 129, Senate Bill Number 898. Also on Page 43, Calendar Number 139, Senate Bill Number 158. On Page 43, Calendar Number 167, Senate Bill Number 879.

On Page 45, Calendar Number 195, Senate Bill Number 816. Also on Page 45, Calendar Number 204, Senate Bill 652. On Page 47, Calendar Number 241, Senate Bill 1040. On Page 48, Calendar Number 269, Senate Bill 1003. Also on Page 48, Calendar Number 270, Senate Bill Number 1007.

On Page 50, Calendar Number 304, Senate Bill 1019. Also on Page 50, Calendar Number 310, Senate Bill 903. And finally on Page 53, Calendar Number 399, Senate Bill 1069.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote. The machine will be open on the Consent Calendar.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call vote in the Senate.

THE CHAIR:

If all members have voted, if all members have voted the machine will be locked. Mr. Clerk, will you please call the tally.

THE CLERK:

On Consent Calendar Number 1.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and not Voting	0

THE CHAIR:

Consent Calendar is passed.

Are there any points of personal privilege?

Senator Doyle.

SENATOR DOYLE:

Thank you, Madam President.

Yeah for a point of information for the Chamber.

THE CHAIR:

Please proceed, sir.

SENATOR DOYLE:

Yes, thank you, Madam President.

Tomorrow the General Law Committee will be meeting at 11:15 outside the Hall of the House. The bulletin said 15 minutes before the early session so now we're making it definitive. Tomorrow at 11:15 outside the Hall of the House the General Law Committee will be considering one bill that was referred to us.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Duff next.

SENATOR DUFF:

Thank you, Madam President.

For the point of announcement please.

THE CHAIR:

Please proceed, sir.