

Legislative History for Connecticut Act

PA 14-189

HB5334

House	6016-6032	17
<u>Senate</u>	<u>3462, 3476, 3480-3481</u>	<u>4</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
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5882 – 6232**

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Mr. Speaker, for a point of clarification, I didn't understand, Norwich, Connecticut. Is that a new place, if Representative Ryan could please expand on that.

SPEAKER SHARKEY:

Representative Ryan, could you translate?

REP. RYAN (139th):

Thank you. If it's good enough for Greenwich, it's good enough for Norwich, thanks.

SPEAKER SHARKEY:

Thank you, sir.

Are there any other announcements or introductions?

Getting off to a fun start for sure.

Mr. Clerk, if we can return to the Calendar to begin our business for the day, would you please call Calendar 130.

THE CLERK:

Mr. Speaker, House Calendar 130, on page 3, favorable report of the Joint Standing Committee of -- on General Law, House Bill 5334, AN ACT CONCERNING ALCOHOLIC LIQUOR PERMITS.

SPEAKER SHARKEY:

I'm noticing, Mr. Clerk, that we're calling Calendar 130 at 1:30 in the afternoon. So I think that's -- portends well for the day.

Representative Baram, you have the floor, sir.

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REP. BARAM (15th):

Thank you, Mr. Speaker.

I move for acceptance of the Joint Committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the Joint Committee's favorable report and passage of the bill.

Will you remark, sir?

REP. BARAM (15th):

Thank you, Mr. Speaker.

The Clerk has a strike-all amendment, LCO 5221. I'd ask that the Clerk please call the amendment and that I be granted leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 5221, which we designate House Amendment "A".

THE CLERK:

House Amendment "A", LCO 5221, introduced by Representative Baram and Senator Doyle.

SPEAKER SHARKEY:

The gentleman has sought leave of the Chamber to summarize.

Is there objection?

Seeing none, you may proceed with summarization, sir.

REP. BARAM (15th):

Thank you, Mr. Speaker.

This amendment is a bipartisan amendment that mirrors a bill that was passed unanimously by General Law, which allows the permittee of a manufacturer's farm winery permit to apply for a second permit for off-site sales and tasting of those products, at no more than seven events per year, pursuant to a temporary liquor permit. And also, the event would have to be sponsored by a charitable or a nonprofit organization, and also provided that notice was given, at least five days prior to the event, to the Department of Consumer Protection, that any wine was sold in a sealed bottle and that a representative of the farm winery be present at the event.

It also preserves the right of any town to prohibit, by ordinance, the offering of free samples or sale of wine in any municipality.

This amendment again was reflected of a bill that passed unanimously in General Law. It takes effect on July 1st, 2014, and I would move adoption.

SPEAKER SHARKEY:

The question before the Chamber is adoption of House Amendment "A".

Will you remark?

Representative Carter.

REP. CARTER (2nd):

Thank you, and good afternoon, Mr. Speaker.

SPEAKER SHARKEY:

Good afternoon, sir.

REP. CARTER (2nd):

I'd like to ask a few questions, through you, to the proponent of the amendment, please.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CARTER (2nd):

Thank you. And, through you, Mr. Speaker, to the good Chairman of General Law.

You know, before we get into the details of the bill, I was curious about what exactly is the difference between just a farm in Connecticut and a farm winery?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Thank you, Mr. Speaker.

A farm winery is an establishment where the grapes are grown on site of that farm and then they're distilled into wine. And this is representative of a Connecticut homegrown product.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much. That's good to know, because obviously, we want to make sure that we're spending some time in this place today, helping our -- helping our home grown places like the farm wineries.

Through you, Mr. Speaker.

Looking at this permit, it's a little confusing in the sense that it's -- I don't know if it's a multiple permit or if it's one permit.

Through you, Mr. Speaker.

Is -- is this one permit that they get for all seven events, or is this seven separate permits that they can get?

Through you.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

It's my understanding that they would take out a permit for each individual event but could have no more than seven per year.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

So I guess I wanted to make sure I understood that. Because I noticed later on in the bill, line 26 to 28, there's an annual fee for the permit of

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\$250, and that the permit is good for a year of the date of issuance.

So I know we had a couple of bills like this come through General Law. So I think it was my understanding that this would be, perhaps, one permit that allowed them to have multiple events throughout one year. I just -- I want to double-check that that's the intent.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

I -- I believe my colleague is correct. In rereading the proposed bill, it is one permit that would allow you to take your sales of farm winery products and tasting to seven different events, but it would be one annual permit.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

And I thank the good Chair for his answer because I think the confusion actually comes from line 19 in the bill. As I'm looking at it, it says, "Not less than five business days prior to the event or function."

That means a single event or function, that they have to notify the Consumer Protection Office, so it sounds like that might be a notification part of the bill. That every time there is an event, they need to notify them five days out.

And I'll confirm that through the good Chair of General Law.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

That's correct. The fact that there's one permit for seven events does not negate the requirement to give the five-day notice for each individual event.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

And through you.

I noticed that this -- this permit is going to allow a farm winery to off-site tastings and sales for charitable organizations and nonprofits only. Is that the intent of this bill?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

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Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

That is correct.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Mr. Speaker, through you.

What about farmer's markets? Would that count
as somewhere they could do an off-site tasting?

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

A farmer's market is not included in the
definition of a charitable or a nonprofit
organization.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

I guess that makes sense. Because, I guess, if
a charitable organization did a farmer's market,
then that might be something they were able to do.
But in places like my own town, where we're trying
to go out and push for local produce, we have
farmer's markets regularly on the green.

And I know there was some talk about that, whether or not we should be allowing these kinds of tasting and sales on the green.

Through you, Mr. Speaker.

Does this allow the farmer's winery to sell glasses of wine offsite?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

It allows for tastings. They cannot, as I understand it, sell, under this proposed statute, glasses of wine unless it's permitted in the basic statute. But this just addresses the sale of bottled wine and free tastings.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

And looking through the bill, I didn't find any limits on, you know, how much a tasting can be. Obviously, you know, you go out on a -- on a Sunday to an event and you want to do some wine tasting, I know there have been some limits posted on other bills.

So through you, Mr. Speaker.

Is there something I'm missing here? Is there a limit on what the tasting amount can be?

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

This amendment, this bill does not address the limitations. But I believe that in the main statute there are some guidelines as to how much can be given in a tasting.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

And I noticed regarding the fee, there's a \$250 annual fee, and then there's a \$100 non-refundable filing fee.

So my question, through you, Mr. Speaker, is that filing fee going to be something they pay every year?

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

That's my understanding.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much. You know, I guess that's one thing I don't think I even noticed in the bill in the beginning, why they'll do a separate filing fee and then do the actual permit fee. I think, in streamlining things, we should look at the future of doing just one fee for \$350. But that's something maybe we can address down the line.

With -- with this bill, if there was a town or municipality that does not want to have a wine tasting done like this, is it possible to have the municipality opt them out?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

That is correct. The ability of a town by ordinance to prohibit such events still remains.

SPEAKER SHARKEY:

Representative Carter

REP. CARTER (2nd):

Thank you very much.

And, Mr. Speaker, I'm looking at Section 2. And in Section 2, lines 70, 71, seems to be the only real major changes to statute. I'd like to ask the good Chairman of General Law what is the goal with

that part that's been inserted in 70 and 71?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Baram.

REP. BARAM (15th):

Through you, Mr. Speaker.

Lines 70 to 71 indicates that the permit is issued pursuant to Section 1. And Section 1 defines when a permit can be issued. That is, it has to be a temporary permit for not more than seven events, and it can only be in connection with events hosted by a charitable or a nonprofit organization.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

And I truly thank the -- the great chair of General Law for his answers. Ladies and gentlemen, it's my understanding this is a very good bill. This did pass through -- excuse me -- amendment, which will become the bill.

The original bill did pass through the General Law Committee unanimously. And, you know, it's interesting because in the General Law Committee, we look at a lot of different organizations and, you know, who we can give permits through -- or to for different kinds of events, and where they're serving

alcohol:

And I think this one is particularly good because, you know, what we're doing is we're supporting somebody that's home grown. You know, the local farm wineries in our state need our support.

You know, these are Connecticut grapes, so this makes a lot of people happy on the agricultural side. But it also gives us a chance to support our local nonprofits, our charities.

Because, you know, this isn't somewhere where they're just going out only for business. This bill is really targeting the ability for our farm wineries to be there to support local charities.

So if you think about it, it's kind of a great synergy of the way we could do legislation. I also -- something about this bill that's -- that's particularly interesting and people should take a look at, is instead of doing a permit every time you do an event, which, you know, creates a lot of paperwork for the Department of Consumer Protection, creates a lot of hassle for our constituents, it's a one-time permit for the year.

And instead of worrying about, you know, separate permits and how many events they do, they're just setting a limit right up front of how many events they do. And I think that's a really

good idea. I think it's a great move forward and reducing the amount of paperwork that we have to worry about.

And at the end of the day, the other item in here that's really important is it allows local municipalities to opt out. If you're in a municipality or area where you don't want us to have, you know, wine tastings out at an event, the local municipality can step in and keep that under wraps.

So ladies and gentlemen of the Chamber, it's a really good amendment that will become the bill. I encourage its adoption. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on House Amendment "A"?

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

The birthday boy.

REP. MINER (66th):

Good afternoon.

Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment. The wine industry in Connecticut has

been an important part of the district that I represent. We have many farm wineries in, I would say, the northwest corner, most of whom have worked very hard.

--And -- and this climate is not the easiest place in the world to grow grapes. And it's probably not the easiest state to manufacture wine, but they become very astute at it. And I think what they're asking for here is an opportunity to combine their craft, in many cases, where others are allowed to apply theirs, which is more often than not -- we see wine tastings in conjunction with nonprofit fundraisers, that sort of thing. And I think this is a very logical step in that direction.

Many of the people that were here, I think, last week -- it might have been last week, I think it was -- down in the basement, would very much like to benefit and have an opportunity to benefit from this amendment. So I would urge passage.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark? Would you care to remark further on House Amendment "A"?

If not, let me try your minds.

All those in favor of House "A", please signify by saying aye.

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REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed nay.

The ayes have it. The amendment is adopted.

Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended?

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

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 the members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked and the Clerk will take a tally.

Before you announce the tally, Mr. Clerk, could you indicate that the Speaker wishes to vote in the affirmative?

Thank you, Mr. Clerk. And will you please

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announce the tally?

THE CLERK:

With that late addition, H.B. 5334 as amended
by House "A".

Total Number Voting	145
Necessary for Passage	73
Those Voting Yea	145
Those Voting Nay	0
Those Absent and Not Voting	6

SPEAKER SHARKEY:

The bill as amended passes.

Will the Clerk please call Calendar 400.

THE CLERK:

On page 15, House Calendar 400, favorable
report of the Joint Standing Committee of Judiciary.

Substitute House Bill 5485, AN ACT CONCERNING

VOYEURISM.

SPEAKER SHARKEY:

Representative Gerry Fox.

REP. FOX (146th):

Thank you, Mr. Speaker.

I move for the acceptance of the Joint
Committee's favorable report and passage of the
bill.

SPEAKER SHARKEY:

Question is on acceptance of the Joint
Committee's favorable report and passage of the

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580, House Bill 5310, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Second, Calendar 584, House Bill 5334, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And Calendar 585, House Bill 5586 move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And the fourth item on Calendar Page 28, Calendar 583, House Bill 5289, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Moving to Calendar Page 29 where there are three items. The first, Calendar 589, House Bill 5550, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

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On Page 27, Calendar 574, House Bill 5564.

House Bill 578, House Bill 5220.

On Page 28, Calendar 580, House Bill 5310.

Calendar 584, House Bill 5334.

Calendar 585, House Bill 5586.

Calendar 583, House Bill 5289.

On Page 29, Calendar 586, House Bill 5402.

Calendar 589, House Bill 5550.

Calendar 590, House Bill 5262.

Calendar 587, House Bill 5377.

On Page 30, Calendar 593, House Bill 5526.

Calendar 592, House Bill 5476.

On Page 33, Calendar 215, Senate Bill 243.

On Page 39, Calendar 387, Senate Bill 432.

On Page 40, Calendar 475, House Joint Resolution
Number 20.

Calendar 476, House Joint Resolution Number 26.

Calendar 532, House Joint Resolution Number 42.

THE CHAIR:

Mr. Clerk, can you please check on Consent Calendar
House Bill 5593. I don't see if you called that, on
the top.

THE CLERK:

That's on the previously adopted Senate Agenda House
Bill 5593.

THE CHAIR:

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SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

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An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

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

THE CLERK:

Consent Calendar Number 2.

Total number voting	36
Necessary for adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY: