

Legislative History for Connecticut Act

**PA 14-48**

SB83

House	4183-4192	10
Senate	945-967, 989-990	25
General Law	30-52, 65-71, (96-97), <u>102-106</u>	37
		<b>72</b>

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2014**

**VOL.57  
PART 13  
4098 – 4450**

THE CLERK:

On page 25, Calendar Number 437 favorable report of the joint standing committee on Planning and Development, Senate Bill Number 83, AN ACT CONCERNING MUNICIPAL NOTICE OF ALCOHOLIC LIQUOR PERMIT RENEWALS.

DEPUTY SPEAKER RITTER:

Representative Baram.

REP. BARAM (15th):

Thank you, Madam Speaker. I move for acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER RITTER:

The question before the Chamber is on acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

Representative Baram, you have the floor, sir.

REP. BARAM (15th):

Thank you, Madam Speaker.

This bill arose out of a pilot program that we adopted last year, which allowed a municipality to have notice of anybody renewing an on-premise liquor permit and notice would go to the chief enforcement, law enforcement officer so they could comment on it if there were difficulties or problems that the local

police department was having with a particular bar or liquor establishment.

This bill expands that program statewide because of the success in New Haven and other areas.

Madam Speaker, the Clerk has an amendment, Senate "A", which is LCO 3478. I would ask that the Clerk please call the amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RITTER:

Will the Clerk please call the amendment, LCO Number 3478, which will be granted Senate Amendment Schedule "A".

THE CLERK:

LCO Number 3478 designated Senate Amendment "A" and offered by Senators Fasano and Kissel.

DEPUTY SPEAKER RITTER:

Representative Baram.

REP. BARAM (15th):

Thank you, Madam Speaker. This amendment merely makes it discretionary on the part of a municipality whether it wants to participate in the mandatory notice by allowing the town to adopt an ordinance that would require any renewal of an on-premise liquor

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permit to notice to be sent to the law enforcement  
department.

So instead of keeping it mandatory, it now allows  
each town to decide on its own whether to pass an  
ordinance and make it discretionary.

Madam Speaker, I move adoption and passage of the  
bill.

DEPUTY SPEAKER RITTER:

The question before the Chamber is on adoption of  
Senate Amendment Schedule "A".

Will you remark on the amendment?

Representative Carter, on the amendment.

REP. CARTER (2nd):

Thank you very much. Good afternoon, Madam  
Speaker.

DEPUTY SPEAKER RITTER:

Good afternoon, Representative.

REP. CARTER (2nd):

Madam Speaker, I have a few questions, through  
you, to the proponent of the amendment, please.

DEPUTY SPEAKER RITTER:

Please proceed, Representative.

REP. CARTER (2nd):

Thank you very much. Through you, Madam Speaker, I understand that the underlying bill was the result of a pilot study and now we're doing an amendment that will allow a city ordinance to decide whether those municipalities are going to comply with the same kind of rules.

Have there been any recent incidents of troubled establishments, and how was that handled through the pilot study? Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Baram.

REP. BARAM (15th):

Thank you, Madam Speaker. Actually, there was. The Department of Consumer Protection just published a decision where it denied a renewal of a liquor permit based upon problems that an establishment in New Haven was having and repeated violations of the law, and interestingly, these violations were brought to the attention of the Liquor Commission through the New Haven Police Department.

So this is a great example to show how the local police department can have an impact in bringing valuable information when deciding whether or not to renew a liquor permit.

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DEPUTY SPEAKER RITTER:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Madam Speaker, and I thank the good Chair of the General Law for his answer.

You know, the way I understand this amendment, this is a very good amendment. I had actually voted against the original bill, and my major concern as with some others in the Committee was, we were doing something where we were putting law enforcement now in the liquor control process, or I would say the approval process, which could be a real mandate on businesses to go through another step of now obtaining, or notifying the chief of police, and there's also, at least in some of the smaller towns, a concern that introducing law enforcement into that process could create a problem where maybe personalities were involved with local restaurants and things like that.

And I think from our perspective, we wanted to keep law enforcement out of that. However, as the good Chair of General Law has just mentioned, there have been establishments who in some areas of the state, that have been able to avail themselves of this

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kind of statute, and it's been something they've been able to use very wisely and judiciously.

So I think with this amendment, what it does, it gives the municipality the power through their ordinance process, to decide if they want to do something like this and it's my sense that what would happen is, the larger cities would probably be the ones who would avail themselves of this as a means to target some of those problem establishments in town.

I certainly can't imagine the folks in my district ever even putting this on their radar, but I think it may become a valuable tool and I think in the scope that we're doing this and we do it limited, I think it makes sense so thereby I'm supporting the amendment, which will allow me to vote on the bill.

Thank you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

Will you remark further on the amendment before us? Will you remark further on the amendment?

If not, I will try your minds. All those in favor of the amendment please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RITTER:

Opposed, nay? The amendment is adopted.

Will you remark further on the bill as amended?

Representative Rutigliano, you have the floor,  
sir.

REP. RUTIGLIANO (123rd):

Good afternoon, Madam Speaker, thank you. I will concede that this amendment makes this bill better, but I still feel that there is no need for the bill.

A police department or any town official can complain to the Department of Consumer Protection right now on any bad actor in the marketplace. This bill potentially adds another burden to the business owners having to go through their local police department to renew their liquor permit.

As the good gentleman just, the good Representative just stated, New Haven already had one bar have their liquor permit refused without this bill. Granted, they had the pilot program.

So I will be voting against the bill, although the amendment did make it better.

Thank you very much, Madam Speaker.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

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Will you remark further on the bill as amended?

Representative Candelaria. You have the floor,  
sir.

REP. CANDELARIA (95th):

Thank you, Madam Speaker. Madam Speaker, I rise in support of the bill as amended. I think this is a measure that's much needed. I think it will definitely help municipalities in really controlling the issues with the trouble bars.

As you know that we had a couple in New Haven, and I think this is critical to ensure that we have local control of these bars and control the incidents that happen within these communities, so I encourage all my colleagues to support it. Thank you.

DEPUTY SPEAKER RITTER:

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

If not, will staff and guests please come to the well of the House. Will the members please take their seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

Members to the chamber, please. The House of

Representatives is voting by roll. Members to the chamber, please.

DEPUTY SPEAKER RITTER:

Have all the members voted? Have all the members voted? Will the members please check the board to determine that their vote has been properly cast.

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

Representative Mushinsky, for what purpose do you rise?

REP. MUSHINSKY (85th):

To be recorded in the affirmative, Madam Speaker.

DEPUTY SPEAKER RITTER:

Mr. Clerk, will you please record Representative Mushinky's vote in the affirmative.

Representative Aman, for what purpose do you rise?

REP. AMAN (14th):

In the affirmative, Madam Speaker.

DEPUTY SPEAKER RITTER:

The Clerk will please record your vote in the affirmative.

The Clerk will please announce the tally.

THE CLERK:

Madam Speaker, Senate Bill 83 as amended by  
Senate "A" in concurrence with the Senate.

Total number voting	142
Necessary for passage	72
Those voting Yea	102
Those voting Nay	40
Those absent and not voting	9

DEPUTY SPEAKER RITTER:

The bill passes in concurrence with the Senate.

Representative Wright, for what purpose do you  
rise, sir?

REP. WRIGHT (77th):

Thank you, Madam Chair, Madam Speaker. For the  
purpose of an introduction.

DEPUTY SPEAKER RITTER:

Please proceed.

REP. WRIGHT (77th):

Today I have the distinct honor and privilege of  
introducing a group of visitors from Bristol today.  
These are a group of fourth graders from Edgewood  
School in Bristol. If we could all, welcome here to  
the chamber.

They're here as part of their government and  
civics class and so I hope that while they're here

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THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further?

If not, Senator Doyle.

SENATOR DOYLE:

Yes, Madam President. If there's no objection, I move this bill to the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

On page 37, Calendar 154, Senate Bill Number 83, AN ACT CONCERNING MUNICIPAL NOTICE OF ALCOHOLIC LIQUOR PERMIT RENEWALS, favorable Committee -- favorable report of the Committee on General Law.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Yes, hello again, Madam President.

THE CHAIR:

Hi again. Good to see you.

SENATOR DOYLE:

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

THE CHAIR:

The motion is on acceptance and passage.

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Will you remark, sir?

SENATOR DOYLE:

Yes, thank you, Madam President.

This bill before us, I don't have any amendments on it, this is basically -- this is an expansion of a pilot that the General Law Committee and the Legislature over the past I believe two years approved for the City of New Haven. So the City of New Haven really is the example for this bill. What it does is basically -- the genesis of the concern of the City of New Haven and now other -- I think the City of West Haven also is extremely interested in it, is they have some problem bars and other alcohol distributor facilities. Basically the concern was that the local governments had absolutely no role in the renewal of the liquor licenses for bars and other establishments.

And what this bill does is when any person seeks -- applies with the DCP to have their liquor license renewed, they have to give notice to the chief -- chief law enforcement official of the community. So in the big cities, of course, it would be the police chief. In New Haven by giving notice to the police chief, then the police chief can give notice back and write -- they have the opportunity to give notice to DCP about their concerns with the applicant. Of course, we know the vast majority they have no -- the police chief would have no concerns and would make no comments. But on the rare establishment that cause significant problems for the City of New Haven and now -- in the past the City of New Haven chief could comment.

But to be clear, this bill expands it statewide so any community in the state would have the opportunity to weigh in. It's worked very well in New Haven and I know the City of West Haven, the new mayor came up and testified before the General Law Committee. He wanted some broader powers that the Committee really didn't endorse. But this we think is a good step for West Haven, had some problem bars. And I think it will be beneficial to all the communities in the state. And I urge the Senate to approve this bill.

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Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

In speaking in support of the bill, the initial pilot proposal as Senator Doyle said and I want to thank him for his -- his leadership in bringing that forward a couple of years ago when it was first requested by the City, the problem that had been identified in New Haven is that while the police were often notified of an initial application for a permit, they were not notified on renewal applications. So that if there had been a problem under that permittee in performance, if there were a number of allegations of underage drinking or other violations or lack of security and acts of violence there, they were things that were not brought to the attention of the -- of the Commissioner of Consumer Protection upon renewal in some cases because the police department was not notified of a renewal application.

So since its enactment, it has worked quite well. As Senator Doyle said, most of the time the department has really nothing to comment on because the -- the permittees and the businesses are operating as they should. But in the -- in the few cases where there have been problem bars or restaurants or other facilities, it does give an opportunity for the security concerns of the local police department to be reflected in the deliberations of the Department of Consumer Protection on the renewal process. So I would urge approval. I know that a number of other municipalities have expressed interest in this in terms of -- of enhanced regulatory authority because as some have said, you know, we are the ones who get the complaints if there's a problem yet we don't have a chance to weigh in in advance of the problem.

So thank you, Madam President.

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THE CHAIR:

Thank you. Will you remark?

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

If I may, a few questions to the proponent of the bill?

THE CHAIR:

Please proceed, sir.

SENATOR WITKOS:

Thank you. Through you, Madam President, to the great Senator from the Ninth District, this -- the bill that's before us came as a matter of I guess a growth of a bill that was passed by this Assembly several years ago regarding a pilot program only for the City of New Haven, is that correct? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, that is correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And through you, Madam President, is it the good Senator's recollection that -- that when New Haven -- representatives from the New Haven Police Department came to testify before the public hearing that they're still, even though the pilot program is

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in place, that they're still having difficulties with some establishments in that city? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, I'll answer your question -- I'll try to answer the question, does this piece of legislation prevent all problems? Certainly not but I think, as I remember the testimony, the New Haven maybe deputy chief, there was a representative from the police department that testified and said the opportunity to present their objections to the Department of Consumer Protection was beneficial because the Department took it very seriously. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And under the current practices of the Department of Consumer Protection, does a municipality or police department for that matter have the opportunity to weigh in, submit testimony to the Department of Consumer Protection as they anticipate the renewal of an alcoholic permit through their agency? Through you, Madam President.

THE CHAIR:

SENATOR DOYLE:

Through you, Madam President, the answer is yes. But I think the problem identified by New Haven was they always weren't aware when the renewals were. So the key component is that notice has to be given to the chief elected -- chief law enforcement official of the notice of the renewal. So therefore on that -- prior to it he has knowledge and he could comment. But I do admit, you know, he could comment if he had known, but

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the key here is really the renewal notice. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And through you, Madam President, how would that notification be given to the municipality? Through you.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, I would suggest in line four and five, it shall give written notice of liquor application. So I would think that the existing license -- licensee of the liquor permit would send a letter to the chief law enforcement official notifying him of his intent -- his pending -- or basic -- at the time of applying of his renewal application. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And is there any requirement, through you, Madam President, that the chief law enforcement officer of the community show that they have received the notification? Through you.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

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Through you, Madam President, as written there is no requirement that the chief law official give notice. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

So as a permittee, I could when I know that my -- my license is up for renewal, I'm required under current statute to send notification or reapplication to the Department of Consumer Protection. And now I would have an additional burden upon myself to notify the local -- the chief of the law enforcement community in my municipality whether it's the state police or -- or the municipal police department to say, hey, I'm going for a liquor renewal permit. What would be required in that notification? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, although the statute doesn't -- the bill doesn't specifically designate, I would recommend if I was an owner -- if I was a licensee seeking renewal, I would send it certified mail, it's not required, but just to be safe, to be sure that I have evidence that I performed the requirement here. Basically I would say you simply do a letter providing -- it could be as simple as sending a letter to the chief law enforcement official of the community, you know, identifying who you are, what your license permit number is, the details, and saying I am applying, I am currently in the process, or I applied, you know, simultaneous with this letter for renewal with the Department of Consumer Protection. You know, to be extra careful I might enclose a copy of a document related to my application, not necessarily the whole application. But I would say the minimum is you send a letter detailing all the circumstances of your renewal application. Through you, Madam President.

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THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And through you, Madam President, what is the implication if the permittee forgets to send notification because it's something new to the chief law enforcement officer? What is the penalty, through you?

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, the language -- the bill before us does not have a penalty for failing to do. But I would submit I would strongly advise the permittees to do it. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And how long, through you, Madam President, does the chief law enforcement officer have to offer their comments? And, second part of that question is, does -- can the DCP make their decision without hearing any comment from the local law enforcement officer or is the local law enforcement officer required to send in something saying that they've received and they have acknowledged that this establishment has applied and they have no further comment to offer? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

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Through you, Madam President, first of all, to try to answer, there is no affirmative responsibility of the chief law enforcement official to respond. So if the law enforcement -- if the chief, I'll just say the chief of police has no problem with the bar, the bar's application for renewal, he can easily do nothing and there's no problem. However, he does a 15-day window after receiving notice to provide notice to the Department of Consumer Protection of their concerns or comments about the renewal application. In terms of the Department of Consumer Protection, the only limitation is in that 15-day window I submit they should not issue the renewal. But there's -- it takes longer than that anyway through the normal administrative process. So it's really a 15-day window to -- for the law enforcement official has under this bill. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

I don't want to belabor the issue with Senator Doyle. I want to thank him for his answers. I'm not going to be supporting the bill as it's before us today for several different reasons. One, a lieutenant from the New Haven Police Department came up and spoke about there's really nine different premises that they're having difficulties with in the city. And oftentimes what's happening is they're changing the ownership of the permittee from the same family member to same family member. And that is something that DCP can't -- they're powerless to enforce under their own regulation. So that's something that the agency can change within their regulations, I believe, to -- to take care of those issues that the city is suffering from.

I also asked the lieutenant, is this something since you're mandating now more mail to come to the chief of police? Because you can imagine that if you've received numerous complaints for an establishment, you got the notification sitting on your desk, yet for

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whatever reason you had 15 days to comply, you didn't comply, and now the mayor calls you and says, hey, how come you didn't reply to this? That's one more burden that falls on the chief of police. And we're not talking about nightclubs.

This was a -- had we addressed this through an amendment, I probably would've supported it and hopefully if the bill passes here and goes downstairs that they amend it, we're dealing with anybody that has a liquor permit. So we're talking about bowling alleys, restaurants, the 19th hole at a country club. Those aren't the issues at hand that cities are having difficulties with. It's really the nightclubs. So had we been able to limit it to those difficulty problem areas, we'll deal with the issue.

But we're not dealing with the issue, we're just throwing a blanket, and I'd say a wet blanket, over anybody who has a liquor permit to say now you're going to make notification to your local chief of police. So when I asked what is the position of the Connecticut Police Chief's Association on this they didn't have answer because they were never consulted on the fact. So again we're asking them to take -- inject themselves into a process where they already have the ability to make notification to the Department of Consumer Protection.

And I bet you, speaking as a former law enforcement officer, if you're having problems with a nightclub or a facility in your community, you know when their liquor permit is going to be renewed. And if not, shame on you because that's your time to take action. And if there are, you can always request an investigation by the Department of Consumer Protection because of gross negligence on the permittee's part. So you don't have to wait. Why wait for that annual renewal period. So with that, I'm going to not support the bill as presented.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark?

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Senator Kane. Good afternoon, sir.

SENATOR KANE:

Good afternoon, Madam President. Through you, I have a couple of questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you. Through you to Senator Doyle, in section one, line one, it says effective from passage. So realistically what would be that date? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

The effective on passage is the day that the Governor, assuming the bill gets out of here today, passed by the House, and it gets to the Governor's desk, and the Governor signs it, that would be the effective date.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

And I appreciate that answer and I think I've been here long enough to understand what that means. I am actually asking if theoretically what could that date be? Let's say the end of session is May 7th, hundreds of bills go on the Governor's desk, so it could be a week or two after that. Let's just say, for sake of argument, that it's June 1st, if that's a realistic figure. If it's not, maybe you could provide me a better example of a date. But, through you, Madam

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President, can I use that typical date for -- for this argument, through you?

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

THE CHAIR:

Through you, Madam President, that date is fine with me. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

So that being the case, how is the Department of Consumer Protection going to notify each and every permittee in the State of Connecticut as to the change in this law? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, first of all, the renewals are not done, you know, one time a year. They're spread out throughout the year. So -- and we're not dealing with an unlimited number. They would -- I would suggest they would amend or add an attachment to their standard renewal application and from that point forward people would have to abide by it. But it's just basically an addition, a small little note or addition to the existing renewals. Because if renewals are already pending and the process is already forward, of course this would not apply because it's prospective not retroactive. Through you, Madam President.

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THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I guess what I'm concerned about is there could be businesses out there that are going to have their renewal fall within that timeframe. And it just seems to me a bit unfair and burdensome possibly that this change in the law takes effect so quickly that there may be some who may not make it in time or may not be able to comply with the change in the law. We saw, as you know, with the gun legislation that was passed a year ago that there were certain individuals who did not make the deadline and there was quite a bit of controversy over what took place.

And the Governor ensuingly allowed some people who had their application postmarked by a certain time or date to get a little leeway there. So I'm wondering if -- if that can occur on something as important as the legislation that was passed, why wouldn't we think that something like this could take place? Because this is something that, you know, if none of us hadn't been here today to talk about this bill, we would never know. So I'm just curious as to the fairness. Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, first of all, I am very pleased that the Governor and the Lieutenant Governor decided to accept the pending gun applications that were postmarked December 31 backwards. I think that was a prudent move. But there's a significant difference between this piece of legislation and the very controversial gun legislation. That and there were felonies and the like and there are absolutely no penalties in this piece of legislation. So I submit to you if -- if an applicant did not have knowledge

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and did not conform to the statute, there's no penalty, there's no potential felony conviction. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

So there is no penalty if you do not comply with this law? Through you, Madam President.

THE CHAIR:

The Chair.

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, that is correct.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So why do we have the law? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, not every piece of legislation needs to have a penalty, the important thing is here I believe your average applicant will conform -- comply with the statutes and give the police -- chief law enforcement official an opportunity to comply. It's a -- an opportunity to assist our cities for these few problem bars. The

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question is if the good Senator wants to add a penalty, you know, he could have drafted an amendment. But I think as presented, certain pieces of legislation don't necessarily need a strong penalty. This is more an administrative requirement for the renewal applicants -- renewal applicants that will conform to the terms because soon thereafter it will be clearly in their applications and they'll do it, and I think it's good for the communities. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I guess, no, I do not want to add a penalty because quite honestly I'm going to be voting in opposition to this bill and all the more reason not to add a penalty to it. I think it's onerous as it is. But in line four, it says that shall simultaneously give written notice. So in the bill it says that each applicant shall give written notice. But there's no penalty, so why have it? I mean if you have to do it but then there's no consequences for not doing it, what did we really do here today? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, if we're successful getting this voted out of the Senate and getting it through the process, we will pass a piece of legislation that does order or require the applicant to do something. That is a statement of law that most people adhere to regardless whether there's a penalty or not. In this situation the will of the General Law Committee decided not to put a penalty in here. I happen to think it's reasonable, I happen to have confidence and faith that our liquor license renewal applicants will conform with this -- the spirit of the

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law to assist our communities. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I thank Senator Doyle for answering my questions. I respectively agree to disagree. I think that we're passing something that may look good on a mailer, but isn't necessarily doing what we think or what we attempt to be doing. I mean if -- if it said that there are a few bad apples, that's understood, that's probably true in all industries and all businesses and all organizations and what have you. But to put in something that says that we shall make each and every person file a written letter to the chief law official -- law enforcement official as well as the Department of Consumer Protection. Yet really with no consequence, it doesn't make too much sense to me nor does it make sense to me to pass something for every single business when we already understood that there's only a few that seem to be problematic. So I will be voting in opposition.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark?

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

Madam President, if I may, through you, to Senator Doyle?

THE CHAIR:

Please proceed, sir.

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SENATOR FASANO:

Thank you, Madam President.

Senator, would it be a fair statement that not every 169 municipalities contacted the General Law Committee and asked that this bill be passed for their municipality? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, that is a fair or realistic statement. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And, through you, Madam President, is it fair to say that the City of New Haven found this pilot program to be successful for the issues they were having in the City of New Haven? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, yes, I believe the City of New Haven official testified to the General Law Committee that they were happy with the program. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

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And other than the City of New Haven and the CCM Legislative Liaison, did any other town come in front of GAL and say, hey, I want this program in my town, please expand it? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, well, I'll tell you what happened. The -- the mayor of the City of West Haven came and testified. And his -- he had a proposal where he wanted to have local municipalities have basically veto authority of the issuance of licenses. So basically take the authority away from the Department of Consumer Protection, the State of Connecticut, and somehow, and I don't know how it would work, but have local municipalities be able to terminate licenses at will, which I, with all due respect to the proponent of the legislation, would not have supported at all.

At that public hearing where they were advocating for that piece of legislation and any other to try to assist it with some real problem bars, I brought it to his attention this piece of legislation. At the public hearing he then did endorse it. So it's a little -- he did come -- after I explained it to him he did support it. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

So is it fair to say that there may be a few cities that have this issue that they're facing for which they would like their law enforcement officer -- law enforcement agency to weigh in on the decision making in what this bill purports to do is to do exactly that? Through you, Madam President.

THE CHAIR:

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Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, well, I think -- I'm certain there's a lot of the bigger communities in the state, do have a lot of problems. I shouldn't say a lot, they have problems with a certain few bars -- establishments. And I'm aware -- I border -- I live in Wethersfield which borders Hartford, and Hartford has significant problems with certain bars. We had another piece of legislation in Judiciary Committee in connection therewith. So I think although they didn't testify, I'm pretty certain that the City of Hartford and other big cities would support this legislation in their efforts to try to crack down on problem bars.

Now I'm not saying many, but each city seems to have one or two bad bars. So the fact that they can -- they would have knowledge of the renewal and weigh in, I think it would be beneficial. So although the good Senator is correct only two communities really testified, I think there are others, if I had polled them, would have supported. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And as you mentioned other than the City of West Haven coming to testify, Hartford didn't come to testify, is that an accurate statement? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, the answer is yes.

THE CHAIR:

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Senator Fasano.

SENATOR FASANO:

Thank you very much, Madam President.

I thank Senator Doyle for the answer to those questions.

Madam President, this may be a problem in New Haven and I think that's why this was proposed by Senator Looney last year or year before, whenever it was. This may be a problem in Hartford, and I have no doubt that when Senator Doyle says he hears it's a problem in Hartford, that he has that on good authority. And it may be a problem in West Haven for a few establishments here and there. But I don't think it's a problem in North Haven. I don't think it's a problem in Durham. I don't know if it's a problem in Morris, a small town like that, or other small towns across the state. Probably not a problem in Bridgewater, but there are problems in other parts of the state. But why do we have to say because our cities perhaps are the ones who are finding the problems, everybody must have this mandate placed upon them.

We talk about two things in this Chamber and everybody loves to get on the microphone and talk about them. We need to reduce municipal mandate, but yet we've got a municipal mandate. We need to reduce regulations, yet we add another regulation. So when it's good for the benefit to say at our town meetings, on our TV shows, our press conferences, our radio interviews we need to reduce regulations and we need to reduce mandates, here's a bill in front of us that we're doing just the opposite.

So I would ask the Clerk to call LCO 3478.

THE CHAIR:

Mr. Clerk.

THE CLERK:

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LCO Number 3478, Senate "A" offered by Senators Fasano  
and Kissel.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

I move the amendment and request permission to summarize.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR FASANO:

Madam President, what this purports to do is very simple. It does not hamper the bill that's currently on the floor that Senator Doyle has brought up, but it just says, listen, let's make it a local option. If the City of New Haven wants to do it, the legislative body says yes. If they don't want to do it, the legislative body does nothing. If Branford wants to do it, the legislative body says yes. What this does is we put the tool in effect not as a mandate, as a permissive, and we say if your municipality wants to do it, we now give you the tools to do it if you have that problem. But if you don't have the problem, you don't have to do something. And you know what? We're not going to mandate you because we don't know your towns as well as you do.

So if you believe as I believe that mandates are a bad thing, let the municipality choose which mandate they believe are benefiting us or them and which mandates they choose not to go with because they are of no benefit. I certainly know my district, there are not any of my towns that are going to say, yes, we want this. But why should they be subject to it? Why should the chief of police in our towns be subject to having this onus requirement placed on them? So all this is saying if you want it, you want it. If you don't, you don't. New Haven, go forward. West Haven,

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go forward. But every other small municipality can say I don't want it. Madam President, I would ask for roll call upon the amendment. Thank you.

THE CHAIR:

Roll call will be taken.

Senator Doyle.

SENATOR DOYLE:

Through you, Madam President, upon further review, I believe this amendment is reasonable and I will support it. It doesn't -- how it impacts the underlying file it just gives a municipality the opportunity to pass a municipal resolution to opt in. So under the circumstances I think it's friendly and I'm prepared to support Senate "A" proposed by Senator Fasano.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Fasano, would you like a voice vote did you say?

SENATOR FASANO:

I'd like a voice vote on that.

THE CHAIR:

Okay. Thank you.

SENATOR FASANO:

I want to thank Senator Doyle and Senator Looney. Thank you so much for accepting this friendly amendment.

THE CHAIR:

Thank you.

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At this time I'll try your minds, all those in favor of this amendment please say aye.

SENATORS: Aye.

THE CHAIR:

Opposed?

The amendment passes.

Senator Witkos..

SENATOR WITKOS:

Thank you, Madam President.

I stand in support of the bill as amended. I think this gives those communities that are having difficulties with those establishments in their communities the ability to make sure that they're made aware of it. And as came out during the debate, there aren't that many but those that are having difficulties, it gives them the necessary tools to get it. So I urge the Chamber's adoption. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further?

If not, Senator Doyle.

SENATOR DOYLE:

If there is no objection, I'll refer this to the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

THE CHAIR:

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Excuse me, Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Madam President.

I apologize for the interruption. Before moving to that bill, if the Clerk would call the items on the Consent Calendar so that we might move to a vote on the first Consent Calendar.

THE CHAIR:

Absolutely.

Mr. Clerk, will you please call the Consent Calendar.

THE CLERK:

On today's first Consent Calendar, page 4, Calendar 413, House Joint Resolution Number 73, page 6, Calendar 142, Senate Bill Number 324, on page 7, Calendar 176, Senate Bill 267, on page 10, Calendar 228, Senate Bill Number 299, and on page 21, Calendar 375, Senate Bill 323, page 23, Calendar 389, Senate Bill 52, on page 36, Calendar 139, Senate Bill 252, page 37, Calendar 154, Senate Bill 83, page 37 again, Calendar 157, Senate Bill 208, and also on page 37, Calendar 158, Senate Bill 209.

THE CHAIR:

Mr. Clerk, did you miss page 36, Calendar 139?

THE CLERK:

No, I got it.

THE CHAIR:

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You got it. Thank you very much, sorry. At this time, Mr. Clerk, will you call for a roll call vote on the first Consent Calendar, the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Immediate roll call on Consent Calendar Number One has been ordered in the Senate.

THE CHAIR:

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

THE CLERK:

On today's first Consent Calendar.

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

The Consent Calendar passes.

Mr. Clerk, I think we go back to the roll call vote -- I mean the vote on --

THE CLERK:

Calendar page 14, Calendar 311, Substitute for Senate Bill Number 332, AN ACT AMENDING THE CHARTER OF THE METROPOLITAN DISTRICT IN HARTFORD COUNTY, favorable report of the Committee on Planning and Development.

THE CHAIR:

Senator Osten, let's try this again.

SENATOR OSTEN:

**JOINT  
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Next speaker is Lieutenant Tony Reyes of the New Haven P.D. Good afternoon, Lieutenant.

ANTHONY REYES: Good afternoon. I'm going to read a statement that was previously submitted to the committee, if I may. General Law Committee, we wanted to say thank you on behalf of the New Haven Police Department for the opportunity to testify on behalf of Senate Bill 83, AN ACT CONCERNING MUNICIPAL NOTICE OF ALCOHOLIC ALCOHOL PERMIT RENEWALS.

In 2011, the General Assembly created a pilot in the city of New Haven which allows the Chief of Police an opportunity to comment on liquor permit renewals. This bill would continue this program and expand it to the remainder of the state. In 2011, the City came to the General Assembly for help with dealing with problem bars as chronic issues existed as some liquor establishments in New Haven ranging from persistent drug dealing to violence to even homicide. The police department has spent considerable resources investigating activity at some of these establishments, yet when the establishment applies for a liquor permit or renewal, the police department was often in the dark.

With over 100 establishments in the city with liquor permits, this bill allows the department to be notified when a liquor permit is up for renewal and to submit comment for consideration. The municipal police departments are the ones responding to and investigating problems at these establishments and have the most knowledge of activities occurring at such establishments. The city uses this tool sparingly. We have found, since passage, that there has been a considerable improvement in the civility present at our liquor establishments; however, there remain a

few establishments that are magnets for trouble, that have operations -- that have operators that do not take proper care to ensure safety and create environments where lawlessness does not exist, but thrives.

As a detective, I did lead investigations into acts of violence that occurred at a number of these establishments, most notably, the Lazy Lizard and the Key Club Cabaret. We have filed comment on both establishments. The Liquor Commission has been working with the city to review these permits due to the ability of an establishment to renew as late as a day before expiration and the required administrative renewal that must be issued at the time, we feel that there is an opportunity to further strengthen this bill and look forward to working with the committee and Liquor Control to ensure that ample time is given for comment prior to a renewal. It is in the interest of public safety and of responsible owners to ensure that only those who have demonstrated that they are suitable to operate liquor -- a liquor establishment are given that privilege.

Thank you for your consideration on this statement, and I'll take any questions.

SENATOR DOYLE: Thank you, Lieutenant.

You mentioned in your testimony that you've been a detective on this issue. Can you give us a real world of how this act has actually helped you in New Haven because I know we did a pilot for you guys through Senator Looney, if you could kind of give us a real-world explanation if you're happy with it and how it has worked.

ANTHONY REYES: I think the biggest asset the bill presents is that it gives us the leverage to

ensure that these bars are cooperating with investigations. Oftentimes, we're not -- we're dealing with the promoters or various people that are transient that come through these bars so as long as we're getting help from the bar owners. You know, we understand that some of the things are out of their control, but it's that help.

For example, in one of the recent homicides that I supervised, I had some issue with receiving timely videos. The bar owner quite obviously delayed providing us those videos and it wasn't until I presented myself after he made promises to our detectives that he said, well, the retention period had expired. I mean, clearly, this particular bar owner has been under -- that particular bar has been under nine different permittees, all related to this particular bar, you know, all related to the same owner. I think that the bill makes them understand that we have leverage to comment whenever they renew, and therefore, it gives us the opportunity to get cooperation from them that otherwise wouldn't happen.

SENATOR DOYLE: Thank you.

And in your testimony, you reference maybe you working with us to give ideas or more time. If you've got some -- when you get back to your office, if you have any suggestions for us, we'll take it. You know, if you could make the bill stronger. I think you're talking about timing of renewals so any comments and reflection, let us know and we'll consider it.

ANTHONY REYES: Thank you.

SENATOR DOYLE: Any -- Representative Altobello.

REP. ALTABELLO: Thank you, Mr. Chairman.

Good afternoon, Lieutenant.

ANTHONY REYES: Good afternoon, sir.

REP. ALTOBELLO: Have you given any thought -- at least one of the incidents that I read about in New Haven had to do with an on-premise establishment where liquor was sold and then at the witching hour, so to speak, in our wisdom, we put an end time on that and then they went next door in the same building, I believe, and very unfortunate situations happened and there was terrible violence. Have you given any thought to expanding what we have here to include that permits a permittee or ownership or managerial staff could not do something like that or is -- is the current administration considering a ban on such after-hours type clubs?

ANTHONY REYES: That's a good question. We worked with the Liquor Commission very closely with that and one of the things that we were able to do, the owners agreed -- working with us agreed that opening those -- that after-hours establishment, which was, as you've said, adjacent to their bar, was not a good idea and that it was not good practice. Unfortunately, they were working within the parameters of the law, and what they did was they, you know, they failed to make sure that the number of people that were inside the establishment met the threshold that is allowable. There were in excess of 150 to 200 people when there were about 60 allowed in that location.

They didn't regulate that. They took ownership of that, but it wasn't until they realized that we were going to take an active role in preventing them from getting renewed that they decided to be compliant in preventing the

opening of those bars in the future. Plus, they also listened to some of our recommendations in adding more police personnel, armed personnel. They, at the time, had the very minimum. They allowed us to change that policy. And as of right now, it seems to be working. You know, time will tell.

REP. ALTOBELLO: So my question actually was do you think there is some way that -- or something that we should be doing to be able to prevent that, even though there is no liquor license involved, or do you think that you can handle that -- the towns and cities can handle that locally through local ordinances?

ANTHONY REYES: Yes, I think there is something more. I think that we would have to think a little more about, you know, what those measures would be. For us, it was working with the Liquor Commission. On your level, I would imagine that there should be some -- something stipulating that if you are going to have a license that you cannot do such a thing as after hours. Maybe something like that within the establishment because clearly it was in the same building. They -- they went to a different part of the room. There was still a bar. They got away with it by saying that there was no liquor being served, but people were bringing in liquor. There was a cover fee, things of that nature.

I think that if the law can stipulate that that's not allowed as well, certainly that would help us.

REP. ALTOBELLO: What -- what were the fees? Was there a charge at the door or you said --

ANTHONY REYES: People were charged at the door.

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REP. ALTOBELLO: Okay.

ANTHONY REYES: But if you brought liquor into the establishment, there was a cork fee.

REP. ALTOBELLO: What kind of fee?

ANTHONY REYES: Cork fee, that's --

REP. ALTOBELLO: Cork?

ANTHONY REYES: Cork fee, essentially --

REP. ALTOBELLO: Cork, as in coffee cork, okay.

ANTHONY REYES: Cork, as in c-o-r-k, I think.

REP. ALTOBELLO: Yeah.

ANTHONY REYES: And whereas, they would serve -- they would have to be -- they would have to serve the liquor to you. So you could bring it in, they would hold it in a refrigerator and they would serve it to you.

REP. ALTOBELLO: So there would be bartenders then?

ANTHONY REYES: Oh, yeah, absolutely.

REP. ALTOBELLO: Okay.

ANTHONY REYES: There were people that were tasked with distributing the alcohol, yes.

REP. ALTOBELLO: For a fee?

ANTHONY REYES: For a fee is what we were told, yes.

REP. ALTOBELLO: Okay. It could be looked at.  
Thank you, Lieutenant.

ANTHONY REYES: You're welcome.

REP. ALTOBELLO: Thank you, Mr. Chairman.

SENATOR DOYLE: Senator Witkos.

SENATOR WITKOS: Thank you, Mr. Chair.

Good afternoon, Lieutenant.

ANTHONY REYES: Good afternoon, sir.

SENATOR WITKOS: From my understanding, the pilot program was instituted because of the difficulties that New Haven was experiencing with the bar culture downtown and then it hadn't got it up and running as quickly as they thought, so we extended it for a year and now from your testimony, you would like to see it go statewide.

A couple of questions, have -- has this been brought forth to the Connecticut Police Chiefs Association to see if they feel that it would be a benefit to all of the communities to have this same type of imposition placed upon them?

ANTHONY REYES: I don't know the answer to that. I could speak with our chief and I could get back to you with that.

SENATOR WITKOS: Okay. And have you found that the Liquor Control Commission has been receptive when you have filed complaints or offered comments regarding some of the difficulties that you have been having, meaning the New Haven P.D., with these establishments that they should consider possibly not renewing some of the liquor permits?

ANTHONY REYES: Yes. I think they have been very responsive. I think we have a very good working relationship with the Liquor

Commission. Oftentimes, they have parameters that they have to work within as well so oftentimes, our obstacles are their obstacles, the many obstacles they are dealing with. But yeah, we have an open line of communication. We've met very frequently with them to discuss our concern and they have taken those concerns into consideration when deciding to renew a license, yes.

SENATOR WITKOS: And would you say one of the obstacles that it sounds like both agencies may be having is the example that you said you have nine different family members being listed as a permittee.

ANTHONY REYES: Yeah, absolutely. And unfortunately, no one would know that when someone is going to renew so if it wasn't for the relationship for that the police department has with these establishments, that -- that information would be afforded to because we -- we know who they are. So yeah, that is something that is not being taken into consideration when the renewal process is taking place.

SENATOR WITKOS: But yeah, when you brought that to their attention, through your investigation or your knowledge that this one particular establishment you keep going back to over and over and over again, the permittee keeps changing, but it all stays in the same family, they -- "they" meaning the Department of Consumer Protection -- says that they can't do anything about it because it's not within their jurisdiction because it's somebody new.

ANTHONY REYES: Yeah. I mean, there are various reasons, but yeah, among that -- among them are exactly what you just said, it's -- there is very little they can do sometimes because

someone else comes in, they renew, and as so long as, you know, they're following the procedure, there is very little they can do about it, correct.

SENATOR WITKOS: And how much outreach was done when the legislation for the pilot program was passed to the bars? Did it -- just word went out that now when they go to renewal, the police department will get to weigh in on it, so maybe people cleaned up their act, or you had to wait for an occurrence to happen and say so you'll know we'll be reporting that so when you go for you renewal, this is something that you're going to have to face.

ANTHONY REYES: Yeah, I think the latter is true. I mean, I think it's case-by-case. It's -- again, when we -- when we do raids along with the Liquor Commission, when we speak to these chronic offenders, we make them aware of the fact that the -- that we have a voice and that we plan on exercising that voice if we see that they're not compliant with regard to public safety.

SENATOR WITKOS: Okay. Thank you very much.

Thank you, Mr. Chairman.

SENATOR DOYLE: Thank you.

Representative Rutigliano.

REP. RUTIGLIANO: Thank you, Mr. Chairman.

Good afternoon.

ANTHONY REYES: Good afternoon.

REP. RUTIGLIANO: I just had a couple of quick questions. Doesn't the municipality or the

police department, can't they file a complaint against a bad establishment at any time to the Liquor Commission regardless of the renewal period? If somebody is doing wrong in the marketplace, you could file a complaint at any time. Yes or no?

ANTHONY REYES: We can.

REP. RUTIGLIANO: You can. So this bill just -- you're saying that during the period where you want to renew, they have to now go -- how will it work? Your office will just get notified and then you -- you either don't do anything or you write a report about how bad this particular establishment is and that affects their renewal permit?

ANTHONY REYES: I mean, we would hope that when the process begins that we would be notified in some way so that we could be present to comment. To answer your previous question, the issue is that the Liquor Commission can only do things if they violate. For example, the issue with one of the previous establishments, the Key Club Cabaret, as the other people mentioned, he -- they were operating at a different location. It didn't have a bar. They didn't have anyone manning that bar so because of that technicality, the commission was limited in what they could do.

So those are the types of limitations and restrictions that we fall prey to because even though we can and we do have a relationship with the commission, oftentimes, there is very little they can do because of technicalities.

REP. RUTIGLIANO: Does this bill deal with just liquor people, people who have liquor, or does it deal with if they serve food and liquor? Is it every permit that involves liquor that you

want to have pass through the police department or is just sort of like your nightclub or a place that doesn't serve food?

ANTHONY REYES: I would -- I will check and confirm, but I'm pretty sure that what we're looking for are nightclubs and these establishments that are serving liquor --

REP. RUTIGLIANO: Right.

ANTHONY REYES: -- you know, after certain hours.

REP. RUTIGLIANO: I didn't read it that ways, that's why I was hoping you could clarify.

ANTHONY REYES: Yeah.

REP. RUTIGLIANO: I was very supportive -- we were very supportive of the pilot program for New Haven. I do kind of have issues with a blanket statement throughout the state of Connecticut --

ANTHONY REYES: Sure.

REP. RUTIGLIANO: -- that every liquor establishment or every restaurant that serves liquor would have to go before the police department, yet another hurdle in town. You know, there are some bad actors it seems like in New Haven -- I live near New Haven -- and there are some bad actors in the marketplace. The idea of somebody leaving an establishment and go next-door and have cork fees, that can be handled with local ordinances. That's something that the New Haven Town Council should be able to handle, you know, that situation.

I don't have any other questions. I do have some concerns with it though. I want you to have the tools you need to do your job. It's

just that one size fits all tends to be problematic at times or once again we bump into an unintended consequence down the road for the rest of us throughout the state that are trying to do our best -- I mean, the rest of the businesses.

ANTHONY REYES: Sure.

REP. RUTIGLIANO: Thank you, Mr. Chairman.

SENATOR DOYLE: Thank you.

Any further questions?

ANTHONY REYES: If I may comment on that.

SENATOR DOYLE: Sure.

ANTHONY REYES: Our intention is not to, you know, effect change to local business owners, restaurants. Our concern is to effect change with people that are running establishments that are open until two o'clock in the morning, that have promoters. I think the distinction is pretty clear, so if we need to make changes to our proposal to reflect that, I'm sure we can do. That's something that I'll bring back to the city.

REP. RUTIGLIANO: (Inaudible.)

ANTHONY REYES: Absolutely.

SENATOR DOYLE: Representative Baram.

REP. BARAM: Thank you, Mr. Chairman.

I was just checking with our LCO and apparently, the way this statute is written, Section 30-39 refers to any establishments that is renewing a liquor permit. It could be a

restaurant, bar, nightclub, whatever. So it apparently is broader in scope.

ANTHONY REYES: Okay.

REP. BARAM: That might be very helpful for us if you could get back to us to let us know really what the focus of law enforcement wants to be --

ANTHONY REYES: Sure.

REP. BARAM: -- wants to be in this area, whether it's just certain types of establishments or not.

ANTHONY REYES: Absolutely.

REP. BARAM: Thank you.

SENATOR DOYLE: Representative D'Amelio.

REP. D'AMELIO: Thank you, Mr. Chairman.

Just to follow up on Representative Baram, I come from an urban area, Waterbury, and you know, I could relate to what you're talking about. We do have our problems and it's a city, but I can't see our police department having the manpower to actually go out there. Are you looking like a physical inspection? When your liquor permit is coming up for renewal, are we going to be sending someone from the police department to inspect the facility or is it a list of violations that are -- occur that you're going to deny someone? I'm trying to figure out how you'll determine who is going to get a permit and who is not.

ANTHONY REYES: What we would like to do is have a voice so that we can comment on past experiences. So we're not looking to go and do

any inspections. That's something that the Liquor Commission would do. That's something that we do on a daily basis when we work with these establishments.

What we would like to do is that when it comes time for them to renew or to -- or to -- to get a new license, if it's someone that we've dealt before, we would like the opportunity to comment on that relationship on the issues that we've been dealing with and to have that considered when the determination to renew that license, you know, takes place. So we're not looking to -- yeah, to go to any inspections. What we're looking to do is voice concerns that we may have based on previous behavior.

REP. D'AMELIO: May I? Just to follow up, when a violation occurs today and is brought to the Liquor Enforcement Commission, there is a hearing that is set for that -- for that violation against that permit holder. Does the police department now attend those hearings if there is a violation that, you know, occurs at a certain establishment? Don't you have a voice there?

ANTHONY REYES: We do, sir.

REP. D'AMELIO: You do?

ANTHONY REYES: We do.

REP. D'AMELIO: Okay. All right. Thank you.

SENATOR DOYLE: Thank you.

I would just like to comment. You know, there are two sides. I think it's an issue we should look into whether we narrow it, but there could, in theory, be a hotel that's problematic in a city that you may regardless of the forum

that's distributing alcohol, you could still have a problem. Right now, they seem to be bars.

ANTHONY REYES: Right.

SENATOR DOYLE: But it could be a restaurant that's problematic. It could be a hotel or a café, whatever. So we just -- the committee, we'll take your input and we'll think about it. But you don't want to exclude someone if it's a problem in Waterbury and it happens to be a restaurant. We may want to consider retaining the authority. But we'll all -- the committee will consider it.

Representative Aman.

REP. AMAN: Thank you, Mr. Chairman.

Just to be clear, the way I'm reading the bill as drafted, it says you may respond with written comments. I take that to mean that for the vast majority of restaurants, bars, hotels, et cetera, the police department isn't going to make any written comment or do anything. Is that correct?

ANTHONY REYES: That's correct.

REP. AMAN: Okay.

ANTHONY REYES: That's the intended -- yes, that's correct.

REP. AMAN: So unless something has been brought to your attention that you're concerned about, you or no other police force is going to do anything or is there any required form for you to actually make your written comments?

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ANTHONY REYES: Yeah. I don't think there is a required form. I will say that we do intend on using it sparingly. Our intent is to only comment when it's -- when it's dealing with an establishment that is a chronic offender or someone that we feel is causing issues with public safety.

REP. AMAN: I think if we continue using the word "may" in there, it will alleviate a lot of concerns that there are.

The other question that I have is regarding -- regarding the length of time. I thought I had heard somewhere in the testimony that you -- that you had said that between -- there are times that you find out that a renewal is going to occur, you don't have sufficient time to respond and, yet, the bill talks about when the application is made you are also notified at that point. Is that the new law that you're looking for is that where part of the problem is?

ANTHONY REYES: I would say that the problem is the time that we're being notified of the pending -- of the pending renewal.

REP. AMAN: So if the law was written to say 45 days, 60 days prior to the consumer protection giving a ruling, you would receive notice regardless of when the people made an application, that would cover that, rather than --

ANTHONY REYES: I think that would solve --

REP. AMAN: -- leaving it vague that they have to notify you during the application.

ANTHONY REYES: Yes, sir.

REP. AMAN: So I think maybe a time limit put in there that consumer protection must notify you X number of days prior to them making a ruling is really what you're looking for.

ANTHONY REYES: Yeah. I think that would satisfy it, yes, sir.

REP. AMAN: Thank you very much.

SENATOR DOYLE: Thank you.

Representative Carter.

REP. CARTER: Thank you very much, Mr. Chairman.

And thank you, Lieutenant, for your testimony today. So listening to this, it sounds like number one your goal is to have a voice. You feel like without some sort of notification, you don't have a voice?

ANTHONY REYES: Correct.

REP. CARTER: Now, you've also mentioned that there has been a very open line of communication with the Department of Consumer Protection. Prior to this whole pilot program, did you feel like you didn't have an open line of communication or how were things resolved at that time.

ANTHONY REYES: I think that they were resolved within the parameters that were set by the Liquor Commission. So we work within those parameters. In addition to what we did within -- with city ordinances and with law obviously, we would deal with the Liquor Commission. They would come in and they would do raids. Or we would devise a plan, again, working within parameters set forth by them.

There are obviously certain things, again, like what happened with the Lazy Lizard or the Key Club Cabaret where if those parameters are extended, they go beyond the parameters of the Liquor Commission and I think that's where we can step in and at the very least have a voice beyond what, you know, the parameters that the Liquor Commission has.

REP. CARTER: The -- something you mentioned early on in your testimony, you were talking about being able to use this as leverage with these particular --

ANTHONY REYES: Correct.

REP. CARTER: -- places.

ANTHONY REYES: Correct.

REP. CARTER: Now, the leverage part of this, I'm to assume by the way the bill is written is that by requiring them to have to write you a letter, it puts it in their brain that this is leverage. Is that -- am I right to assume that that is part of what you're trying to do with this?

ANTHONY REYES: It is part of it. I think -- I think that what I meant with that mostly is they know that we have a voice, and when someone has a voice and they can potentially use that voice against you, you're going to be more apt to cooperate with these individuals. And with us, we have -- we have clear policy within the department with these bars, at times they violate them and we have very little to no recourse because they can -- they can simply say we put a call in, it didn't happen. Oftentimes, it's their lack of responsibility.

If they know that we have a voice in front of -- you know, in front of the commission, they're going to be more apt to say, you know what, I'm going to make sure I get them those videos in time. I'm going to make sure that I'm compliant with whatever policies we've worked out through the department -- you know, the police department. So I mean, them knowing that we have a voice is a powerful thing for us.

REP. CARTER: Sure. I understand that.

I'm -- one of the -- I think one of the main concerns with myself and I know many of the other Legislators is that we, when we come up with these blanket programs where we say okay, now, everybody who applies for a liquor permit has to notify the local police, it's really not always in the local police's purview of who gets it and who doesn't.

ANTHONY REYES: Right.

REP. CARTER: It's just one more piece of the bureaucracy. It's just one more --

ANTHONY REYES: Sure.

REP. CARTER: -- level of trouble people have to go through. However, I understand your point completely. If I were so and so king for a day, if it were possible for you to be able to make notification of problem businesses to the Liquor Commission throughout the year and you knew when that the permit came up that there would be a way that they could do it, because we have to make sure that there is due process with everyone involved.

ANTHONY REYES: Sure.

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REP. CARTER: Would something like that work for you? Like maybe for instance you were able to notify the Liquor Commission formally of what has happened in a particular establishment, you're able to notify the permittee, as well, or maybe the state of Connecticut comes back and says there has been a complaint against your establishment, then we can start looking at due process and what happens maybe prior to.

ANTHONY REYES: Sure.

REP. CARTER: Would those kinds of things be something that you would be willing to talk about?

ANTHONY REYES: I think -- you know, and again, I represent my department. I would want to consult the chief of police to make sure that that is in keeping with the desired outcome, but I will say that so long that there is not a loophole where they can, again, apply between the time that we're submitting those complaints and those grievances, as long as they can't apply during that time and there is a holding period because there is an active investigation, if you will, then I can't see why the city wouldn't, you know, be willing to do something like that, but I would have to talk to the chief of police to see if that's something that that's the intended result that he's looking for.

REP. CARTER: Right. And the final question, it sounds like the biggest problem you have as far as the loophole is when they start putting other names in and start changing the permit names.

ANTHONY REYES: Correct.

REP. CARTER: That's what they've been doing because I've seen that happen in other instances.

ANTHONY REYES: Yeah.

REP. CARTER: And that's probably one of the things that you're trying to guard against most am I to assume?

ANTHONY REYES: It's certainly at the top of our list of issues. When we have a problem bar, the fact that they can do that so easily. Certainly, again, it's counterproductive with the leverage that we want to have with them. So if they're not compliant with us, they know that even if we complain, even if the Liquor Commission comes in and fines those or cites them for something, they can go tomorrow, apply -- you know, have someone else apply for -- for the permit, and you know, that there is no lapse in time that they're conducting business. So it does work against us.

REP. CARTER. Thank you, Lieutenant.

Thank you, Mr. Chairman.

ANTHONY REYES: Thank you.

SENATOR DOYLE: Thank you.

Representative Altobello.

REP. ALTOBELLO: Thank you, Mr. Chairman.

Lieutenant, yes, I do support this bill. I supported it last time and I think for all reasons you've set forth today and ones that were testified to earlier. Just a bit about this, back to the cork stuff, the scenario is such that you've got a licensed establishment that's selling liquor at a bar until a certain

time and what happens then is someone announces well the party is not over, we're just going to reconvene next door so go out the door, we have to throw you out, it's two a.m., go out to your truck, get your liquor, bring it in and our expert mixologist will, for a cork fee, will serve you drinks?

So I mean, if that isn't already illegal, I think it should be because I mean, the DJ moves next door, the whole party moves next door and the only difference is instead of the establishment purchasing the liquor, you've got to bring your own, but everything else remains the same and I think that's where we got into trouble. And in that particular case, there were six shootings, was it?

ANTHONY REYES: Six people shot, yes.

REP. ALTOBELLO: And one fatal.

ANTHONY REYES: One fatal.

REP. ALTOBELLO: Yeah. But I think there is a reason that the Legislature puts these ends dates -- end times in and I think it's just being -- if it's not already illegal, I think it should be and I thank you.

ANTHONY REYES: Thank you.

REP. ALTOBELLO: Thank you, Mr. Chairman.

Thank you, Lieutenant.

SENATOR DOYLE: Thank you.

Representative Rutigliano.

REP. RUTIGLIANO: Thank you, Mr. Chairman, for the second time.

A point of clarification, you can -- can you complain to the Liquor Commission at any time? You don't have to wait for the renewal period? Correct?

ANTHONY REYES: Correct.

REP. RUTIGLIANO: So if you see a bad actor in the marketplace, you can go and complain today about them?

ANTHONY REYES: Sure.

REP. RUTIGLIANO: All right. So you -- technically, you would have a voice with the Liquor Commission?

ANTHONY REYES: We have a voice with the Liquor Commission, yes.

REP. RUTIGLIANO: Thank you, and thank you for your testimony and your time today.

ANTHONY REYES: Thank you for your time.

REP. RUTIGLIANO: Thank you, Mr. Chairman.

SENATOR DOYLE: Thank you.

Any further questions?

Thank you very much for making it up. I assume that the ride was a challenge, but I appreciate you making it up here.

ANTHONY REYES: I apologize for being late. Thank you.

SENATOR DOYLE: Your testimony brought the real world to our bill and we appreciate it. Thank you very much.

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SENATOR DOYLE: The next speaker is Michael Muszynski and then Win Davis and Brent Cleveland. It's my understanding that the building is going to close at three, but the General Law Committee is going to plug it out and finish the public hearing in light of the tight time frame.

Michael, thank you.

MICHAEL MUSZYNSKI: Great. Thank you. Good afternoon, Chairmen, ranking members. My name is Mike Muszynski with the Connecticut Conference of Municipalities. We represent over 92 percent of all towns and cities in Connecticut. I appreciate the opportunity to testify today in support of Senate Bill 83 regarding municipal notice of alcohol liquor permit renewals.

We have submitted written testimony. I just want to touch on -- excuse me -- a couple of points. The bill requires that the permittee seeking liquor permit renewals with the Department of Consumer Protection also provide a written notification to local chief law enforcement officers of the renewal intent. It will allow these officers to provide early written comments in support of either approval or rejection of the permit. This proposal is particularly important especially due to the increases of violence within bars and nightclubs throughout the state. Current law only allows local law enforcement officers the ability to grant temporary permits. This proposal would allow local enforcement to be included in the crucial alcohol liquor renewal process.

Often, law enforcement officers are the ones most aware of local establishments with problematic practices such as a history of

serving to minors, serving to those that have consumed too much alcohol, and generally ignoring issues of drinking and driving, littering and other nuisances. These are matters of serious concern to our communities and impact our local public safety. As you all know, this has been a pilot program in the City of New Haven. You've heard from the City earlier today. It has been effective, and CAM supports the recommended modifications that they addressed.

CAM would also ask the committee and the General Assembly to explore other initiatives to address violence in these establishments. One proposal would be to allow municipalities the ability to create a policing district or entertainment district for any area that contains a high concentration of permitted liquor establishments. This would assist in funding additional police to serve in these areas around these establishments. The details can be discussed further, but essentially, it would allow towns and cities the ability to levy a charge on these businesses, not the property owner and it would be based on occupancy and not the value of the property.

Again, CAM appreciates the opportunity to testify this afternoon, and I would be happy to answer any questions that the committee has.

SENATOR DOYLE: Thank you very much.

Any questions from the committee?

Representative Rutigliano.

REP. RUTIGLIANO: Thank you, Mr. Chairman.

Thank you for your testimony. I just had a couple of quick questions based on your testimony.

MICHAEL MUSZYNSKI: Sure.

REP. RUTIGLIANO: Do you have statistical evidence that there has been an increase in violence in bars in the state of Connecticut? Is there a study out there or proof that there has been an increase?

MICHAEL MUSZYNSKI: I don't have statistical evidence. I have been -- I was referring to what we've seen in the media over the past couple of months and years especially within our larger cities.

REP. RUTIGLIANO: And just as police departments can, can local municipalities, any executive or manager within a town file a complaint with the liquor department against any business at any time during the period of the year?

MICHAEL MUSZYNSKI: I believe -- I am not -- I would have to get back to on that.

REP. RUTIGLIANO: Okay.

MICHAEL MUSZYNSKI: Yeah.

REP. RUTIGLIANO: And these -- these districts that you're talking about creating an entertainment district within town, so really you're sort of, it's almost like a taxing district. They're going to pay extra for extra police protection?

MICHAEL MUSZYNSKI: Essentially, yes.

REP. RUTIGLIANO: Okay. Thank you very much.

Thank you, Mr. Chairman.

SENATOR DOYLE: Yes, thank you.

Any further -- Representative Rovero.

REP. ROVERO: Thank you, Mr. Chairman.

My question is -- you know, CCM usually gets any law being passed that affects municipalities statewide, and here you are saying you would like to have this passed. My question to you is did you have a lot of your municipalities come in and asked for this bill or was it something that you are taking on on your own?

MICHAEL MUSZYNSKI: This was part of our legislative program for the year. The way that CCM adopts our legislative program is we have a board of directors under which is our legislative committee, and they actually drive our legislative program for the year and this was brought up in that forum.

REP. ROVERO: Okay. Because I know in my particular area, I haven't heard anybody cry for this. You see they cry every time we pass a law that affects them, but nobody has been crying for this. So thank you very much.

Thank you, Mr. Chairman.

SENATOR DOYLE: Thank you.

Any further questions from the committee?

Seeing none, thank you.

MICHAEL MUSZYNSKI: Thank you.

SENATOR DOYLE: The next speaker is Win Davis, Brent Cleveland and Richard Beyer.

Win Davis is here, yes.

WINFIELD DAVIS: Good afternoon, honorable ladies and gentlemen of the committee. Thank you for the opportunity to testify on behalf of S.B. 83, AN ACT CONCERNING MUNICIPAL NOTICE OF ALCOHOLIC LIQUOR PERMIT RENEWALS. My name is Winfield Davis. I'm the executive director at the Town Green Special Services District. We represent 27 square blocks of Downtown New Haven and the property owners within the bounds of that district.

Much of the activity that Lieutenant Reyes was talking about occurs or has occurred within the bounds of my district in Downtown New Haven, and my organization represents those properties owners within that business district. We have over 275 properties, and we have been active since 1997, and our core purpose is to improve ownership values by making Downtown New Haven an internationally competitive urban environment in which to live, work, learn and play. And we believe that a vibrant, but safe nightlife experience is essential to the well-being of our downtown community.

After a chain of pretty terrible violent incidents that I think you heard about earlier, my organization started to get involved, and we convened the bar owners and the police together and we started talking to try and create a positive dialogue to try to curb any violence or negative behaviors that were occurring with regard to the operation of the clubs in Downtown New Haven.

And since we started doing this, we have seen that our work has created more of a dialogue between law enforcement and our nightlife operators and it's enforced to us that the

nightlife industry employs hundreds and hundreds of people in New Haven and the vast majority of these people are very, very hardworking, honest, law-abiding residents. We've seen a few operators show a consistent disregard for public safety by the way they choose to run their establishment, and these operators are the ones that the New Haven Police Department has gotten to know all too well, because they're forced to investigate any incidents that might occur within the bounds of the premise including homicides, which have occurred at several different establishments in New Haven.

As a community, we have an intimate understanding of what goes on in certain bars and clubs, and the police chief has, perhaps, the most comprehensive understanding of which liquor permit holders in New Haven are a risk to public safety.

We believe strongly that the Liquor Commission needs local input to make the best decision to keep Connecticut bars and clubs safe for nightlife patrons in every municipality.

In New Haven, poorly run nightlife businesses are few in number, but they create huge problems for all of my property owners and all of the owners in New Haven. Violent incidents from the bars and clubs have a real and lasting impact on people's overall perception of safety in the city. Club violence destroys not only the nightlife economy, but the daytime economy as well. You know, our retail recruitment is made much tougher by a lot of the headlines that are created in the papers. We've seen a dip in parking revenues because people don't want to come downtown nearly as much, and the violent incidents that occur sometimes in the

clubs and bars are partially responsible, I think, for that dip.

So since 2011 when Senator Looney worked to pass an experimental piece of legislation in New Haven, we've seen an increase in civility and willingness to work with the community from the problematic bars and club operators. We have also seen the city use this tool carefully only to comment on the operators who have experienced multiple major lapses in security protocols which have resulted in violent incidents including homicide.

The hardworking people of the nightlife community, as well as the property owners of the Town Green District, are very much in support of S.B. 83 and urge its passage.

SENATOR DOYLE: Thank you. Thank you.

Any questions from the committee?

Seeing none, thank you very much.

Next speaker is Brent Cleveland and then Richard Beyer and Sheila Millar.

Is Brent here? Yes.

BRENT CLEVELAND: Thank you, Chairman Doyle and Baram, and committee members, thank you for the opportunity to be here. I've been trying to think of a segue between bars, alcohol and children's jewelry, and I think I have one. Children's jewelry regulates jewelry for 12 and under and we don't recommend alcohol for that age group.

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So that being said, I am Brent Cleveland and I'm the executive director of the Fashion Jewelry Trade Association, and I am also the

Quick question: How many states are going by the industry standards?

JEAN CRONIN: Well, all the manufacturers are making products by the industry standard. Right now, I think there were -- there was one state that had 40. Connecticut and one other is at 75 parts per million by weight. The other states are at 75 soluble, which is actually a higher amount than 75 parts per million. It's actually higher than the 300 parts per million that the national standard has been set on. So the one that's actually at 300 right now, the national standard, is California.

REP. ROVERO: Okay. Thank you.

Thank you, Mr. Chairman.

SENATOR CHAIRMAN: Any more questions from the committee?

Seeing none, thank you.

Sir, if you would like to speak. Again, sir, please state your name -- your name and address for the record. Thank you.

(SB83) LAWRENCE TRUMAN: I'm Lawrence Truman. I have testified on many occasions. I live in Hartford. The thing is that alcohol is a neurotoxin poison, which kills the liver, kidneys and the brain. And it also is a Class I explosive so under Homeland Security and all the other laws that we have, it's banned because you can't -- you can't pass a law that inhibits the brain and then arrest the person for being inhibited. It has to be with the (inaudible.) So if you pass a law that says it's okay to produce an alcohol beverage and let somebody walk out the door and he gets

hit by a car, who is liable? You are because you passed a law to allow it to be produced.

It's prohibited under the constitution to produce a neurotoxin poison that we know that kills.

SENATOR DOYLE: I'm not sure -- are you referencing a bill or --

LAWRENCE TRUMAN: The alcohol bill with New Haven because when he's going to an establishment, he can actually seize the building. He doesn't have to -- he's the authority. He has the permission to seize the building, shut it down and condemn it until they do a full investigation. It doesn't go to one building committee because under federal law, the ATF is alcohol, firearms and explosives. It's still enforced. It's mandated in New York, Rhode Island, in 47 states so if you don't want to do that, then that's -- you know, you're prohibiting and sitting on (inaudible), like he said, I own nine establishments, and he sits on the board, and he laughs. So when you're producing something that kills the brain, the kidneys and ends up dead, so I guess you're in contempt of federal and state law because if you go to court then you end up in jail and actually sentenced to death.

SENATOR DOYLE: Okay. All right.

Any questions from the committee?

Seeing none, thank you for coming out. Drive safely.

Any other further questions from the public -- I'm sorry -- anyone else want to testify? Seeing none, I'll -- the public hearing is officially closed. Thank you.

City of New Haven  
Toni N. Harp – Mayor



*Testimony Regarding*  
**SB 83 AN ACT CONCERNING MUNICIPAL NOTICE OF**  
**ALCOHOLIC LIQUOR PERMIT RENEWALS**

*Submitted by*  
**Lt. Tony Reyes, New Haven Police Department**  
February 18, 2014

Senator Doyle, Rep. Baram, thank you for the opportunity to testify on behalf of SB 83 An Act Concerning Municipal Notice of Alcoholic Liquor Permit Renewals. In 2011 the General Assembly created a Pilot in the City of New Haven which allows the Chief of Police the opportunity to comment on liquor permit application renewals, this bill would continue this program and expand it to the remainder of the state.

In 2011 the City came to the General Assembly for help in dealing with problem bars as chronic issues existed at some liquor establishments in New Haven ranging from persistent drug dealing, to violence, to even homicide. The police department had spent considerable resources investigating activity at some of these establishments, yet when the establishment applied for a liquor permit renewals, the police department was often in the dark. With over one hundred establishments in the City with liquor permits, this bill allows the department to be notified when a liquor permit is up for renewal and to submit comment for consideration. The municipal police departments are the ones responding to and investigating problems at these establishments, and have the most knowledge of activities occurring at such establishments.

The City uses this tool sparingly. We have found since passage there has been considerable improvement in the civility present at our liquor establishments, however, there remain a few establishments that are magnets for trouble, that have operators that do not take the proper care to ensure public safety and create environments where lawless not only exists but thrives.

As a detective I lead the investigations into acts of violence that occurred at a number of these establishments – most notably the Lazy Lizzard and Key Club Caberet. We have filed comment on both establishments. Liquor control has been working with the City to review these permits. Due to the ability of an establishment to renew as late as a day before expiration, and the required administrative renewal that must be issued at that time, we feel that there is an opportunity to further strengthen this bill – and look forward to working with the committee and the Department of Consumer Protection: Liquor Control to ensure that ample time is given for comment prior to a renewal. It is in the interest of public safety and of responsible owners to ensure that only those who have demonstrated that they are suitable to operate a liquor establishment are given that privilege.

Thank you for your consideration of this very valuable legislation.

*Testimony Regarding***SB 83 AN ACT CONCERNING MUNICIPAL NOTICE OF  
ALCOHOLIC LIQUOR PERMIT RENEWALS***Submitted by***Winfield S. Davis, Town Green Special Services District**

February 18, 2014

Senator Doyle, Rep. Baram, thank you for the opportunity to testify on behalf of SB 83 An Act Concerning Municipal Notice of Alcoholic Liquor Permit Renewals. The Town Green District has represented over 275 Downtown New Haven property owners since 1997 and the core purpose of the Town Green District is to improve ownership values by making Downtown New Haven an internationally competitive urban environment in which to live, work, learn and play.

We believe that a vibrant and safe nightlife experience is essential to the wellbeing of our Downtown community. After a horrendous chain of violent incidents that culminated with 24 shots fired between bar patrons and New Haven Police in September of 2010, our organization has been convening meetings with bar and club operators and the New Haven Police Department in order to address problematic business practices and violent incidents stemming from our Downtown bars and clubs.

Our work has created more of a dialogue between law enforcement and our nightlife operators and has reinforced to us that the Nightlife industry in New Haven employs hundreds and hundreds of people, most of whom are hardworking, law abiding New Haven residents. We have seen a few operators show a consistent disregard for public safety by the way they choose to run their establishments. These operators are the ones the New Haven Police Department has gotten to know very well because they are forced to investigate violent incidents, including homicides which have occurred at several different establishments. As a community, we have an intimate understanding of what goes on at a certain bar or club and the Police Chief has perhaps the most

comprehensive understanding of which liquor purveyors in New Haven are a risk to public safety. We believe strongly that the liquor commission needs local input to make the best decisions to keep Connecticut bars and clubs safe for nightlife patrons in every municipality.

In New Haven, poorly run nightlife businesses are few in number, but they create huge problems for all property owners in New Haven. Violent incidents from the bars and clubs have a real and lasting impact on people's overall perception of safety in the City. Club violence destroys not only the nightlife economy but the day time economy as well. Retail recruitment to fill vacant retail spaces with daytime uses are affected as well as things like parking revenues are negatively affected, in part, because people are scared to come Downtown because of violent incidents that have occurred in Downtown New Haven.

Since 2011 when Senator Looney worked to pass an experimental piece of legislation giving the New Haven Police Chief a say in liquor license renewals, we have seen an increase in civility and willingness to work with the community from the problematic bars and club operators. We have also seen the City use this experimental tool carefully, only to comment on the operators who have experienced multiple major lapses in security protocols which have resulted in violence and homicides.

The hard working people of the nightlife community as well as the property owners of the Town Green District are very much in support of SB 83 and urge its passage. Please make sure all Connecticut police chiefs have a voice regarding liquor permits.



## **GENERAL LAW COMMITTEE**

February 18, 2014

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 92% of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

CCM supports SB 83 "An Act Concerning Municipal Notice of Alcoholic Liquor Permit Renewals" which would require that permittees seeking liquor permit renewals through the Department of Consumer Protection, to also provide written notification to local chief law enforcement officers of their renewal intent. This proposal would apply only to permit renewals. Current law only requires local law enforcement officers' approval for granting temporary permits.

SB 83 would allow local officials to be included in this crucial step of the alcoholic liquor renewal process. Often, law enforcement officials are aware of local establishments with problematic practices such as a history of serving to minors, serving to those that have consumed too much alcohol, and generally ignoring issues of drinking and driving, littering, etc.. These are matters of serious concern to our communities and impact our local public safety.

As a result of recent increases in violence within bars and nightclubs throughout the state, SB 83 would be a reasonable means of enhancing the quality of life that our dedicated public safety officials strive to protect on a day-to-day basis. CCM would also support other initiatives to address violence in these establishments, such as allowing municipalities to create a policing district for any area that contains a high concentration of permitted liquor establishments, and granting municipalities the authority to seek an injunction to close down any establishment, once there is substantial evidence of a serious threat to public health, safety and/or welfare.

CCM urges the committee to favorably report SB 83.

★★★★

If you have any questions, please contact Mike Muszynski, Senior Legislative Associate of CCM at [mmuszynski@ccm-ct.org](mailto:mmuszynski@ccm-ct.org) or (203) 500-7556.