

**TESTIMONY OF DANIEL A. SILVER, ONE LIBERTY SQUARE, NEW BRITAIN, CT
RELATING TO RAISED BILL NO. 301, AN ACT CONCERNING SUSPENSION OF
ALCOHOLIC LIQUOR PERMITS BY MUNICIPAL LAW ENFORCEMENT OFFICIALS**

My name is Daniel A. Silver and I am an attorney with the law firm of Silver & Silver LLP in New Britain. Over the past forty-three (43) years I have been actively involved in the representation of clients in the areas of constitutional law and liquor regulatory issues. I am here to address Raised Bill No. 301 entitled "An Act Concerning Suspension of Alcoholic Liquor Permits by Municipal Law Enforcement Officials". I am greatly concerned that this Bill would allow unfettered discretion upon municipalities to disrupt and otherwise create financial disaster to tax paying businesses as a result of events over which they may have no control. This Bill would allow Chief Law Enforcement Officers to suspend Liquor Permits for three (3) disorderly events either on or adjacent to a business location. The language contained in this Raised Bill is so vague and overbroad as to the term "disorderly" that it could apply to almost all activities over which a business owner has no knowledge or control. The lack of definitional specificity creates a chilling effect. Therefore, even the most upstanding business owner could unknowingly come within the reach of this Bill. There are clear and unmistakable constitutional issues involved which, in my opinion, would not withstand judicial scrutiny.

Equally important, this Bill would put our municipal police departments into the field of alcohol regulation. We have an experienced and dedicated Liquor Control Commission staff who presently deal with these issues. Incidents such as disorderly conduct at establishments are presently referred to the Liquor Control Commission which holds permit holders accountable for their actions over which they legally have responsibility. There is a uniform process. Aside from the duplicate and wasteful responsibility of

enforcement, this Bill would lead to both selective enforcement and enforcement which is not uniform within the State of Connecticut. Can political agendas assert themselves? I will leave that question to you. The exclusive control of alcoholic beverages must remain within the Department of Consumer Protection as outlined in your existing statutory framework. There is good reason why the legislature has left alcohol regulation to the State rather than allowing regulation by each municipality. The sale and regulation of permit holders is a statewide concern. We need a consistent policy as to the regulation of alcoholic beverages. This Bill would be a step in the wrong direction.