



March 18, 2016

**RE: H.B. 5624, AN ACT CONCERNING LICENSURE OF E-CIGARETTE SELLERS
AND MANUFACTURERS**

To the Honorable Members of the Committee on Finance, Revenue and Bonding—

Cumberland Farms appreciates your prompt consideration of important technical revisions to the e-cigarette dealer registration law adopted last session. Regarding that effort, specifically H.B. 5624, we respectfully submit the following comments.

Addressing the definition of “person” is our top priority, because of concerns that the existing law would apply to natural human beings—such as our individual employees— rather than more broadly to corporations like Cumberland Farms. To that end, the bill now states that “person” means each owner of a business organization...

Unfortunately, we believe that language does not address the problem. Our understanding is that Cumberland Farms, Inc. (the incorporated entity that owns/operates all Cumberland Farms stores in Connecticut) would be the “business organization,” and thus that our individual shareholders would be the “owners” required to register under the law. Requiring individual shareholders to obtain business registrations for the actions of a corporation is not something the legislature should entertain, nor do we believe it was the intent in this case.

We would propose, simply, that the legislature clarify the current law to state that “person” includes corporations (not their owners, and not their agents acting in the course of lawful employment) such that the applicant may be a corporate entity, and that the certificate may be issued directly to such corporate entity. This is common practice for business licensures in CT and beyond, and would address the primary problem we encountered in the implementation of this law over the past few months.

As always, in this or any other matter, please feel free to contact me directly with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew T. Durand".

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