

BRYON H. SHORT
STATE REPRESENTATIVE
7th District



COMMITTEES
Economic Development, Banking,
Insurance & Commerce, Chair
Revenue & Finance, Vice Chair
Housing & Community Affairs
Veterans Affairs

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

House Economic Development, Banking, Insurance & Commerce Committee Meeting
Minutes
5.10.17

Chair Short Called the meeting to order at 2:42 p.m. Members present included Vice-Chair Bennett and Reps. Baumbach, Keeley, Paradee, Q. Johnson, Gray, Hensley, Ramone, Spiegelman, and Yearick. For a list of guests present please see the attendance list below.

Rep. Paradee introduced **SB 46 w/ SA 1, AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SELF-SERVICE STORAGE FACILITIES**. He explained that the bill came from the self-service storage industry and it modernizes the part of the Delaware Code that pertains to the industry. One part of the bill deals with the electronic advertisement of sale of property for which rent is in default. The amendment has language that addresses notifying kin. The bill also addresses when property such as boats can be towed away from a storage facility.

Rep. Baumbach asked if there was a House Attorney who could verify whether lines 20 to 22 would exclude manufactured homes. Seeing none, Rep. Baumbach asked Rep. Paradee that the issue be clarified before presenting the bill on the House floor.

Rep. Paradee said that if necessary he would add an amendment.

Chair Short then opened up the floor for public comment.

Ellen Velintino with the MDDC Press Association spoke in opposition to the bill. She explained that her organization had concerns with regard to the language that detailed where the sale of property could be offered.

Marcus Dunn with the Self-Storage Association, explained that with the decline of traditional newspapers, he did not believe that they provided the best method for advertising.

A motion was made by Rep. Keeley and seconded by Rep. Bennett to release SB 46 w/ SA 1 from committee. Motion carried. Yes—10 (Chair Short, Vice-Chair Bennett, Baumbach, Keeley, Paradee, Q. Johnson, Hensley, Ramone, Spiegelman, Yearick); Absent—1 (Matthews); Abstain—1 (Gray).

SB 46 w/ SA 1 was reported out of committee with an F=0, M=10, U=0 vote.

Speaker Schwartzkopf introduced **HB 167, AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF COOKING WINE AND ALCOHOLIC LIQUORS**. He explained that the bill defines cooking wine to contain no more than 20 percent alcohol by volume and no less than 1.5 percent salt, making it unfit for beverage consumption.

Chair Short asked if there were any questions from committee members before opening the floor to public comment. There was no comment from the public.

A motion was made by Rep. Keeley and seconded by Rep. Spiegelman to release HB 167 from committee. Motion carried. Yes–11 (Chair Short, Vice-Chair Bennett, Baumbach, Keeley, Paradee, Q. Johnson, Gray, Hensley, Ramone, Spiegelman, Yearick); Absent–1 (Matthews).

HB 167 was reported out of committee with an F=0, M=9, U=0 vote.

Rep. Keeley introduced **HB 158, AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUOURS**. She explained that the bill creates a new type of liquor license for beer gardens. Beer gardens are defined as outdoor venues that operate at least 5 months, of each year and are independent of any other licensed establishment. The licensing and operation of beer gardens provides new business creation opportunities and a chance to enhance retail areas in Delaware. She added that the General Assembly is mindful of concerns that by creating a license for outdoor space, existing businesses could be affected. Therefore, the definition of a beer garden includes stringent requirements that will limit the number of establishments that could be eligible for a license issued pursuant to the Act. The biennial fee for a beer garden license is set at \$2,000.

Rep. Yearick asked if there would be a differentiation between for profit and nonprofit that may want to have a beer garden.

Commissioner John Cordrey, Delaware Office of Alcoholic Beverage Control explained that a not-for-profit would already be entitled to a gathering license and would not need to seek an additional one.

Rep. Spiegelman asked if the bill would affect an organization that would want to hold an outdoor event.

Commissioner Cordrey replied that if an entity already had an outdoor license then they would not need to seek additional permission.

Rep. Ramone asked where the concept of the 10,000 contiguous square feet came from.

Rep. Keeley said that the number came from what is currently being operated on a limited license in Wilmington.

Rep. Ramone then asked if there would be no reason for the space to not be 5,000 square feet.

Commissioner Cordrey responded that last year a similar bill had been presented and it received pushback. The concept behind the number was intended to address concerns and to limit the number of licenses.

Rep. Keeley added that by requiring a minimum of 10,000 square feet it prevents just anyone from opening up a beer garden just anywhere.

Chair Short then opened up the floor to public comment. There was no comment from the public.

A motion was made by Rep. Bennett and seconded by Rep. Spiegelman to release HB 158 from committee. Motion carried. Yes—11 (Chair Short, Vice-Chair Bennett, Baumbach, Keeley, Paradee, Q. Johnson, Gray, Hensley, Ramone, Spiegelman, Yearick); Absent—1 (Matthews).

HB 158 was reported out of committee with an F=0, M=9, U=0 vote.

Chair Short adjourned the meeting at 2:57 p.m.

Respectfully submitted by:

Pablo McConnie-Saad

Attendance list:

1. Marcus Dunn (Self-Storage Association)
2. George Heath (Reybold Group)
3. Christine Moritz (Sentinel Self Storage)
4. Amelia Wyant (Sentinel Self Storage)
5. Ellen Valentino (MDDC Press Association)
6. John H. Cordrey (OABCC)