HOUSE DOCKET, NO. 513 FILED ON: 1/18/2011

HOUSE . . . . . No. 99

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Carlo Basile

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act authorizing the Licensing Board of the city of Boston to grant restricted airport licenses for the sale of all alcoholic beverages and for the sale of wines and malt beverages at Logan International Airport.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carlo Basile	*1st Suffolk*
Anthony W. Petruccelli	
	☐ *[District]*
	☐

HOUSE DOCKET, NO. 513 FILED ON: 1/18/2011

HOUSE . . . . . No. 99

By Mr. Basile of Boston, a petition (accompanied by bill, House, No. 99) of Carlo Basile and Anthony W. Petruccelli (with the approval of the mayor and city council) that the licensing board for the city of Boston be authorized to issue certain licenses for the sale of alcoholic beverages at Logan Airport located in said city. Consumer Protection and Professional Licensure. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *5056* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act authorizing the Licensing Board of the city of Boston to grant restricted airport licenses for the sale of all alcoholic beverages and for the sale of wines and malt beverages at Logan International Airport.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 17 of chapter 138 of the General Laws as appearing in the 2010 Official Edition, is hereby amended by inserting after the seventh paragraph the following new paragraphs:

As used in this Section, the following terms shall have the following meanings:

"Airline Clubs", shall mean establishments, not open to the general public, which are operated by or for airlines at the Airport to provide exclusive or special accommodations to members and their guests, in accordance with airline policy.

"Airport", shall mean General Edward Lawrence Logan International Airport.

"Boston License", shall mean a license for the sale of alcoholic beverages issued pursuant to the sixth paragraph of this Section, and subject to the City of Boston municipal quota.

"Passenger Terminals", shall mean the passenger terminals and designated Airline Clubs within the Airport.

13 "Restricted Airport Licenses", shall mean licenses for both (i) the sale of all alcoholic
14 beverages, and (ii) the sale of wines and malt beverages, to be drunk on the premises within the
15 Passenger Terminals at the Airport.

16 "Transfer Period", shall mean a period ending at the date the later to occur of either: (a)
17 two (2) years of the enactment of this act, or (b) December 31, 2012.

18 With respect to the Airport, the licensing board for the City of Boston may also issue one
19 or more Restricted Airport Licenses to any common victualler duly licensed under chapter one
20 hundred and forty and operating within the Passenger Terminals at the Airport, subject to the
21 approval of the Alcoholic Beverages Control Commission. Once issued to a licensee within the
22 Passenger Terminals at the Airport, the licensing board shall not approve the transfer of a
23 Restricted Airport License to a location outside of the Passenger Terminals at the Airport. A
24 Restricted Airport License shall be nontransferable to any other person, corporation or
25 organization operating outside the Passenger Terminals at the Airport, and shall be clearly
26 marked nontransferable outside the Passenger Terminals at the Airport on the face of the license.
27 Notwithstanding the language of this Section 17, or any other special or general law to the
28 contrary, Restricted Airport Licenses shall not be subject to, nor shall such licenses be counted
29 against, any municipal quota set forth herein, including, but not limited to, the City of Boston
30 quota set forth in paragraph six of this Section. A Restricted Airport License, if revoked or no
31 longer in use, shall be returned physically, with all of the legal rights and privileges thereto, to
32 the licensing board which may grant any such returned license to a new applicant operating
33 within the Passenger Terminals at the Airport, consistent with the criteria set forth in this
34 paragraph.

35 SECTION 2. Following the enactment of this act, Boston Licenses currently issued and
36 otherwise in good standing for use within the Passenger Terminals at the Airport may continue to
37 be valid during the Transfer Period, provided however, that a Boston License issued for use
38 within the Passenger Terminals at the Airport, if revoked or no longer in use, shall be returned
39 physically, with all of the legal rights and privileges thereto, to the licensing board which may
40 grant any such returned license to a new applicant outside of the Passenger Terminals at the
41 Airport in accordance with paragraph six of this Section. A licensee under a Boston License,
42 operating within the Passenger Terminals at the Airport, may freely transfer such Boston License
43 to any location outside the Passenger Terminals at the Airport, subject to the approval of the
44 Alcoholic Beverages Control Commission, whereupon such transferor may be eligible for a
45 Restricted Airport License as provided herein; provided, however, that a licensee operating
46 within the Passenger Terminals at the Airport under a Boston License may only transfer a Boston
47 License during the Transfer Period. If such Boston License has not been transferred within the
48 Transfer Period, such Boston License will be deemed revoked or no longer in use, and shall be
49 returned physically, with all legal rights and privileges thereto, to the licensing board, which may
50 (i) grant such returned Boston License to a new applicant operating outside the Passenger
51 Terminals at the Airport, subject to paragraph six of this Section, and (ii) grant a Restricted

52 Airport License to the person or establishment from whom the Boston License was revoked, or a
53 new applicant within the Passenger Terminals at the Airport, in accordance with this Section.

54 SECTION 3. With respect to the Restricted Airport Licenses, the local licensing
55 authorities may determine in the first instance, when originally issuing and upon each annual
56 renewal of a Restricted Airport License, the amount of the license fee in accordance with Section
57 12; provided, however, that an origination fee of not greater than two thousand five hundred
58 dollars ($2,500) per alcoholic beverage license and one thousand dollars ($1,000) per wine and
59 malt beverage license shall apply to each Restricted Airport License.

60 SECTION 4. This act shall take effect upon its passage.