

HOUSE No. 4518

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Steven J. D'Amico, James E. Timilty

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 bill:

An Act relative to converting four (4) seasonal licenses for the sale of all alcoholic beverages to be consumed on the premises to four (4) annual licenses for the sale of all alcoholic beverages to be drunk on the premises and three (3) seasonal wine and malt beverage licenses to be consumed on the premises to three (3) annual wine and malt beverage licensed to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven J. D'Amico	4th Bristol
James E. Timilty	Bristol and Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act relative to converting four (4) seasonal licenses for the sale of all alcoholic beverages to be consumed on the premises to four (4) annual licenses for the sale of all alcoholic beverages to be drunk on the premises and three (3) seasonal wine and malt beverage licenses to be consumed on the premises to three (3) annual wine and malt beverage licensed to be drunk on the premises.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make to convert 4 seasonal all alcohol licenses to 4 annual all alcohol liquor licenses and 3 seasonal wine & malt licenses to be drunk on the premises to 3 annual wine & malt licenses to be drunk on the premises, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 **Section 1:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws
2 or any other general or special law to the contrary, the licensing authority of the town of Seekonk
3 may convert one currently issued seasonal license for the sale of all alcoholic beverages to be
4 drunk on the premises, pursuant to Section 12 of Chapter 138 as appearing in the 2008 Official
5 Edition, at **Da Tong, Inc., d/b/a Tai-Pan Restaurant, Inc.**, located at 1641 Fall River Avenue
6 to an annual license for the sale of all alcoholic beverages to be consumed on the premises
7 pursuant to Section 12 of Chapter 138 as appearing in the 2008 Official Edition. An annual
8 license granted under this section shall be subject to all of Chapter 138 except for Section 17 and
9 17A.

10 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
11 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
12 section to any other organization, corporation or location. Said license may be re-issued by the
13 Seekonk licensing board at the same location if an applicant for said license files with said board

14 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
15 is in good standing with said Department and that any and all applicable taxes have been paid.

16 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
17 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
18 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 138 of the
19 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
20 may grant the license to a new applicant at the same location and under the same condition as
21 specified in the preceding paragraphs.

22 **Section 2:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws or any
23 other general or special law to the contrary, the licensing authority of the town of Seekonk may
24 convert one currently issued seasonal license for the sale of wine & malt beverages, pursuant to
25 Section 12 of Chapter 138 as appearing in the 2008 Official Edition, at **Bristol County Stadium,**
26 **Inc., d/b/a Seekonk Speedway,** located at 1782 Fall River Avenue to an annual license for the
27 sale of wine & malt alcoholic beverages to be consumed on the premises pursuant to Section 12
28 of Chapter 138 as appearing in the 2008 Official Edition. An annual license granted under this
29 section shall be subject to all of Chapter 138 except for Section 17 and 17A.

30 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
31 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
32 section to any other organization, corporation or location. Said license may be re-issued by the
33 Seekonk licensing board at the same location if an applicant for said license files with said board
34 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
35 is in good standing with said Department and that any and all applicable taxes have been paid.

36 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
37 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
38 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 138 of the
39 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
40 may grant the license to a new applicant at the same location and under the same condition as
41 specified in the preceding paragraphs.

42 **Section 3:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws or any
43 other general or special law to the contrary, the licensing authority of the town of Seekonk may
44 convert one currently issued seasonal license for the sale of all alcoholic beverages to be drunk
45 on the premises, pursuant to Section 12 of Chapter 138 as appearing in the 2008 Official Edition,
46 at **Tito's Cantina, Inc.,** located at 1379 Fall River Avenue to an annual license for the sale of all
47 alcoholic beverages to be consumed on the premises pursuant to Section 12 of Chapter 138 as
48 appearing in the 2008 Official Edition. An annual license granted under this section shall be
49 subject to all of Chapter 138 except for Section 17 and 17A.

50 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
51 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
52 section to any other organization, corporation or location. Said license may be re-issued by the
53 Seekonk licensing board at the same location if an applicant for said license files with said board
54 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
55 is in good standing with said Department and that any and all applicable taxes have been paid.

56 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
57 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
58 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 138 of the
59 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
60 may grant the license to a new applicant at the same location and under the same condition as
61 specified in the preceding paragraphs.

62 **Section 4:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws or any
63 other general or special law to the contrary, the licensing authority of the town of Seekonk may
64 convert one currently issued seasonal license for the sale of wine & malt alcoholic beverages to
65 be drunk on the premises, pursuant to Section 12 of Chapter 138 as appearing in the 2008
66 Official Edition, at **Alex's Restaurant, Inc.**, located at 1520 Fall River Avenue to an annual
67 license for the sale of wine & malt beverages to be consumed on the premises pursuant to
68 Section 12 of Chapter 138 as appearing in the 2008 Official Edition. An annual license granted
69 under this section shall be subject to all of Chapter 138 except for Section 17 and 17A.

70 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
71 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
72 section to any other organization, corporation or location. Said license may be re-issued by the
73 Seekonk licensing board at the same location if an applicant for said license files with said board
74 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
75 is in good standing with said Department and that any and all applicable taxes have been paid.

76 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
77 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
78 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 138 of the
79 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
80 may grant the license to a new applicant at the same location and under the same condition as
81 specified in the preceding paragraphs.

82 **Section 5:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws or any
83 other general or special law to the contrary, the licensing authority of the town of Seekonk may
84 convert one currently issued seasonal license for the sale of all alcoholic beverages to be drunk
85 on the premises, pursuant to Section 12 of Chapter 138 as appearing in the 2008 Official Edition,
86 at **Chardonnay's, Inc., d/b/a Chardonnay's**, located at 393 Taunton Avenue to an annual

87 license for the sale of all alcoholic beverages to be consumed on the premises pursuant to Section
88 12 of Chapter 138 as appearing in the 2008 Official Edition. An annual license granted under this
89 section shall be subject to all of Chapter 138 except for Section 17 and 17A.

90 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
91 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
92 section to any other organization, corporation or location. Said license may be re-issued by the
93 Seekonk licensing board at the same location if an applicant for said license files with said board
94 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
95 is in good standing with said Department and that any and all applicable taxes have been paid.

96 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
97 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
98 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 138 of the
99 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
100 may grant the license to a new applicant at the same location and under the same condition as
101 specified in the preceding paragraphs.

102 **Section 6:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws or any
103 other general or special law to the contrary, the licensing authority of the town of Seekonk may
104 convert one currently issued seasonal license for the sale of all alcoholic beverages to be drunk
105 on the premises, pursuant to Section 12 of Chapter 138 as appearing in the 2008 Official Edition,
106 at **Toti's Pizza Palace, Inc.**, located at 373 Taunton Avenue to an annual license for the sale of
107 all alcoholic beverages to be consumed on the premises pursuant to Section 12 of Chapter 138 as
108 appearing in the 2008 Official Edition. An annual license granted under this section shall be
109 subject to all of Chapter 138 except for Section 17 and 17A.

110 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
111 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
112 section to any other organization, corporation or location. Said license may be re-issued by the
113 Seekonk licensing board at the same location if an applicant for said license files with said board
114 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
115 is in good standing with said Department and that any and all applicable taxes have been paid.

116 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
117 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
118 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 139 of the
119 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
120 may grant the license to a new applicant at the same location and under the same condition as
121 specified in the preceding paragraphs.

122 **Section 7:** (a) Notwithstanding sections 17 and 17A of Chapter 138 of the General Laws or any
123 other general or special law to the contrary, the licensing authority of the town of Seekonk may

124 convert one currently issued seasonal license for the wine & malt beverages to be drunk on the
125 premises, pursuant to Section 12 of Chapter 138 as appearing in the 2008 Official Edition, at
126 **Eric Medeiros and Steven Medeiros d/b/a Brothers Seafood**, located at 6 Olney Street to an
127 annual license for the sale of wine & malt beverages to be consumed on the premises pursuant to
128 Section 12 of Chapter 138 as appearing in the 2008 Official Edition. An annual license granted
129 under this section shall be subject to all of Chapter 138 except for Section 17 and 17A.

130 (b) Notwithstanding any general or special law or any rule or regulation to the contrary, the
131 Seekonk licensing board shall not approve the transfer of a license issued by authority of this
132 section to any other organization, corporation or location. Said license may be re-issued by the
133 Seekonk licensing board at the same location if an applicant for said license files with said board
134 a letter in writing from the Commonwealth's Department of Revenue indicating that said license
135 is in good standing with said Department and that any and all applicable taxes have been paid.

136 (c) If a license granted under this section is cancelled, revoked or no longer in use, such license
137 shall be returned physically, with all of the legal rights, privileges and restrictions pertaining
138 thereto, to the Seekonk licensing board. Notwithstanding section 17 of chapter 138 of the
139 General Laws, or any other general or special law to the contrary, the Seekonk licensing board
140 may grant the license to a new applicant at the same location and under the same condition as
141 specified in the preceding paragraphs.

142 **Section 8:** This act shall take effect upon its passage.