

HOUSE No. 1850

A message from His Excellency the Governor recommending legislation relative to the appointment of members of the Boston Licensing Board

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the appointment of members of the Boston Licensing Board.

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

1 February 18, 2011.

2 To the Honorable Senate and House of Representatives:

3 I am filing for your consideration the attached legislative proposal entitled, “An Act
4 Relative to the Appointment of Members of the Boston Licensing Board.” This legislation
5 amends the special acts of 1906 by transferring the authority to appoint members of the board
6 from the Governor to the Mayor of the City of Boston. This change will allow the City of
7 Boston to join the Commonwealth’s other municipalities, where appointment authority to those
8 municipal boards charged with determining alcoholic beverage licensing is vested in the mayor
9 or other local governmental body.

10 I urge your prompt and favorable consideration of this legislation.

11 Respectfully submitted,

12 DEVAL L. PATRICK,

Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven.

AN ACT RELATIVE TO THIS TEMPLATE.

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. Chapter 291 of the acts of 1906 is hereby amended by striking out Section
1 and inserting in place thereof the following section:-

Section 1. The mayor of the city of Boston shall appoint three citizens of Boston, who
shall have resided therein for at least two years immediately preceding the date of their
appointment, who shall constitute a licensing board for said city and who shall be sworn to the
faithful performance of the duties of their office before entering on the same. One member shall
be appointed from each of the two leading political parties and the third member may also be
appointed from one of said parties.

The members of the board shall not be in the employ of any person or corporation
engaged in the manufacture or sale of intoxicating liquors, or in any way, directly or indirectly,
pecuniarily interested in the manufacture or sale of intoxicating liquors, or in any business which

requires a license to be issued by them. If any member of said board engages directly or indirectly in such manufacture or sale, his office shall immediately become vacant.

One member of the board shall be designated by the mayor as chairman and two members shall constitute a quorum. Board members shall serve six year terms, staggered such that they expire every two years on the first Monday of June. Upon the expiration of the term of any member of the board, the mayor shall appoint his successor for the term of six years. Vacancies on the board shall be filled by the mayor for the unexpired term. The members of the board may be removed by the mayor for such cause as he shall deem sufficient. Such cause shall be stated in the order of removal. The board shall appoint a secretary, who shall be exempt from the civil service law, who shall be sworn to the faithful performance of the duties of his office, and who shall keep a record of all proceedings, issue all notices and attest such papers and orders as said board shall direct. His term of office shall be six years, but he may be removed by the board for such cause as it shall deem sufficient. Such cause shall be stated in its order of removal.

SECTION 2. Chapter 291 of the Acts of 1906 is further amended by striking out Section 5 and inserting in place thereof the following section:-

Section 5. Said board shall keep a record of its doings and hearings and shall make a quarterly report of its doings to the mayor. It may require any statement which may be made before it and papers which may be filed with it relative to applications for licenses to be sworn to, and for such purpose any member may administer oaths.

52 SECTION 3. Notwithstanding section 1, the incumbent board members serving on the
53 effective date of this act shall continue to serve on the board until the expiration of the terms for
54 which they were appointed, unless they sooner vacate such offices.