

HOUSE No. 3533

By Representative Conroy of Wayland and Senator Fargo, a joint petition (accompanied by bill, House, No. 3533) of Thomas P. Conroy (by vote of the town) that the town of Lincoln be authorized to place a ballot question before the voters relative to granting a license for the sale of all alcoholic beverages to be drunk on the premises to The Groves. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

_____ **In the Year Two Thousand Eleven** _____

An Act relative to the granting of a club license for the sale of all alcoholic beverages to be drunk on the premises in the town of Lincoln.

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. Notwithstanding the provisions of section 17 of said chapter 138 of the general
2 laws, or of any other general or special law to the contrary, the board of selectmen of the town of
3 Lincoln may grant to The Groves a club license to sell all alcoholic beverages to be drunk on the
4 premises at 17 Cambridge Turnpike in said town under section 12 of said chapter 138. The
5 license shall be subject to all of said chapter 138 except for said section 17, and to any
6 regulations and guidelines adopted by the Massachusetts Alcoholic Beverages Control
7 Commission relative to the service of alcoholic beverages.

8 The board of selectmen shall not approve the transfer of the license to any other location
9 but the license may be granted by the board of selectmen at the same location if an applicant for
10 the license files with the board of selectmen a letter in writing from the department of revenue
11 indicating that the license is in good standing with the department and that all applicable taxes

12 have been paid. If the license granted under this section is cancelled, revoked or no longer in
13 use, such license shall be returned physically, with all of the legal rights, privileges and
14 restrictions pertaining thereto, to the board of selectmen and the board of selectmen may then
15 grant the license to a new applicant at the same location and under the same conditions as
16 specified in this section.

17 Section 2. Notwithstanding the provisions of sections 11 and 11A of chapter 138 of the
18 General Laws as to the time and manner of voting on the question of issuing the licenses set forth
19 above, this act shall be submitted for its acceptance to the qualified voters of the town of Lincoln
20 following the effective date of this act at an annual or special town election or a biennial state
21 election, provided that notice is given to the secretary of the commonwealth at least 60 days prior
22 to the date of such state election, in the form of the following question:

23 “Shall an act passed by the General Court in the year 2011, entitled ‘An Act Relative to
24 the granting of club license for the sale of alcoholic beverages in the Town of Lincoln’ be
25 accepted?”

26 Below the ballot question shall appear a fair and concise summary of the ballot question
27 prepared by town counsel and approved by the board of selectmen.

28 If a majority of the votes cast in answer to the question is in the affirmative, the town
29 shall be taken to have authorized the issuance to The Groves of a single club all alcohol license
30 to be drunk on the premises, but not otherwise.

31 Section 3. This act shall take effect upon passage.