

HOUSE No. 3769

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

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 adoption of the accompanying bill:

An Act to expand the town of Hadley's quota of liquor licenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>11/15/2013</i>
<i>Stanley C. Rosenberg</i>	<i>Hampshire, Franklin and Worcester</i>	<i>11/18/2013</i>

HOUSE No. 3769

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 3769) of John W. Scibak and Stanley C. Rosenberg (by vote of the town) that the town of Hadley be authorized to increase the number of licenses for the sale of alcoholic beverages in said town. Consumer Protection and Professional Licensure. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to expand the town of Hadley's quota of liquor licenses.

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 section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Hadley may grant 6 additional licenses for the sale of all
3 alcoholic beverages to be drunk on the premises and 6 additional licenses for the sale of wines
4 and malt beverages to be drunk on the premises, pursuant to section 12 of chapter 138, to
5 establishments located in the Route 9 business zone and the Route 47 limited business zone and
6 the local business zone in the town of Hadley. The licensing authority shall not approve the
7 transfer of the licenses to any other located nor transfer to any other new entity. The licenses
8 shall be subject to all of said chapter 138 except said section 17.

9 Notwithstanding sections 12 and 77 of chapter 138 of the General Laws, the select board
10 may restrict the all alcoholic beverage license to a holder of a common victualler license.

11 The board of selectmen shall determine reasonably whether an applicant or licensee
12 meets the criteria set forth herein.

13 Notwithstanding any general or special law or any rule or regulation to the contrary, the
14 select board shall not approve the transfer of such license to any other location or any other
15 entity. The license may be re-issued by said select board at the same location if an applicant for
16 the license files with the licensing authority a letter in writing from the department of revenue
17 indicating that the license is in good standing with the department and that all applicable taxes
18 have been paid.

19 If the license granted under this section is cancelled, revoked or no longer in use, such
20 license shall be returned physically, with all of the legal rights, privileges and restrictions
21 pertaining thereto, to the select board. Notwithstanding section 17 of chapter 138 of the General
22 Laws or any other general or special law to the contrary, the select board may then grant the
23 license to a new applicant at the same location and under the same conditions as specified in the
24 preceding paragraph.

25 SECTION 2. This act shall take effect upon its passage.