

HOUSE No. 312

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Moran

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 relative to a model carrier reporting requirement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Moran</i>	<i>18th Suffolk</i>	<i>1/16/2019</i>

HOUSE No. 312

By Mr. Moran of Boston, a petition (accompanied by bill, House, No. 312) of Michael J. Moran relative to reporting requirements for corporations that bring, carry or transport wine, beer or distilled spirits. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1988 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to a model carrier reporting requirement.

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

1 It shall be the duty of every railroad company, express company, common or contract
2 carrier, and of every firm or corporation that shall bring, carry or transport wine, beer or distilled
3 spirits, as defined in section 1 of this chapter, into the Commonwealth, to prepare and file
4 monthly with the Commission, a report, which shall include the name and license number of the
5 supplier, the quantity of wine, beer or distilled spirits shipped, the recipient’s name and address,
6 and an electronic or paper form of signature from the recipient of the wine, beer or distilled
7 spirits. Records shall be submitted to the Commission, on a monthly basis, on forms prescribed
8 by the Commission. Reports received by the Commission shall be made available by the
9 Commission to the public via the FOIA process in the same manner as other state alcohol filings.

10 Upon the Commission's request, the records supporting the report, shall be made
11 available to the Commission within 30 days. The books, records, supporting papers and
12 documents containing information and data relating to such reports shall be kept and preserved
13 for a period of three years, unless their destruction sooner is authorized, in writing, by the
14 Commission, and shall be open and available to inspection by the Commission at all times during
15 business hours of the day. Reports shall also be made available to any law enforcement or
16 regulatory body in the state in which a carrier included in a report resides or does business.

17 Any person who knowingly violates any of the provisions of this section or any of the
18 rules and regulations of the Commission for the administration and enforcement of the
19 provisions of this section is subject to a notification of violation for the first offense. In the case
20 of a continuing violation the carrier is subject to possible license suspension and revocation at
21 the Commission's discretion. Repeat offenses may be subject to fines as follows; second offense
22 \$1000; third offense \$3000; fourth offense, \$5000; fifth offense; \$10,000.