

# SENATE . . . . . No. 2212

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Senate, May 2, 2019 – Substituted by amendment by the Senate (Senator Tarr) as a new draft for Senate, No. 186.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
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An Act authorizing a ballot question in the town of Rockport relative to the granting of 2 licenses for alcoholic beverages not to be drunk on the premises.

*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 sections 11, 11A and 17 of chapter 138 of the General  
2       Laws or any other general or special law to the contrary, the board of selectmen of the town of  
3       Rockport may place upon the official ballot to be used at the next annual or special town election  
4       the following question:

5           “Shall the board of selectmen be authorized to grant up to 2 year-round licenses for the  
6       sale of wines and malt beverages not to be drunk on the premises pursuant to section 15 of  
7       chapter 138 of the General Laws at a gourmet or specialty food store, as defined by the town of  
8       Rockport Alcohol Regulations, as amended?”

9           Yes\_\_\_\_

10          No\_\_\_\_\_

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

If a majority of votes cast in answer to the question are in the affirmative, the town may grant up to 2 licenses for the sale of wines and malt beverages not to be drunk on the premises pursuant to said section 15 of said chapter 138 at such a gourmet or specialty food store. The board of selectmen may from time to time issue regulations for the granting of the licenses and define terms appropriate to carrying out the objectives of this act. The granting of the licenses shall otherwise be subject to said chapter 138.

The Board of Selectmen may approve the transfer of a license to a new location if the applicant files a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

If a license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all rights, privileges and restrictions pertaining thereto, to the board of selectmen and the board may then grant the license to a new applicant under the same conditions specified in this act.

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