

Pursuant to Joint Rule 11E

July 31, 2014

The following language was inadvertently omitted or included in the final conference committee report for an act promoting economic growth across the Commonwealth (House No. 4377). The conferees respectfully request that the following amendments be made to the conference committee report:

In lines 2053 to 2117, inclusive, by striking out sections 71 to 75, inclusive, and inserting in place thereof the following 7 sections:-

“SECTION 71. Section 17 of said chapter 138, as so appearing, is hereby amended by striking out the fifth and sixth paragraphs and inserting in place thereof the following 3 paragraphs:-

The licensing board for the city of Boston may grant 697 licenses for the sale of all alcoholic beverages under section 12; provided, however, that no further original licenses under said section 12 shall be granted until the number of licenses outstanding thereunder shall have been reduced to less than 650 by cancellation or revocation or by the failure of holders of such licenses to apply for renewals and, thereafter, not more 650 licenses under said section 12 shall be granted. The board may grant 250 licenses for the sale of all alcoholic beverages under section 15. The number of licenses for the sale of wines and malt beverages only, or both, in the city shall not exceed 320. The transfer of existing licenses shall be subject to a public hearing in the neighborhood in which the license is to be relocated, properly advertised and at an appropriate time to afford that neighborhood an opportunity to be present.

The licensing board of the city of Boston may grant up to 25 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and up to 30 additional licenses for the sale of wines and malt beverages to drunk on the premises. Notwithstanding the first sentence, 5 of the additional all alcoholic beverages licenses shall be granted only to innholders duly licensed under chapter 140 to conduct a hotel and 10 of the additional all alcoholic beverages licenses shall be granted to existing holders of licenses for the sale of wines and malt beverages under section 12 provided that those licensees return to the licensing board, the licenses that they currently hold. The remaining licenses for the sale of all alcoholic beverages to be drunk on the premises and the 30 additional licenses for the sale of wines and malt beverages to be drunk on the premises shall be granted in the areas designated by the Boston Redevelopment Authority as main street districts, urban renewal areas, empowerment zones or municipal harbor plan areas. Once issued to a licensee in a Boston Redevelopment Authority designated area, the licensing board shall not approve the transfer of that license to a location outside of the designated area. A license granted pursuant to this paragraph shall be nontransferable to any other person, corporation or organization and shall be clearly marked nontransferable on its face. A license issued under this paragraph, that is cancelled, revoked or no longer in use, shall be returned physically, with all of the legal rights, privileges and

restrictions pertaining thereto, to the licensing board and the licensing board may then grant that license to a new applicant consistent with the criteria set forth in this paragraph if the applicant files with the licensing board 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.

In addition to the licenses granted pursuant to the preceding 2 paragraphs, the licensing board of the city of Boston may grant up to 15 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and up to 5 additional licenses for the sale of wines and malt beverages to be drunk on the premises in either the zoning districts of Dorchester, East Boston, Hyde Park, Jamaica Plain, Mattapan, Mission Hill and Roxbury as designated by the Boston Zoning Commission or in the areas designated by the Boston Redevelopment Authority as main street districts. A license granted pursuant to this paragraph shall be nontransferable to any other person, corporation or organization and shall be clearly marked “nontransferable” and “neighborhood restricted” on its face. A license issued under this paragraph, if cancelled, revoked or no longer in use at the location of original issuance, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing board which may then grant that license to a new applicant under the same conditions as specified in this paragraph if the applicant files with the licensing board 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; provided, however, that a license issued under this paragraph that is cancelled, revoked or no longer in use at the location of original issuance shall only be issued to a new applicant in the same designated area of the city where the original license was granted.”; and

SECTION 72. The first sentence of the fifth paragraph of said section 17 of said chapter 138, as appearing in section 71, is hereby amended by striking out the figure “697” and inserting in place thereof the following figure:- 702.

SECTION 73. Said first sentence of said fifth paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure “702”, inserted by section 72, and inserting in place thereof the following figure:- 707.

SECTION 74. The first sentence of the seventh paragraph of said section 17 of said chapter 138, as appearing in section 71, is hereby amended by striking out the figure “15” and inserting in place thereof the following figure:- 30.

SECTION 75. Said first sentence of said seventh paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure “30”, inserted by section 74, and inserting in place thereof the following figure:- 45.

SECTION 75A. Said first sentence of said seventh paragraph of said section 17 of said chapter 138, as appearing in section 71, is hereby further amended by striking out the figure “5” and inserting in place thereof the following figure:- 10.

SECTION 75B. Said first sentence of said seventh paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure “10”, inserted by section 75A, and inserting in place thereof the following figure:- 15.”

SENATE

HOUSE

---

Stephen M. Brewer

---

Joseph Wagner

---

Ann-Margaret Ferrante

---

Donald F. Humason, Jr.

---

Susan Williams Gifford

---

Senate Counsel

---

House Counsel