

HOUSE No. 345

The Commonwealth of Massachusetts

PRESENTED BY:

Meghan Kilcoyne and Robyn K. Kennedy

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 authorizing the town of Berlin to grant up to two additional all alcoholic beverages licenses not to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Meghan Kilcoyne</i>	<i>12th Worcester</i>	<i>1/19/2023</i>
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	<i>1/19/2023</i>

HOUSE No. 345

By Representative Kilcoyne of Clinton and Senator Kennedy, a joint petition (accompanied by bill, House, No. 345) of Meghan Kilcoyne and Robyn K. Kennedy (by vote of the town) that the town of Berlin be authorized to grant up to two additional all alcoholic beverages licenses not to be drunk on the premises in said town. Consumer Protection and Professional Licensure. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 5426 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the town of Berlin to grant up to two additional all alcoholic beverages licenses 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. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the
2 licensing authority of the town of Berlin may grant two additional licenses for the sale of all
3 alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 as
4 follows: (i) one to Berlin Liquors LLC located at 3 Bassett Road in the town of Berlin, and; (ii)
5 one to Shaan Keshav Corp, d/b/a The Wine Cellar of Berlin, located at 1 Highland Commons
6 West in the town of Berlin. The licenses shall be subject to all of said chapter 138 except said
7 section 17.

8 (b) The licensing authority shall not approve the transfer of a license granted under
9 subsection (a) to any other location, but it may grant a license to a new applicant at the same
10 location if the applicant files with the licensing authority a letter from the department of revenue
11 and a letter from the department of unemployment assistance indicating that the license is in
12 good standing with those departments and that all applicable taxes, fees, and contributions have
13 been paid.

14 (c) If a licensee terminates or fails to renew a license granted under this section or any
15 such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of
16 the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which
17 may, within 3 years after such return, then grant the license to a new applicant at the same
18 location under the same conditions as specified in this section, otherwise such license shall
19 dissolve.

20 (d) A license granted under this section shall be issued within 1 year after the effective
21 date of this act; provided, however, that a license originally granted within that time period may
22 be granted to a new applicant under subsections (b) and (c) thereafter.

23 SECTION 2. (a) Upon the issuance of the license authorized in clause (i) of subsection
24 (a) of section 1, the licensee shall return physically, with all of the legal rights, privileges and
25 restrictions pertaining thereto, to the licensing authority, its license for the sale of wine and malt
26 beverages not to be drunk on the premises under section 15 of chapter 138.

27 (b) Upon the issuance of the license authorized in clause (ii) of subsection (a) of section
28 1, the licensee shall return physically, with all of the legal rights, privileges and restrictions

29 pertaining thereto, to the licensing authority, its license for the sale of wine and malt beverages
30 not to be drunk on the premises under section 15 of chapter 138.

31 SECTION 3. This act shall take effect upon its passage.