

**SENATE . . . . . No. 2212**

---

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

---

**The Commonwealth of Massachusetts**

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

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\_\_\_

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

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

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

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

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