

# HOUSE . . . . . No. 6237

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## *The Commonwealth of Massachusetts*

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HOUSE OF REPRESENTATIVES, May 10, 1979.

The committee on Taxation, to whom were referred the petition (accompanied by bill, Senate, No. 1349) of John J. Donahue and John F. Aylmer for legislation to increase the tax on alcoholic beverages and provide for its expenditure on alcoholic rehabilitation centers, the petition (accompanied by bill, Senate, No. 1486) of Joseph B. Walsh for legislation to provide for a refund of tax on malt beverages rendered unmarketable due to certain damages, the petition (accompanied by bill, House, No. 2666) of the Massachusetts Package Stores Association, Inc., that provision be made for a refund of taxes on alcoholic beverages lost or rendered unmarketable due to fire, flood, casualty, or other disaster, or to breakage, destruction, or other damage resulting from vandalism or malicious mischief while held for sale, the petition (accompanied by bill, House, No. 3031) of Vincent J. Piro relative to preserving and increasing jobs, stimulating competition and lowering consumer prices within the Commonwealth by providing incentive tax rate to domestic manufacturers and rectifiers of alcoholic beverages, and the petition (accompanied by bill, House, No. 4077) of John A. Businger that provision be made for an incentive tax rate for domestic manufacturers of alcoholic beverages, reports recommending that the accompanying bill (House, No. 6237) ought to pass.

For the committee,

GERALD M. COHEN

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Nine.

AN ACT TO SAVE AND INCREASE MASSACHUSETTS JOBS, STIMULATE COMPETITION AND LOWER CONSUMER PRICES WITHIN THE COMMONWEALTH BY PROVIDING INCENTIVE TAX RATES TO DOMESTIC MANUFACTURERS AND RECTIFIERS OF ALCOHOLIC BEVERAGES AND TO PROVIDE FOR ALCOHOLIC REHABILITATION CENTERS.

*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. Chapter one hundred and thirty-eight of the Gen-  
2 eral Laws is hereby amended by inserting after section twenty-one  
3 the following new sections: —

4 *Section 21A.* Notwithstanding any other provisions of this  
5 chapter or of chapter two hundred and ninety-one of the Acts of  
6 nineteen hundred and seventy-five or of any other provisions of  
7 law, the total excise tax paid to the Commonwealth by any licensed  
8 manufacturer or holder of a wholesalers' and importers' license  
9 upon alcoholic beverages manufactured, compounded, rectified or  
10 blended within the Commonwealth shall be fifty percent of the tax  
11 otherwise payable. As used in this section the term "alcoholic  
12 beverages" does not include malt beverages, cider, still wine, ver-  
13 mouth, champagne or other sparkling wines. All licensees manufac-  
14 turing, compounding, rectifying, or blending alcoholic beverages  
15 within the Commonwealth must certify the amount and place of  
16 production of alcoholic beverages so manufactured, compounded,  
17 rectified, or blended on a form acceptable to the Commissioner of  
18 Revenue, at the time of payment of the alcoholic beverages excise  
19 tax.

20 *Section 21B.* The Commissioner of Revenue shall annually cer-  
21 tify, as of June thirtieth, five percent of the estimated amount of  
22 taxes received under the foregoing section during the fiscal year  
23 ended to the clerk of the house of representatives and to the  
24 Director of the Division of Alcoholism in the Department of

25 Public Health, or its successor agency. The said director may  
26 expend, subject to appropriation, an amount not to exceed such  
27 amount certified and any federal grants or gifts so designated for  
28 prevention of alcohol abuse and alcoholism.

1 SECTION 2. This Act shall take effect July 1, 1979.

