

HOUSE No. 5499

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 11, 1978.

The committee on Bills in the Third Reading, to whom was referred the Bill to reform the laws regulating the sale of alcoholic beverages (House, No. 3678, changed), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 5499).

For the committee,

JOHN E. MURPHY, Jr.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE SALE OF CERTAIN ALCOHOLIC BEVERAGES BY WHOLESALEERS AND IMPORTERS.

1 *Whereas*, The deferred operation of this act would tend to defeat
2 its purpose, which is to provide forthwith for fair competition in
3 and better regulation of the alcoholic beverage industry, therefore
4 it is hereby declared to be an emergency law, necessary for the
5 immediate preservation of the public convenience.

6 *Be it enacted by the Senate and House of Representatives in*
7 *General Court assembled, and by the authority of the same, as*
8 *follows:*

1 SECTION 1. It shall be unlawful for any licensee under section
2 eighteen of chapter one hundred and thirty-eight of the General
3 Laws to purchase malt beverages or alcoholic beverages, except
4 wines, from other than the primary source of supply within the
5 United States or another licensee under this section. Primary
6 source of supply shall mean the distiller, the bottler, the brewer, the
7 brand owner, or the designated agent of any such distiller, bottler,
8 brewer or brand owner.

1 SECTION 2. The provisions of chapter ninety-three A of the
2 General Laws shall be applicable to the sale of alcoholic beverages
3 within the commonwealth.

1 SECTION 3. The provisions of section twenty-five C of
2 chapter one hundred and thirty-eight of the General Laws shall be
3 inoperative until July first, nineteen hundred and eighty-three.

1 SECTION 4. During the period of such suspension all licensees
2 under section eighteen of said chapter one hundred and thirty-
3 eight of the General Laws shall file with the commission before the
4 first day of each month, on a day fixed by the alcoholic beverages
5 control commission, a schedule of their prices to retailers which are

6 in effect for said month. Once filed, such prices shall be effective for
7 succeeding months until amended by the licensee in accordance
8 with this section.

9 Such licensees shall file with such schedules an affirmation duly
10 verified under the penalties of perjury by a corporate officer of the
11 licensee that the prices shown in such schedules are the only prices
12 charged to retailers by the licensee.

1 SECTION 5. The alcoholic beverages control commission
2 shall not later than April first in the year nineteen hundred and
3 eighty-three, file with the clerk of the house of representatives a
4 report on the impact of this act on the alcoholic beverages industry
5 and their recommendations on its re-enactment or on any further
6 changes in the law needed to promote fair competition among the
7 licensees under chapter one hundred and thirty-eight of the
8 General Laws.

1 SECTION 6. This act shall become inoperative on July first,
2 nineteen hundred and eighty-three.

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