

**HOUSE . . . . . No. 3568**

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, March 28, 1962.

The committee on Mercantile Affairs, to whom was referred the petition (accompanied by bill, House, No. 1146) of the Mass. State Pharmaceutical Ass'n and George H. O'Farrell relative to permits to be issued for the operation of retail drug stores, report the accompanying bill (House, No. 3568).

For the committee,

GEORGE H. O'FARRELL.

Representative FRENNING of Boston dissenting.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

### AN ACT RELATING TO PERMITS TO BE ISSUED FOR THE OPERATION OF RETAIL DRUG STORES.

*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 112 of the General Laws is hereby  
2 amended by striking out section 39, as most recently amended  
3 by chapter 281 of the acts of 1953, and inserting in place thereof  
4 the following section: —

5 *Section 39.* The board may, upon application made in such  
6 manner and form as it shall determine, register a store for the  
7 transaction of the retail drug business, which store shall be in-  
8 dependent of and separate from any other business or store other  
9 than a retail drug store and issue to such person as it deems  
10 qualified to conduct such store, a permit to keep it open; pro-  
11 vided, however, that the board may deny such registration and  
12 permit if in the discretion of the board such store would be in-  
13 consistent with or opposed to the best interest of the public  
14 health, public welfare, public safety or public good, but no such  
15 registration shall be made or permit issued in the case of a cor-  
16 poration unless it shall appear to the satisfaction of the board  
17 that the management of such drug store or pharmacy is in the  
18 hands of a registered pharmacist. Such permit shall expire on  
19 January first following the date of its issue, and the fee therefor  
20 shall be ten dollars.

1 SECTION 2. The provisions of this act shall not apply to re-  
2 tail drug stores licensed at the time of the passage of this act.