

By Mr. Reinstein of Revere, petition of William G. Reinstein for legislation to provide a stay of execution pending appeal to the Alcoholic Beverages Control Commission and pending judicial review and clarifying the original jurisdiction of said commission. Government Regulations.

**The Commonwealth of Massachusetts**

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

AN ACT PROVIDING FOR STAY PENDING APPEAL TO THE ALCOHOLIC BEVERAGES CONTROL COMMISSION AND PENDING JUDICIAL REVIEW AND CLARIFYING THE ORIGINAL JURISDICTION OF THE COMMISSION.

*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 67 of chapter 138 of the General Laws, as appearing  
2 in the 1984 Official Edition, is hereby amended by striking out  
3 the fourth paragraph and inserting in place thereof the following  
4 paragraph: —

5 The filing of an appeal shall stay the action of the local licensing  
6 authorities until final determination by the commission. If a  
7 petition for judicial review of the commission's decision is timely  
8 filed, the commission shall stay the enforcement of its decision  
9 pending final judgment, provided that the petitioner furnishes  
10 satisfactory bond conditioned upon payment of costs. Upon the  
11 petition of twenty-five persons who are taxpayers of the city or  
12 town in which a license has been granted by such authorities, or  
13 who are registered voters in the voting precinct or district wherein  
14 the licensed premises are situated, the commission shall, or upon  
15 its own initiative the commission may, investigate the granting of  
16 such a license or the conduct of the business being done  
17 thereunder, and shall, after a hearing, modify, suspend, revoke,  
18 declare forfeited or cancel such license upon satisfactory proof  
19 that the licensee has violated or permitted a violation of any  
20 condition thereof, or any law of the commonwealth.

