

By Ms. Buell of Greenfield, petition of Carmen D. Buell for legislation to regulate the sale and delivery of kegs containing alcoholic beverages. Government Regulations.

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**The Commonwealth of Massachusetts**

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

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AN ACT REGULATING THE SALE AND DELIVERY OF ALCOHOLIC BEVERAGE  
KEGS.

*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 10 of the General Laws is hereby  
2 amended by inserting after section 35J the following section: —  
3 Section 35K. There shall be established and set up on the books  
4 of the commonwealth a separate fund to be known as the Alcohol  
5 Education Fund for alcohol education programs. Said fund shall  
6 consist of all revenues received by the commonwealth under  
7 section thirty-four E of chapter one hundred and thirty-eight.  
8 All revenues credited under this section shall remain in said  
9 Alcohol Education Fund, not subject to appropriation, and shall  
10 be expended, at the direction of the alcoholic beverages control  
11 commission, only for alcohol education purposes. The state  
12 treasurer shall not deposit said revenues in or transfer said  
13 revenues to the general fund or any other fund other than the  
14 Alcohol Education Fund.  
15 The state treasurer shall receive, deposit and invest all monies  
16 transmitted to him under the provisions of this section in such  
17 manner that will insure the highest interest rate available  
18 consistent with the safety of the fund.

1 SECTION 2. Chapter 138 of the General Laws is hereby  
2 amended by inserting after section 34D the following section: —  
3 Section 34E. No licensee under section fifteen shall sell or  
4 deliver any keg containing alcoholic beverages unless: (1) such keg

5 is properly marked with a numbered band on the handle or neck;  
6 (2) the name, address, date of birth and band number of the keg  
7 is recorded in a book, which shall be made available to the local  
8 licensing authority and law enforcement officers upon request;  
9 and (3) fifty dollars is deposited with such licensee. If such keg  
10 is not returned to the licensee within sixty days, with the  
11 appropriate numbered band thereon, said deposit shall be  
12 forfeited; provided, however, that the licensee, in his discretion,  
13 may grant an extension of such sixty day period. All returned  
14 numbered bands shall be retained by the licensee for a period of  
15 thirty days. Said policy shall be conspicuously posted by the  
16 licensee.

17 Deposits forfeited hereunder shall be transmitted to the  
18 commission and credited to the Alcohol Education Fund  
19 established in section thirty-five K of chapter ten; provided,  
20 however, that the licensee may retain ten dollars from each such  
21 forfeited deposit.