

By Mr. Galvin of Boston, petition of William F. Galvin providing for a board of licensing commissioners in certain cities. Government Regulations.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR A BOARD OF LICENSING COMMISSIONERS IN CERTAIN CITIES.

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

1 Chapter 138 of the General Laws is hereby amended by inserting
2 after section 4, the following five sections:—

3 *Section 4A.* Notwithstanding the provisions of the preceding
4 section or any other general or special law to the contrary, the
5 licensing commissioners in those cities of one hundred and fifty
6 thousand or more inhabitants, as enumerated by the most recent
7 state decennial census, which accepts the provisions of this act by
8 majority vote of the city council, with the approval of the mayor,
9 except those cities which have adopted the Plan E method of city
10 government, shall consist of five persons, who are not engaged,
11 directly or indirectly, in the manufacture or sale of alcoholic
12 beverages, appointed by the mayor and subject to the confirma-
13 tion of the city council.

14 *Section 4B.* Not more than three members of said licensing
15 board so adopted shall be appointed from one of the two leading
16 political parties and the remaining two members shall be appointed
17 from the other leading political party. Each member of said licens-
18 ing board shall file a report with the State Ethics Commission
19 pursuant to the provisions of chapter 268A of the General Laws.
20 The term of office of said members shall begin at ten o'clock in the
21 forenoon of the first Monday of January following said adoption,
22 and shall be so arranged as to expire at the end of one, two, three,

23 four and five years from the first Monday in June of the year of
 24 their appointment, the date of expiration to be specified in their
 25 respective commissions; and thereafter a member shall be
 26 appointed for a term of five years from the first Monday in June of
 27 the year in which the previous term expires.

28 *Section 4C.* At the regular municipal election to be held in the
 29 year nineteen hundred and eighty-five in those cities of one
 30 hundred and fifty thousand or more inhabitants, as enumerated by
 31 the most recent state decennial census except those cities which
 32 have adopted the provisions of this act or those cities which have
 33 adopted the Plan E method of city government, shall be placed
 34 upon the ballot the following question:—

35 “A BINDING REFERENDUM CHANGING THE STRUC-
 36 TURE OF THE LICENSING BOARD.

37 Shall the Licensing Board of this city consist of five persons who
 38 shall not be engaged, directly or indirectly, in the manufacture or
 39 sale of alcoholic beverages, appointed by the mayor, subject to the
 40 confirmation of the city council and who must file a report with the
 41 State Ethics Commission?”

42
 43

YES	
NO	

44 In subsequent years, the above question shall be placed upon the
 45 ballot of a regular municipal election in those cities as defined in
 46 the preceding section by a petition addressed to the city council of
 47 such city, signed by qualified voters of the city in a number equal at
 48 least to five percent of the number of registered voters in said city
 49 at the state election next preceding the filing of said petition. Such
 50 petition shall be filed with the city clerk, who shall transmit the
 51 same forthwith to the registrars of voters or city body functioning
 52 as such, who shall within sixty days certify the signatures thereon
 53 in accordance with the provisions of law and return the same to the
 54 city clerk. The petition shall be filed with the city clerk at least one
 55 hundred and forty days before the date of the election at which the
 56 question or questions proposed by the petition is to be submitted
 57 to the voters.

58 Any petition submitted under this section may be in the form of
 59 separate sheets addressed to the city council, each sheet containing

60 at the top thereof the question or questions proposed for submis-
61 sion to the voters. When attached together and offered for filing,
62 the several papers shall be deemed to constitute one petition, and
63 there shall be endorsed thereon the name and address of the person
64 presenting the same for filing.

65 *Section 4D.* If a majority of the total number of votes cast in
66 answer to said question is in the affirmative, said cities shall be
67 taken to have adopted such plan of licensing board organization,
68 which shall supersede the provisions of said cities charter thereto-
69 fore existing and of the general and special laws relating to such
70 cities and inconsistent with such plan. Not more than three
71 members of said licensing board so adopted shall be appointed
72 from one of the two leading political parties and the remaining two
73 members shall be appointed from the other leading political
74 party. Each member of said licensing board shall file a report with
75 the State Ethics Commission pursuant to the provisions of chapter
76 268A of the General Laws. The term of office of said members
77 shall begin at ten o'clock in the forenoon of the first Monday of
78 January following said adoption, and shall be so arranged as to
79 expire at the end of one, two, three, four and five years from the
80 first Monday in June of the year of their appointment, the date of
81 expiration to be specified in their respective commissions; and
82 thereafter a member shall be appointed for a term of five years
83 from the first Monday in June of the year in which the previous
84 term expires.

85 *Section 4E.* No employee presently employed by said licensing
86 board shall be terminated or transferred due to the adoption of
87 such plan of licensing board organization.

