

By Mr. Pickett of Somerville, petition of the Massachusetts Package Stores Association and William A. Pickett for legislation to make certain changes in the law relative to the sale of alcoholic beverages. Government Regulations.

The Commonwealth of Massachusetts

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

AN ACT REVISING THE LAWS RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE COMMONWEALTH.

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. The seventh paragraph of section 12 of
2 chapter 138 of the General Laws, as appearing in section 1 of
3 chapter 468 of the acts of 1935, is hereby amended by in-
4 serting in line 1 after the word "corporation", the word -
5 partnership, - and by inserting in line 5 after the word
6 "granted" the words: - or hold - and by inserting in line 6
7 after the word "section" the words: - and the holding of any
8 licenses in violation of this provision shall act as a revocation
9 of all licenses held under the provisions of chapter one hundred
10 and thirty-eight by any of the within named - and by inserting
11 after the first sentence the following three sentences: - For the
12 purposes of this section, a licensee and the father, mother,
13 sister, brother, wife, husband, son or daughter of said licensee
14 and the spouse of any such person shall be presumed to be a
15 "combination of persons" as set forth above and any licenses
16 held by any such "combination of persons" in excess of the
17 number allowed a person under this section shall be prima facie
18 evidence of a violation of this section by all such "combination
19 of persons". For the purposes of this section it shall be pre-
20 sumed that a "combination of persons, directly or indirectly"
21 as set forth above exists; whenever two or more licensees,
22 either directly or through any person, firm, corporation, part-

23 nership, association or any agent, employee, stockholder, of-
24 ficer or other person or any subsidiary whatsoever participate
25 in any arrangements including but not limited to loans, mort-
26 gages, management, purchasing, and/or merchandising agree-
27 ments, leases or any other like arrangements. Any licenses held
28 by such "combination of persons, directly or indirectly" in
29 excess of the number allowed a person under this section shall
30 be prima facie evidence of a violation of this section by all
31 such "combination of persons, directly or indirectly".

1 SECTION 2. The first paragraph of section 15 of chapter
2 138 of the General Laws, as appearing in section 12 of chapter
3 440 of the acts of 1935, is hereby amended by inserting in
4 line 14 after the word "corporation," the word: — part-
5 nership, — and by inserting in line 20 after the word "city"
6 the words: — and the holding of any licenses in violation of
7 this provision shall act as a revocation of all licenses held under
8 the provisions of chapter one hundred and thirty-eight by any
9 of the within named, — and by inserting after the second sen-
10 tence, as appearing in said chapter 440, the following four
11 sentences: — No person, firm, corporation, partnership, as-
12 sociation or other combination of persons, directly or indirect-
13 ly or through any agent, employee, stockholder, officer or
14 other person or any subsidiary whatsoever who holds a license
15 under this section shall hold or be granted a license under
16 sections twelve, eighteen or nineteen of this chapter and the
17 holding of any licenses in violation of this provision shall act as
18 a revocation of all licenses held under the provisions of chapter
19 one hundred and thirty-eight by any of the within named. For
20 the purposes of this section, a licensee and the father, mother,
21 sister, brother, wife, husband, son or daughter of said licensee
22 and the spouse of any such person shall be presumed to be a
23 "combination of persons" as set forth above and any licenses
24 held by any such "combination of persons" in excess of the
25 number allowed a person under this section shall be prima facie
26 evidence of a violation of this section by all such "combination
27 of persons". For the purposes of this section it shall be pre-
28 sumed that a "combination of persons directly or indirectly" as
29 set forth above exists; whenever two or more licensees, either

30 directly or through any person, firm, corporation, partnership,
31 association or any agent, employee, stockholder, officer or
32 other person or any subsidiary whatsoever participate in any
33 arrangements including but not limited to loans, mortgages,
34 management, purchasing, and/or merchandising agreements,
35 leases or any other like arrangements. Any licenses held by
36 such "combination of persons, directly or indirectly" in excess
37 of the number allowed a person under this section shall be
38 prima facie evidence of a violation of this section by all such
39 "combination of persons directly or indirectly," — and by
40 striking out in line twenty-eight, as appearing in said chapter
41 four hundred and forty, the words "a price list" and inserting
42 in place thereof the words: — the selling price, — and by
43 striking out in line 34, as appearing in said chapter 440, the
44 words "stated on the current posted price list" and inserting in
45 place thereof the words: — displayed on the licensed pre-
46 mises, —

1 SECTION 3. Section 17 of chapter 138 of the General
2 Laws, is hereby amended by striking out the last paragraph, as
3 appearing in section 3 of chapter 424 of the acts of 1937 and
4 inserting in place thereof the following paragraph: —

5 Unless expressly authorized by this chapter, local licensing
6 authorities shall not grant licenses to any person, firm, corpora-
7 tion, partnership, association or other combinations of persons,
8 directly or indirectly or through any agent, employee, stock-
9 holder, officer or other person, or any subsidiary whatsoever,
10 under more than one section of this chapter. For the purposes
11 of this section a licensee and the father, mother, sister, brother,
12 wife, husband, son or daughter of said licensee and the spouse
13 of any such person, shall be presumed to be a "combination of
14 persons" as set forth above and the granting of a license under
15 more than one section of this chapter to any such "combi-
16 nation of persons" shall be prima facie evidence of a violation
17 of this section.

18 For the purposes of this section it shall be presumed that a
19 "combination of persons directly or indirectly" as set forth
20 above, exists whenever two or more licensees, either directly or
21 through any person, firm, corporation, partnership, association

22 or any agent, employee, stockholder, officer or other person or
23 any subsidiary whatsoever participates in any arrangements in-
24 cluding but not limited to loans, mortgages, management, pur-
25 chasing and/or merchandising agreements, leases or any other
26 like arrangements and the granting of a license under more
27 than one section of this chapter to any such "combination of
28 persons directly or indirectly" shall be prima facie evidence of
29 a violation of this section by all such "combination of per-
30 sons."

1 SECTION 4. The first paragraph of section 18 of
2 chapter 138 of the General Laws is hereby amended by in-
3 serting in line 38, as appearing in section 16 of chapter 440 of
4 the acts of 1935, after the word "corporation," the word: —
5 partnership, — and by inserting after the word "section", as
6 appearing in line 5 of chapter 571 of the acts of 1966, the
7 words: — and the holding of any licenses in violation of this
8 provision shall act as a revocation of all licenses held under the
9 provisions of chapter one hundred and thirty-eight by any of
10 the within named — and by inserting after the fifth sentence, as
11 appearing in section 16 of chapter 440 of the acts of 1935, the
12 following four sentences: — No person, firm, corporation, part-
13 nership, association or other combination of persons, directly
14 or indirectly or through any agent, employee, stockholder,
15 officer or other person or any subsidiary whatsoever who holds
16 a license under this section shall hold or be granted a license
17 under sections twelve or fifteen of this chapter nor hold or be
18 granted more than one license under section nineteen of this
19 chapter and the holding of any licenses in violation of this
20 provision shall act as a revocation of all licenses held under the
21 provisions of chapter one hundred and thirty-eight by any of
22 the within named. For the purposes of this section, a licensee
23 and the father, mother, sister, brother, wife, husband, son or
24 daughter of said licensee and the spouse of any such person
25 shall be presumed to be a "combination of persons" as set
26 forth above and any licenses held by any such "combination of
27 persons" in excess of the number allowed a person under this
28 section shall be prima facie evidence of a violation of this

29 section by all such "combination of persons". For the purposes
30 of this section it shall be presumed that a "combination of
31 persons, directly or indirectly" as set forth above exists; when-
32 ever two or more licensees, either directly or through any
33 person, firm, corporation, partnership, association or any agent,
34 employee, stockholder, officer or other person or any sub-
35 sidiary whatsoever participate in any arrangements including
36 but not limited to loans, mortgages, management, purchasing,
37 and/or merchandising agreements, leases or any other like ar-
38 rangements. Any licenses held by such "combination of per-
39 sons, directly or indirectly" in excess of the number allowed a
40 person under this section shall be prima facie evidence of a
41 violation of this section by all such "combination of persons,
42 directly or indirectly".

1 SECTION 5. Any person, firm, corporation, partnership, as-
2 sociation or other combination of persons, directly or indirect-
3 ly, or through any agent, employee, stockholder, officer, or
4 other person, or any subsidiary whatsoever, holding a license or
5 licenses in violation of any of the provisions of chapter 138 of
6 the General Laws as a result of the enactment of this act, shall
7 within twelve months of the effective date of this act divest
8 himself/themselves or itself, as the case may be, of sufficient
9 licenses so as to comply with the provisions of this act. Failure
10 to divest of the said sufficient number of licenses to comply
11 with the provisions of this act within the time set forth herein,
12 shall act as revocation of all licenses held under the provisions
13 of chapter 138. For the purpose of this section, a licensee and
14 the father, mother, sister, brother, wife, husband, son or daugh-
15 ter, of the said licensee and the spouse of any such person shall
16 be presumed to be a "combination of persons" as set forth
17 above. For the purposes of this section, it shall be presumed
18 that a "combination of persons directly or indirectly" as set
19 forth above exists; whenever a licensee, either directly or
20 through any person, firm, corporation, partnership, association
21 or any agent, employee, stockholder, officer or other person or
22 any subsidiary whatsoever, participates in any arrangements,
23 including but not limited to loans, mortgages, management,
24 purchasing and/or merchandising agreements, leases, or any
25 other like arrangement.

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The second part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The third part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The fourth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The fifth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The sixth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The seventh part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The eighth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The ninth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

The tenth part of the report deals with the financial situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have been engaged in the work.

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THE HOUSE OF REPRESENTATIVES

IN SENATE, FEBRUARY 1, 1895

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