

HOUSE No. 3687

Substituted by the House, on motion of Mr. Madden of Nantucket, for a bill with the same title (House, No. 3454). August 22, 2011.

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The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act authorizing the town of West Tisbury to place a certain question on the ballot relative to the issuance of licenses for the sale of wines and malt beverages in restaurants, inns and hotels and the issuance of 1 day licenses for the sale of wines and malt beverages at events.

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. (a) Notwithstanding sections 11, 11A and 17 of chapter 138 of the General
2 Laws or any other general or special law to the contrary, the board of selectmen of the town of
3 West Tisbury may place upon the official ballot at the next annual town election the following
4 question: 'Shall the board of selectmen of the town of West Tisbury be authorized to:

5 (1) issue licenses for the sale of wines and malt beverages to patrons of restaurants,
6 including restaurants within inns and hotels, with a seating capacity of not less than 50 persons to
7 be consumed with meals only; and

8 (2) issue 1 day licenses for the sale of wines and malt beverages under section 14 of
9 chapter 138 of the General Laws, upon such terms and conditions as the board of selectmen may
10 from time to time determine, to allow wines and malt beverages to be served at events where the
11 service of such beverages is incidental to the event and where wines and malt beverages are not
12 separately purchased by attendees at the event?'

13 (b) If a majority of the votes cast in answer to the question is in the affirmative, the town
14 of West Tisbury shall be taken to have authorized the sale of wines and malt beverages to be
15 drunk on the premises of said restaurants and the allowance of wines and malt beverages to be
16 served at events in the town which have received a 1 day license for the sale of wines and malt
17 beverages from the board of selectmen.

18 (c) The town counsel of the town of West Tisbury shall cause a summary of the question
19 to be printed on the ballot along with the question as stated in subsection (a).

20 Nothing contained herein shall authorize the issuance of licenses for the sale of wines and
21 malt beverages not to be drunk on the premises, i.e., in a package or convenience store. The
22 licenses shall be subject to all other provisions of said chapter 138. The board of selectmen may
23 from time to time issue regulations for granting said licenses and defining terms that are
24 necessary to the implementation of this act.

25 SECTION 2. This act shall take effect upon its passage.