SENATE DOCKET, NO. 995 FILED ON: 1/20/2011

SENATE . . . . . No. 97

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Benjamin B. Downing

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Benjamin B. Downing	*Berkshire, Hampshire, and Franklin*
Gailanne M. Cariddi	*1st Berkshire*

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SENATE . . . . . No. 97

By Mr. Downing, a petition (accompanied by bill, Senate, No. 97) of Benjamin Downing and Gailanne Cariddi for legislation to authorize the town of Hawley to grant a liquor license for the sale of beer and wine to be drunk on the premises. [Local Approval Received] [Consumer Protection and Professional Licensure].

The Commonwealth of Massachusetts

An Act authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises.

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

SECTION 1. Notwithstanding section 11 of chapter 138 of the General Laws, the licensing authority of the Town of Hawley may grant 1 license to sell or serve wine for consumption on the premises to a winegrower authorized to operate as a farmer-winery under section 19B of chapter 138, provided that any wine tasting shall be limited to one ounce per serving and served to patrons and customers not under 21 years of age.

The amount of any initial or renewal fee for such license shall be determined by the licensing authority issuing or renewing that license. The licensing authority shall not approve the transfer of the license to any other location, but the license may be granted to a new applicant at the same location if the applicant has followed all rules prescribed by the licensing authority related to the application and procedures for approval of a transfer including, but not limited to, the filing of a completed application for the transfer of the license to the new operator at the same location and the filing of a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid. If a license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may grant the license to a new applicant at the same location and under the same conditions as specified in this act.

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