

**HOUSE . . . . . No. 3891**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Paul Tucker and Joan B. Lovely*

*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 adoption of the accompanying bill:

An Act authorizing the city of Salem to grant one additional license for the sale of wine and malt beverages to be drunk on the premises.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>

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By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 3891) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to grant an additional license for the sale of wines and malt beverages to be drunk on the premises. Consumer Protection and Professional Licensure. [Local Approval Received.]

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The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
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An Act authorizing the city of Salem to grant one additional license for the sale of wine and malt beverages 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:*

1           SECTION 1. Notwithstanding Sections 17 and 17A of chapter 138 of the General Laws,  
2 the licensing authority of the City of Salem may grant one additional license for the sale of wine  
3 and malt beverages to be drunk on the premises under section 12 of said chapter 138 to Vesuvius  
4 Corporation, located at 2 Paradise Road. An annual license granted under this section shall be  
5 subject to all of said chapter 138, except sections 17 and 17A.

6           The licensing authority shall not approve the transfer of the license granted under this  
7 section to any other location, but it may grant the license to a new applicant at the same location  
8 if the applicant for the license files with the authority a letter from the department of revenue and  
9 a letter from the department of unemployment assistance indicating that the license is in good  
10 standing with the department and that all applicable taxes have been paid. If the license granted  
11 under this section is cancelled, revoked or no longer in use, it shall be returned physically, with

12 all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority  
13 which may then grant the license to a new applicant at the same location under the same  
14 conditions as specified in this section.

15 SECTION 2. (a) The city of Salem shall charge a fee for the granting of an annual license  
16 for the sale of wine and malt beverages pursuant to this act which shall be paid by the licensee at  
17 the time of issuance unless the licensing authority agrees to enter into an arrangement with the  
18 licensee which would enable the fee to be divided into multiple payments or prorated over  
19 multiple periods of time. If the city elects to accept prorated payments over time from a licensee,  
20 the option shall be made available, upon request, to all qualified applicants for a licensure.

21 (b) Any fee collected by the city of Salem for a license granted under this act which is  
22 greater than the amount of the fee charged for an annual renewal of a similar license issued by  
23 the city, shall be deposited into an economic development account which shall be established by  
24 the city of Salem to be expended by it in a manner consistent with the purposes of this account.

25 SECTION 3. This act shall take effect upon its passage.