



## Massachusetts Package Stores Association, Inc.

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Tuesday, June 18, 2019

**Written Testimony of the Massachusetts Package Stores Association  
Submitted to the Joint Committee on Community Development and Small Businesses for the  
Hearing on Record of H178 - An Act to allow certain stores and shops to open on holidays, and H182 -  
An Act allowing retail stores and shops to open on Thanksgiving Day**

Dear Chairs Sen. Diana DiZoglio and Rep. Edward F. Copping, and Members of the Joint Committee on Community Development and Small Businesses,

The Massachusetts Package Stores Association (MPSA) represents independently owned retailers of beer, wine and spirits throughout Massachusetts. In Massachusetts, the state of the alcohol beverages industry is disruption, transformation and instability. Furthermore, the regulatory system in Massachusetts is under attack from every direction as demonstrated by more than eighty (80) bills introduced this legislative session which disrupt, tear apart or dismantle the Massachusetts alcohol beverages industry. Out of state direct shippers of wine, multi-state corporate chain stores, national box-stores, craft brewers and e-commerce providers all seek to by-pass or usurp three-tier regulation of alcohol beverages to undermine and replace independent retailers of beer, wine and spirits. It is in this context that MPSA strongly opposes both H178 - An Act to allow certain stores and shops to open on holidays, and H182 - An Act allowing retail stores and shops to open on Thanksgiving Day.

H178 and H182 potentially allow Section 15 licensees to be open on Thanksgiving Day. Most retailers of beer, wine and spirits across Massachusetts oppose being open on Thanksgiving. The MPSA Board of Directors, composed of independent store owners voted unanimously against any provision allowing for Section 15 stores to be open on Thanksgiving. This is because there are currently only 2 days a year that retailers in Massachusetts cannot sell alcohol beverages. By removing Thanksgiving as a holiday, H178 and H182 would only leave Christmas Day as the one-day a year that alcohol beverages cannot be sold in Massachusetts.

To be clear, independent retailers of beer, wine and spirits were against the introduction of Memorial Day sales of alcohol beverages. Regretfully, independent retailers were not consulted when an amendment to the 2016 Economic Bill was added, and then enacted into law. Now all stores in Massachusetts are open on Memorial Day from 12 noon to 11:00 p.m. unless there is a local restriction. Independent open on Memorial Day, because they must compete against the big box chains and supermarkets who in 2016 secured Memorial Day sales of alcoholic beverages in order to further lead customers away from small businesses. Large out of state superstore chains will use H178 and H182 to further draw away customers from independent small businesses.

MPSA asks that H178 and H182 be amended to explicitly exclude Section 15 licensees under M.G.L. c. 138. Thank you for reviewing MPSA's written testimony. Please reach out to MPSA with any questions regarding the three-tier system and independent retailers of beer, wine and spirits.

Respectfully submitted,

Robert A. Mellion, Esq.  
Executive Director | General Counsel

*The Massachusetts Package Stores Association (MPSA) is a non-profit trade organization representing the interests of the thousands of independently-owned retail stores of beer, wine and spirits across Massachusetts. Contact MPSA with any questions at (800) 322-1383, or email [info@masspack.org](mailto:info@masspack.org). Visit the MassPack website at: [www.masspack.org](http://www.masspack.org)*