



Massachusetts Package Stores Association, Inc.

30 Lyman Street - Suite #2 / Westborough, MA 01581
Phone: (508) 366-1100 | Fax: (508) 366-1104 | www.masspack.org

SPECIAL MESSAGE TO THE MEMBERSHIP

Dear MassPack Member,

It is our sincere pleasure to announce that Massachusetts voters will weigh in on a ballot measure in November that restores balance to our industry. The Office of the Secretary of the Commonwealth has confirmed that the “*Expanded Availability of Licenses for the Sale of Alcohol Beverages*” initiative petition will appear on the November ballot as Question #3. Not since the repeal of Prohibition has an issue of this importance within our industry been put to voters. This is historic.

Question #3 was filed by local retailers across the state to meet public desire for convenience while also preserving the ability for small businesses to compete and thrive. We were original signers to the “21st Century Alcohol Retail Reform” initiative petition because out of state interests had upended the retail tier in their pursuit for marketplace control.

The ballot question supports fair play and will keep small businesses open. It is a compromise. **A YES vote** in November will expand convenience by gradually increasing the number of allowed beer and wine licenses from nine (9) to eighteen (18), minus any full liquor licenses owned. Most states allow three (3) to five (5) full liquor licenses. The number of liquor licenses in Massachusetts will be capped at seven (7). **A YES vote** also enhances public safety and encourages vigilance by retailers through prohibiting self-checkout of alcohol beverages and by basing the fine for selling to a minor on a store’s total sales and not just its alcohol sales. **A YES vote** additionally supports state tourism and brings Massachusetts in line with every other state in the country by allowing for valid out of state IDs to be relied upon by alcohol beverage retailers.

The final requirement in this year long process was certification of more than 13,347 signatures from registered voters who had not participated in the two previous signature submissions. Over 19,000 pre-qualified signatures were delivered to the Office of the Secretary of State for final certification. Carrying out of the second signature effort was triggered after the State Legislature determined not to enact a legislative alternative to the ballot initiative. Previously, the Office of the Secretary of State had certified close to 90,000 certified signatures from registered voters, which far exceeded the 80,239 minimum requirement. The initiative petition also survived a late filed legal challenge by large corporate interests who fear having to compete on a level playing field.

It is no secret that large corporate interests strongly oppose us. They are already using vast resources to misinform voters. Make no mistake that their objective is to replace locally owned stores across the state. They are banking on us to fail.

WE ARE GOING TO WIN!

On behalf of locally owned stores across the state MassPack humbly asks for your support. **THIS IS ABOUT SAVING OUR STORES!**

Respectfully,

Ryan Maloney, Julio’s Liquors
President, MassPack

Benjamin Weiner, Sav-Mor Liquors
Chair, 21st Century Alcohol Retail Reform Committee

The Massachusetts Package Stores Association (MassPack) is a non-profit trade organization representing locally owned retail alcohol beverages stores across Massachusetts. The Board of Directors of MassPack are comprised of owner/operators of retail stores of beer, wine, and spirits. Contact MassPack with any questions at (508) 366-1100, or email info@masspack.org. Visit the MassPack website at: www.masspack.org



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The text of an Initiative Petition for Law Relative to 21st Century Alcohol Retail Reform is below.

AN INITIATIVE PETITION FOR A LAW RELATIVE TO 21ST CENTURY ALCOHOL RETAIL REFORM

Be it enacted by the People, and by their authority:

SECTION 1. The second sentence of section 15 of chapter 138 of the General Laws is hereby amended by striking out, in each instance, the phrase "more than 9" and inserting in place thereof the following phrase:- more than 12.

SECTION 2. The second sentence of said section 15 of said chapter 138, as amended by section 1 of this Act, is hereby further amended by striking out, in each instance, the figure "12" and inserting in place thereof the following figure:- 15.

SECTION 3. The second sentence of said section 15 of said chapter 138, as amended by section 2 of this Act, is hereby further amended by striking out, in each instance, the figure "15" and inserting in place thereof the following figure:- 18.

SECTION 4. Section 15 of chapter 138 of the General Laws is hereby further amended by inserting, after the second sentence, the following new sentences:-

No person, firm, corporation, association, or other combination of persons, directly or indirectly, or through any agent, employee, stockholder, officer or other person or any subsidiary whatsoever, shall be granted, in the aggregate, more than 7 licenses for the sale of all alcoholic beverages in the commonwealth, or participate in decisions regarding the purchasing of such beverages or the purchasing of insurance or accounting or bookkeeping services, or receive any percentage or fee derived from gross revenues in exchange for management assistance, or participate in any other action designed to effect common results of more than 7 such licensees; provided, however, any person, firm, corporation, association, or other combination of persons, directly or indirectly, or through any agent, employee, stockholder, officer or other person or any subsidiary whatsoever, who, as of December 31, 2022, has more than 7 licenses for the sale of all alcoholic beverages in the commonwealth, or who, as of December 31, 2022, participates in decisions regarding the purchasing of such beverages or the purchasing of insurance or accounting or bookkeeping services, or receives any percentage or fee derived from gross revenues in exchange for management assistance, or participates in any other action designed to effect common results of more than 7 such licensees, may continue to hold that number of all alcoholic beverages licenses and participate in any actions designed to effect the common results of that number of licensees. Each license for the sale of all alcoholic beverages shall be included as a license for purposes of determining the total number of licenses authorized under the second sentence of this section.

SECTION 5. Sections 1 and 4 of this Act shall take effect on January 1, 2023.

SECTION 6. Section 2 of this Act shall take effect on January 1, 2027.

SECTION 7. Section 3 of this Act shall take effect on January 1, 2031.

SECTION 8. Section 15 of chapter 138 of the General Laws, as so appearing, is hereby further amended by inserting after the final paragraph, the following new paragraph:-

The in-store sale of alcoholic beverages by a licensee engaged in the sale of alcoholic beverages as so authorized under the provisions of this section shall be conducted through a face-to-face transaction between the customer and the licensee or between the customer and an authorized employee of the licensee who has attained the age of 18 years. In-store automated or self-checkout sales of alcoholic beverages by such licensees shall be prohibited.

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SECTION 9. Section 23 of chapter 138 of the General Laws is hereby amended by striking out, in the third sentence of the twelfth paragraph, the phrase "alcoholic beverage sales" and inserting in place thereof the following phrase:- all retail sales.

SECTION 10. Section 34B of chapter 138 of the General Laws is hereby amended by inserting in the first sentence of the second paragraph after the phrase "or a valid United States issued military identification card," the following phrase:- or a valid motor vehicle license issued by another state.

SECTION 11. Section 34B of said chapter 138 is hereby further amended by inserting in the second sentence of the second paragraph after the phrase "or motor vehicle license issued pursuant to said section eight," the following phrase:- or a valid motor vehicle license issued by another state,

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