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HOUSE JOINT RESOLUTION NO. 701

Offered January 14, 2009

Prefiled January 13, 2009

Requesting the Alcoholic Beverage Control Board to study the retail privatization of government stores; disposition of real estate upon which government stores are operated.

Patron—Purkey

Referred to Committee on Rules

Whereas, it is in the interest of the Commonwealth to control the manufacture, distribution, and sale of alcoholic beverages in the Commonwealth; and

Whereas, it is in the interest of the citizens of the Commonwealth to be afforded the most competitive price for alcoholic beverages while being assured of their quality; and

Whereas, it is the intent of the General Assembly that the Alcoholic Beverage Control Board continue to be the regulatory body that controls and regulates the manufacture, distribution, and sale of alcoholic beverages; and

Whereas, the first step in the retail privatization of government stores is to direct the Alcoholic Beverage Control Board to study the impact of retail privatization of government stores and the best method for disposition of the real estate, whether owned or leased by the Commonwealth, upon which government stores are now operated; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Alcoholic Beverage Control Board (the Board) be requested to study the retail privatization of government stores and the best method of disposition of the real estate upon which government stores are operated.

In conducting its study, the Board shall:

1. That the Alcoholic Beverage Control Board shall, on or before December 31, 2009, complete an implementation study for the discontinuation of government stores and for the disposition of all real property owned or leased by the Board upon which government stores are operated.

2. The Board shall examine the appropriateness of the various ways to dispose of the real estate upon which government stores are operated, including assignment, auction, sale, lease, or other feasible method.

3. When government stores are leased by the Board, the Board shall review all such leases to determine the (i) assignability of the lease to a person, firm, or corporation, which may be eligible for licensure as a package store licensee in the event of retail privatization; (ii) applicable lease termination provisions; and (iii) notice of termination provisions contained in such leases.

4. The Board shall form an advisory group to assist it in conducting the implementation study and the disposition of the real property owned or leased by the Board that is operated as government stores. The Board shall include as participants in this study representatives of each general licensing category, law-enforcement officials, and others as it deems appropriate. The Board shall submit an implementation plan for the disposition of the real property owned or leased by the Board upon which government stores are operated to the chairs of the House Committee on General Laws and to the Senate Committee on Rehabilitation and Social Services on or before December 31, 2009.

All agencies of the Commonwealth shall provide assistance to the ABC Board for this study, upon request.

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