

**SENATE . . . . . No. 2224**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to transfer the Paul E. Tsongas Arena from the city of Lowell to the University of Massachusetts Building Authority..

*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. Chapter 325 of the Acts of 1994, amended by Chapter 79 of the Acts of  
2 1995, and further amended by chapter 205 of the Acts of 1996, is hereby repealed.

3 SECTION 2. All existing contractual rights and obligations of the Lowell Arena  
4 Commission with respect to the civic arena shall be assigned to the University of Massachusetts  
5 at Lowell.

6 SECTION 3. All existing contractual rights and obligations of the Lowell Arena  
7 Commission with respect to the civic stadium shall be retained by the commission and the City  
8 of Lowell. The Commission shall be renamed the Lowell Civic Stadium Commission.

9 SECTION 4. (a) Notwithstanding any limitation on the number of licenses which may be  
10 issued under the provisions of section seventeen of chapter one hundred and thirty-eight of the  
11 General Laws, the licensing commissioners of the City of Lowell may issue to the authority, the  
12 university, any non-profit supporting organization of the university or to any other persons or  
13 entities operating the civic arena under a contract with the authority or the university, or who has

14 been granted a concession by the authority or the university for the sale of food and alcoholic  
15 beverages, a license as a common victualler to serve all alcoholic beverages to be drunk on the  
16 premises of the civic arena or any part thereof and the provisions of sections twelve A and  
17 sixteen C of said chapter one hundred and thirty-eight shall not apply to such premises. A  
18 licensed shall not be required by said licensing board under the provisions of section twelve of  
19 said chapter one hundred thirty-eight to have the licensed premises open during any hours when  
20 there is no activity being conducted in the civic arena nor shall the licensee be permitted to serve  
21 food or alcoholic beverages to strangers, travelers or members of the general public who are not  
22 attending an activity then being conducted in the civic arena.

23 (b) Notwithstanding any general or special law or ordinance to the contrary, said  
24 licensing commissioners are authorized to issue to the authority, the university, any non-profit  
25 supporting organization of the university or to any other persons operating the civic arena under  
26 a contract with the authority or the university or who has been granted a concession by the  
27 authority or the university for the sale of food or beverages a common victualler's license for the  
28 premises of the civic arena or any part thereof pursuant to section two of chapter one hundred  
29 and forty of the General Laws and the provisions of section five of said chapter one hundred and  
30 forty shall not apply to the license so issued.

31 (c) Notwithstanding any limitation on the number of licenses which may be issued under  
32 the provisions of section seventeen of chapter one hundred and thirty-eight of the General Laws,  
33 the licensing commissioners of the City of Lowell may issue to the university, any non-profit  
34 supporting organization of the university or to any other persons or entities operating the civic  
35 stadium under a contract with the city, or who has been granted a concession by the city for the  
36 sale of food and alcoholic beverages, a license as a common victualler to serve all alcoholic

37 beverages to be drunk on the premises of the civic stadium or any part thereof and the provisions  
38 of sections twelve A and sixteen C of said chapter one hundred and thirty-eight shall not apply to  
39 such premises. A licensee shall not be required by said licensing board under the provisions of  
40 section twelve of said chapter one hundred thirty-eight to have the licensed premises open during  
41 any hours when there is no activity being conducted in the civic stadium nor shall the licensee be  
42 permitted to serve food or alcoholic beverages to strangers, travelers or members of the general  
43 public who are not attending an activity then being conducted in the civic stadium.

44 (d) Notwithstanding any general or special law or ordinance to the contrary, said  
45 licensing commissioners are authorized to issue to the university, any non-profit supporting  
46 organization of the university or to any other persons operating the civic stadium under a  
47 contract with the city or who has been granted a concession by the city for the sale of food or  
48 beverages a common victualler's license for the premises of the civic stadium or any part thereof  
49 pursuant to section two of chapter one hundred and forty of the General Laws and the provisions  
50 of section five of said chapter one hundred and forty shall not apply to the license so issued.

51 (e) Any licenses issued under this section shall not be transferable to any other location  
52 and such licenses shall be renewed annually subject to the provisions of chapter one hundred and  
53 thirty-eight of the General Laws.

54 (f) Any license issued under this section shall expire and be returned by the licensee to  
55 the licensing commissioner upon the termination of the licensee's lease or concession.

56 SECTION 5. This Act shall take effect upon the recording of the deed relating to the  
57 Tsongas Arena to the University of Massachusetts Building Authority with the Registry of  
58 Deeds.