

HOUSE No. 5416

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 8, 2022.

The committee on Municipalities and Regional Government to whom was referred the petition (accompanied by bill, House, No. 5407) of Rady Mom, Edward J. Kennedy and Vanna Howard (with the approval of the city council) that the city of Lowell be authorized to transfer ownership of Edward A. LeLacheur Park from said city to the University of Massachusetts Building Authority, reports recommending that the accompanying bill (House, No. 5416) ought to pass [Local Approval Received].

For the committee,

PAUL F. TUCKER.

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the Lowell Civic Stadium Commission and Edward A. LeLacheur Park.

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, as amended by chapter 79 of the acts of
2 1995, chapter 205 of the acts of 1996, and chapter 19 of the acts of 2010, is hereby repealed.

3 SECTION 2. For the purpose of this act, the following words shall have the following
4 meanings:—

5 “Civic stadium”, shall mean the Edward A LeLacheur Park, a multipurpose outdoor
6 stadium located in the city of Lowell consisting of one or more single or multipurpose structures
7 and facilities designed and constructed to provide accommodations for large public and private
8 gatherings which are civic, cultural, athletic, commercial or entertainment in nature located at
9 450 Aiken Street, Lowell, Massachusetts, shown as parcels 1,2,3 and 4 on a plan of land entitled,
10 “Plan of LeLacheur Park, 450 Aiken Street, Lowell, Massachusetts”, dated August 12, 2022,
11 prepared by Hancock Associates, and recorded in the Middlesex northern registry of deeds in
12 plan book 250, page 103.

13 “Building authority”, the University of Massachusetts Building Authority.

14 “University”, the University of Massachusetts.

15 SECTION 3. Notwithstanding section 39M of chapter 30 of the General Laws, chapter
16 149 of the General Laws, section 14 of chapter 149A of the General Laws or any other general or
17 special law or ordinance or regulation relative to the operation, planning, design, construction or
18 improvement to real property to the contrary, the building authority may utilize such alternative
19 means of procurement as the building authority determines to be reasonable and prudent under
20 the circumstances, for the design, construction, maintenance and operation of the civic stadium.
21 Provided further, that sections 26 to 27H, inclusive, of chapter 149 of the General Laws shall
22 apply to all construction, reconstruction, installation, demolition, maintenance and repair.

23 Notwithstanding any general or special law to the contrary, the building authority may
24 enter into lease agreements for terms that exceed 99 years.

25 SECTION 4. Notwithstanding the provisions of any general or special law or ordinance
26 to the contrary, the building authority shall not incur any violations, fines or penalties in
27 connection with maintenance, operation, repair or improvements of the civic stadium for a period
28 of five (5) years.

29 SECTION 5. Notwithstanding any limitation on the number of licenses which may be
30 issued under section 17 of chapter 138 of the General Laws, the licensing commissioners of the
31 city of Lowell shall issue to the building authority, in this section called the authority, the
32 university, a non-profit supporting organization of the university as designated by the university
33 or to any other persons or entities operating the civic stadium under a contract with the authority
34 or the university, or who has been granted a concession by the authority or the university for the
35 sale of food and alcoholic beverages, a license as a common victualler to serve all alcoholic

36 beverages to be drunk on the premises of the civic stadium or any part thereof and the provisions
37 of sections 12A and 16C of said chapter 138 shall not apply to the premises. A licensee shall not
38 be required by the licensing board under the provisions of section 12 of said chapter 138 to have
39 the licensed premises open during any hours when there is no activity being conducted in the
40 civic stadium.

41 (b) Notwithstanding any general or special law or ordinance to the contrary, the licensing
42 commissioners may issue to the authority, the university, a non-profit supporting organization of
43 the university as designated by the university or to any other persons operating the civic stadium
44 under a contract or who has been granted a concession for the sale of food or beverages a
45 common victualler's license for the premises of the civic stadium or any part thereof pursuant to
46 section 2 of chapter 140 of the General Laws; provided, however, the provisions of section 5 of
47 said chapter 140 shall not apply to the license so issued.

48 SECTION 6. Notwithstanding any general or special law to the contrary, all existing
49 contractual rights and obligations of the Lowell arena and civic stadium commission with respect
50 to the Edward A. LeLacheur Park, also known as the civic stadium, shall become the contractual
51 rights and obligations of the University of Massachusetts Building Authority.

52 SECTION 7. Section 1 shall take effect 30 days after the deed evidencing the sale of the
53 Edward A. LeLacheur Park, also known as the civic stadium, to the University of Massachusetts
54 Building Authority, is filed with the registry of deeds, or on January 30, 2023, whichever occurs
55 first.