

# **HOUSE . . . . . No. 5449**

---

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, December 29, 2022.

The committee on Ways and Means, to whom was referred the Bill relative to the Lowell Civic Stadium Commission and Edward A. LeLacheur Park (House, No. 5416), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5449).

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 5449**

---

**The Commonwealth of Massachusetts**

**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 most recently amended by chapter 19 of  
2 the acts of 2010, is hereby repealed.

3           SECTION 2. For the purpose of this act, the following words shall, unless the context  
4 clearly requires otherwise, have the following meanings:

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

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

14 “University”, the University of Massachusetts.

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

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

26 SECTION 4. Notwithstanding any general or special law or ordinance to the contrary, the  
27 building authority shall not incur any building code violations, fines or penalties under the  
28 jurisdiction of the city of Lowell in connection with maintenance, operation, repair or  
29 improvements of the civic stadium for a period of 5 years.

30 SECTION 5. (a) Notwithstanding any limitation on the number of licenses which may be  
31 issued under section 17 of chapter 138 of the General Laws, the licensing commissioners of the  
32 city of Lowell may issue to the building authority, the university, a non-profit supporting  
33 organization of the university as designated by the university or to any other person or entity  
34 operating the civic stadium under a contract with the building authority or the university, or who  
35 has been granted a concession by the building authority or the university for the sale of food and

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

41 (b) Notwithstanding any general or special law or ordinance to the contrary, the licensing  
42 commissioners of the city of Lowell may issue to the building authority, the university, a non-  
43 profit supporting organization of the university as designated by the university or to any other  
44 person or entity operating the civic stadium under a contract or who has been granted a  
45 concession for the sale of food or beverages a common victualler's license for the premises of  
46 the civic stadium or any part thereof pursuant to section 2 of chapter 140 of the General Laws;  
47 provided, however, that section 5 of 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 shall become the contractual rights and obligations of the  
51 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 to the building authority is filed with the registry of deeds, or on  
54 January 30, 2023, whichever occurs first.