
By Mr. Umana, petition of Mario Umana for legislation to require newspaper publication and public bidding for any leases made or licenses granted for the operation of any concession upon property owned or controlled by the Commonwealth. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

AN ACT REQUIRING PUBLIC BIDS FOR ANY LEASES MADE OR LICENSES GRANTED IN CONNECTION WITH THE OPERATION OF ANY CONCESSION UPON PROPERTY OWNED OR CONTROLLED BY THE COMMONWEALTH, OR ANY OF ITS DEPARTMENTS, DIVISIONS, BOARDS, COMMISSIONS OR AGENCIES, AND AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 8 of the General Laws is hereby amended by adding
2 after section 10A thereof, the following new section: —

3 *Section 10B.* Before executing, renewing or extending any
4 lease of real estate or issuing or renewing any license to any
5 individual, trust, partnership, association or corporation in
6 connection with the operation of any concession in which
7 goods or services are sold or leased to the public upon property
8 owned or controlled by the commonwealth, any of its depart-
9 ments, divisions, boards, commissions or agencies, or any au-
10 thorities established by the legislature, the commonwealth,
11 any of its departments, divisions, boards, commissions or agen-
12 cies, or authorities established by the legislature shall publish,
13 in at least one newspaper of general circulation in the city or
14 town within which such concession is to be operated, a notice
15 setting forth the nature and location of such concession and
16 all rules and regulations under which it shall be operated, and
17 shall cause a notice to be published conspicuously in the office
18 of the state superintendent of buildings, or on the premises

19 where such concession is to be operated, or in the office of the
20 department, division, board, commission, agency or authority
21 which controls those premises, specifying the nature and loca-
22 tion of the concession and inviting proposals for the operation
23 of such concession. Such notice shall state the method, time
24 and place for the submission of such proposals, the time and
25 place for the opening thereof, and shall reserve the right to
26 revoke any or all such proposals. Upon the execution, renewal
27 or extension of any such lease or the issuance or renewal of
28 any such license, the lessee or licensee named therein shall
29 forthwith file with the state superintendent of buildings or
30 with such department, division, board, commission, agency or
31 authority a verified statement setting forth the name and ad-
32 dress of each person having any control of or right or interest
33 in such concession. In the case of any lease or license in effect
34 on the effective date of this section, such verified statement
35 shall be so filed within ninety days after the effective date of
36 this section. If, during the term of any such lease or license
37 or renewal or extension thereof, any person acquires any con-
38 trol of, or any right or interest in such concession, or, if the
39 control of, or right or interest in such concession of any per-
40 son is changed, such person shall file such verified statement
41 within thirty days after his acquisition of such control, right
42 or interest or the change therein. Such statements and other
43 writings so filed, shall be public records and shall be open for
44 inspection by the public during the hours in which such office
45 is open. The provisions of this section shall not apply to con-
46 cessions leased or operated in the state house or by the divi-
47 sion of the blind.

48 Willful violation of any provisions of this section shall be
49 punished by a fine of not less than one thousand dollars. If
50 the provisions of this section are not complied with, such lease
51 may be canceled and such license may be revoked at the option
52 of the commonwealth at any time before the expiration of such
53 lease or license or six months from the date thereof, whichever
54 occurs first.