

By Hermann of North Andover, petition of Joseph N. Hermann and other members of the House for legislation to provide for a civil penalty for bid splitting in the Commonwealth. State Administration.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT TO PROVIDE A CIVIL PENALTY FOR BID SPLITTING IN THE COMMONWEALTH.

*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. Section eight A of chapter twenty-nine of the  
2 General Laws as most recently amended by Chapter 579 of the Acts  
3 of 1980 is hereby amended by inserting at line 37 after the word  
4 "section" a new sentence: —

5 "Any person who shall cause or conspire to cause any contract or  
6 preliminary plans and specifications to be split or divided for the  
7 purpose of evading the provisions of this section shall forfeit and  
8 pay to the Commonwealth, a political subdivision thereof or other  
9 awarding authority subject to this section, the sum of ten thousand  
10 dollars and, in addition such person or persons shall pay, appor-  
11 tioned among them, double the amount of damages which the Com-  
12 monwealth or political subdivision thereof or other awarding  
13 authority may have sustained by reason of the doing of such act,  
14 together with the costs of the action.

1 SECTION 2. Section 20A of Chapter 29f the General Laws as  
2 last amended by Chapter 868 of the Acts of 1969 is hereby amended  
3 by striking the words "five thousand" and inserting the follow-  
4 ing: — "ten thousand."

1 SECTION 3. Section seventeen of chapter thirty-four of the  
2 General Laws is hereby amended by inserting at line 29 after the  
3 word "session." a new sentence to read: — "Any person who shall

4 cause or conspire to cause any purchase or contract to be split for  
5 the purpose of evading the provisions of this section shall forfeit  
6 and pay to the county treasury the sum of five thousand dollars and,  
7 in addition, such person or persons shall pay, apportioned among  
8 them, double the amount of damages which the county may have  
9 sustained by reason of the doing of such act, together with the cost  
10 of the action."

1 SECTION 4. Section four B of chapter forty of the General  
2 Laws is hereby amended by inserting in the fourth paragraph in the  
3 seventh line after the word "agency", a new sentence to read: —  
4 "Any person who shall cause or conspire to cause any bill or con-  
5 tract to be split or divided for the purpose of evading the provisions  
6 of this section shall, in addition to any other penalties imposed  
7 pursuant to this section, forfeit and pay to the town or district the  
8 sum of five thousand dollars and, in addition such person or  
9 persons shall pay, apportioned among them, the amount of dam-  
10 ages which the town or district may have sustained by reason of the  
11 doing of such act, together with the cost of the action."

1 SECTION 5. Section four G of chapter forty of the General  
2 Law is hereby amended by inserting in the fourth paragraph after  
3 the word "agency", a new sentence to read: — "Any person who  
4 shall cause or conspire to cause any bill or contract to be split or  
5 divided for the purpose of evading the provisions of this section  
6 shall, in addition to any other penalties imposed pursuant to this  
7 section, forfeit and pay to the town or district the sum of five  
8 thousand dollars and, in addition such person or persons shall pay,  
9 apportioned among them, the amount of damages which the town  
10 or district may have sustained by reason of the doing of such act,  
11 together with the costs of the action."

1 SECTION 6. Section 28 of chapter forty-three of the General  
2 Laws as most recently amended by Chapter 579 of the Acts of 1980  
3 is hereby amended by inserting at the end of the fourth paragraph  
4 the following: —

5 "Any person who shall cause or conspire to cause any bill or  
6 contract to be split or divided for the purpose of evading the  
7 provisions of this section shall, in addition to any other penalties

8 imposed pursuant to this section, forfeit and pay to the city the sum  
9 of ten thousand dollars and such person or persons shall pay,  
10 apportioned among them in addition, double the amount of dam-  
11 age which the city may have sustained by reason of the doing of  
12 such act, together with the costs of the action.”

The first part of the report deals with the general situation of the country. It is noted that the weather has been very dry and hot, and that the crops are suffering. The government has taken steps to provide relief to the people, and it is hoped that the situation will improve in the future.

The second part of the report deals with the financial situation of the country. It is noted that the government has a large deficit, and that the public debt is increasing. It is suggested that the government should take steps to reduce its expenditure, and to increase its revenue.

The third part of the report deals with the social situation of the country. It is noted that there is a large amount of poverty and suffering, and that the government should take steps to provide relief to the people. It is suggested that the government should establish a system of public works, and that it should provide relief to the poor.

The fourth part of the report deals with the political situation of the country. It is noted that there is a large amount of corruption and mismanagement, and that the government should take steps to reform itself. It is suggested that the government should establish a system of public accountability, and that it should reform its administrative system.