

HOUSE No. 254

By Messrs. Cella of Medford and Kaplan of Brookline, petition of Alexander J. Cella and Sumner Z. Kaplan relative to the leasing of premises outside the State House used by state agencies. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty.

AN ACT RELATIVE TO THE LEASING OF PREMISES OUTSIDE THE STATE HOUSE USED BY STATE AGENCIES.

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 8 of the General Laws is hereby amended
2 by striking out section 10A, as most recently amended by chap-
3 ter 317 of the acts of 1955, and inserting in place thereof the fol-
4 lowing section: —
5 *Section 10A.* The commonwealth, acting through the execu-
6 tive or administrative head of a state department, commission
7 or board and with the approval of the superintendent and of the
8 governor and council and of the commission on administration
9 and finance, may lease for the use of such department, commis-
10 sion or board, for a term not exceeding [five] two years, prem-
11 ises outside of the state house or other building owned by the
12 commonwealth, if provision for rent of such premises for so much
13 of the term of the lease as falls within the then current fiscal year
14 has been made by appropriation, **and, provided, that said**
15 **lease does not contain a renewal clause or an option to**
16 **renew.** If the term of a lease under which premises are being
17 used for the purposes of a particular activity by any such de-
18 partment, commission or board expires between the beginning
19 of a fiscal year and the effective date of the general appropria-
20 tion act for such fiscal year and no appropriation for rent for

21 said premises has been made and if the general court has not
22 provided otherwise, the commonwealth, acting through the ex-
23 ecutive or administrative head of such department, commission
24 or board, and with like approval, may hire or lease for such pur-
25 poses the same or different premises, for a term not exceeding
26 **[five] two years, and provided that said lease does not**
27 **contain a renewal clause or an option to renew**, obligating
28 the commonwealth to pay no greater aggregate amount of rent
29 for any period than was paid for a corresponding period under
30 the expiring lease.

31 For the purposes of this section, the word "department" shall
32 include the division of motor vehicles, known as the registry of
33 motor vehicles, and the division of employment security. Not-
34 withstanding the time limitation of this section or of any other
35 law, the division of employment security may enter into and
36 carry into effect rental-purchase agreements for the purchase or
37 construction of premises to be occupied by it outside of the state
38 house or other building owned by the commonwealth, and such
39 rental-purchase agreements shall be subject to the same ap-
40 provals required by this section for leasing premises; provided,
41 that the costs incident to such rental-purchase agreements, in-
42 cluding amortization, shall be borne by the federal govern-
43 ment. After expiration of the period of amortization in each
44 such instance, the commonwealth shall not charge the division
45 of employment security with rent for such premises, provided
46 the federal government shall bear the cost of service to and main-
47 tenance of such premises.

1 SECTION 2. The provisions of this act shall not be construed
2 to affect in any manner any renewal provisions or options to re-
3 new contained in leases in existence on the effective date of this
4 act.