

HOUSE No. 5071

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

August 14, 2008.

To the Honorable Senate and House of Representatives:

Pursuant to Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth, I am returning unsigned House Bill No. 4474, "An Act Conveying Land from the Town of Plainfield to the Plainfield Congregational Church."

This home rule bill transfers a 15,300 square-foot piece of property owned by the Town of Plainfield to the Plainfield Congregational Church. This property is presently the lawn around the Church and a parking lot which would continue to be jointly used by the Church and the Town Hall, which sits on the portion of the property being retained by Plainfield. The property would be conveyed for no consideration and the Town would retain certain rights and obligations regarding maintenance and use of the property.

I am returning this bill unsigned because I do not believe it is good policy to allow the Town to convey real property without following the provisions of Uniform Procurement Act. The transfer of property from a governmental body to a religious institution for no consideration also raises issues under the Anti-Aid Amendment to the Massachusetts Constitution and the Establishment Clause of the U.S. Constitution.

For these reasons, I return House Bill No. 4474 unsigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,
Governor. □