

The Commonwealth of Massachusetts

MESSAGE FROM HIS EXCELLENCY THE
GOVERNOR RETURNING, UNDER THE PROVISIONS
OF ARTICLE LVI OF THE AMENDMENTS TO THE
CONSTITUTION, WITH RECOMMENDATION OF
AMENDMENT, THE ENGROSSED BILL
AUTHORIZING THE TOWN OF DRACUT TO
PAY A CERTAIN SUM OF MONEY TO
WOODHUT, INC.

(see Senate No. 1740)

Senate, July 5, 1973.

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

July 3, 1973.

To the Honorable Senate and House of Representatives:

In accordance with the provisions of Article LVI of the Amendments to the Constitution, I am returning, herewith, Senate Bill No. 1740 entitled "AN ACT AUTHORIZING THE TOWN OF DRACUT TO PAY A CERTAIN SUM OF MONEY TO WOODHUT, INC."

This legislation would authorize Dracut to appropriate and pay \$662.17 to Woodhut, Inc. I have been informed that this amount represents an obligation which the town incurred in 1970 for building materials and which is now legally unenforceable.

Similar legislation, arising from a variety of local circumstances, is usually passed for a few cities and towns during each session of the General Court. A number of such measures have been enacted and signed this year (Statutes, 1973 chapters 176, 192 and 234, for example).

Each of these bills contained a requirement that no such bill could be paid until a certificate, signed under the penalties of perjury, had been filed with the town/city accountant stating, for instance, that such materials were ordered by a town official and were received by the town. Furthermore, these three bills provided for punishment for anyone who knowingly files a false certificate and thereby receives payment. It is obviously in the best interests of our municipalities that such provisions be included in measures of this nature.

I believe that such safeguards should be added to Senate Bill No. 1740 and that it would be advisable to have the bill take effect upon passage.

I therefore recommend that the bill be amended as follows:

By striking out all after the enacting clause and inserting in place thereof the following: —

1 SECTION 1. For the purpose of discharging a moral obliga-
2 tion, the town of Dracut is hereby authorized to appropriate
3 and pay to Woodhut, Inc., the sum of six hundred and sixty-
4 two dollars and seventeen cents, said amount being legally
5 unenforceable against said town.

1 SECTION 2. No bill shall be approved by the town accountant
2 of said town or paid by the treasurer thereof under authority
3 of this act unless and until a certificate has been signed and
4 filed with said town accountant stating under the penalties
5 of perjury that the materials for which said bill has been sub-
6 mitted were ordered on behalf of the town for repair work to
7 a recreation building in said town and that such materials
8 were actually delivered to said building.

1 SECTION 3. Any person who knowingly files a certificate re-
2 quired by section two, which is false, and who thereby receives
3 payment for materials which were not actually delivered to
4 said building shall be punished by imprisonment for not more
5 than one year or by a fine of not more than three hundred
6 dollars, or both.

1 SECTION 4. This act shall take effect upon its passage.

Respectfully submitted,

FRANCIS W. SARGENT,
Governor, Commonwealth of Massachusetts