

The Commonwealth of Massachusetts

DEPARTMENT OF THE ATTORNEY GENERAL
JOHN W. McCORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE, BOSTON, MASS. 02108

August 30, 1977

Wallace C. Mills
Clerk, House of Representatives
State House
Boston, Massachusetts 02133

Dear Sir:

The Attorney General has been requested to issue an opinion regarding the impact and constitutionality of House Bill 5234. This legislation would define Agawam as a town and not a city under the provisions of Chapter thirty-one of the General Laws.

I must decline to render such an opinion at this time on behalf of the Attorney General, as it involves issues that are currently being litigated before the Massachusetts Appeals Court in *Westman, et al. v. Kountze*. It would be inappropriate for the Attorney General to issue an opinion that could conflict with the court's eventual determination.

I would suggest that your request for an opinion could be resubmitted once this litigation is ended if the need is still present.

Very truly yours,

THOMAS R. KILEY
First Assistant Attorney General

THE HOUSE OF REPRESENTATIVES
OF THE STATE OF NEW YORK
IN SENATE, January 15, 1910.

REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
ON JANUARY 11, 1909.

ALBANY:
THE UNIVERSITY OF THE STATE OF NEW YORK
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