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**DEVAL L. PATRICK**  
GOVERNOR

**TIMOTHY P. MURRAY**  
LIEUTENANT GOVERNOR

**ATTACHMENT I**

June 30, 2010

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 130 of House Bill No. 4800, "An Act Making Appropriations for the Fiscal Year 2011 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements."

Section 130 concerns a reversionary interest held by the Commonwealth on land sold to Norwood Hospital (now Caritas Norwood Hospital) in 1978. The property, containing approximately 19 acres in 2 parcels, was conveyed for \$1 subject to the requirement that it be used "as in intermediate care facility for the treatment of alcoholism and related conditions". The deed provided that the property would revert to the Commonwealth if the property was no longer used for that purpose. Section 130 releases the reversionary interest in exchange for payments to the Commonwealth if the property ceases to be used for medical purposes under certain circumstances. I do not object to the purposes of this section, nor do I object to the provisions of this section regarding payment to the Commonwealth if the property is sold.

This section, however, would allow Caritas Norwood Hospital to change the use of the property to a non-medical use without making any payment to the Commonwealth so long as the Hospital provides

treatment of alcoholism and related conditions at its main campus in Norwood. This section therefore creates the potential for Caritas Norwood Hospital, but not the Commonwealth, to reap significant financial benefit from the 19 acres it acquired from the Commonwealth for \$1.

For these reasons, I recommend that Section 130 be amended by striking out the text and inserting in place thereof the following text:-

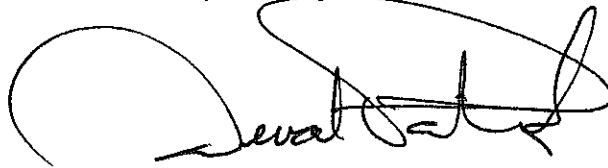
Section 130. (a) Notwithstanding any general or special law to the contrary, any restriction on use of, and any reversionary interest held by the commonwealth on, the parcel designated as the Walnut Lodge property in the first paragraph of chapter 544 of the acts of 1976 conveyed to Caritas Norwood Hospital, Inc., on June 20, 1978, are hereby released.

(b) For the purposes of this section —Caritas Norwood Hospital, Inc. or its successors shall mean Caritas Norwood Hospital Inc. or any person, group or entity that purchases all, or substantially all, of the assets of Caritas Christi Healthcare System or all, or substantially all, of the assets of Caritas Norwood Hospital, Inc. including any subsequent purchasers, whether such purchase is effected by sale, merger or otherwise.

(c) In consideration for the releases set forth in subsection (a), Caritas Norwood Hospital, Inc., or its successors, shall maintain services for the treatment of alcoholism and related conditions at the Walnut Lodge property or, if not at the Walnut Lodge property, at the site of the Caritas Norwood Hospital, Inc. and upon any disposition of said Walnut Lodge property by Caritas Norwood Hospital, or its successors, 50 per cent of the gross proceeds from the sale, lease or other disposition of said parcel shall be paid by the seller to the commonwealth acting by and through the commissioner of capital asset management and maintenance. For the purposes of this section, gross proceeds shall mean all payments paid to Caritas Norwood Hospital, Inc. or its successors, as and when paid, by a transferee who shall not use the property as a medical care facility. Under any change of use by Caritas Norwood Hospital, Inc. or any successor thereto, if the Walnut Lodge property, or any portion

thereof, ceases to be used for the treatment of alcoholism and related conditions then Caritas Norwood Hospital, Inc. or any successor thereto, shall pay to the commonwealth, acting by and through the commissioner of capital asset management and maintenance, the sum of 50 per cent of the assessed valuation of the land included in such change of use, as such assessment valuation appears on the real estate tax assessment listing maintained by the assessors of the town of Foxborough for the fiscal year in which such change of use occurs. Nothing in this section shall restrict the transfer or conveyance of the Walnut Lodge property, or any portion thereof, for use as a medical care facility.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Katz", with a large, sweeping loop at the end.