SENATE DOCKET, NO. FILED ON: 8/10/2026

SENATE . . . . . No. 3254

Message from Her Excellency the Governor (pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts) returning with recommendation of amendment the engrossed Bill relative to the Pilgrim Memorial Park in Plymouth (Senate, No. 3235)

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MAURA T. HEALEY
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LIEUTENANT GOVERNOR

August 10, 2026

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 of the Commonwealth of Massachusetts, I am returning to you for amendment S.3235, entitled "An Act authorizing the Division of Capital Asset Management and Maintenance to enter into a lease with the town of Plymouth for purposes of maintaining the Pilgrim Memorial State Park in the town of Plymouth."

This bill would authorize the Division of Capital Asset Management and Maintenance to lease to the Town of Plymouth all of Pilgrim Memorial State Park. I have been informed, however, that the Town's interest is in leasing just a portion of the park, an area surrounding the bandstand on Water Street. I am therefore returning this bill with an amendment to clarify that the authorized lease would be for this portion of the park. In addition, the amendment would also clarify the length of the authorized lease, ensure ongoing public access for the leased portion of the park, and limit the use of any fees collected by the Town to costs related to the leased area.

For these reasons, I recommend that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following text:-

(a) Notwithstanding any general or special law to the contrary, but for purposes consistent with Article 97 of the amendments to the Massachusetts Constitution, the commissioner of the department of capital asset management and maintenance, in consultation with the secretary of energy and environmental affairs and the commissioner of the department

of conservation and recreation, may enter into a 25-year lease with the town of Plymouth for an area to include the existing bandstand from Water Street up to the barrier wall on a parcel of land known as the Pilgrim Memorial State Park, which is located at 79 Water street, in the town of Plymouth. As part of the development of the lease terms, the secretariat and the departments may consult the Office of the Inspector General. The secretariat and the departments may also hold one or more public hearings to receive input and public comment from interested parties on the development of the lease.

(b) Any lease executed under this section shall be on terms, conditions and consideration acceptable to the commissioner of capital asset management and maintenance, in consultation with the secretary of energy and environmental affairs and the commissioner of the department of conservation and recreation, and consistent with the purposes of Article 97 of the amendments to the Massachusetts Constitution; provided, however, that any lease entered into pursuant to this section shall provide that: (i) the lease may be extended for up to three 10-year terms upon the mutual agreement of the department of capital asset management and maintenance, in consultation with the department of conservation and recreation; (ii) the town of Plymouth shall provide general oversight for land, facilities, fields and appurtenances associated therewith during the term of the lease; (iii) the town of Plymouth shall carry comprehensive general liability insurance naming the commonwealth as a co-insured, to protect the commonwealth against all claims for personal injury or property damage arising from or on land and appurtenances associated therewith during the term of the lease; (iv) any leased portion of Pilgrim Memorial State Park shall be accessible to the general public when not in use by permittees and permits shall be limited to reasonable and necessary times and areas that protect the public's interest in access to the park; (v) the town of Plymouth shall not design or construct any capital improvements in the leased area without the prior written approval of the commissioner of the department of capital asset management and maintenance and the commissioner of the department of conservation and recreation; (vi) fiscal responsibility for capital improvements is clearly described; (vii) the town of Plymouth shall be responsible for all utility costs, subject to the lease, and for the general day-to-day maintenance of the leased premises at the sole expense of the town of Plymouth; and (viii) the town of Plymouth shall have sole responsibility for the development of rules and the establishment of fees, such rules to be the subject of public hearing and public comment, for the use of the leased portion of Pilgrim Memorial Park. All fees and other revenue collected by the town of Plymouth shall be placed in a segregated special revenue fund expended solely for the operation, maintenance, repair, capital improvement or other costs attributable to activities related to the leased area.

Respectfully submitted,

Maura T. Healey,
Governor