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basis that the condition giving rise to benefits preexisted the effective date of the succeeding carrier's contract shall be applied with respect to those enrollees validly covered under the prior carrier's contract or policy on the date of discontinuance.

Approved November 24, 1999.

Chapter 144. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO TRANSFER CONTROL OF A CERTAIN PARCEL OF LAND HELD FOR CONSERVATION PURPOSES TO THE WEST BARNSTABLE FIRE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary the town of Barnstable may transfer the fee or a lesser interest in a certain portion of land, held by said town for conservation purposes, to the West Barnstable fire district for the purpose of production of water as a public water supply. Said transfer is to be made in conjunction with the acquisition by said town of Barnstable of certain other land in the immediate vicinity for conservation purposes, and the proceeds paid by the West Barnstable fire district to the town of Barnstable for the transfer hereby authorized may be used by the said town without further appropriation for funding, paying debt incurred for or replacing funds utilized from other town accounts for the purpose of acquiring said alternate conservation land.

Said land is described in an Easement registered with the land registration office in said town of Barnstable, as Document Number 707380, with Certificate of Title 76207, and is shown on plan of land entitled "Easement Plan of Land in (WEST) BARNSTABLE, MASS. Prepared for WEST BARNSTABLE FIRE DISTRICT WATER COMMISSION over a portion of Lot 2 shown on Land Court Plan 34248A Scale 1" - 100' August 17, 1993" a copy of which is attached thereto as Exhibit "A".

SECTION 2. This act shall take effect upon its passage.

Approved November 24, 1999.

Chapter 145. AN ACT AUTHORIZING THE TOWN OF MASHPEE TO GRANT CERTAIN EASEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Mashpee, acting by and through its board of selectmen, may grant an easement over a certain parcel of conservation land to the United States of America for the construction and operation of a water treatment facility for a term of years