

wealth, the easements described in sections 1 and 2 shall be valid unless such instruments provide that the easements shall be used solely for the purposes described in section 1 and section 2, respectively. The easement instruments shall include a clause which shall state that if the easements cease to be used by Algonquin Gas Transmission, LLC and by Colonial Gas Company d/b/a/ KeySpan Energy Delivery New England, or their respective successors or assigns, for the purposes described in sections 1 and 2 at any time, the easements shall revert to the commonwealth under the control of and used by the department of conservation and recreation and the division of fisheries and wildlife, upon such terms and conditions as the commissioner of capital asset management and maintenance may determine. If these easements revert to the commonwealth, any further disposition of the easements shall be subject to sections 40E to 40J, inclusive, of chapter 7 of the General Laws, and the prior approval of the general court.

SECTION 5. The military departments of the commonwealth, specifically including the special military reservation commission, the Massachusetts National Guard, the Massachusetts Air National Guard and their respective commandants, commanders, adjutant generals and quartermasters, shall consent to the easements and conveyances described in sections 1 and 2 to the extent these departments and officials have commands, duties or responsibilities with respect to the Massachusetts Military Reservation that are affected by these easements and conveyances.

Approved August 9, 2006.

Chapter 241. AN ACT RELATIVE TO ALLOWING THE TOWN OF WINCHESTER TO DRAW WATER FROM SPOT POND.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow the town of Winchester to draw water from Spot Pond, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the withdrawal of water from Spot Pond reservoir by the town of Winchester under the Spot Pond Elevation Management Agreement between the town of Winchester and the Massachusetts Water Resources Authority dated October 27, 2002 shall be considered a water sharing agreement for the purpose of chapter 21G of the General Laws and as defined in 310 CMR 36.00. The town of Winchester may withdraw water from Spot Pond so long as it is in compliance with this agreement and said chapter 21G.

Approved August 9, 2006.