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notice to decline renewal. The lease shall be subject to section 3 and to such additional terms and conditions as the commissioner, in consultation with the office of fishing and boating access, may prescribe; provided, however, that the lease shall be contingent upon the town of Southwick and its agents, customers or contractors agreeing to hold the commonwealth and its agents and employees harmless from and against all claims, actions, damages or costs claimed for injuries or damages to persons or property arising out of, or in any way relating to, the lease and to indemnify and defend the commonwealth and its agents and employees from and against all such claims, actions, damages or costs.

SECTION 3. The inspector general shall review and approve the appraisal required pursuant to section 2. The inspector general shall prepare a report of his review of the methodology used for the appraisal and shall file the report with the commissioner of capital asset management and maintenance, the house and senate committees on ways and means and the joint committee on bonding, capital expenditures and state assets. The commissioner shall, 30 days before the execution of any lease authorized by this act, or any subsequent amendment thereto, submit the proposed lease or amendment and a report thereon to the inspector general for his review and comment. The inspector general shall issue his review and comment within 15 days after receipt of the proposed lease or amendment. The commissioner shall submit the proposed lease or amendment and the reports and the comments of the inspector general, if any, to the house and senate committees on ways and means and the joint committee on bonding, capital expenditures and state assets at least 15 days before the execution of the lease or amendment.

SECTION 4. The town of Southwick shall be responsible for all costs and expenses associated with a transaction authorized by this act, including, but not limited to, costs associated with any engineering, survey, appraisal, and lease preparation related to the lease authorized by this act and for the development, improvement, maintenance or operation of the property as may be determined by the commissioner for its leasehold.

SECTION 5. All proceeds from the lease and fees collected by the lessee shall be deposited into the Lake Management Fund.

Approved November 28, 2007.

Chapter 198. AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO EXCHANGE LAND HELD FOR CONSERVATION AND RECREATION PURPOSES WITH THE NYE FAMILY OF AMERICA ASSOCIATION, INC.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the exchange of certain land held for conservation and recreation purposes between the division of capital asset management and maintenance and the Nye Family of America Association, Inc., therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Chap. 198

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws, the commissioner of capital asset management and maintenance, on behalf of and in consultation with the commissioner of fish and game and the director of fisheries and wildlife, may convey a certain parcel of land, currently under the care and control of the department of fish and game for recreational purposes, to the Nye Family of America Association, Inc. its successors and assigns, for public and other purposes, subject to the requirements of sections 2, 3 and 4. The parcel is shown as containing approximately 60,600 square feet, more or less, and being generally described as PARCEL 2 on a plan, entitled PLAN OF LAND IN SANDWICH (EAST), MASS. SHOWING LAND TO BE EXCHANGED Between Nye Family of America, Association, Inc. and Commonwealth of Massachusetts Division of Fisheries and Wildlife prepared for Nye Family of America Association, Inc., dated November 10, 2006, drawn by David C. Thulin, PE, PLS, and retained in the central files in the town of Sandwich Office of Planning and Development. The commissioner of capital asset management and maintenance shall determine the exact boundaries of the parcel after completion of a survey.

SECTION 2. No deed conveying, by or on behalf of the commonwealth, the parcel of land described in section 1 shall be valid unless such deed is exchanged for a similar parcel of land which abuts the old East Sandwich Fish Hatchery and is of equal or greater value of the land to be used for conservation and recreation purposes by the department of fish and game. The value of the parcels conveyed shall be determined by an independent appraiser. This conveyance shall be subject to review by the inspector general.

SECTION 3. The consideration for the conveyance authorized in section 1 shall be the transfer of a parcel designated as Parcel 1 on the aforementioned plan of land and containing approximately 118,800 square feet, more or less, by the Nye Family of America Association, Inc. to the department of fish and game. The commissioner shall determine the exact boundaries of said land or interest in land after completion of a survey of such land to be exchanged.

SECTION 4. The Nye Family of America Association, Inc. shall assume the costs of any appraisals, surveys and other expenses deemed necessary by the commissioner of capital asset management and maintenance to complete the exchange of properties.

Approved November 28, 2007.

Chapter 199. AN ACT INCREASING THE PUNISHMENT FOR DRAG RACING.

Be it enacted, etc., as follows:

The first paragraph of section 17B of chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the second and third sentences and inserting in place thereof the following 2 sentences:- Whoever violates this