

SENATE NO. 30

AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO LEASE CERTAIN LAND IN THE TOWN OF SPENCER TO THE WORCESTER COUNTY 4H CENTER

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. The division of capital asset management and maintenance, notwithstanding the
2 provisions of sections 40E through 40J, inclusive, of chapter 7 of the General laws, may, in
3 consultation with the department of environmental management, execute and deliver on behalf
4 of the commonwealth, subject to such terms and conditions as may be determined by the
5 division in consultation with the department, one or more instruments to lease certain land
6 together with the buildings thereon, now part of a state forest under the care and control of the
7 department and consisting of approximately 20 acres on the shore of Thompson's pond located
8 in the town of Spencer, the leased area to be shown on a plan of land suitable for recording, to
9 the Worcester County 4H Center Committee for a term or terms not to exceed 25 years for use
10 as a meeting place for the committee, for the development of interest in agriculture by young
11 people, and to run a summer day camp program. The lease authorized by this act shall
12 commence upon the expiration of the lease for the land and buildings authorized by chapter 256

13 of the acts of 1971. The lease shall also contain such terms and conditions as will comply with
14 all laws in relation to the protection of fish, birds, and quadrupeds and the preservation and
15 development of the forest. The control and supervision of the land and buildings shall remain
16 under the department, except as provided under the terms of the lease, and all provisions
17 relating to state forests not inconsistent with the provisions of this act shall remain in full force
18 and effect. The lease price to be paid by the Worcester County 4H Center Committee for the
19 land and buildings parcel shall be the full and fair market value of said land and buildings for
20 use as a meeting place for the committee, for the development of interest in agriculture by
21 young people, and to run a summer day camp program, as determined by one or more
22 professional appraisals commissioned by said division; provided however, that the lease price
23 may be reduced or waived by the division, in consultation with the department, in the event
24 payment thereof imposes a hardship on the lessee or significantly interferes with the operations
25 of the Worcester County 4H Center Committee at the property described above as demonstrated
26 in an annual financial statement to be submitted by the Worcester County 4H Center Committee
27 to the division and the department. The amount of any reduction in the lease payment shall in
28 no case exceed the dollar amount of capital improvements made to the buildings and grounds by
29 the Worcester County 4H Center Committee as documented in the annual financial statement.
30 The commissioner shall, 30 days prior to the execution of any lease or leases authorized by this
31 act or any subsequent amendment thereof, submit the lease or leases, or amendments thereto
32 and a report thereon to the inspector general. The inspector general shall review and approve
33 the appraisal or appraisals, and the review and appraisal shall include an examination of the
34 methodology utilized for the appraisal or appraisals. The inspector general shall prepare a
35 report of his review and approval of the appraisal or appraisals, lease or leases, or amendments

36 and file his report with the commissioner, and copies of the same shall be filed with the house
37 and senate committees on ways and means and with the chairmen of the joint committee on
38 state administration at least 15 days prior to said execution. The lease price paid by the
39 Worcester County 4H Center Committee for any lease or leases, and any amendments thereof
40 authorized by this act shall be deposited in the general fund of the commonwealth.

41 SECTION 2. The Worcester County 4H Center Committee shall be responsible for all costs
42 associated with any appraisal, survey, or other expense incurred by the commonwealth relating
43 to the lease or leases authorized by section 1 of his act, and for any costs, liabilities, or expenses
44 of any kind for the development, improvement, maintenance, or operation of said parcel as may
45 be determined by the division in consultation with the department.

46 SECTION 3. The Worcester County 4H Center Committee shall carry such comprehensive
47 liability insurance, in an amount deemed adequate by the commissioner of the division to
48 protect the commonwealth and the committee against personal injury or property damage
49 occurring on the leased land, within the buildings, or within any other structures built or used by
50 the committee on the land during the term of any lease or leases authorized by this act.

51 SECTION 4. Upon failure of the Worcester County 4H Center Committee, for a period of two
52 years, to make use of the land and buildings for the purposes described herein, the lease hereby
53 authorized may terminate upon notice to the committee, and the land and building together with
54 any improvements thereon shall revert to the commonwealth under the care and control of the
55 department. Any further disposition of said parcel shall be subject to the provisions of sections
56 40E through 40J, inclusive, of chapter 7 of the General Laws and must have the prior approval
57 of the general court.

58 SECTION 5. Except as provided herein, nothing in this act shall be construed to prevent the use
59 of the forest by the public to the same extent as if this act had not been enacted.