

SENATE, No. 2210

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 forthwith authorize 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.

*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. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General
2 Laws, the commissioner of capital asset management and maintenance, on behalf of and
3 in consultation with the commissioner of fish and game and the director of fisheries and
4 wildlife, may convey a certain parcel of land, currently under the care and control of the
5 department of fish and game for recreational purposes, to the Nye Family of American
6 Association, Inc. its successors and assigns, for public and other purposes, subject to the
7 requirements of sections 2, 3 and 4. The parcel is located within the old East Sandwich
8 Fish Hatchery on Old County Road in the town of Sandwich. The commissioner of
9 capital asset management and maintenance shall determine the exact boundaries of the
10 parcel after completion of a survey.

11 SECTION 2. No deed conveying, by or on behalf of the commonwealth, the parcel of
12 land described in section 1 shall be valid unless such deed is exchanged for a similar

13 parcel of land which abuts the old East Sandwich Fish Hatchery and is of equal or greater
14 value of the land to be used for conservation and recreation purposes by the department
15 of fish and game. The value of the parcels conveyed shall be determined by an
16 independent appraiser. This conveyance shall be subject to review by the inspector
17 general.

18 SECTION 3. The consideration for the conveyance authorized in section 1 shall be the
19 transfer of a parcel of land that abuts the old East Sandwich Fish Hatchery by the Nye
20 Family of America Association, Inc. to the department of fish and game. The
21 commissioner shall determine the exact boundaries of said land or interest in land after
22 completion of a survey of such land to be exchanged.

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