

**HOUSE . . . . . No. 4184**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act RELATIVE TO THE LEASING OF THE LIFESAVING STATION IN THE TOWN OF WESTPORT TO THE WESTPORT FISHERMAN’S ASSOCIATION..

*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 the provisions of sections 40E to 40J, inclusive, of chapter  
2 7 of the General Laws, or any other special law or rule or regulation to the contrary, the  
3 commissioner of capital asset management and maintenance, on behalf of and in consultation  
4 with the commissioner of conservation and recreation is hereby authorized and directed to lease  
5 certain land and the building thereon located at the corner of West Beach and East Beach roads  
6 at Gooseberry Neck in the Town of Westport and known as the Horseneck Point Lifesaving  
7 Station to the Westport Fisherman’s Association for a period of 25 years for the purpose of  
8 operating a lifesaving museum. Said lease shall be for nominal consideration.

9           SECTION 2.

10           The lessee shall use the property solely for the purpose of operating a lifesaving museum  
11 and the lease or other agreement pertaining to the lease of the property shall include a provision  
12 restricting the use of the property to such purposes and providing for a reversion of the property  
13 to the commonwealth if the property ceases to be used for any other purpose.

14 SECTION 3.

15 Upon failure of the Westport Fisherman’s Association to make use of the land and  
16 buildings for the purposes described herein, the lease hereby authorized shall be terminated, and  
17 the land and building together with any improvements thereon shall revert to the Commonwealth  
18 under the care and control of the department of capital asset management and maintenance.

19 SECTION 4. Notwithstanding any general or special law, or any rule or regulation to the  
20 contrary, the commissioner of the division of capital asset management and maintenance shall,  
21 30 days before the execution of any lease authorized by this act, or any subsequent amendment  
22 thereto, submit the proposed lease or amendment and a report thereon to the inspector general for  
23 his review and comment. The inspector general shall issue his review and comment within 30  
24 days of receipt of the proposed lease or amendment. The commissioner of the division of capital  
25 asset management and maintenance shall submit the proposed lease or amendment, and the  
26 reports and the comments of the inspector general, if any, to the house and senate committees on  
27 ways and means and the joint committee on State Administration and Regulatory Oversight at  
28 least 30 days before execution of said lease.

29 SECTION 5. During the term of the lease, the lessee shall be responsible for operating  
30 and maintaining the leased property and any and all costs associated with such operation and  
31 maintenance.

32 SECTION 6. The lessee shall be responsible for any and all costs associated with the  
33 lease of the property under this act including costs of any surveys and legal or recording fees.