

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of H. P. 1492, L. D. 1704

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1820

H. P. 1619

House of Representatives, May 31, 1977

Reported by Mrs. Post from Committee on Marine Resources. Sent up for concurrence and ordered printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

RESOLVE, Directing the Commissioner of Marine Resources to Lease Land and Buildings in West Boothbay Harbor to the Northeastern Research Foundation, Inc.

Emergency preamble. Whereas, Acts and Resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Department of Marine Resources has leased the federal facilities at McKown Point, West Boothbay Harbor for the past several years; and

Whereas, the federal facilities at McKown Point, West Boothbay Harbor, have been declared federal surplus and may be transferred or leased to the State by the Federal Government; and

Whereas, the Bigelow Laboratory for Ocean Sciences has been utilizing a number of the federal buildings for several years, under contract with the Department of Marine Resources which expires July 1, 1977; and

Whereas, Bigelow Laboratory desires to continue this use; and

Whereas, the research being conducted by Bigelow Laboratory is of vital importance to the long-range understanding of the biological, chemical, physical and ecological processes occurring in the Gulf of Maine and the understanding of these processes is vital to proper management of the marine resources in the gulf; and

Whereas, the state's interest in the protection and management of its marine resources would be furthered by the continuation of research being conducted by Bigelow Laboratory; and

Whereas, a commitment of these facilities is necessary to allow the development of future plans for Bigelow Laboratory; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Commissioner of Marine Resources; directed to lease land. Resolved: That the Commissioner of Marine Resources, in the name of the State of Maine, is directed to enter a contract, consistent with its obligations to the Federal Government with respect to the facilities, to lease all or part of a certain lot or parcel of land and the buildings thereon, situated in West Boothbay Harbor in the County of Lincoln and the State of Maine; being the parcel or lot presently owned by the United States, known as the Biological Laboratory and described in the General Services Administration Real Property Survey, dated May 1, 1973, Inventory Control No. 134-30174-23, as Parcel A and Parcel B, together comprising 4.6 acres, excluding property leased to the State of Maine in March, 1969, for a 20-year term, to Bigelow Laboratory for Ocean Sciences, a Division of Northeastern Research Foundation of West Boothbay Harbor, in the County of Lincoln and the State of Maine. This lease shall be effective July 1, 1977, and continue for a one-year period subject to renegotiation for an additional one-year period with the review and approval of the Joint Standing Committee on Marine Resources.

The lease agreement shall be prepared in consultation with the Joint Standing Committee on Marine Resources and shall be completed no later than June 30, 1977. At least 10 days prior to that day, the commissioner shall submit the lease agreement in its final form to the committee for its review.

If Bigelow Laboratory enters into the lease of land and buildings described herein, it shall submit to the Joint Standing Committee on Marine Resources a report on its uses of the land and buildings, the research undertaken, the expenditures for maintenance and improvement, the plans for use of the facilities during the next reporting period and the efforts undertaken to define their relationship to the State beyond the terms of this lease. This report shall be submitted no later than January 1, 1978.

Emergency clause. In view of the emergency cited in the preamble, this Resolve shall take effect when approved.

STATEMENT OF FACT

The purpose of this amendment is to provide for a one-year lease that may be renegotiated, rather than a 2-year lease. This new draft also provides that the lease shall be consistent with any federal obligations attached to this property.