

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 2076

6  
7 S.P. 821

In Senate, February 27, 1986

8 Submitted by the Department of Marine Resources pursuant to Joint  
9 Rule 24.

10 Reference to the Committee on Marine Resources suggested and ordered  
printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Chalmers of Knox.

11 Cosponsored by Representative Manning of Portland, Representative  
Holloway of Edgecomb and Representative Vose of Eastport.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-SIX  
16

17 **Resolve, Authorizing the Commissioner of**  
18 **Marine Resources to Lease Lands and**  
19 **Buildings in West Boothbay Harbor.**  
20

21 Whereas, the 111th Legislature enacted Resolves  
22 1984, chapter 50 to authorize the Department of Ma-  
23 rine Resources to enter into a new lease with the  
24 Bigelow Laboratory for Ocean Sciences for property in  
25 West Boothbay Harbor, Maine; and

26 Whereas, that resolve required that such lease be  
27 entered into by June 30, 1985; and

28 Whereas, federal approval necessary to the entry  
29 into such lease could not be obtained within this  
30 deadline; and

31 Whereas, the Legislature wishes to authorize such  
32 lease to be entered into without regard to such dead-  
33 line; and

1           Whereas, the Legislature further wishes to autho-  
2 rize a similar lease for related facilities in the  
3 West Boothbay Harbor area; now, therefore, be it

4           **Lease of lands in West Boothbay Harbor. Re-**  
5 **resolved:** That the Commissioner of Marine Resources,  
6 in the name of the State, may enter into a lease,  
7 consistent with the State's obligations to the Feder-  
8 al Government with respect to the facilities, for all  
9 or portions of a certain lot or parcel of land and  
10 the buildings thereon, situated in West Boothbay Har-  
11 bor in the County of Lincoln and the State of Maine:  
12 Being the parcel known as the Biological Laboratory  
13 and described in the deed of the United States to the  
14 State of Maine, dated September 26, 1978, and re-  
15 corded in the Lincoln County Registry of Deeds at  
16 Book 973, page 43. The new lease may be for a term  
17 not to exceed 50 years, including any renewals or re-  
18 placements thereof, and shall be to the Bigelow Labo-  
19 ratory for Ocean Sciences. The commissioner may from  
20 time to time enter into amendments of the lease, ex-  
21 cluding any extensions of the lease, as he deems in  
22 the furtherance of the public interest; and be it  
23 further

24           **Resolved:** That the Commissioner of Marine Re-  
25 sources, upon successful application for deeded  
26 transfer of the parcel described below from the Fed-  
27 eral Government to the State of Maine, may in the  
28 name of the State, enter into a lease, consistent  
29 with the State's obligations to the Federal Govern-  
30 ment with respect to the facilities, for all or por-  
31 tions of a certain lot or parcel of land and the  
32 buildings thereon, situated in West Boothbay Harbor  
33 in the County of Lincoln and the State of Maine: Be-  
34 ing the parcel known as the Welch House and further  
35 identified by the federal General Services Adminis-  
36 tration by the GSA Control Number 1-C-ME-596A in the  
37 Determination of Surplus dated August 2, 1985. The  
38 lease may be for a term not to exceed 50 years, in-  
39 cluding any renewals or replacements thereof, and  
40 shall be to the Bigelow Laboratory for Ocean Sci-  
41 ences. The commissioner may from time to time enter  
42 into amendments of the lease, excluding any exten-  
43 sions of the lease, as he deems in the furtherance of  
44 the public interest.

1           If Bigelow Laboratory enters into either or both  
2 of these leases, it shall submit from time to time,  
3 as requested by the commissioner, a report on its  
4 uses of the lands and buildings, the research under-  
5 taken, the expenditures for maintenance and improve-  
6 ment and the plans for new uses and improvements of  
7 the facilities.

8

#### STATEMENT OF FACT

9           The 111th Legislature authorized the Department  
10 of Marine Resources to enter into a new lease with  
11 the Bigelow Laboratory for Ocean Sciences and estab-  
12 lished June 30, 1985, as the date by which the agree-  
13 ment would be effected (Resolves 1984, chapter 50).  
14 The property in question, because it was formerly  
15 federal property, is subject to federal oversight.  
16 While the department and Bigelow Laboratory had ar-  
17 rived at an agreement on the terms of the new lease,  
18 there was not sufficient time to complete negotia-  
19 tions with federal representatives. This resolve al-  
20 lows an open time period to complete the process.

21           The resolve further authorizes the department to  
22 lease to Bigelow Laboratory a 2nd parcel of land lo-  
23 cated close to the research facility in West Boothbay  
24 Harbor for which the department is currently seeking  
25 title transfer from the Federal Government.

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