

# MAINE STATE LEGISLATURE

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STATE OF MAINE

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op.*

Inter-Departmental Memorandum Date April 1, 1976

To Joseph E. Brennan

Dept. Attorney General

From Sarah Redfield, Assistant *SR*

Dept. Attorney General

Subject Snowmobile opinion

Pursuant to our earlier conversation, I have contacted the following persons concerning their recollection of Governor Baxter's statements in regard to snowmobiles:

- Austin Wilkins, BSPA, 1963-1972\*
- Jim Erwin, BSPA, 1967-1970\*
- Buzz Caverly, Park Ranger\*
- Ronald Speers, BSPA, 1963-1970\*
- Helon Taylor, Park Supervisor
- Arthur Rogers, Game Warden
- Joseph Lee, Baxter's Chauffeur
- Rodney Sargent, Park Ranger

Austin Wilkins stated that he vividly recalls that Baxter wanted people to enjoy the Park in the winter and summer. In response to a question about the letters, Wilkins stated that Baxter always changed his mind from one day to the next. He further stated that he was sure that the Authority had spoken with Baxter about allowing snowmobiles in the Park.

Ron Speers indicated that he had not been part of any specific discussion of snowmobiles with Baxter; but pointed out, in any case, that Baxter's views were very changeable in his later years. Speers, however, personally felt that snowmobiles were appropriate for winter access.

Jim Erwin did not recall any specific discussion with Baxter concerning snowmobiles. He personally believed that Baxter did not want snowmobiles in the Park.

Buzz Caverly reported that Baxter bought the Park's first snowmobile for use by Helon Taylor. He had no specific recollections of statements by Baxter.

Helon Taylor indicated that the use of snowmobiles on the perimeter road was with Baxter's approval. He also stated that Governor Baxter was "a little bit changeable" at the time. However, Helon could recall no specific conversation which he had with Baxter on which to base his opinion, other than the 1965 letter.

\*Contacted by telephone; others by correspondence, attached.

April 1, 1976

Joseph Lee indicated that the letters correctly expressed Baxter's view on snowmobiles. He said nothing about any change in Baxter's position.

Rodney Sargent had never communicated with Baxter on the question of snowmobiles.

Arthur Rogers had no specific letters from Baxter concerning snowmobiles, but it was his view that Baxter was against the public use of snowmobiles in the Park.

I do not believe that anything which these people stated is in any way sufficient to change the opinion as written. There was no specific information to contradict the 1965 and 1966 written communications. Although some of the people contacted felt Baxter approved of the use of snowmobiles, others felt he did not. In either case these "feelings" are of limited significance in comparison to Baxter's written statement precisely on point.

I would like to suggest you schedule another meeting for discussion of the opinion now that the research is completed.

cc: Marty Wilk  
Gordon Scott  
Don Alexander  
John Paterson

w/ 5/20/76  
02/11/76

February 5, 1976

Mr. Helon Taylor  
Goliad State Park  
P. O. Box #727  
Goliad, Texas 77963

Dear Mr. Taylor:

I am writing to you to ask for a little help. I am now the Attorney for the Baxter State Park Authority and am trying to write an opinion concerning the use of snowmobiles in Baxter State Park. In researching this question, I have found a letter from the Governor to you written in 1965. In that letter the Governor stated that he thought snowmobiles should not be allowed in the Park. Subsequently, as I'm sure you know, the Authority passed a regulation allowing snowmobiles on the perimeter road of the Park.

To make my research as complete as possible, I have been trying to talk to people who may have spoken with Baxter about snowmobiles. I am most anxious to have the opportunity to discuss the question with you and see what recollections, if any, you may have concerning Baxter's wishes on this subject.

In this connection, I would appreciate it if you would call me (collect) as soon as you have a chance so that we might discuss it. My number is 207-289-3051.

I have read with interest many of Governor Baxter's letters in praise of you and am looking forward to speaking with you. The number given above is my office number. If it is inconvenient for you to call during office hours, please feel free to call me collect at my home: 207-781-3904.

Thank you in advance for your help.

Sincerely,

SARAH REDFIELD  
Assistant Attorney General  
Natural Resources Division

Goliad, Texas  
Feb., 12, 1976

Sarah Redfield  
Assistant Attorney General  
State House  
Augusta, Maine 04330

Dear Sarah Redfield:

I have yours of February 5th. Sorry not to have called you by phone but I am quite deaf and it is almost impossible for me to carry on a telephone conversation.

As to the use of snowmobiles on Baxter State Park, We had quite a lot of discussion about it at the time and it was decided that they could be used on the perimeter road. This was with the governors understanding and approval.

Confidentially. The Good Governor was starting to get a little bit changeable at that time and it seems that some of his good friends around Portland had talked him into not wanting the snowmobiles on the Park. However when he came to consider it with the Park Authority, myself and some of the Rangers, he changed his mind. A few years before it would not have bothered him.

All my papers, letters from the Governor, records etc. were burned in a fire that burned my camp at Togue Pond the winter of 1967. I would suggest you get in touch with Austin Wilkins, Ex Forestry Commissioner. I believe he lives on Blaine Street in Augusta. I believe he would know as much about this as anyone as He was Chairman of the Baxter State Commission at the time and very close to the Governor.

Sorry I can not be of more assistance to you and if there is anything more I can do to help you in your research be sure to let me know. We will be here in Texas, at this address until late April when we will move back to Farmington, Maine, R.F.D.# 1 04498

Thanks for your letter and sorry I can not be of more help to you.

Sincerely

*Helon M. Taylor*

February 23, 1976

Mr. Helon Taylor  
Goliad State Park  
P. O. Box #727  
Goliad, Texas 77963

Dear Helon:

Thank you very much for your letter of February 12, 1976. I had been looking forward to talking with you; perhaps we can arrange to get together in the Spring.

Meanwhile, I would like a little more information concerning snowmobiles. Specifically, I am concerned about two letters which the Governor wrote on the subject of snowmobiles and motorcycles. I have enclosed copies for your information. As you can see, in 1955 and 1956 Governor Baxter was opposed to the use of such vehicles within the Park. I believe that the regulation allowing the use of snowmobiles on the perimeter road was first adopted in 1959. I wonder if you can personally recall any time subsequent to the letters when Baxter himself explicitly changed this opinion. The written letters are the most specific information we currently have, but I thought that in your conversations with Governor Baxter he might have said something to the contrary. If you do recall some such statement, do you have any thoughts as to how this could be reconciled with the letters?

As you suggested, I have spoken with Austin Wilkins about this, but in order to have my research as complete as possible I wanted to get as much information as I could from anyone who may have worked closely with the Governor. Accordingly, if it wouldn't be too inconvenient to you, could you please write again and expand on your earlier letter by letting me know your recollections of any specific statements of the Governor to you on the subject of snowmobiles or of the manner in which the Governor approved the use of such vehicles in the Park.

Mr. Helon Taylor

-2-

February 23, 1975

Once again, thank you for your letter and I am looking forward to hearing from you again.

Sincerely,

Sarah Redfield,  
Assistant Attorney General  
Natural Resources Division

SR/bls

enclosures

Goliad, Texas  
March, 4, 1976

Dep't of the Attorney General  
Augusta  
Maine 04333

Att. Sarah Redfield

Dear Ms. Redfield:

I have yours of the 23rd February and thanks for your letter. I am very sorry but I do not remember any of the remarks made to me by Governor Baxter regarding the snow mobiles on the Park. As I recall it was pretty well up to the Park Authority after he wrote me that letter dated May, 11, 1965 of which you sent me a copy. I guess my memory is not very good.

I do know that it was not the snow mobiles that drove the caribou away from Katahdin. In my belief it was the jet fighters from Bangor Air Base buzzing them from fifty feet over their backs after they were asked to stay at least 1000 feet above them. I saw this being done. In fact the snow mobiles could not get up to the Table Land where the caribou were anyway.

As to the moose and deer, they are not afraid of the snow mobiles as long as they go along and mind their own business. I have passed by on my snow mobile within 75 feet of both moose and deer and they would just watch me go by. If one stopped they would run away. As for chasing them in their yards. I have owned and operated snowmobiles ever since they were made and I have never yet seen one that could operate in a deer or moose yard with any success. They would be bogged down most of the time.

Others who were close to the Governor at that time were, Arthur G. Rogers, 20 Edgewood Street, Waterville, Maine 04901. Joe Lee, Portland, Maine. (I do not know Joe's address. He was the Governor's chauffeur at that time.) Irvin C. Caverly, Park Supervisor, Millinocket, Maine. and Rodney H. Sargent, P.O. Box # 125, Freedom, Maine. Rodney was a Ranger on Baxter State Park at the time and so was Caverly.

I was away in other parts of Texas when your letter came. Hence the delay in answering. We cruise around a lot but plan to make this our head quarters and plan not to be gone from here over a week at a time. We will be starting back to Maine in mid or late April.

Sincerely

*Helon N. Taylor*  
Helon N. Taylor



March 18, 1975

Arthur G. Rogers  
Box 151  
Waterville, Maine 04901

Dear Mr. Rogers:

I am the Attorney for the Baxter State Park Authority and am trying to research and write an opinion concerning the use of snowmobiles in Baxter State Park. To ensure that my research is as complete as possible, I have been trying to get in touch with people who may have communicated with Governor Baxter about snowmobiles. In this connection, Helon Taylor suggested I contact you.

I am specifically interested in any information or recollections you may have concerning two letters which the Governor wrote on the subject of snowmobiles and motorcycles. I have enclosed copies for your information. As you can see, in 1955 and 1956 Governor Baxter was opposed to the use of such vehicles within the Park. I believe that the regulation allowing the use of snowmobiles on the perimeter road was first adopted in 1969. I wonder if you can personally recall any time subsequent to the letters when Baxter himself explicitly changed this opinion. The written letters are the most specific information we currently have, but I thought that in your conversations with Governor Baxter he might have said something to the contrary. If you do recall some such statement, do you have any thoughts as to how this could be reconciled with the letters?

I would appreciate it if you could write me or call me and let me know if you recall any specific statements that Governor Baxter may have made to you on the subject of snowmobiles or of the manner in which the Governor may have approved the use of such vehicles in the Park. If it is at all possible, could you please try to get in touch with me one way or another within two weeks? Thank you for your anticipated cooperation and I will be looking forward to hearing from you.

Sincerely,

Sarah Redfield  
Assistant Attorney General  
Natural Resources Division

enclosures  
SR/bls

*Snowmobile*

Mar. 24th, 1976

Sarah Redfield, Ass't Attorney General  
Natural Resources Division  
Department Of The Attorney General  
State House  
Augusta, Me.

Dear Sarah Redfield:

Your registered letter of March 18th  
at hand.

I have a 4 draw file full of correspondenc  
and documents from Govenor Baxter which I have retained over  
the twenty-one years that I was closely associated with him.

I regret to say that I have no letters  
regarding snow-mobiles in the park. I saw Govenor Baxter at  
least twice a month the many years, matters pertaining to the  
Park which was always the main topic ( at it was his life)  
were discussed in his presence with the exceptions of some  
documents which I was sent copies of.

I can advise you however, that Govenor  
Baxter was against the public use of snow-mobiles in the Park  
with the exceptions of Park Rangers and State Game Wardens.

No.#1                    Baxter State Park is a state game preserve  
where, hunting, pursuing and harassment of all wildlife is  
prohibited. Govenor Baxter feared that were the public allowed  
to take snow-mobiles into the park there would no longer be  
any refuge and sanctuary for the deer and moose that are closel  
yarded there in the winter months. When deer and moose are yard  
up in the deep snows they are very munerable and easily access  
to man. The Govenor feared that many good well meaning people  
would seize upon this opportunity to see deer and moose close u  
and would be charging into the deer yards with their snow-mobil  
chasing, pursuing and routing the deer and moose and where  
poachers are concerned-killing these animals. This has already  
happened in places in the North Country.

No.#2                    Wbre the park open to snow-mobilers Govenor  
Baxter feared it would be deluged with good well meaning peopl  
out for fun and sport and relaxation and that in their enthusia  
over reach themselves and become victims of accidents, breakdow  
and lost persons in a wild wilderness area where without help  
fast, spells grief and fatalities. Such accidents have heappened  
all over the state-but the Govenor feared a large concentratio  
of snow-mobiles in the park might produce many such unfortunat  
situations and certainly the state is not geared to adeqately  
patrol and protect the wildlife and the public on a scale  
necessary to mest the problems that could develope.

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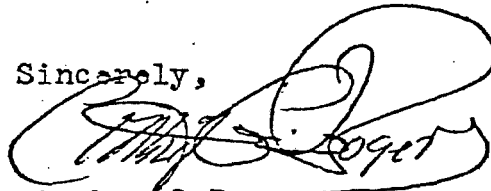
I am a retired Supervisor of State Game Wardens and was in Warden Service from 1932 to 1968

In 1941 I was Warden Supervisor of the Moosehead Division and at that time included a large part of Baxter State Park.

I retired in 1968 and since that time I have been working as a Bank Courier for the Bank Of Maine in Augusta. Every morning I go to Treasury and the Computer Center in the State Office Building. If I can be of service to you in any way please advise

I could call at your office any morning as I am already at the State Office Building after 9 A.M.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur G. Rogers', enclosed within a large, loopy circular flourish.

Arthur G. Rogers  
20 Edgewood St  
Waterville, Maine 04901

35 Frederic St.  
Portland Me.  
Mar. 23, 1976

Miss Redfield,

In regards to the letter I received from you on Saturday last week I think Gov. Baxter letters were quiet clear as to "No Snowobikes In Baxter's Park". Also he didn't want any motors on boats in the lakes and no motorcycles in the Park.

He much talked about "Blow down" he would want cleaned up as he did back a few years ago, to him that would spoil the beauty of the park as well as be a bad fire hazard.

I can tell you that Gov. Baxter bought the first snowobile for Nelson Taylor to snowshoe to all the campsites and check them all winter. He would start out at 6 AM in the morning and not get back until 6 PM. As Nelson was getting along in years the Gov. thought it make easier on Nelson with a snowobile and that was why

the first snowobile was brought into the Baxter State Park, It had to be hid in the summer in the tote barn so no one would see it and get any ideas.

Gov. Baxter gave the park to the People of the state of Maine and not the Baxter Family. Gov. Baxter appointed Attorney General, Fish & Game Commissioner, and the Forest Comm. to watch over the park and make any necessary decisions and no one else. I hope this will be helpful to you as I was very close to Gov. Baxter and I know of his wishes, I can only pray that they be carried out.

Sincerely  
Joseph H. Lee

*Snowmobiles*

March 30, 1976  
Freedom, Maine

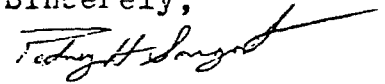
Sarah Redfield  
Assistant Attorney General  
Natural Resources Division  
Augusta, Maine 04333

Dear Miss Redfield:

I have never communicated with Governor Baxter about the use of snowmobiles, motorcycles or any matters concerning the restriction or use of same within the boundary of Baxter State Park.

I am very sorry I can not be of help to you in this respect nor do I wish to express an opinion concerning the use of snowmobiles or like vehicles within the park.

Sincerely,



Rodney H. Sargent

rs.

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STATE OF MAINE  
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STATE HOUSE      AUGUSTA, MAINE