

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 115

S. P. 65

In Senate, January 10, 1963

Referred to Committee on Natural Resources. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Ferguson of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Creating an Allagash River Authority for State of Maine.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 35-B, additional. The Revised Statutes are amended by adding a new chapter 35-B, to read as follows:

'Chapter 35-B.

Allagash River Authority.

Sec. 1. Policy. It is declared to be the policy of the State of Maine to provide for the preservation of the natural beauty and wilderness character of the Allagash River Watercourse while retaining the natural economic resources of the area.

Sec. 2. Definitions. The listed terms as used in this chapter are defined as follows, unless a different meaning is plainly required by the context:

“Authority” means the Allagash River Authority established under this chapter.

“Agreements” includes leases, gifts and proposals for purchases of land or the development rights to land.

“Development rights” means the right to construct buildings or improvements, to lease land to any person, firm, corporation or governmental authority or in any way to alter the natural aspect of the region along the Allagash River. The term shall not mean absolute prohibition of cutting timber on the land nor include those rights commonly known as flowage and driving rights as they may now exist.

“Conservation areas” means the land and water areas of the Allagash River Watercourse which have retained their primeval character, although not necessarily completely natural and undisturbed which are worthy of preservation for the use of present and future residents of the State.

Sec. 3. Allagash River Authority. There is created the Allagash River Authority, the function of which shall be to administer and enforce the provisions of this chapter and to perform such other duties as may be provided by law. The authority shall consist of 5 members, the Forest Commissioner, the Director of State Parks, the Commissioner of Inland Fisheries and Game, the Director of the School of Forestry at the University of Maine and the Attorney General, all of whom shall serve as ex officio members of the authority, except that each may appoint any suitable person from his staff to serve during his pleasure in his stead, but in no case longer than his term of office. The members of the authority shall elect a chairman who shall preside at all meetings of the authority when present. The authority shall meet at least once each month and in addition may meet as often as necessary, at such times and places as the chairman may designate. Any 3 members constitute a quorum for the exercise of all powers of the authority. The Forestry Department, State Park Commission, Department of Inland Fisheries and Game and Attorney General’s Department shall cooperate with the authority in exercising its administration. The members of the authority shall serve without compensation.

Sec. 4. Allagash Advisory Committee. An Advisory Committee consisting of 7 members shall be appointed by the Governor with the advice and consent of the Council, chosen one from each of the councillor districts, who shall serve until the termination of the authority. A vacancy shall be filled for the unexpired term in the same manner in which a regular appointment is made. The members of the Advisory Committee shall receive no compensation for their services, but may be allowed actual and necessary expenses for attendance at all meetings. The Advisory Committee shall meet upon the call of the chairman of the authority. The committee shall render to the authority information and advice concerning the administration of the authority.

Sec. 5. Powers and duties of the authority. The authority is vested with the responsibility of preserving the conservation areas of the Allagash region so that the people of the State may be assured of their right to enjoy the benefits of the region as a place of natural interest and scenic beauty. To this end, the authority shall prepare and present to the 102nd Legislature specific agreements between the landowners in the region and the State of Maine which will accomplish this purpose. In addition to other functions, powers and duties vested in it, the authority shall:

I. Survey the Allagash region. Survey the Allagash region to determine land that should be preserved as a conservation area and develop a plan for the use and administration of the Allagash region as a conservation area consistent with this chapter.

II. Acquire development rights. Undertake acquisition of development rights of specific lands or interests in lands which are suitable for conservation areas.

III. Enforce preservation of lands. Enforce the preservation of lands under its control as conservation areas during the duration of the authority.

IV. Cooperate with interested parties. Consult and cooperate with the land-owners, conservation and naturalist groups and organizations in the planning and acquisition of conservation areas.

V. Promulgate rules and standards. Develop rules and standards for acquisition, maintenance and operation of the conservation areas under its administration.

VI. Formulate over-all program. Formulate an over-all program of land preservation of the Allagash region consistent with the purposes and provisions of this chapter.

Sec. 6. Acquisition of land interests. Lands or interests in land acquired by the State pursuant to this chapter shall be acquired by the authority in the name of the State. They may be acquired by gift or otherwise on such terms and subject to such conditions and restrictions as the authority, after consultation with the Advisory Committee, may determine, subject to the final approval of the 102nd Legislature.

The authority may accept on behalf of the State grants and gifts of lands, money or other things of value to carry out the purpose of this chapter and may use such grants and gifts and any sums as may be appropriated to acquire lands for conservation areas.'

Sec. 2. Appropriation. There is appropriated to the Allagash River Authority from the General Fund the sum of \$10,000 for the fiscal year ending June 30, 1964 and the sum of \$10,000 for the fiscal year ending June 30, 1965 to carry out the purposes of this act.

Sec. 3. Expiration date. The provisions of this act shall terminate June 30, 1965.