

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1534

S. P. 581

In Senate, April 26, 1963

Reported by Five Members from Committee on Natural Resources and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

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 utilizing the natural economic resources of the watercourse.

Sec. 2. Definitions. The following terms as used in this chapter are defined as follows:

I. Agreements. “Agreements” includes leases, easements, cooperative agreements, gifts and options for purchase of land or the development rights to land.

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

III. Development rights. “Development rights” means the right to construct buildings or improvements on land and the right to lease such constructed buildings or improvements to any person, corporation or governmental authority. The term shall not be applied to prohibit the cutting and harvesting of timber or removal of minerals and shall not be applied to restrict the

exercise of those rights commonly known as flowage and driving rights as they may now exist.

Sec. 3. Allagash River Authority. There is created the Allagash River Authority to administer this chapter. The authority shall consist of 5 members, viz: The Forest Commissioner, the Director of State Parks and Recreation, the Commissioner of Inland Fisheries and Game, the Director of the School of Forestry at the University of Maine and the Attorney General. The members of the authority shall elect a chairman who shall preside at all meetings of the authority when present. The authority shall meet as often as necessary, at such times and places as the chairman may designate. Any 3 members shall constitute a quorum for the transaction of the business of the authority. The Forestry Department, State Park and Recreation Commission, Department of Inland Fisheries and Game and Department of Attorney General shall cooperate with the authority in the administration of its duties. 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, 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. Duties of the authority. The authority shall formulate plans and proposals for preserving the Allagash River Watercourse so that the people of the State and its visitors may be assured of the continued opportunity to enjoy the benefits of the Allagash River Watercourse as a place of natural interest and scenic beauty. The duties and functions of the authority shall include, but not be restricted to, the following:

I. Examination. Examine the Allagash River Watercourse in order to determine those features that should be preserved.

II. Negotiation. Negotiate tentative agreements between the landowners along the Allagash River Watercourse and the State of Maine to assure people of the continued opportunity to enjoy the benefits and scenic beauty of the Allagash.

III. Consultation. Consult with and seek the advice of conservation and naturalist groups in the planning and development of the watercourse.

IV. Rules and standards. Formulate rules and standards for the use, maintenance and operation of the Allagash River Watercourse.

Sec. 6. Tentative agreements. The authority, in the name of the State, shall enter into tentative agreements with the landowners in respect to lands, interest in land, leases, cooperative agreements, agreements and development rights, consistent with the policy and provisions of this chapter. Tentative agreements

shall be entered into under such terms and subject to such conditions and restrictions as the authority, after consultation with the advisory committee, may determine.

Sec. 7. Approval by Legislature. The plans, proposals, rules and standards for the use, maintenance and operation of the Allagash River Watercourse and the tentative agreements shall all be subject to the final approval of the 102nd Legislature or subject to the approval of any prior special session of the 101st Legislature.'

Sec. 2. Appropriation. There is appropriated to the Allagash River Authority from the Unappropriated Surplus of the General Fund the sum of \$7,500 for the fiscal year ending June 30, 1964 and the sum of \$7,500 for the fiscal year ending June 30, 1965 to carry out the purposes of this act.

Sec. 3. Expiration date. In the event the 102nd Legislature, or the 101st Legislature meeting in special session, shall not take action to approve the tentative agreements referred to in this act, then this act shall terminate June 30, 1965, unless otherwise extended by legislative action.