

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 192

H. P. 137

House of Representatives, January 14, 1971

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Lincoln of Bethel.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Acquisition of Land for National Forests.

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

R. S., T. 12, § 753, amended. Section 753 of Title 12 of the Revised Statutes is amended to read as follows:

§ 753. State consent to acquisition of national forests

Subject to the Act of Congress of March 1, 1911, 36 Statutes 961, known as the Weeks Act, and Acts amendatory thereof and supplemental thereto, the consent of the State of Maine is given for the United States to acquire by purchase, gift or exchange upon the payment of adequate compensation not exceeding 300,000 acres of land within the Counties of Hancock and Washington and that part of Penobscot County easterly of the Penobscot and Mattawamkeag Rivers, and not exceeding 300,000 acres of land in that part of Aroostook County which lies south of the following line, to wit: Commencing at the northwest corner of Township 7, Range 5 in Aroostook County, and running thence easterly along the north line of said township and the continuation thereof easterly to the east line of Aroostook County or international boundary line, and such lands within that portion of Oxford County included or within 5 miles of the purchase unit boundaries of the White Mountain National Forest on July 5, 1935, all in this State as are suitable for national forest purposes, and not over 2,000 acres in Cumberland County for preserves for the protection and conservation of migratory birds; but no such acquisition shall be made against the protest of any owner. Sections 751, 752 and 754 shall not apply to any lands acquired under this section and section 755.

~~This section as it relates to Oxford County shall be limited to such acqui-~~

~~tion as shall have been actually acquired prior to April 27, 1951, and no further land in Oxford County shall be acquired after such date.~~

No owner of land which the United States proposes hereby to acquire shall be required to sell by institution of proceedings for condemnation, but when a landowner shall have agreed to sell to the United States and the sale price has been agreed upon, proceedings for condemnation may be instituted pursuant to the terms of such agreement.

STATEMENT OF FACT

The intent to restore enabling legislation in Maine is to allow the United States Forest Service (White Mountain National Forest) to acquire land within a specified boundary on a willing-seller, willing-buyer basis. We feel it is in the public's benefit to purchase certain lands for public use. Limited condemnation as expressed in the proposed revision would permit the condemnation to clear title and completion of cases where the vendor refuses to sign a deed after he has signed an option and the option has been accepted.