

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 8

House of Representatives, Jan. 15, 1919.

Referred to Committee on State Lands and Forest Preservation and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Baxter of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to provide for the establishment of State Parks and Forest Reserves in the Mt. Katahdin Region and elsewhere within the State of Maine.

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

Section 1. The State Land Agent and Forest Commissioner
2 with the advice and consent of the Governor and Council, is
3 hereby empowered to acquire on behalf of the State, by
4 purchase, if in their judgment it can be purchased at a fair
5 valuation from the owners thereof, such lands and the wood
6 and timber thereon lying in the region of Mount Katahdin
7 and elsewhere within the State of Maine, as said State Land
8 Agent and Forest Commissioner may deem suitable for

9 State Park and Forest Reserve purposes and necessary for
10 the preservation of the forests and protection of the Water
11 Sheds in said Mt. Katahdin region and elsewhere; and the
12 said State Land Agent and Forest Commissioner is author-
13 ized to accept deeds thereof in the name of the state, the
14 aggregate purchase price of such lands, wood and timber
15 not to exceed the maximum amount appropriated by this act.
16 The title to all lands so purchased shall be investigated and
17 approved by the attorney general before being acquired by
18 the state under the terms of this act.

Sect. 2. In case the owner or owners of any land, wood and
2 timber deemed necessary by the State Land Agent and
3 Forest Commissioner for the purpose aforesaid decline to
4 sell the same for a price deemed reasonable by the said State
5 Land Agent and Forest Commissioner and by the Governor
6 and Council, said Land Agent and Forest Commissioner
7 is hereby empowered to take and appropriate the same for
8 the use of the state by causing a survey or location of such
9 land, wood and timber to be prepared under his direction
10 and filed with the secretary of state, and by applying to the
11 supreme court to appoint a commission of three members
12 to assess the damages to the owner or owners. Upon such
13 filing and application, the title to such land, wood and timber
14 shall vest in the state. Said commissioner upon reasonable
15 notice to all parties interested and hearing thereon, shall
16 assess and award damages to the owner or owners of such
17 land, wood and timber and file their assessment and award

18 in writing with the secretary of state within ten days after
19 the same is completed. Such owner or owners, or the
20 state, if dissatisfied with said award, may appeal therefrom
21 to the supreme court for the county wherein the land, wood
22 and timber is situate, and shall be entitled to an assessment
23 of said damages by a jury on such appeal, by filing in the
24 office of the clerk of said court a petition for that purpose
25 within thirty days after the filing of said award with the
26 secretary of state as aforesaid; such appeal to be prosecuted
27 or defended by the attorney general under the advice of the
28 governor and council.

Sect. 3. All lands acquired under the provisions of this act
2 shall be held by the state for the purposes of State Parks
3 and Forest Reserves, and the care and management thereof
4 shall be vested in the said State Land Agent and Forest
5 Commissioner. Such land shall at all times be open to
6 the public, under such rules and regulations as the said
7 State Land Agent and Forest Commissioner with the ap-
8 proval of the governor and council, may prescribe. Said
9 State Land Agent and Forest Commissioner shall cause or
10 permit no live timber to be removed from such lands without
11 the approval of the governor and council, except for the
12 purpose of improving the forest growth thereon; but timber
13 not needed for forest or water shed protection and conser-
14 vation, or for the preservation of the scenic beauty of said
15 parks or reserves may be sold therefrom with the approval
16 of the governor and council, and the proceeds of all such

17 sales shall be paid into the state treasury by said State
18 Land Agent and Forest Commissioner and shall constitute
19 a special fund, to be applied solely toward the purchase of
20 other lands to be held for the purpose provided for by this
21 act.

Sect. 4. The State Land Agent and Forest Commissioner is
2 hereby authorized to confer with the officials of the Forest
3 Service of the United States government for the purpose of
4 obtaining their co-operation and assistance in the establish-
5 ment of a National Park and Forest Reserve within the
6 State of Maine.

Sect. 5. The sum of ten thousand dollars is hereby appro-
2 priated for the year nineteen hundred nineteen, and ten
3 thousand dollars for the year nineteen hundred twenty, for
4 the purpose of carrying out the provisions of this act; the
5 same to be paid out of any funds in the state treasury not
6 otherwise provided for, and any balance of the ten thousand
7 dollars appropriated for the year nineteen hundred nineteen
8 which on December thirty first, nineteen hundred nineteen
9 remains unexpended in the state treasury, shall be available
10 for the year nineteen hundred twenty.