

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(NEW DRAFT)

---

---

**EIGHTIETH LEGISLATURE**

---

---

**SENATE**

**NO. 136**

---

---

In Senate, March 18, 1921.

Tabled and 300 copies ordered printed.

L. ERNEST THORNTON, Secretary.

---

---

**STATE OF MAINE**

---

**IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND TWENTY-ONE**

---

AN ACT to Establish the Mt. Katahdin State Park.

---

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

Section 1. The commissioner of inland fisheries and game,  
2 the state land agent and forest commissioner, both ex-officio,  
3 and three (3) citizens of the state to be appointed by the  
4 governor upon the advice and consent of the council, are  
5 hereby constituted the Mt. Katahdin State Park board, and  
6 the said board is empowered to acquire by purchase on be-  
7 half of the state; (whenever money shall hereafter be ap-  
8 propriated by the legislature, or whenever the said board  
9 shall receive gifts of money, to carry out the purposes of  
10 this act,) if in the judgment of said board it can be pur-  
11 chased at a fair valuation from the owners thereof, the

12 whole or any portion of the lands located within the town-  
13 ships or portions of townships hereafter defined which the  
14 said board may deem suitable for the establishment of a  
15 state park to be known as Mt. Katahdin State Park, (for  
16 the promotion and preservation of the public health and  
17 welfare and for the preservation and propagation of the  
18 wild game and fish of the state, which said park shall at all  
19 times be open for public uses under such regulations as the  
20 said park board may from time to time determine,) and the  
21 said board is authorized to accept deeds thereof in the name  
22 of the state, the aggregate purchase price of such lands not  
23 to exceed the maximum amount appropriated by the legisla-  
24 ture for the purposes of this act.

The title to all lands so purchased shall be investigated and  
2 approved by the attorney general before being acquired by  
3 the state under the terms of this act. The citizen of the  
4 state first appointed under this act shall hold office for one  
5 year, the citizens next appointed shall hold office for two  
6 years, and all appointments made thereafter shall be made  
7 for two years; any vacancies in the said board shall be filled  
8 for the unexpired term by the governor upon the advice and  
9 consent of the council. The said board is authorized to  
10 employ agents and such other persons as the said board  
11 may deem necessary to carry out the provisions of this act.

Sect. 2. The lands which the board is authorized to ac-  
2 quire on behalf of the state under the provisions of this  
3 act shall be located within the following described town-

4 ships or portions of townships, viz: The north half of  
5 township three, range nine, W. E. L. S., and the north-  
6 west quarter of township three, range eight, W. E. L. S.;  
7 and the said board is further authorized to acquire on be-  
8 half of the state by purchase or otherwise in the manner  
9 herein provided such other lands outside and beyond the  
10 boundaries of the within described townships or portions  
11 of townships, as said board shall deem necessary and suit-  
12 able for roads, trails and rights of way as approaches to  
13 said park, together with such suitable camp sites adjacent  
14 to said approaches as said board shall deem necessary and  
15 suitable to carry out the provisions of this act; and said  
16 board is further authorized to use such portions of the funds  
17 appropriated under this act as the said board shall deem  
18 suitable and necessary for exploring and cruising the land  
19 herein described and for the construction of roads, trails  
20 and camps and for other improvements. (Provided, how-  
21 ever, that the expense of the construction and maintenance  
22 of all roads, trails and rights of way shall be paid out of  
23 appropriations available for the purposes of this act and  
24 no part of the same shall be assessed against or charged to  
25 any land owner.)

Sect. 3. In case the owner or owners of any lands deemed  
2 suitable by the said board for the purpose of this act de-  
3 cline to sell the same for a price deemed reasonable by  
4 the said board, said board, whenever money shall hereafter  
5 be appropriated by the legislature, (or whenever the said

6 board shall receive gifts of money to carry out the pur-  
7 poses of this act), is hereby authorized and empowered to  
8 take and appropriate the aforesaid lands or any portion  
9 thereof in the name of the state and for the uses herein  
10 set forth, and for this purpose the said board shall cause  
11 the said lands or portions thereof to be surveyed, located  
12 and so described that the same may be identified and a  
13 plan of said lands or portions thereof together with a copy  
14 of the proceedings of the said board in the said taking and  
15 appropriation under this act shall be filed and recorded by  
16 the said board in the registry of deeds for the county in  
17 which the land lies and also in the office of the secretary  
18 of state, whereupon title to the aforesaid lands or portions  
19 thereof shall vest in the State of Maine.

Sect. 4. The owner or owners of any lands taken as pro-  
2 vided under the terms of this act shall have a just com-  
3 pensation therefor, the same to be ascertained and deter-  
4 mined in the same manner and by proceedings similar to  
5 those provided in chapter twenty-four of the revised stat-  
6 utes of Maine for ascertaining damages in the location of  
7 highways, provided that application for the determination  
8 of said damages shall be made within three years after the  
9 said lands are taken under the provisions of this act, either  
10 the said state or the said owner or owners may make the  
11 application herein provided for for the determination of  
12 said damages.

Sect. 5. Said board may also take and appropriate in the  
2 name of the state and for the use of the state so much land  
3 as may be reasonably necessary in the judgment of the board  
4 for the establishment of roads, trails, rights of way, and  
5 camp sites, for the better enjoyment of said park; and it  
6 may also take such materials as may in the judgment of  
7 the board be reasonably necessary for the construction and  
8 maintenance of said roads, trails, rights of way and camp  
9 sites. Compensation for such taking and appropriation  
10 shall be determined as is provided in section four written  
11 out and fore-enclosed of this act.

Sect. 6. The members of the board created under this  
2 act shall receive no compensation for their services, but  
3 shall be paid their actual traveling and other expenses in-  
4 curred while engaged in the work of said board; said ex-  
5 penses to be paid on approval of the governor and council.

Sect. 7. All lands acquired under the provisions of this  
2 act shall be held by the state for the purposes specified  
3 herein, and the care and management thereof shall be vested  
4 in said board. Such lands shall at all times be open to  
5 the public, under such rules and regulations as the said  
6 board may prescribe, but no birds or wild game shall at  
7 any time be hunted or killed thereon, and any person who  
8 hunts or kills wild game within the limits of the land de-  
9 scribed under the provisions of this act shall be liable to  
10 the penalties established for hunting and killing wild game  
11 elsewhere within the state during closed season. Said board

12 shall cause or permit no live timber to be removed from  
13 the lands acquired hereunder except for the purpose of im-  
14 proving the forest growth thereon; but timber not needed  
15 for the purposes of this act or for the preservation of the  
16 scenic beauty of said park may be sold therefrom and the  
17 proceeds of all such sales shall be paid into the state treas-  
18 ury by said board, and shall constitute a special fund to  
19 be used by said board for the purposes provided for by  
20 this act.

Sect. 8. The Mt. Katahdin State Park Board are hereby  
2 authorized to receive in behalf of the state, gifts of land  
3 or money to be used for the purposes of this act.