

# MAINE STATE LEGISLATURE

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EIGHTY-FIRST LEGISLATURE

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HOUSE

NO. 406

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House of Representatives, March 15, 1923.

Mr. Curtis from Committee on State Lands and Forest Preservation, reported the bill for printing and recommitment, which the House ordered.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Granville of Parsonsfield.

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STATE OF MAINE

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

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AN ACT to Establish the Mt. Katahdin State Park.

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

Section 1. The governor, the commissioner of inland fisheries and game, and the state land agent and forest commissioner, all ex-officio, are hereby constituted the Mt. Katahdin State Park board, and the said board is empowered to acquire by purchase on behalf of the state, whenever money shall hereafter be appropriated by the legislature, or whenever the said board shall receive gifts of money, to carry out the purposes of this act, if in the judgment of said board it can be purchased at a fair valuation from the

10 owners thereof, the whole or any portion of the lands lo-  
11 cated within the townships or portions of townships here-  
12 after defined which the said board may deem suitable for  
13 the establishment of a state park to be known as Mt. Ka-  
14 tahdin State Park, for the promotion and preservation of  
15 the public health and welfare and for the preservation and  
16 propagation of the wild game and fish of the state, which  
17 said park shall at all times be open for public uses under  
18 such regulations as the said park board may from time to  
19 time determine; and the said board is authorized to accept  
20 deeds thereof in the name of the state, the aggregate pur-  
21 chase price of such lands not to exceed the maximum  
22 amount hereafter appropriated by the legislature for the  
23 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 said board is  
4 authorized to employ agents and such other persons as the  
5 said board may deem necessary to carry out the provisions  
6 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 act  
3 shall be located within the following described townships  
4 or portions of townships, viz:

Township No. 4, Range 9, W. E. L. S., Piscataquis county,  
Township No. 3, Range 9, W. E. L. S., Piscataquis county,  
2 and northwest one-quarter of Township No. 3, Range 8,  
3 W. E. L. S.

The said board is authorized to acquire on behalf of the  
2 state by purchase or otherwise in the manner herein pro-  
3 vided such other lands outside and beyond the boundaries  
4 of the within described townships or portions of townships,  
5 as said board shall deem necessary and suitable for roads,  
6 trails and rights of way as approaches to said park, together  
7 with such suitable camp sites adjacent to said approaches  
8 as said board shall deem necessary and suitable to carry  
9 out the provisions of this act; and said board is further  
10 authorized to use such portions of the funds appropriated  
11 under this act as the said board shall deem suitable and  
12 necessary for exploring and cruising the land herein de-  
13 scribed and for the construction of roads, trails and camps  
14 and for other improvements. Provided, however, that the  
15 expense of the construction and maintenance of all roads,  
16 trails and rights of way shall be paid out of appropriations  
17 available for the purposes of this act and no part of the  
18 same shall be assessed against or charged to 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 the  
4 said board, said board, whenever money shall hereafter be  
5 appropriated by the legislature, or whenever the said board  
6 shall receive gifts of money to carry out the purposes of  
7 this act, is hereby authorized and empowered to take and  
8 appropriate the aforesaid lands or any portion thereof in  
9 the name of the state and for the uses herein set forth, and

10 for this purpose the said board shall cause the said lands  
11 or portions thereof to be surveyed, located and so described  
12 that the same may be identified and a plan of said lands or  
13 portions thereof together with a copy of the proceedings  
14 of the said board in the said taking and appropriation under  
15 this act shall be filed and recorded by the said board in the  
16 registry of deeds for the county in which the land lies and  
17 also in the office of the secretary of state, whereupon title  
18 to the aforesaid lands or portions thereof shall vest in the  
19 state of Maine. There shall be no taking of lands under  
20 this act until there shall have been appropriated a sufficient  
21 amount to pay for the lands to be taken or until said park  
22 board shall have in its possession sufficient funds to make  
23 payment for the same.

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 one year 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 said  
12 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  
6 out of the money appropriated by the legislature or given  
7 to the said state to carry out the provisions of this act.

Sect. 7. All lands acquired under the provisions of this  
2 act shall be held by the state for the purposes specified here-  
3 in, 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 for  
15 the purposes of this act or for the preservation of the scenic  
16 beauty of said park may be sold therefrom and the pro-  
17 ceeds of all such sales shall be paid into the state treasury  
18 by said board, and shall constitute a special fund to be used  
19 by said board for the purposes provided for by 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.