

MAINE STATE LEGISLATURE

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EIGHTY-SECOND LEGISLATURE

S. P. No. 181

S. D. No. 60

In Senate, Feb. 12, 1925.

Tabled on motion by Senator Maher of Kennebec and 1,000 copies ordered printed, pending reference to a committee.

ROYDEN V. BROWN, Secretary.

Presented by Senator Maher of Kennebec.

STATE OF MAINE

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

AN ACT to Establish the Mt. Katahdin State Park and Forest
Reserve.

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

Section 1. The governor upon the advice and consent of
2 the council shall appoint three citizens of the state who
3 shall constitute the Mt. Katahdin State Park Board. When-
4 ever money hereafter shall be appropriated by the legisla-
5 ture or whenever the said board shall receive gifts of money
6 to carry out the purposes of this act, the said board is em-
7 powered to acquire by purchase on behalf of the State, if in
8 the judgment of said board it can be purchased at a fair
9 valuation from the owners thereof, the whole or any portion

10 of the lands located within the portion of the township here-
11 after defined for the establishment of a State Park and
12 Forest Reserve to be known as Mt. Katahdin State Park
13 and Forest Reserve. The said lands are to be acquired (1)
14 for the promotion and preservation of the public health and
15 welfare, (2) for the preservation and propagation of the
16 wild game and fish of the State and (3) for the conserva-
17 tion and study of the forest resources of the state. The
18 said park shall at all times be open for public uses under
19 such regulations as the said board may from time to time
20 determine. The said board is authorized to accept deeds
21 thereof in the name of the state, the aggregate purchase
22 price of such lands not to exceed the total of the appropria-
23 tions herein or hereafter made by the legislature for the
24 purposes of this act and of such gifts as the state may re-
25 ceive for the said purposes.

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

Sect. 2. The lands which the board is authorized to acquire on behalf of the state under the provisions of this act shall be located within the northwest one-quarter ($\frac{1}{4}$) of township three, range nine, Piscataquis county, W. E. L. S. The said board is further authorized to use such portions of the funds appropriated under this act or given to the state as the said board shall deem suitable and necessary for exploring and cruising the land herein described and for the construction of roads, trails, camps and for other improvements therein and thereon; provided, however, that the expense of the construction and maintenance of all roads, trails, camp and other improvements shall be paid out of appropriations and gifts available for the purposes of this act and no part of the same shall be assessed against or charged to any land owner.

Sect. 3. In case the owner or owners of any lands deemed suitable by the said board for the purpose of this act decline to sell the same for a price deemed reasonable by the said board, said board 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, is hereby authorized and empowered to take and appropriate the aforesaid lands or any portion thereof in the name of the state and for the uses herein set forth, and for this purpose the said board shall cause the said lands or portions thereof to be surveyed, located and so described that the same may be identified and a plan of said lands or 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.

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. The members of the board created under this act
2 shall receive for their services the sum of five (5.00) dol-
3 lars per day while engaged in their work as members of
4 the said board and they also shall be paid their traveling
5 and other expenses incurred while engaged in said work,
6 the same to be paid from the appropriation made and gifts
7 received for said park and forest reserve,

Sect. 6. 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 the
5 public, under such rules and regulations as the said board
6 may prescribe, but no birds or wild game at any time shall
7 be hunted or killed thereon, and any person who hunts or
8 kills wild game within the limits of the land purchased un-
9 der the provisions of this act shall be liable to the penalties
10 established for hunting and killing wild game elsewhere
11 within the state during closed season. Timber not needed
12 for the purposes of this act or for the preservation of the
13 scenic beauties of said park may be sold therefrom by the
14 park board and the proceeds therefrom shall be paid into
15 the state treasury by said board, and shall constitute a spe-
16 cial fund to be used by said board for the purposes provided
17 for in this act.

Sect. 7. The Mt. Katahdin State Park Board is 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.

Sect. 8. The sum of five thousand dollars is hereby appro-
2 priated for the year nineteen hundred and twenty-six and five
3 thousand dollars for the year nineteen hundred and twenty-
4 seven for the purpose of carrying out the provisions of this
5 act; and any balance of the said appropriations or of any
6 appropriations hereafter made which on December thirty-
7 first of any year shall remain unexpended in the state treas-
8 ury, shall become a continuing appropriation and shall be
9 available for the use of the board during the succeeding
10 years.

February 9, 1925.

To the Senators and Representatives of the 82nd Legislature
of the State of Maine.

In a farewell address delivered by me before the joint convention of the 82nd Legislature on January seventh, 1925, I urged the acquisition of Mt. Katahdin as a state park and forest reserve, and offered to contribute to the state the sum of ten thousand (10,000) dollars, by salary as governor for the years 1923 and 1924, toward a fund for the purchase of the land needed for said park and forest reserve.

In the address referred to I made my offer contingent upon certain conditions which I now desire to modify as follows:

First—I do not ask that power be given a “public body or agency” to condemn “wild” and forest land anywhere in Maine, but ask only that power be given to condemn “wild” and forest land within the area of the northwest one-quarter ($\frac{1}{4}$) of Township three, Range nine, Piscataquis county, and not beyond the boundaries thereof.

Second—That the time for acquiring the said land be extended to the date of the opening of the 83rd Legislature instead of limiting it to the period of eighteen months after the adjournment of the 82nd Legislature.

Third—That my gift and the state’s appropriation be expended in acquiring such portion of the said northwest one-quarter ($\frac{1}{4}$) Township three, Range nine, Piscataquis county, as can be acquired for the money made available by the Legislative Act and my gift.

Fourth—That the power “to extend the boundaries thereof” as outlined in my offer, be eliminated from the act so that the body or agency will have the power to acquire only the said one-quarter ($\frac{1}{4}$) of township herein referred to.

Fifth—That the appropriation of five thousand (\$5,000) dollars per year by the state, instead of ten thousand (\$10,000) dollars for the fiscal year 1926 and 1927, a total of ten thousand (\$10,000) dollars will satisfy my requirements, and in such case the state and myself will each contribute an equal sum.

I make these modifications to my offer so that the charge cannot be made that the proposed body or agency will have

power to condemn land at will and in order to meet the possible objections that the state cannot afford at the present time to appropriate a total sum of twenty thousand (\$20,000) dollars for this purpose.

The bill which Senator Maher is introducing is entirely satisfactory to me, and if it becomes law, I shall be glad to make my gift to the state as outlined herein.

Respectfully,

PERCIVAL P. BAXTER.