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Baxter State Park Testimony Neither For Nor Against LD 1093 (132d Legislature, March 2025)

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation, and Forestry, I am the Director of Baxter State Park, Kevin Adam. I am testifying Neither For Nor Against LD 1093 - An Act to Direct the Department of Agriculture, Conservation, and Forestry, Bureau of Parks and Lands to prevent the use of the term "State Park" by nonstate parks.

I understand that LD 1093 is intended to address a potential issue within the state park system administered by the Bureau of Parks and Lands. But, as drafted, the bill has an unintended consequence: Section 2 of LD 1093 would violate the terms of the trust governing Baxter State Park by prohibiting Baxter State Park from being called "Baxter State Park."

Baxter State Park is a charitable trust and a state park that is administered by the Baxter State Park Authority, not the Bureau of Parks and Lands. Per the terms of the trust, Baxter State Park "shall forever . . . be named BAXTER STATE PARK." *E.g.*, P. & S.L. 1955, ch. 1. In other words, Baxter State Park is a state park but it is not "land classified as a state park under [12 M.R.S. § 1804(2)]" and the Bureau of Parks and Lands has no jurisdiction or authority—including rulemaking authority—over Baxter State Park. *E.g.*, 12 M.R.S. § 900.

To fix this unintended consequence of LD 1093, I propose amending LD 1093 to make clear that it does not apply to Baxter State Park. Although other approaches would likely also work, one proposal follows. For ease of reference, the proposed language is shown in blue.

Sec. 1. 12 MRSA §1804, sub-§2-A:

2-A. Signage for parks. Ensure that only land classified as a park under subsection 2 is designated as a park and that land designated as a park is designated by appropriate signage and public information.

including, but not limited to, promotional materials, brochures and exhibits. [This section does not apply to Baxter State Park;](#)

Sec. 2. 12 MRSA §1809:

§ 1809. Nonstate parks

A nonstate park may not use the term "state park" in its name.

For purposes of this section, "nonstate park" means land, [other than Baxter State Park](#), not classified as a state park as provided in section 1804, subsection 2.

Sec. 3. Review of public land signage. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall review signage and public information, including, but not limited to, promotional materials for all land under the control of the State to ensure these lands are designated by appropriate signage and public information pertaining to these lands is clear. [This section does not apply to Baxter State Park.](#)

Sec 4. Clarification of nonstate park status. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall develop and provide rules, procedures and deadlines to those entities that use the term "state park" that are not state parks to ensure that public materials are labeled in a way that reflects the park's status as a nonstate park, including signage and road sign colors, and those materials must contain a notice that tickets and passes sold by a nonstate park are not transferable to state park. [This section does not apply to Baxter State Park.](#)

Thank you for the opportunity to testify.

Kevin Adam
Director Baxter State Park.