

114TH CONGRESS
2D SESSION

H. R. 6218

To clarify the boundary of Acadia National Park, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Mr. POLIQUIN introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To clarify the boundary of Acadia National Park, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ACADIA NATIONAL PARK BOUNDARY.**

4 (a) IN GENERAL.—Section 101 of Public Law 99–
5 420 (16 U.S.C. 341 note; 100 Stat. 955) is amended—

6 (1) in the first sentence, by striking “In order
7 to” and inserting the following:

8 “(a) BOUNDARIES.—In order to”;

9 (2) in the second sentence, by striking “The
10 map” and inserting the following:

1 “(b) AVAILABILITY OF MAP.—The maps described in
2 subsection (a) and subsection (c)”; and

3 (3) by adding at the end the following:

4 “(c) SCHOODIC PENINSULA ADDITION.—The bound-
5 ary of the Park is confirmed to include approximately
6 1,441 acres of land and interests in land, as depicted on
7 the map entitled ‘Acadia National Park, Hancock County,
8 Maine, Schoodic Peninsula Boundary Revision’, numbered
9 123/129102, and dated July 10, 2015.

10 “(d) RATIFICATION AND APPROVAL OF ACQUISI-
11 TIONS.—There are hereby ratified and approved the fol-
12 lowing:

13 “(1) Retroactive to September 26, 2013, the ac-
14 quisition or purported acquisition by the United
15 States of land and interests in land referred to in
16 subsection (c).

17 “(2) Any subsequent or purported alteration of
18 the land and interests in land referred to in sub-
19 section (c) held or claimed by the United States in
20 said property (including conversion to fee simple in-
21 terest), retroactive to whatever point an alteration
22 occurred or may have occurred.”.

23 **SEC. 2. ACQUISITION OF LAND.**

24 The Secretary of the Interior may only acquire land
25 or interests in land—

1 (1) within the boundary of Acadia National
2 Park in accordance with Public Law 99–420 (16
3 U.S.C. 341 note; 100 Stat. 955); and

4 (2) outside the boundary of Acadia National
5 Park in Hancock County, Maine, in accordance with
6 Public Law 99–420 (16 U.S.C. 341, note; 100 Stat.
7 955).

8 **SEC. 3. ACADIA BOUNDARY ACT FOR SOLID WASTE MAN-**
9 **AGEMENT.**

10 Section 102(f) of Public Law 99–420 (16 U.S.C. 341,
11 note; 1001 Stat. 957) is amended by striking “toward the
12 cost of constructing” through “50 per centum of the cost
13 of such construction.” and inserting “\$350,000 to a re-
14 gional consortium established by law for the purpose of
15 improving the management of the disposal and recycling
16 of solid waste and composed of municipalities on as well
17 as near Mount Desert Island.”.

18 **SEC. 4. ACADIA NATIONAL PARK ADVISORY COMMISSION.**

19 (a) IN GENERAL.—The Secretary of the Interior shall
20 reestablish and appoint members to the Acadia National
21 Park Advisory Commission in accordance with section 103
22 of Public Law 99–420 (16 U.S.C. 341 note; 100 Stat.
23 959).

1 (b) CONFORMING AMENDMENT.—Section 103 of
2 Public Law 99–420 (16 U.S.C. 341 note; 100 Stat. 959)
3 is amended by striking subsection (f).

4 **SEC. 5. REPEALS.**

5 The following provisions are repealed:

6 (1) Section 3 of the Act of February 26, 1919
7 (40 Stat. 1179, chapter 45).

8 (2) The first section of the Act of January 19,
9 1929 (45 Stat. 1083, chapter 77).

10 **SEC. 6. USE RESTRICTION MODIFIED.**

11 The Act of August 1, 1950 (64 Stat. 383, chapter
12 511), is amended—

13 (1) by striking “That the Secretary” and in-
14 serting the following:

15 **“SECTION 1. CONVEYANCE OF LAND IN ACADIA NATIONAL
16 PARK.**

17 “The Secretary”; and

18 (2) by striking “for school purposes” and in-
19 serting “for public purposes, subject to the condi-
20 tions that use of the property shall not degrade or
21 adversely impact the resources or values of Acadia
22 National Park, and the land shall remain in public
23 ownership for recreational, educational, or similar
24 public purposes”.

1 **SEC. 7. PRESERVATION OF PUBLIC TRUST.**

2 Title I of Law 99–420 (16 U.S.C. 341, note; 100
3 Stat. 9550 is amended by adding at the end the following:

4 **“SEC. 109. PRESERVATION OF PUBLIC TRUST.**

5 “(a) Nothing in this Act or Public Law 99–420 (16
6 U.S.C. 341, note; 100 Stat. 955)] or any other law, includ-
7 ing laws of general applicability, shall be construed to af-
8 fect, preempt or in any way diminish the rights, respon-
9 sibilities and authority of the State of Maine under and
10 pursuant to the public trust doctrine over any lands in
11 which the United States possesses any kind of property
12 interest where that land is located seaward of the mean
13 high water mark.

14 “(b) Nothing in this Act or Public Law 99–420 (16
15 U.S.C. 341, note; 100 Stat. 9550) shall be construed to
16 affect, preempt or in any diminish the rights and privi-
17 leges of any person under public trust doctrine upon any
18 lands in which the United States possesses any kind of
19 property interest where that land is located seaward of the
20 mean high water mark.

21 “(c) The provisions of any Federal law enacted after
22 the date of the enactment of this Act pertaining to the
23 authority of the United States over lands in which the
24 United States possesses any kind of property interest
25 which would affect, preempt or in any way diminish the
26 rights, responsibilities, and authority of the State of

1 Maine, as stated in subsection (a) of this section, shall
2 not apply within the State of Maine unless such provision
3 of such subsequently enacted Federal law is specifically
4 made applicable to Maine.

5 “(d) The term ‘public trust’ as used in this section
6 has the meaning ascribed to it by and under Maine law.

7 “(e) The term ‘Maine law’ means the Constitution,
8 and all statutes, regulations, and common laws of the
9 State of Maine and its political subdivisions and all subse-
10 quent amendments thereto and judicial interpretations
11 thereof.”.

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