

(2) In order that the people from all parts of the state may have opportunity to benefit from the airports and other aeronautical facilities to be developed under the 7-year program contemplated by the federal airport act, the commission shall make a preliminary apportionment of the amount estimated to become available to the state under section 6 (a) of such act in the course of the 7-year program, for airport development by each county and its cities, villages and towns. Such preliminary apportionment for airport development by each county and its cities, villages and towns, shall be three-fourths in the proportion which the total population of the county bears to the total population of the state and one-fourth in the proportion which the total area of each county bears to the total area of the state.

(3) The amount of federal aid made available for airport development under section 6 (a) of the federal airport act by any county and its cities, villages and towns through applications approved prior to July 1, 1949, shall not exceed the preliminary apportionment to that county, but allocations of federal aid made prior to the effective date of this section shall not be affected by this section. Federal aid for projects on or after July 1, 1949, shall be made available without reference to such preliminary apportionment.

SECTION 9. This act shall take effect on passage and publication but not earlier than July 1, 1947.

Approved August 18, 1947.

No. 352, S.]

[Published August 22, 1947.

CHAPTER 549.

AN ACT to repeal and recreate 27.01; to renumber 26.03 (4) and (5) to be 27.012 (1) and (2); to amend 27.012 (1) and (2); as renumbered; and to create 20.20 (28) and 20.201 of the statutes, relating to state parks, providing a penalty and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.20 (28) of the statutes is created to read:

20.20 (28) All moneys in the state park fund provided by section 27.01 (9), and in addition thereto:

(a) Annually, as may be determined by the conservation commission, an amount not to exceed 10 per cent of the income of the conservation fund for the preceding fiscal year, but not less than \$150,000 annually.

SECTION 1a. 20.201 of the statutes is created to read:

20.201 CONSERVATION COMMISSION; STATE PARKS. There is appropriated to the state conservation commission from the general fund on July 1, 1947, \$75,000 and annually beginning July 1, 1948, \$100,000 to be used for state parks as authorized by section 27.01. The commission shall purchase for state park purposes the 71 acres, more or less, in Jefferson county, known as Aztalan Park, for a reasonable sum and pay for the same out of the appropriation made available to the commission by this section on July 1, 1947. This appropriation does not become available until \$150,000 has been spent from the appropriation made by section 20.20 (28) (a).

SECTION 2. 27.01 of the statutes is repealed and recreated to read:

27.01 STATE PARKS. (1) PURPOSE. It is hereby declared to be the policy of the legislature to acquire, improve, preserve and administer a system of areas to be known as the state parks of Wisconsin. The purpose of the state parks is to provide areas for public recreation and for public education in conservation and nature study. An area may qualify as a state park by reason of its scenery, its plants and wildlife, or its historical, archaeological or geological interest. The conservation commission shall be responsible for the selection of a balanced system of state park areas and for the acquisition, development and administration of the state parks. No admission charge shall be made to any state park.

(2) POWERS OF THE CONSERVATION COMMISSION. In order to carry out the purposes of this section, the conservation commission shall have charge and supervision of the state park system. The commission shall also have authority to:

(a) Acquire by purchase, condemnation, lease, or agreement lands or waters suitable for state park purposes.

(b) Classify state park areas as to their most logical employment and greatest usefulness as, for example, scenic, recreational, or historical, and establish boundaries for each state park.

(c) Make, and as rapidly as possible carry out, plans for

the development of the state parks, including the layout and construction of roads, trails, camping and picnic areas, buildings, water and sewer and other sanitary installations, and the development of all other facilities considered necessary for the preservation of special features or the overall usefulness of any state park.

(d) Enter into agreements with the federal government, the government of neighboring states, state departments, counties, towns, scientific societies, organizations, individuals, or others on any subject considered of concern and benefit to the state parks.

(e) Accept, in the name of the state, grants of land and bequests or donations of money for the state park system.

(f) Grant concessions or franchises for the furnishing of supplies or facilities and services on the state parks considered necessary for the proper comfort of the public.

(g) Lease parts or parcels of state park land or grant easements thereto.

(h) Designate by appropriate name any state park not expressly named by the legislature.

(i) Establish and operate in state parks such services and conveniences and install such facilities as will render such parks more attractive for public use and make reasonable charges for the use thereof.

(j) Make such rules and regulations as may be necessary to govern the conduct of state park visitors, and for the protection of state park property, or the use of facilities, including the use of boats and other watercraft on lakes or rivers within the limits of a state park, and the use of roads, trails, or bridle paths.

(k) Designate parking areas and regulate the use and movement of automobiles or other vehicles in the state parks.

(l) Make surveys and investigations of sites considered potentially valuable for state parks.

(m) Take such other action as may be deemed advisable for the administration, development, maintenance, or protection of the state park system or any part or parts thereof.

(3) **LEGAL COUNSEL.** The attorney general shall act as counsel and attorney for said commission, both in proceedings and litigation, and in giving advice and counsel. The respective district attorneys of the county or counties where said park is or shall be located shall prosecute all violations of the terms

of this section occurring within their respective counties as provided in section 26.18.

(4) **PARK MANAGERS.** Park managers employed by said commission shall have all the powers of state fire wardens as provided in chapter 26 of the statutes, and such powers shall apply to state parks.

(5) **PENALTIES.** The penalties for the destruction of any notices, posted by the said commission, or for the breaking, tearing up, or marring of trees, vines, shrubs or flowers, the dislocation of stones or the disfigurement of natural conditions within the boundaries of any state or county parks or state fish hatchery grounds shall be the same as those provided in section 26.19.

(6) **ROADSIDE PARKS.** All areas designated as roadside parks shall be a part of the state park system. Roadside parks will consist of naturally attractive parcels of land (5 acres or more in size) immediately contiguous to a state trunk highway. Each such area shall carry a distinctive name and shall be managed and developed as a part of the state park system.

(7) **NAMES.** The state parks shall be designated as follows:

(a) The state park in the town of St. Croix Falls, Polk county, as "Interstate Park;"

(b) The state park in the town of Gibraltar, Door county, as "Peninsula State Park;"

(c) The state park in the town of Nasewaupée, Door county, as "Potawatomi State Park;"

(d) The state park in the town of Wyalusing, Grant county, as "Wyalusing State Park;"

(e) The state park in the town of Baraboo, Sauk county, as "Devil's Lake State Park;"

(f) The state park in the town of Delafield, Waukesha county, as "Cushing Memorial State Park;"

(g) The state park in the town of Morse, Ashland county, as "Copper Falls State Park;"

(h) The state park in the town of Cassville, Grant county, as "Nelson Dewey State Park;"

(i) The state park in the town of Rib Mountain, Marathon county, as "Rib Mountain State Park;"

(j) The state park in the town of Trempealeau, Trempealeau county, as "Perrot State Park;"

(k) The state park in the town of Wilson, Sheboygan county, as "Terry Andrae State Park;"

(l) The state park in the town of Wyoming, Iowa county, as "Tower Hill State Park;"

(m) The state park in the town of Belmont, Lafayette county, as "First Capitol State Park;"

(n) The state park in the town of Superior, Douglas county, as "Pattison State Park;"

(o) The state park in Jefferson county as "Aztalan State Park."

(8) POLICE SUPERVISION. The conservation commission shall have police supervision over all state parks, and its duly appointed agents or representatives in charge of any state park are hereby authorized and empowered to arrest, with or without warrant, any person within such park area, committing an offense against the laws of the state or in violation of any rule or regulation of the state conservation commission in force in such state park, and to deliver such person to the proper court of the county wherein such offense has been committed and to make and execute a complaint charging such person with the offense committed. The district attorney of the county wherein such offense has been committed shall appear and prosecute all actions arising under the provisions of this subsection.

(9) STATE PARK FUND. There is hereby established what shall be known as the state park fund. All bequests or donations of money accepted by the conservation commission for the state parks, all receipts from the operation of facilities or services, concessions or franchises, leases, the sale of products from state park lands, and other moneys arising from the state parks shall be paid into the state treasury to the credit of the state park fund and are appropriated therefrom to the commission for the purchase of state park lands or for the construction, improvement, or maintenance of state park buildings, or the improvement of state park grounds or facilities, or for carrying out the purposes for which any specific bequest or donation has been made.

SECTION 3. 26.03 (4) and (5) of the statutes are renumbered 27.012 (1) and (2) and are amended to read:

27.012 INDIAN ANTIQUITIES ON THE PUBLIC LANDS * * * (1) DESTRUCTION OF INDIAN MOUNDS. It is unlawful except as provided in subsection * * * (2) to destroy, deface, mutilate, injure, or remove any Indian burial, linear or effigy mounds, inclosures, cemeteries, graves, plots of corn hills, garden beds,

boulder circles, pictograph rocks, caches, shell or refuse heaps, spirit stones or manitou rocks, boulder mortars, grindstone rocks, or other prehistoric or historic Indian remains located upon the public lands, state parks, forestry reserves, lands of state educational or other state institutions, or upon other lands or properties belonging to the state. Any violation of this subsection shall be punished as provided by section 343.453.

(2) PERMITS BY THE COMMISSION. Said commission is authorized to grant permission to remove or destroy any of the prehistoric or historic remains enumerated in subsection * * * (1) whenever it deems such removal or destruction necessary; and the commission or other state officer or officers having control under the laws of the state of the lands or properties upon which they, or any of them, are situated may grant to state, county, municipal, or national educational institutions, or regularly organized archaeological or historical societies, permission to explore or investigate for educational or scientific purposes. The use of lands or properties belonging to the state for the purposes for which they were acquired shall not be restricted by the provisions of this section.

SECTION 4. 20.49 (6a) of the statutes is amended to read:

20.49 (6a) Not to exceed \$20,000 to be expended by the highway commission for landscaping right of ways, developing and maintaining * * * *wayside* areas, and for the purchase of land when necessary for such purposes, pursuant to the provisions of section 84.03 (9a).

SECTION 5. The first sentence of 84.03 (9a) of the statutes is amended to read:

84.03 (9a) (first sentence) The commission may landscape along, and develop and maintain * * * *wayside* areas along, or in close proximity with state trunk highways.

Approved August 18, 1947.