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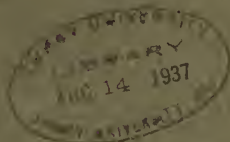
RELATING TO

STATE PARKS

VOLUME III

NORTH DAKOTA - WYOMING

TERRITORIES - INSULAR POSSESSIONS



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

Compiled By

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National Park Service

## N O R T H   D A K O T A

### I.   S T A T E   P A R K S.

Jurisdiction.	The State parks are under the jurisdiction of the State Historical Society (Acts of 1905).
Members.	The Society is governed by an ex-officio Board composed of the Governor, Auditor, Secretary of State, Commissioner of Agriculture and Labor, and Superintendent of Public Instruction.
Acquire areas.	<p>Under the provisions of the Act, the Society is authorized to acquire by purchase, gift, or by eminent domain, lands for State park, monument and recreation reserve purposes;</p> <p>Including those now or hereafter developed by the National Park Service:</p>
Use of State-owned lands.	To set aside for park, monument or recreation purposes such lands as are now owned by the State and not held for some other purpose;
Supervision.	To supervise, control, care for, maintain, develop any of the above areas, as trustees for the State;
Act as N.P.S. agent.	Also to administer any such areas, when so authorized, as an agent of the National Park Service.
State Park Committee.	The Act authorizes the Society to create a State Park Committee of five persons, with the advice and consent of the Governor, to consist of members of the Board of the Society, or other qualified persons, and, under the authority of the Board, to administer all of the duties vested in the Society
Rules and regulations.	Either the Society or the Committee, when so authorized by the Board, are empowered to make and enforce suitable rules and regulations for the protection, care and use of the land under its jurisdiction;
Fees.	To fix and collect such fees as it may deem reasonable for the use of the facilities of the areas;
Concessions.	To enter into concession agreements with private persons, firms or corporations for the operation of services within the areas; Provided, no such agreement may be made for a period in excess of five years.
Proviso.	





State Park Maintenance Fund.	All money collected as fees, compensation for concessions, or otherwise, is credited to a "State Park Maintenance Fund" to be used and expended in carrying out the provisions of the Act.
Historic sites.	The Society is also authorized to receive contributions of historical sites and relics, or money for the purchase of such sites or relics.
Custody of lands.	When land is contributed or purchased, same may be placed in the custody of the old settler's associations of the respective counties in which the sites are located, and may be improved and used by them for public park purposes, and for the accumulation and care of relics of historical interest (Sec. 374. Compiled Laws of 1913).
State to acquire areas.	Act of March 7, 1935 authorized the State or the several counties to acquire by purchase, exchange, gift, condemnation or otherwise the title to any lands within the same political subdivision, for the purpose of establishing a public park, or recreational area, or for the purpose of constructing, maintaining and operating any water and/or wildlife conservation project.
Limitation.	No such lands may be purchased for more than the appraised value, nor may any lands be exchanged except for lands of an equal value.
II. STATE FOREST PARKS.	
State Forester to accept.	Under the provisions of an Act of 1935, the State Forester is authorized to accept gifts, donations or contributions of land suitable for forestry or park purposes;
Agreements with United States.	Also to enter into agreements with the Federal Government or other agencies for acquiring by lease, purchase or otherwise, such land as in his judgment are desirable for State forests or parks;
Management funds.	To make expenditures from any funds not otherwise obligated for the management, development and utilization of such areas;
Sell, exchange or lease lands.	Subject to the terms of any contract entered into, to sell, exchange or lease lands under his jurisdiction, when in his judgment it is advantageous to the State to do so in the highest orderly development and management of State forests and parks;
Sell products.	To sell or otherwise dispose of products from such lands;
Rules and regulations.	To make such rules and regulations as may be necessary to carry out the purposes of the Act;



Use of revenue. All revenue derived from any such lands now owned or later acquired are to be used by the State Forester in the management, development and use of the lands until all obligations incurred have been paid in full. Providing, however, that not more than \$10,000 may be expended for such purposes in any one fiscal year. Thereafter 50% of all net profits are to be applicable for such purposes as the Legislative Assembly may prescribe; the remaining 50% to be paid into the school fund of the county in which lands are located.

Proviso.

Payment of obligations. Obligations for the acquisition of land are to be paid solely from revenues derived from such lands, and may not impose any liability upon the general credit and taxing power of the State.

### III. FISH AND GAME - RECREATION.

Surveys. Acts of 1935 direct the State Game Warden, among other things, to collect and furnish information, data and facts concerning suitable locations and sites to impound water, create lakes and ponds for fish, game and recreation, and for the preserving of the surface water and to arouse public interest in such projects.

### IV. STATE PLANNING.


Duties. Act of March 6, 1935 created a State Planning Board, charged with the duty

Surveys. To make inquiries, investigations and surveys concerning the resources of the State;

Recreation. To make surveys of rural land utilization, with a view to the determination, among other things, of the areas suitable for crops, grazing, reforestation, watershed protection, for recreation, and for other economic development;

Plans. To assemble and analyze the data thus obtained and to formulate plans for the conservation of such resources and the systematic utilization and development thereof;

Recommendations. To make recommendations from time to time as to the best methods for the conservation, utilization and development of such resources.



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## V. RULES AND REGULATIONS GOVERNING STATE PARKS.

The following rules and regulations were adopted by the State Park Committee in order that the public may derive the most benefit from the use of state parks. By complying with these regulations citizens should bear in mind that they are aiding authorities to preserve and properly maintain public property. Cooperation in maintaining our parks is respectfully requested. Advice or criticism in operating state parks is welcomed and should be sent to the State Park Committee of the State Historical Society of North Dakota.

1. The destruction, injury, defacement, or disturbance in any way of the public buildings, signs, equipment, or other property, or the trees, flowers, vegetation, rocks, mineral, animal, or bird, or other life is prohibited in state parks.

2. Picnics may be held at designated localities which must be kept clean. Where possible, garbage should be burned on camp fires. Other material which cannot be burned should be placed in receptacles provided for that purpose. Camps may be made where proper facilities for this purpose are provided.

3. Fires shall be lighted in designated places only, and carefully extinguished when no longer needed.

4. Hunting, killing, wounding, capturing or attempting to capture any wild bird or animal in state parks is prohibited.

5. Gambling in any form is prohibited.

6. Private notices or advertisements shall not be posted or displayed in the parks except when authorized.

7. Lighted matches, cigars, cigarettes, or other burning refuse shall not be thrown away unextinguished.

8. Travel over park roads by motor vehicles shall be governed by such regulations as the state park committee deems necessary for each park. In no case however shall motor vehicles travel in excess of 30 miles per hour.

9. The sale of beer and intoxicating liquors of any form is prohibited on state park property.

10. No concessions of any form may be operated in any state park unless a written agreement is entered into with the State Park Committee.

11. Automobiles, trucks, trailers, wagons, motorcycles and boats must be parked in spaces designated by the caretaker.

The rules and regulations shall be in full force and effect on and after January 1, 1936

STATE PARK COMMITTEE  
State Historical Society of North Dakota  
Bismarck, North Dakota



## O H I O

### I. STATE PARKS.

Jurisdiction.	Lands and waters dedicated and set apart for public park or pleasure resort purposes, or acquired for such purposes, are under the control and management of the Conservation Council of the Division of Conservation (Acts of 1929).
Conservation Council; appointment; terms; Secretary.	The Conservation Council is composed of eight competent citizens, appointed by the Governor for four year terms (rotated.) Not more than four members may be affiliated with the same political party; are required to serve without compensation, but are paid actual and necessary expenses incurred in the performance of their official duties. The Commissioner of Conservation is designated by law as Secretary to the Council.
Powers and duties of Council.	Powers and duties of the Conservation Council are as follows (Acts of 1929):
Formulate policies; establish bureaus.	To plan, develop, formulate and institute programs and policies of the Division of Conservation, and to establish such bureaus within the Division as are approved by the Governor;
Bureaus.	Administrative bureaus have been established as follows:  Inland Lakes and Parks Game Management and Propagation Fish Management and Propagation Law Enforcement Administration
Effectuate policies.	So far as funds are provided therefor, to adopt and carry into effect such measures as it deems necessary in the performance of its duties;
Rules and regulations.	To make and establish rules and regulations governing its organization and procedure and administration of the Division of Conservation as it may deem necessary or expedient;
Cooperate with other departments and officials.	To cooperate with the several State departments and officials in the conduct of matters in which the interests of the respective departments or officials overlap;
General jurisdiction of lakes, parks and lands.	To have the general care, protection and supervision of the State parks known as Lake St. Marys, Portage Lakes, Lake Laramie, Indian Lake, Buckeye Lake, Guilford Lake, and all other State parks and lands owned by the State or in which it is interested or may acquire or become interested, except





	lands the care and supervision of which are vested in some other officer, body, board, association or organization;
Public use of lakes.	The lakes named are at all times to be open to the public as resorts for recreation and pleasure, including hunting, fishing and boating, subject to the fish and game laws, and the boating privileges to be subject to the rules and regulations prescribed by law and the Council;
Police authority.	To maintain such police regulations and enforce such rules for the government of the public parks as may be prescribed by law;
Improve and protect parks.	To make alterations and improvements to all lands and water set apart or acquired for public parks or pleasure resort purposes and under its control and management, and to protect, maintain and keep them in repair;
Dams, locks, etc.	Construct and maintain dikes, wharves, landings, docks, dams and other works;
Roads and drives.	Construct and maintain such roads and drives in, around, upon and to such lands and waters as to make them conveniently accessible and useful to the public;
Acquire lands and property.	Subject to the approval of the Attorney General, may acquire by gift, purchase, or by appropriation, such real and personal property, rights and privileges as may be necessary in its judgment for the use, extension, enlargement and maintenance of such public parks and resorts; also for new public parks, resorts, reservoirs, channels, drives, roadways, docks, dams, landings, wharves and other improvements;
How paid for.	The value of property so acquired to be paid out of funds derived from the sale of special privileges and from leases of State land in and adjacent to the parks or pleasure resorts; or, when such costs exceed \$1,000, then out of moneys in the general revenue fund appropriated for such purposes, but no expense for these purposes may be incurred until the General Assembly has first appropriated money therefor;
Control, lease and sell other lands; exception.	To control, manage, lease and sell the swamp, marsh, overflow lands, and all other lands to which the State has or should have the title, except canal and public works and institutional lands; but no land lease or sale of lands may be made except upon the approval of the Governor and Attorney General;
Wildlife conservation; enforcement of laws.	To have the supervision and control of all lakes, reservoirs and State lands dedicated to the use of the public for park and pleasure resort purposes with respect to the enforcement of all laws relating to the protection of birds, fish and game; all laws for the protection of fish in inland waters and streams of the State, and all laws for the protection of the birds, fish, game and fur-bearing animals to apply to all such State reservations and lakes;



- Same. To exercise authority and control in all matters pertaining to and enforcement by legal action or proceeding of the laws of the State for the protection, preservation and propagation of game, fur-bearing animals, clams, mussels and fish; except authority to change laws in the General Code covering commercial fishing in the Lake Erie fishing district, and in such other waters wherein fishing with nets is licensed by law (as amended 1935);
- Same. To establish rules and regulations for the taking and hunting of game birds, clams, mussels, fur-bearing animals, game and fish (Acts of 1935);
- Report to Governor. Report to the Governor from time to time the results of its investigations concerning the natural resources of the State, with recommendations of such measures as it deems necessary or suitable to conserve or develop such resources and preserve them so far as possible;
- Same. Report annually to the Governor, including a statement setting forth its action on all matters pertaining to the management and control of all State reservoirs, lakes and lands set apart for public parks or pleasure resorts, and including a statement of the receipts and expenditures on account thereof.
- Conservation Commissioner. The Council recommends to the Director of Agriculture a Conservation Commissioner, who is appointed by the Director if acceptable to him. In addition to being designated as Secretary of the Council, the Commissioner is vested with the following powers and duties;
- Powers and duties. To enforce the provisions of the Act and the laws relating to the protection, preservation and propagation of birds, fish, game and fur-bearing animals;
- Employ personnel. To employ necessary clerks and other employees as he may deem necessary; also such fish and game protectors as the Council may prescribe, and to fix the salaries of all employees of the Division unless such compensation is otherwise fixed by law;
- Lease lands. May lease lands in or adjacent to Buckeye Lake, Indian Lake, Lake St. Marys, Guilford Lake or Portage Lakes, including marginal strips and marsh lands around said lakes, the outer slopes of artificial embankments, islands, borrow pits and State lands adjacent thereto as he deems proper;
- Appoint policemen. May appoint police patrolmen to preserve order and protect the public at any parks or pleasure resorts, and prescribe their compensation within the limitation fixed by law;



Account for  
revenues.

To keep a separate account of all revenues derived from leases of State land in and adjacent to the park and pleasure resorts, likewise all fund derived from the sale of special privileges in connection therewith; and to credit in a separate account, to each park or pleasure resort, all moneys derived from the lease of land or special privileges in connection therewith;

Collect rentals.

To collect all rentals for leases of State lands, boat licenses, dock licenses in State reservoir parks, and moneys for special privileges of any nature in or adjacent to such parks; the same to be transmitted to the State treasurer with a separate statement giving the names of persons from whom and for what purposes such moneys were collected, and to what park or pleasure resort such funds are to be credited;

Receive fines, etc.

Unless otherwise directed by the Council, to receive all fines, penalties and forfeitures arising from prosecution, convictions, confiscations or otherwise under the bird, fish and game laws, and by him to be paid into the State treasury to the credit of a fund to be appropriated biennially for his use;

Roads leading to  
State parks and  
forests.

The Director of Highways is authorized to relocate, and for such purpose to construct or reconstruct, improve, repair and maintain roads leading from a State highway to any public State park or State forest, including all such parks and properties under the control and custody of the Division of Conservation, Division of Forestry, and Ohio Archeological and Historical Society. Also to any State property used for military purposes or any road which leads along the side of or through school lands owned by the State. The Director is to confer with the authority in control of any such park or property before deciding upon the location and character of any such improvement, and is authorized to add to the State highway system not more than 50 miles of above-mentioned roads (Acts of 1931);

Roads within parks  
and forests.

Is further authorized to construct, reconstruct, improve, repair and maintain roads within the boundary of any public State park or State forest, including all such parks and properties under the control and custody of the Division of Conservation, Division of Forestry, and Ohio Archeological and Historical Society, or used for military purposes, provided the officer or board having control thereover first consents to the construction, reconstruction, improvement, repair and maintenance of such road. Such roads to be maintained in such manner as may be agreed upon between the Director and such officer or board;

How paid for; limitations.

The costs of such construction, etc., to be paid from the State highway construction funds, or the maintenance and repair funds, according to the character of the improvement; provided, that the expenditure for any one year may not



exceed \$10,000 and provided further, that the expenditure for highways leading to the aforesaid properties may not exceed \$5,000 per mile and expenditures within such properties may not exceed \$3,000 per mile.

## II. STATE BOARD OF PARK COMMISSIONERS: SURVEY.

Members; purpose for which established.

By Acts of 1931 the Superintendent of Public Works, the State Forester, the Conservation Commissioner, the Head of the College of Civil Engineers in the Ohio State University, the Director of the Archaeological and Historical Society, and a member of one of the boards of park commissioners created under the Park District Act (G.C. 2973-1) or an executive officer of such Board, to be appointed by the Governor, were designated as a Board of Park Commissioners, and as such authorized and directed to make a survey for the ultimate development of a comprehensive and well balanced State system of public parks, including the relation of such system to other means of conserving and utilizing the scenic and recreation resources of the State;

Scope of study.

Such survey to include a study of the abandoned canal lands, idle and waste lands in the State, the forests and forest resources thereof, the places of archaeological and historical interest, including State historical parks administered by the Ohio State Archaeological and Historical Society; to also indicate the forests, streams and rugged areas of the State most suitable for the development of a practical park system; and, in general, include a study of all natural resources;

Report to Governor with recommendations.

Upon completion of such survey, the Commission to make a report to the Governor, embodying the results, and including recommendations regarding means by which such a state park system can be acquired and administered, together with the necessary proposed legislation therefor; also make recommendations as to the location of dams necessary to be placed across the rivers and streams for better preservation of water supplies and controlling the waters against flood damages, and the conservation and natural production of fish life in the streams; the Governor to transmit said report to the General Assembly with such recommendations as he deems pertinent thereto.

## III. STATE FOREST PARKS.

Jurisdiction.

The Board of Control of the Agricultural Experiment Station may buy forested lands or other lands suitable for the growth of forest trees, at a price not exceeding \$10 per acre, to the amount of the appropriation for that purpose; all lands so purchased to be deeded to the State and to be known as State forests (Acts of 1923);





How acquired.

The Board may also acquire by purchase or gift and hold in the name of the State, lands for State forest park purposes;

Areas included.

Such lands may include areas which it is deemed necessary to reserve for the public good, and may include sites of scenic value, virgin woodlands, and areas desirable for recreation and reforestation;

Designation.

Such lands are to be known as State forest parks, and their purchase is not restricted by the price limitation applicable to State forests;

Appraisal.

No purchase of lands for State forest parks may be made until such lands have been duly appraised by a board of three disinterested free-holders having a knowledge of land values in the vicinity, appointed by the Auditor of State for that purpose. The amount paid for such lands may in no case exceed such appraised value, nor may the purchase price exceed the appropriation for that purpose.

\* \* \* \* \*

Constitutional provision.

Laws may be passed to encourage forestry, and to that end areas devoted exclusively to forestry may be exempted, in whole or in part, from taxation. Laws may also be passed to provide for converting into forest reserves such lands or parts of lands as have been or may be forfeited to the State, and to authorize the acquiring of other lands for that purpose; also, to provide for the conservation of the natural resources of the State, including streams, lakes and submerged swamp lands, and the development and regulation of water power and the formation of drainage and conservation districts. . . Art. 2, Sec. 36, State Const. Adopted September 3, 1912.

#### IV. OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

Purposes.

The above society was founded and chartered in the year 1885. The Articles of Incorporation declare the purposes of the Society to be "the promoting of the knowledge of Archaeology and History, especially of Ohio, by establishing and maintaining a library of books, manuscripts, maps, charts, etc., properly pertaining thereto; a museum of prehistoric relics and natural or other curiosities, or specimens of art or nature, promotive of the objects of the Association, and by courses of lectures and publication of books, papers and documents touching the subjects so specified, with power to receive and hold gifts and devises of real and personal estate for the benefit of the Society.



Purposes.

The Society is primarily a membership organization, but owing to the public service which it renders has been accorded the status of a quasi-State institution. It is governed by a Board of Trustees, nine of whom are elected directly by its membership, while six are appointed by the Governor. In addition, the Governor and the Director of the State Department of Education are members ex-officio of the Board.

Source of funds.

The Society's principal source of funds is through appropriations by the General Assembly, while membership fees constitute a permanent fund to be used at the Board's discretion for the benefit of the organization.

Assets.

The material assets of the Society are its Museum and Library Building located on the Ohio State University campus, and approximately forty parks throughout the State which it either owns or over which it has supervision for the State. In recent years a Department of State Parks has been established.

Acquisition of sites.

Any incorporated association or society maintained by and operating for and on behalf of the State, having for its purpose the preservation of historic or prehistoric sites or monuments, or the exploration, examination, improvement or preservation of the same for educational, scientific or memorial purposes, or for the purpose of collecting relics or artifacts therefrom and placing the same in a public museum, may acquire and hold any real estate in the State which is the site of an historic event, building, structure, canal, cemetery, monument, spring, tree, stone, or other natural or artificial object, or the site of any historic or prehistoric mound, earth or stone works, occupation, burial site, rock carving, inscribed rock, cache, hoarding pit, cave or rock shelter, when such cave or rock shelter can be proved to have been occupied or used by aborigines, or any site or area which scientific exploration or historical record may establish as having been occupied or created by aborigines (Acts of 1938);

Acquisition of adjacent land.

May acquire any property immediately contiguous to and adjoining any such real estate which is necessary for any educational, scientific or memorial purposes, or for the accommodation of the public in visiting such historic site, object or place, or which is essential to the carrying out the intent and purpose for which the park, reserve or memorial was created;

Appropriation.

In the event a price cannot be agreed upon, or where the owner cannot be located, such association or society may acquire such real estate by proceedings in a proper court in the manner provided by law for the appropriation of private property by the Superintendent of Public Works; such proceedings to be brought in the name of the State.



Acquire lands and property.

The Director of the Society is authorized to negotiate for the transfer, by lease or permits, of certain canal property to the custody and control of the Society, including portions of the bed and adjacent embankments of abandoned canals, locks basins, aqueducts, dams, culverts, tunnels, feeders, side cuts canal lands, canal boats, miscellaneous equipment, and any early canal maps and records of historical interest which have ceased to become of frequent use in the business of the Department of Public Works. Such canal property may include those sections of the canal which formerly were portions of and the operating equipment upon any canal or branch canal which was built by and is now owned by the State (Acts of 1933);

Transfer; how effected. Upon the determination of the Superintendent of Public Works that such canal property, so requested to be transferred, is worthy of preservation from an historical standpoint, he may effect transfer of the custody thereof to the Society by issuing, with the approval of the Governor and Attorney General, a permit to the Society authorizing it to enter upon, occupy and use such canal property for the purpose of preserving, beautifying and improving the same as points of historical interest to the citizens of Ohio. Said permit may run for a term of 99 years, renewable forever; but portions thereof not built upon or occupied by monuments, may be reclaimed for the use of the State;

Purpose of transfer. Any such transfer of canal property is to be made specifically for the purpose of preservation and for practical and educational uses. The Society is authorized to improve, beautify, maintain, protect, preserve and develop any such canal property to the best interests of the people of the State, all of which to be subject to the approval of the Superintendent of Public Works;

Transfer may be made, when. Such transfers may be effected from time to time, as occasion may arise, and upon the expiration or lapse of options or leases in force at the time of the passage of the Act. Additional permits may be issued in the same manner. Any such transfer to be effected only upon the approval of the Governor and the Attorney General.

#### V. ROADSIDE PARKS.

Director of Highways to construct. Where the Director of Highways, in the construction or repair of roads on the State highway system outside the limits of municipal corporations, relocates such roads and/or relocates or constructs a bridge, culvert, underpass, overpass or other structure or improvement, the highway or portion thereof from which it is proposed to divert travel is not to be deemed to be vacated or abandoned but is made available to the Director for use as roadside parks for the benefit of the traveling public or such other usage as may be incident to the construction, maintenance and repair of the State highway system (Acts of 1935);



Same.	Where small tracts of land lie between the existing right-of-way and the new right-of-way, and the Director deems such tract of land suitable and desirable for the establishment of a roadside park, he is authorized to obtain the same by gift, purchase or appropriation, the cost or expense to be paid from any funds available for the construction, reconstruction, maintenance and repair of the State highway system;
Improvement.	May plant thereon such shrubbery, trees, sod or sodding, and construct such other devices and appurtenances as will in his opinion contribute to the health, comfort, safety and welfare of the traveling public; the cost thereof, together with the cost of maintenance, to be paid from funds available as above; provided, however, that such tracts of land are at all reasonable times to be open to the public for use without charge. The Director is without authority to lease, rent or sell any part thereof;
Roadside planting.	May also construct and maintain inside the highway right of way, outside the limits of any municipal corporation, such landscaping improvements for the purpose of preventing soil erosion as he may deem necessary and desirable for the proper preservation and maintenance of the highway; the cost and expense of such improvements and maintenance thereof to be payable from funds available as above. Provided, however, that in any one calendar year the total sum so expended by and under the authority of the Act may not exceed \$100,000.
Proviso.	
VI. PUBLIC HUNTING GROUNDS.	
How acquired.	The Conservation Council is empowered to acquire by gift, lease or purchase suitable lands for the purpose of establishing thereon public hunting grounds and reforestation; and may set aside any portion thereof as a game refuge (Acts of 1929);
How paid for.	The lease or purchase price of any and all such lands may be paid for from hunters' and trappers' license funds;
Regulation.	In accordance with the State laws, may make such regulations for the taking of birds, fish or game upon either public hunting territory or upon a State game refuge established on or within such public hunting ground as it may deem advisable;
Supervision.	The title or lease to any and all such lands is to be taken in the name of the State and when so acquired the entire supervision is to be under the Division of Conservation;
Appropriation.	When in the opinion of the Council it is necessary to procure lands for the purpose of reforestation or public hunting grounds, and a price cannot be agreed upon with the owners, such lands may be acquired by appropriation.





## VII. CANAL LANDS.

- Miami and Eric Canal.** The State reserves unto itself the right, title and interest in and to all lands and waters acquired under the various Acts providing for the construction of the Miami and Eric Canal, and all lands now occupied by any part of the canal, including all canal feeders, basins, slack waters, wide waters, State locks heretofore used for lock houses, tow paths, barge embankments, levees, wasteways, or for other incidental purposes thereto; also retains its title to the site of all dams and impounding basins above the same, and likewise to the embankments and levees connected therewith, and to all streams that formerly supplied water to the canal. No portion of the canal lands and lands adjacent thereto are ever to be sold except by specific authority of the General Assembly (Acts of 1927, 1931).
- Restriction as to sale.**
- Use for park purposes.** By Acts of 1931 a portion of the canal extending from a point in Lucas County to a point in Butler County, a distance of approximately 175 miles, was abandoned for canal and hydraulic purposes, to be devoted to highway and public parks, where suitable;
- Water to be retained for boating.** The Superintendent of Public Works being authorized and directed to shut off the water supply to such canal in order to drain the water from those levels that are selected as sites for public parks for the free use of the public; with the provision that the canal need not be drained if it is desired to make boating an added attraction to such parks; but the Director of Highways may drain, at his discretion, such canals, feeders, basins, slack waters and wasteways in order to prevent their waters from flowing into or through the abandoned parts of the canal lands which in his judgment are necessary for highway purposes;
- Cancellation of leases.** All leases granted for canal or hydraulic purposes to become null and void within sixty days after the same have been designated by the Director of Highways as necessary in any contemplated scheme of highway improvements over or adjacent to the canal lands; all other leases for lands to be terminated whenever the same can be legally done, provided the lands have been designated as necessary for highway purposes by the Director or may be designated for public park purposes by proper State authority;
- Jurisdiction.** The Director of Highways to have the supervision and control as to highways, and the Superintendent of Public Works as to public parks and other purposes.



VIII. RULES FOR GUIDANCE OF CONSERVATION COMMISSIONER  
AND POLICE PATROLMEN: ACTS OF 1929

Rules for the Appointment  
and Government of Police Patrolmen

Qualifications of  
police patrolmen.

Rule 1. A person to be eligible to appointment as police patrolman at any of the State reservoir parks under the control of the conservation council must have been an elector of the State of Ohio for not less than two years preceding his appointment; he must be in good health and free from any infirmities that would be a hindrance in the discharge of his official duties, and must be able to read and write the English language understandingly.

How appointments  
made.

Rule 2. All appointments to the position of reservoir police patrolman shall be made on probation, by the conservation commissioner subject to the rules and regulations of the civil service commission, and if at any time, in the opinion of such commissioner a person appointed to such position proves himself unfit for, or neglects to perform his official duties, he shall be dropped from the service.

Police patrolmen  
and assistants.

Rule 3. The conservation commissioner is hereby authorized to employ one police patrolman at each reservoir park, at a salary of not to exceed twelve hundred dollars per year, two assistant police patrolmen at each state reservoir for three and one-half months prior to and including Labor Day, at the rate of not exceeding ninety dollars per month, and may expend for special patrolmen at each state reservoir during the summer months, a sum not exceeding ninety dollars at the rate of \$3.00 per day for each patrolman employed, all of which expenses shall be paid from the receipts from leases, boat permits and sale of special privileges to be derived from each of the state reservoirs, parks or funds appropriated for such purposes, but no funds shall be expended for this purpose upon any reservoir in excess of its own earnings, except from funds especially appropriated for such purposes.

Applications by  
police patrolmen.

Rule 4. All applications for appointment for the position of police patrolman, must be made in the applicant's own handwriting and accompanied by recommendations from two reputable freeholders of the state, setting forth their willingness to sign the bond of the applicant.

Bond.

Rule 5. Each patrolman before assuming the duties of his office shall give bond to the satisfaction of the conservation commissioner in a sum of not less than \$500 conditioned for the faithful discharge of his duties, and a similar bond for the proper handling of moneys that may come into his hands while in the discharge of his duties as a collector for the state.



Badge worn while  
on duty

Rule 6. Each patrolman while on duty shall wear and display at all times, a badge to be furnished by the conservation commissioner when the appointment is made.

Hours on duty.

Rule 7. Each patrolman, unless otherwise directed by the conservation commissioner shall be at the reservoir to which he is assigned by 9 o'clock a.m. of each day including Sundays, and remain on duty until 9 o'clock p.m., with an intermission of one hour at noon and one hour immediately after 5:30 p.m. and shall be subject to call to make arrests, at all hours during the day or night and be subject to any special instructions which the conservation commissioner deems it necessary to give to such patrolman.

Conduct proscribed.

Rule 8. Each patrolman, both on and off duty, in his conduct and deportment, must be quiet, orderly and respectful towards all persons with whom he may come in contact; violent, coarse, profane and insolent language while on duty, and any conduct subversive of good order and gentlemanly bearing, will be cause for dismissal by the conservation commissioner.

Drinking and gaming  
prohibited.

Rule 9. Patrolmen shall not drink any kind of intoxicating liquors or engage in any game of cards, billiards or other games of amusement while on duty.

Debts shall not be  
contracted.

Rule 10. No debts of any kind shall be contracted by any patrolman on behalf of the state without the written consent of the conservation commissioner and wherever possible, receipted bills for the purchase of supplies shall be taken and all bills shall be itemized, so as to show the quantity and price of each article purchased, and no patrolman shall make any appeal to the public, nor receive pecuniary assistance for any purpose whatever connected with his official duties.

Duties as to arrests;  
assistance.

Rule 11. It shall be the duty of each patrolman to arrest on view or warrant and bring to justice all disturbers of the peace and violators of the criminal laws of the state, when the offense is committed on land or water in or adjacent to state reservoirs and lands that have been set aside or dedicated to the use of the public for park and pleasure resort purposes, and when such patrolman deems it necessary, he may call to his assistance, anyone within the hearing of his voice to assist in making such arrests.

Force exercised in  
making arrests.

Rule 12. In making arrests, no unnecessary force shall be exercised by patrolmen toward offenders, but they shall at all times when required, act with firmness and sufficient energy to enable them to discharge their official duties, and when viciously resisted they shall call to their assistance any bystanders who happen to be present and all persons so requested to assist in making arrests shall immediately respond to such requests. Police patrolmen shall have the same power and authority as constables, and their jurisdiction shall be co-extensive with the counties touch-



ing any reservoir park. Such patrolmen and deputy patrolmen shall have the same authority to go armed, when on duty, as is given sheriffs, police officers of incorporated cities and villages, provided they have first given bond to the state of Ohio in the sum of five hundred dollars, conditioned for the faithful performance of their duties as police patrolmen, which bond shall be approved by the conservation commissioner and filed with the treasurer of state for safe keeping.

Prisoner shall be brought before magistrate without delay.

Rule 13. No patrolman when arresting a prisoner, shall permit or assent to any delay under any pretense whatever in bringing such prisoner at once before a justice of the peace, the mayor of any city or village or police judge of any municipality having jurisdiction in the county in which the offense was committed.

Shall not become surety or make compromise

Rule 14. No patrolman, official or employee of the division of conservation shall become surety on the bond of any person arrested for violation of the law nor shall such parties be directly or indirectly concerned in making any compromise between parties arrested and persons who have suffered by their acts with a view to assisting the arrested parties to escape the penalties provided by law in such cases.

Record of arrests and offenses.

Rule 15. Each patrolman shall carry a memorandum book in which he shall note the names and residence of all parties arrested, the offense for which the arrest was made, and all the circumstances attending the same, including the exact time and place; also the names and addresses of parties who witnessed the act for which the arrest was made; he shall also note therein with proper description all property found on the person of the party or parties arrested. And where he has reason to believe that any of said property is stolen, he shall take charge of the same and turn it over to the justice or other presiding officer in whose court the charges are filed, with a statement of all the facts ascertained and take a receipt for the property thus turned over to the court; the arresting officer shall also take charge of all firearms and other weapons found upon the person of any party arrested, and turn the same over to the court before whom the complaint is filed.

Familiarity with all parts of reservoir.

Rule 16. Each patrolman shall make himself familiar with all parts of the reservoir to which he is assigned and so far as possible become acquainted with the people living in the immediate vicinity of the same, so as to recognize them on sight; he shall also visit, as often as circumstances warrant, all resorts located on land or water in or around the reservoir to which he is assigned, that are reported to be the rendezvous of thieves, gamblers and other notorious characters and likewise of persons reported as habitually violating the fish and game laws of the state, making his visit as brief as possible and reporting fully to the conservation commissioner all the facts ascertained, but





without giving the information thus acquired to others.

Duties relative to lost children and property.

Rule 17. Police patrolmen shall take charge of all children who become lost or separated from their parents or friends having them in charge, and use their best endeavors to restore them to their parents or to proper parties interested in such children; they shall also take charge of lost articles turned over to their care and endeavor to restore them to their owners, and when in doubt as to the owner, they may require proof of the same; they shall carefully note in their record books an accurate description of all such property together with the time and place of finding the same, and the name or address of the person turning the same over to them and likewise the final disposition of the property.

Assistance in cases of accident and illness.

Rule 18. Patrolmen shall render all possible aid in case of accident or illness of parties visiting parks; they shall also note any obstructions to the safe handling of rowboats, launches or other water craft on the waters of the reservoir of which they are in charge and when such obstructions cannot readily be removed, they shall mark their location in some way to indicate the danger.

Information for convenience of public.

Rule 19. Patrolmen shall at all times hold themselves ready to furnish information regarding parks, train service and location of hotels, cottages, boats, etc., as will promote the convenience and interests of the public; such information shall always be given in a cheerful, courteous manner and without charge. They shall also serve notices furnished them by the state board of health, and carry out its instructions in all matters relating to sanitation at state reservoir parks.

Leave of absence.

Rule 20. Patrolmen desiring leave of absence from their duties, shall first obtain permission from the conservation commissioner before leaving their charge, but when necessity compels a patrolman to abandon his post without such permission, he shall immediately make a written statement of all the facts to the conservation commissioner in his absence, to the secretary of the division of conservation and return to his post at the earliest possible moment.

Metal plates for boats; collection of fees.

Rule 21. Each patrolman, when so designated by the conservation commissioner shall have charge of the metal plates for the boats on the reservoir to which he is assigned, and shall collect the fees for the same and promptly remit the amounts collected to the divisions of conservation giving the name and address of the party to whom each permit is issued with the name and description of the boat for which the permit is issued, and he shall keep a complete record of all permits issued, together with the names and addresses of the parties securing permit, and make weekly report of such collections to the conservation commissioner.

Monthly statement.

Rule 22. Each patrolman shall file a monthly statement on the first Monday of each month of his official acts



for the preceding month with the conservation commissioner, after which the reports shall be filed by the commissioner in suitable files and properly labeled for future reference.

Copy of act furnished patrolman.

Rule 23. The conservation commissioner shall furnish each patrolman with a copy of this act, which is intended to govern the actions of the police patrolmen when on duty and the conservation commissioner may, whenever he deems it proper, examine any patrolman as to his knowledge of the laws prescribed in this act, and a failure of any patrolman to become fairly familiar with his duties as prescribed in this act, shall be a proper cause for his removal by such commissioner.

Surrender of badge and records.

Rule 24. Each patrolman, on the termination of his term of service by limitation or otherwise, shall surrender his badge, records and all property that has come into his hands by reason of his office, to the conservation commissioner or in his absence to any other person designated by the conservation commissioner to receive the same.

Protection of property of state and of lessees.

Rule 25. It shall be the duty of the patrolmen to prohibit any person from removing stones forming the retaining walls of reservoir embankments and against injuring or interfering with the wasteways, bulkheads and feeder gates regulating the flow of water from such reservoirs, and against interfering with or injuring dock landings and buildings owned and controlled by the state or of private property located upon state lands in accordance with the terms of leases granted by the state of Ohio; also against the building of fires along the shores and embankments of any state reservoir, and against the cutting down or mutilating of shade trees upon the state property by any one, and even by the lessees of the state, and likewise against the cutting or digging into the embankments of such reservoirs in a manner tending to weaken or injure them, likewise to prevent the harboring of domestic animals upon any state reservoir lands leased for cottage site purposes, such as horses, mules, cattle, hogs, sheep, goats, chickens, geese, ducks, etc., and animals of any kind, the harboring of which tends to render the grounds unsanitary or objectionable for other reasons such as causing or creating a noise or unsightliness; also to prohibit anyone from riding, or driving horse-drawn vehicles, automobiles, trucks, tractors or motorcycles over any state reservoir embankments unless the same has been improved and used as a public highway, except by special permission from the conservation commissioner or his agents, and persons committing such offenses shall be arrested and fined under the terms of this act.



IX. GENERAL RULES RELATING TO THE CONTROL AND  
MANAGEMENT OF THE PUBLIC PARKS

Permits to boat  
owners.

Rule 26. Owners of boats of whatever kind, desiring to maintain and operate the same upon the waters of any public park, shall take out a permit entitling them to keep and operate the number and kind of boats described in their application, for which the following fees shall be charged:

Rowboats carrying not more than five persons, one dollar; rowboats carrying more than five persons, fifty cents additional for each person in excess of five; electric, naphtha and steam launches, steamboats and other similar water craft, one dollar for each person of 170 pounds that may be carried thereon with safety.

Sailboats shall be measured thus: Multiply the length of the hull in feet by the greatest beam in feet, and divide the result by 30. Fractions shall be counted to the nearest unit. Final result will be the amount in dollars to be paid for the annual license.

Power boats shall be measured thus: Multiply the length of the hull in feet by the greatest beam in feet and divide the result by 15. Fractions shall be counted to the nearest unit. The result will be the amount in dollars to be paid for the annual license.

Application for  
permits.

Rule 27. All fees for boat permits shall be due on the first day of May in each and every year. Applications for boat permits, pipe permits and for special privileges shall be made to the conservation commissioner and when so required, applicants for permits shall furnish said commissioner or his agent, with satisfactory evidence of good character before such permit is issued.

Receipt on pay-  
ment of fee.

Rule 28. Police patrolmen or other authorized agents of the state, shall on receipt of the required fee, issue a receipt therefor, giving the name and a brief description of the boat for which the permit is granted and noting thereon the number of the metal plate issued in connection therewith.

Attachment of  
metal plate.

Rule 29. On receipt of such metal plate, the owner of the boat taking out the permit shall immediately attach the plate in a permanent manner in a conspicuous place on the side or end of the boat, and failure to keep the same firmly attached to such boat, shall be sufficient cause for revoking a permit, and no metal plate shall be obscured by paint or otherwise during the year for which the permit is issued.

Operation and  
management of boats.

Rule 30. Owners of boats of whatever kind shall navigate them on the waters of the public parks of the state



with a view to the safety and comfort of those aboard other craft as well as their own, and any reckless management of boats endangering the lives and property of others, shall be cause for revoking such boat owner's permit.

Requirements as to  
name on power boats.

Rule 31. All electric, naphtha, and steam launches, steamboats and similar craft, shall have an appropriate name painted thereon in letters at least  $4\frac{1}{2}$ " high, and no permit shall be issued without a proper guarantee that this condition will be complied with within a reasonable length of time after the issuing of such permit.

Cancellation of lease  
or revocation of  
permit.

Rule 32. Proof that any cottage upon state land, or any boat upon the water of any state reservoir, is used for illegal or immoral purposes shall be just cause for the conservation commission to cancel the leasehold for such state property, or to revoke the boat permit that has been issued to the owner thereof.

Boats for hire must  
be in good repair.

Rule 33. Boats condemned as unfit by an inspector appointed by the conservation commissioner shall be put in good repair before the same are again offered for hire, or for the transportation of passengers.

Landing of power  
boats.

Rule 34. Power boats must use care in landing, approaching docks or landings, slowly so as not to damage other boats, wharves or landings. Failure of parties to observe this rule shall be sufficient cause for revoking the permit of such boat owner.

Anchoring near  
channel to channel  
buoy prohibited.

Rule 35. Power boats, sailboats, and row boats shall not anchor within 50 feet of any well defined channel that is in common use by boats navigating the state reservoirs, and the same shall not be anchored to any channel stake or buoys, except in an emergency.

Who may pilot or  
engineer.

Rule 36. No person under 18 years of age shall be permitted to act as a pilot or engineer of any power boat or sailboat carrying passengers for hire, and the employment of such a pilot or engineer by any owner or manager of a boat shall be cause for the commissioner to revoke such owner's permit.

Disbarment of  
pilot.

Rule 37. Pilots who do not observe due care in the handling of their boats shall not be allowed to continue as pilots on the waters of any public part of the state and it shall be the duty of the conservation commissioner to disbar such pilot from operating boats upon the state reservoirs.

Engine equipment.

Rule 38. All power boats carrying passengers shall have reversible engines, reversible propellers or clutch gear, for reversing such boats.





Discharge of fire-  
arms.

Rule 39. No person shall be permitted to discharge firearms from the main shore of a reservoir, or from the islands within such reservoir, or from boats thereon across the waters of any public park, except during the hunting season authorized by the statutes, and parties guilty of reckless shooting on or around such reservoirs shall be arrested and fined in accordance with the provisions of this act.

Disposal of garbage.

Rule 40. No lessee of a state lot, cottage owner, or other occupant of a cottage located upon state or adjacent lands shall deposit garbage upon the rear of such lot or throw the same into the lake, but such garbage shall be burned or removed from the premises so as not to be a nuisance to the cottage owners either on or off the state land.

State landings may  
be used by all  
boats.

Rule 41. No boat line company or individual shall have control of any state landing to the exclusion of other boat lines, or individuals owning and operating boats upon the waters of any state reservoir, and all boats shall have the right to land at any dock or landing for temporary purposes, but passenger boats operated for hire may only discharge passengers at private docks or landings, and shall not take on passengers from such docks or landings without the permission of the owner or owners thereof.

Permit to build  
boat house or  
private landing  
required.

Rule 42. No boat owner or lessee of a state lot shall build a boat house or dock landing over the water of any state reservoir that has been dedicated and set apart as a public park and pleasure resort, except by the written permission of the conservation commissioner who shall first approve the plans for such boat house or dock landing before work thereon shall be commenced.

Permission to  
cut trees.

Rule 43. No trees shall be cut by the lessees of state lots to make room for the erection of cottages or other buildings without permission of the conservation commissioner or his authorized agent.

Duty of lessees  
as to woods, refuse,  
etc.

Rule 44. Lessees of state lands or state lots shall keep the woods and poisonous vines cut on their leases and shall keep their lots, cottages and other buildings free from rubbish, garbage and all other unsightly things.

Oils, gasoline and other inflammable substances shall be stored in such a manner as not to endanger cottages and their occupants, or other property either on or off the state land.

Limitation of speed  
of water craft in  
canal.

Rule 45. Boats running in any canal connecting with a reservoir park, shall limit their speed while in the canal to four miles per hour and parties operating boats, and water craft of all kind, upon any state reservoir, dedicated and set apart as a public park and pleasure resort, shall limit the speed thereof to five miles an hour when



passing within one hundred and fifty feet of the shore line of any reservoir, and to a speed of eight miles an hour when operated between lines drawn one hundred and fifty and three hundred feet from the shore line, and the maximum speed on parts of any reservoir, beyond the three hundred foot line, shall be limited, to fifteen miles per hour. No persons shall operate a motor boat, or other water craft, upon any state reservoir with a muffler cut-out or other devices that are objectionable as noise makers, and no person shall be permitted to construct dock-landings upon or anchor boats of any kind within a narrow channel that connects to larger bodies of water.

Fishing from walls or bridge.

Rule 46. No one shall be permitted to fish from bridges extending over wasteweirs or from wing walls extending therefrom.

Use of public docks.

Rule 47. No one shall be permitted to monopolize the public docks or state lands upon the waters of any reservoir park to the detriment of others.

#### X. SAILING RULES - SAILING YACHTS.

Sailing rules.

Rule 48. When two sailing yachts are approaching one another so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

On different points of sailing.

Rule 49. A yacht sailing free shall keep clear of one close hauled.

On the same point of sailing with the wind on opposite side.

Rule 50. When both yachts are close hauled or both free, or both have the wind aft and opposite sides, the yacht with the wind on the port side shall keep clear.

On the same point of sailing with the wind on same side.

Rule 51. When both yachts are free or have the wind aft and on the same side, the yacht to windward shall keep clear.

Wind aft.

Rule 52. A yacht with the wind aft is deemed to have the wind on the side opposite to that on which she is carrying her main boom. A yacht with the wind aft shall keep clear of a yacht on any other point of sailing.

Overtaking.

Rule 53. An overtaking yacht shall in every case, as long as an overlap exists, keep clear of the yacht which is being overtaken.

Definition of overlap.

Rule 54. An overlap is established when an overtaking yacht has no longer a free choice on which side she shall pass, and continues to exist as long as the leeward yacht by luffing, or the weather yacht by bearing away, is in danger of fowling.



Altering course.

Rule 55. When one of the two yachts is obliged to keep clear, the other shall not alter her course so as to involve risk of fouling.

Luffing.

Rule 56. A yacht may luff as she pleases in order to prevent another from passing her to windward, provided she begins to luff before an overlap is established.

Bearing away.

Rule 57. A yacht shall not bear away out of her course so as to hinder another in passing to leeward.

Rights on new course.

Rule 58. A yacht shall not be entitled to her rights on a new course until she has filled away.

Converging close hauled.

Rule 59. When two yachts, both close hauled on the same tack, are converging by reason of the leeward yacht holding a better wind, and neither can claim the rights of a yacht being overtaken, then the yacht to windward shall keep clear.

Passing and rounding marks.

Rule 60. If an overlap exists between two yachts when both of them, without tacking, are about to pass a mark on the required side, then the outside yacht must give the inside yacht room to pass clear of the mark. A yacht shall not however be justified in attempting to establish an overlap and thus force a passage between another yacht and the mark, after the latter yacht has altered her helm for the purpose of rounding.

Sailing rules.

Rule 61. When a yacht is approaching a shore, shoal, vessel or other dangerous obstruction, and cannot get clear by altering her course without fouling another yacht, then the latter shall, on being hailed by the former, at once give sea room, and in case one yacht is forced to tack or bear away in order to give room, the other shall also tack or bear away at as nearly the same time as is possible without danger of fouling; but should such obstruction be a designated mark of the course, a yacht shall not force another to tack under the provisions of this rule.

#### XI. MOTOR BOATS.

"Motor Boat" defined; inspection of machinery.

Rule 62. The words "motor boat" where used in this act shall include every vessel propelled by machinery and not more than sixty-five feet in length. The length shall be measured from end to end over the deck, excluding sheer.

That the engine, boiler, or other operating machinery shall be subject to inspection by the agents of the conservation commissioner and to their approval of the design thereof, on all said motor boats, which are more than forty feet in length, and which are propelled by machinery.



Motor boats  
classified.

Rule 63. That motor boats subject to the provisions of this act shall be divided into classes as follows:

Class one: Less than twenty-six feet in length.

Class two: Twenty six feet or over and less than forty feet in length.

Class three: Forty feet or over and not more than sixty-five feet in length.

Lights on motor  
boats.

Rule 64. That every motor boat in all weathers from sunset to sunrise shall carry the following lights, and during such time no other lights which may be mistaken for these prescribed shall be exhibited:

A. Every motor boat of class one shall carry the following lights:

First: A white light aft to show all around the horizon.

Second: A combined lantern in the fore part of the vessel and lower than the white light aft showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

B. Every motor boat of classes two and three shall carry the following lights:

First: A bright white light in the fore part of the vessel as near the stern as practicable, so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side. The glass or lens shall be of not less than the following dimensions:

Class two: Nineteen square inches.

Class three: Thirty-one square inches.

Second: A white light aft to show all around the horizon.

Third: On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side.





On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side. The glasses or lenses in the said side lights shall be of not less than the following dimensions on motor boats of

Class two: Sixteen square inches.

Class three: Twenty-five square inches.

The said lights shall be fitted with inboard screens of sufficient height and so set as to prevent these lights from being seen across the bow and shall be of not less than the following dimensions on motor boats of

Class two: Eighteen inches long.

Class three: Twenty four inches long.

Whistle, bell.

Rule 65. A. Every motor boat under the provisions of class one, shall be provided with a whistle or other sound-producing mechanical appliance capable of producing a blast of two seconds or more in duration and in the case of such boats so provided, a blast of at least two seconds shall be deemed a prolonged blast within the meaning of the law.

B. Every motor boat of class two or three shall be provided with an efficient bell, which shall not be less than eight inches across the mouth on board of vessels of class three.

Motor boats to be equipped with life preservers, etc.

Rule 66. Every motor boat subject to any of the provisions of this act, shall carry either life preservers or life belts, or buoyant cushions, or ring buoys, or other device, sufficient to sustain afloat every person on board and so placed as to be readily accessible. All motor boats carrying passengers for hire shall carry one life preserver of the sort prescribed for every passenger carried.

Every motor boat shall carry an anchor of sufficient weight to anchor in case of engine or other trouble.

Motor boats hired at launch liveries are construed as carrying passengers for hire.

Life preservers and other boat equipment shall be approved by the conservation commissioner or his authorized agents.

Means for extinguishing burning gasoline, etc.

Rule 67. Every boat operating upon state reservoirs for hire, shall carry, ready for immediate use, the means of promptly and effectually extinguishing burning gasoline or oil; salt and sand mixed, and kept in a pail or other receptacle ready for use, may be used.



Lights on sailing yachts.

Rule 68. A sailing yacht shall carry the following lights:

First: A white light aft to show all around the horizon.

Second: A combined lantern in the fore part of the yacht and lower than the white light aft showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

Lights on rowboats, canoes.

Rule 69. Rowboats or canoes shall carry white lights visible all around the horizon, located at the front end of the boat, and it shall not be permitted to carry lights on the floor of the boat or canoe.

Distress signals, false signals.

Rule 70. Boats in distress shall give notice thereof by a series of rapid blasts of the whistle, or by continuous ringing of the bell, and all boats within hearing shall immediately hasten to the relief of the vessel in distress.

Any one giving a false signal of distress may be deprived of the privilege of operating boats upon the water of any state park, by the conservation commissioner.

White light.

Rule 71. A white light is to be shown by boats while at anchor, which shall be visible all around the horizon.

Publication of pamphlet.

Rule 72. The conservation commissioner shall publish this act in pamphlet form with proper diagram and supply every boat owner with said pamphlet upon application.

Use of searchlights.

Rule 73. No searchlights of any description will be permitted upon boats operating upon the state reservoir parks, except for the purpose of making landings, and under no circumstances shall a pilot or owner flash or cause to be flashed the rays of a searchlight into the pilot house of a passing boat.

### Signals

Signals indicating course.

Rule 74. In all weathers every motor boat under way in taking any course authorized or required by these rules shall indicate that course by the following signals on her whistle to be accompanied, wherever required, by corresponding alteration of her helm; and every vessel receiving a signal from another shall promptly respond with the same signal or sound the danger signal as provided in rule 75.

One blast means, "I am directing my course to starboard" except when two boats are approaching each other at right angles or obliquely, other than when one boat is overtaking another, one short blast signifies intention of boat which is to starboard of the other to hold course and speed.



Two blasts mean, "I am directing my course to port," except that when two boats are approaching each other at right angles or obliquely, other than when one boat is overtaking another, two short blasts signify desire of, or assent to boat which is to port of the other to cross the bow of boat to starboard.

When danger signal shall be given.

Rule 75. If, when boats are approaching each other, the pilot of either vessel fails to understand the course or intention of the other, whether from signals being given or answered erroneously, or from other causes the pilot so in doubt shall immediately signify the same by giving the danger signal of four or more short and rapid blasts of the whistle; and if both boats shall have approached within one-fourth mile of each other, both shall be immediately slowed to a speed barely sufficient for steering way, and if necessary, stopped and reversed, until the proper signals are given, answered, and understood, or until the boats shall have passed each other.

"Cross signals" forbidden.

Rule 76. Motor boats are forbidden to use what has become technically known among pilots as "cross signals," that is - - answering one whistle with two, and answering two whistles with one. In all cases, and under all circumstances, a pilot receiving either of the whistle signals provided in the rules, which for any reason he deems injudicious to comply with, instead of answering it with a cross signal, shall at once sound the danger signal and observe the rule applying thereto.

Signals for passing.

Rule 77. The signals for passing, by blowing of the whistle shall be given unanswered by pilots in compliance with these rules not only when meeting "head and head" or nearly so, but at all times when passing or meeting at a distance within a quarter of a mile of each other, and whether passing to the starboard or port.

Situations and signals for passing.

Rule 78. When boats are approaching each other "head to head," or nearly so, it shall be the duty of each boat to pass on the port side of the other; and the pilot of either boat may be first in determining to pursue this course, and thereupon shall give, as a signal of his intention, one short and distinct blast of his whistle, which the pilot of the other boat shall answer promptly by a similar blast of his whistle, and thereupon such boats shall pass on the port side of each other. But if the courses of such boats are so far on the starboard of each other as not to be considered by pilots as meeting "head to head," or nearly so, the pilot so first deciding shall immediately give two short and distinct blasts of his whistle, which the pilot of the other boat shall answer promptly by two similar blasts of his whistle, and they shall pass on the starboard side of each other. In the night, boats will be considered as meeting "head to head," so long as both the colored lights of each are in view of the other.



Signal when  
approaching bend  
or curve.

Rule 79. Whenever a boat is nearing a short bend or curve in the channel, therefrom the height of the banks or other cause, a boat approaching from the opposite direction cannot be seen for a distance of a quarter of a mile, the pilot of such boat, when he shall have arrived within one quarter of a mile of such curve or bend, shall give a signal by one long blast of the whistle, which signal shall be answered by a similar blast given by the pilot of any boat within hearing that may be approaching on the other side, and within a quarter of a mile of such bend or curve. Should such signal be so answered by a boat upon the farther side of such bend, then the usual signals for meeting and passing shall immediately be given and answered, but if the first signal of such pilot be not answered, he is to consider the channel clear and govern himself accordingly.

Signal when  
boat overtaking  
another.

Rule 80. When one boat is overtaking another, and the pilot of a boat which is astern shall desire to pass on the right or starboard hand of the boat ahead, he shall give one short blast of the whistle, as a signal of such desire and intention, and shall put his helm to port; or if he shall desire to pass on the left or port side of the boat ahead, he shall give two short blasts of the whistle as a signal of such desire and intention, and shall put his helm to a starboard and the pilot of the boat ahead shall answer by the same signals; or if he does not think it safe for the boat astern to attempt to pass it at that point he shall immediately signify the same by giving four or more short and rapid blasts of the whistle, and under no circumstances shall the boat astern attempt to pass the boat ahead until such time as they have reached a point where it can be safely done, when said boat ahead shall signify her willingness by blowing the proper signals. The boat ahead shall in no case attempt to cross the bow or crowd upon the course of the passing boat. Every boat coming up with another boat from any direction more than two points abaft her beam -- that is -- in such a position, with reference to the boat which she is overtaking, that at night she would be unable to see either of that boat's side lights, shall be deemed to be an overtaking boat; and no subsequent alteration of the bearing between the two boats shall make the overtaking boat a crossing boat within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaking boat until she is finally passed and clear. As by day the overtaking boat can not always know with certainty whether she is forward of or abaft this direction from the other boat she should, if in doubt, assume that she is an overtaking boat and keep out of the way.

Passing in channels  
less than 500 feet  
wide.

Rule 81. In all channels less than five hundred feet in width, no motor boat shall pass another going in the same direction unless the motor boat ahead be disabled or signify her willingness that the boat astern shall pass, when the boat astern may pass, subject, however, to the other rules applicable to such a situation, and when motor





boats proceeding in opposite directions are about to meet in such channels, both such boats shall be slowed down to a moderate speed according to the circumstances.

approaching at angles  
th risk of collision.

Rule 82. When two motor boats are approaching each other at right angles or obliquely so as to involve risk of collision other than when one boat is overtaking another, the boat which has the other on her own port side shall hold her course and speed; and the boat which has the other on her own starboard side shall keep out of the way of the other by directing her course to starboard so as to cross the stern of the other boat, or, if necessary to do so, slacken her speed or stop or reverse. The boat having the other on her port bow shall blow one blast on her whistle as a signal of her intention to cross the bow of the other, holding her course and speed, which signal shall be promptly answered by the other boat by one short blast of her whistle as a signal of her intention to direct her course to starboard, so as to cross the stern of the other boat or otherwise keep clear.

If from any cause whatever the conditions covered by this situation are such as to prevent immediate compliance with each other's signals, the misunderstanding or objection shall be at once made apparent by blowing the danger signal, and both boats shall be stopped, and backed if necessary, until signals for passing with safety are made and understood.

approaching at angles  
thout risk of collision.

Rule 83. When two motor boats are approaching each other at right angles or obliquely, other than when one boat is overtaking another, so that the boat having the other on her own starboard side may cross the bow of the other, without involving risk of collision, the steamer having the other on her own starboard side may cross the bow of the other. If the boats are within a quarter of a mile of each other, the boat having the other on her own starboard side shall give, as a signal of her intention to cross the bow of the other, two short and distinct blasts of her whistle which if assented to, the other boat shall promptly answer by two similar blasts of her own whistle, when the boat having the other on her starboard bow may cross the bow of the other, in which case the boat having the other on her own port side shall keep out of the way of the other. If, however, the boat having the other on her own port side deems it dangerous for the other steamer to cross her bow, she shall sound the danger signal, in which case both boats shall be stopped, and backed if necessary until signals for passing with safety are made, answered, and understood.

motor boat to avoid  
risk of collision,  
en.

Rule 84. When a motor boat and sailing vessel or rowboat are proceeding in such directions as to involve risk of collision, the motor boat shall keep out of the way of the sailing vessel or rowboat.



Obedience and  
construction of  
rules.

Rule 85. In obeying and construing these rules, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

### Fog Signals

When fog signals  
shall be used.

Rule 86. Whenever there is thick weather by reason of fog, mist, falling snow, heavy rain storms, or other causes, whether by day or night, fog signals shall be used as follows:

A motor boat under way shall sound at intervals of not more than one minute three distinct blasts of her whistle. Any boat at anchor and any boat aground in or near a channel or fairway shall, at intervals of not more than two minutes, blow her whistle rapidly for three to five seconds.

Speed in fog, etc.

Rule 87. Every motor boat shall, in thick weather, by reason of fog, mist, falling snow, heavy rain storms, or other causes, go at moderate speed. A motor boat hearing, apparently not more than four points from right ahead, the fog signal of another boat shall at once reduce her speed to bare steerageway, and navigate with caution until the boats shall have passed each other.

(There is no Rule 88 in the enrolled bill. - Ed.)

### XII. SANITATION RULES.

Special sanitary dis-  
trict; control and  
management.

Rule 89. The territory included within any state park or pleasure resort and surrounding lands extending back one mile therefrom, is hereby designated a special sanitary district, to be under the control and management of the state board of health for sanitary purposes, and any failure to comply with the notices of said department relating to sanitary conditions, shall be deemed a violation of the terms of this act.

Powers and duties  
of state board of  
health.

Rule 90. The state board of health shall have power to make and enforce rules and regulations relating to the location, construction and repair of stockyards, hog-pens, stables, privies, cesspools, sinks, plumbing, drains and all other places where offensive substances or liquids may accumulate within such sanitary district and said board of health shall have power to abate all such nuisances, and may remove or correct all unsanitary conditions detrimental to the health and well-being of the community included in such sanitary district, and may, when necessary, certify the costs and expenses thereof to the county auditor, to be



assessed against the property of the offending party, and thereby made a lien upon it and collected as other taxes.

Arrest and prosecution on violation of orders.

Rule 91. When any specific order of the state board of health is neglected or disregarded by parties, after due notice, said board may cause the arrest and prosecution of all persons so offending in accordance with the terms of this act. Notice by the state board of health to abate or correct a nuisance shall be served upon parties offending in accordance with the terms of G.C. 4422.

Drainage into reservoir prohibited.

Rule 92. No sewer, drain or other connection with closets, cesspools, sinks, privies or other places where offensive or unsanitary matter accumulates, shall be drained or discharged into any state reservoir, and no garbage, offal or filth of any kind shall be thrown or discharged in any manner, into any such reservoir or immediate tributary thereto, and this rule shall apply to all houseboats and buildings erected over the waters of any state reservoir.

Penalty.

Any person convicted of violation of any of the foregoing rules to be fined not less than \$10 nor more than \$100.

Written permits; revocation.

Upon the payment of prescribed fees the Commissioner is to issue a written permit authorizing the maintenance and operation of the boats or watercraft for which fees have been paid and in the manner prescribed in such permit; any permit to be revoked on proof that such boat or boats are used for illegal purposes.

Numbered metal plates.

In carrying out the provisions of the preceding sections the Commissioner is required to procure suitable metal plates to be issued annually to persons using boats on the water of such public park or pleasure resort, canal or feeder thereto, and which are to be displayed in a conspicuous manner upon the side or end of the boat; any violation to be subject to a fine of not less than \$10 nor more than \$50.

Inspection of boats.

The Commissioner is required to cause to be inspected all boats and watercraft maintained and operated as above, and may condemn any such deemed by him unsafe for the carrying of passengers; the owner who offers it for hire to be fined not less than \$10 nor more than \$100, and the permit issued to be revoked and annulled.



VIII. RULES AND REGULATIONS GOVERNING STATE PARKS UNDER THE  
JURISDICTION OF  
THE OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

1. Above all, visitors to this park are respectfully requested to observe a reasonable and lawful rule of conduct at all times. You are urged to treat this park, and every object therein, as if it were your personal property in which you take an exceptional pride.
2. It is a misdemeanor to write or carve your name on or scratch or mar any tree or object within this park. You are requested to register properly and accurately in the register specially provided for that purpose. Fictitious registration is forbidden.
3. It is a misdemeanor to injure or mar trees in any manner. Branches or leaves must not be broken off. Flowers, wild flowers, plants and shrubs must not be plucked or disturbed. Hunting or disturbing of the birds, wild animals, or wildlife of any sort -- except under possible regulatory limitations -- and then only upon the written permission of the Ohio State Archaeological and Historical Society -- is positively forbidden. It is distinctly understood that this is a "wildlife sanctuary" -- where wildlife is protected from every angle.
4. Fishing in any form, including catching of minnows, is prohibited in any state park under the custody of the Ohio State Archaeological and Historical Society.
5. Shooting of firearms of any description or the carrying of firearms, either loaded or unloaded, in any state park under the control of the Ohio State Archaeological and Historical Society, is positively forbidden.
6. Drivers of vehicles over the roadways within this park must observe a safe and reasonable speed limit at all times. The interpretation of the term "safe and reasonable" will be determined by the superintendent of this park, and in cases where no superintendent is employed, by the Ohio State Archaeological and Historical Society; and it may be construed by either to permit some variations between the control and remote portions of the park and under certain varying situations and conditions. In no instance, however, will the maximum speed limit exceed 20 miles per hour.
7. Use the outdoor furnaces. Build no fires on the ground.
8. Visitors may purchase fuel for the outdoor furnaces in conveniently sized bundles from the resident superintendent of this park. Any profits thus accruing will be applied toward providing better accommodations for the visiting public. Visitors may provide their own fuel when they so desire.
9. All contributions are greatly appreciated and will be used in bettering conditions within the park.
10. Rubbish must be placed in receptacles provided for the purpose. All litter and debris must be cleaned up and the grounds left in as neat a condition as found.





11. Vehicles will be parked in areas set aside for the purpose -- unless special permission is obtained. Drivers of all vehicles will park under the direction of the park superintendent.
12. Visitors, picnickers, and campers will comply with the instructions of the superintendent of this park in every manner. Refusal or neglect to so comply will constitute a misdemeanor.
13. Advertising of any nature or the exhibiting of placards within this park on the part of outsiders is prohibited. Concession stands operated by any person or persons not officially connected with the park management, or the sale therein of any commodity, merchandise, or article, by any such person or persons, is forbidden. The delivery of any commodity, merchandise, or article to any user within this park on the part of any such outsider is strictly forbidden -- except in instances when special written permission has been obtained from the Ohio State Archaeological and Historical Society.
14. Reunions, picnic parties, and groups are advised to notify the resident superintendent as far in advance of their coming as possible. Such groups, coming unannounced, run risk of not obtaining desirable accommodations. You are requested to make reservations well in advance.
15. Drinking of beer or intoxicating liquor is banned.
16. Dogs are not permitted to run at large within this park. Permission of such on the part of the owners or by the person whom the dog accompanies, will constitute a misdemeanor.
17. Visitors must not trample upon the mounds or earthworks; monuments, memorials, ceremonial or ornamental objects and property of any and all kinds must not be damaged; nothing may be marred or injured.
18. This park closes at dark. Visitors must then depart or obtain special permission from the resident superintendent in order to remain. Such permission may be granted only after the park superintendent has been furnished ample proof of the justification of such request and upon the assurance that no damage will result and that rules are observed.
19. Campers furnishing satisfactory representations may camp within the park for a reasonable period. Those desiring such accommodations will first notify the resident superintendent of their wishes and when permission has been obtained they will register their names, addresses and automobile numbers. They will then occupy the area designated and comply with the general rules and regulations.
20. Any person acting in a loud and boisterous manner to the annoyance of another or to the detriment of this park, or who creates a nuisance of any sort similarly annoying or detrimental, may be ejected or arrested and prosecuted or both.
21. Any one who violates a reasonable and lawful rule of conduct, or who fails to observe the rules and regulations governing this and other state parks, under the custody of the Ohio State Archaeological and Historical



Society, may be ejected and is subject to arrest and prosecution. The resident superintendent is vested with police powers and is authorized to arrest violaters.

22. The resident superintendent of this park is anxious to extend every courtesy and render any service consistent with the conditions which prevail and with the rules and regulations in effect. Persons will render a distinct service when reporting violations to the undersigned.

THE OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY  
COLUMBUS, OHIO

H. R. MC PHERSON, Curator of Parks



## O K L A H O M A

### I. STATE PARKS.

Commission.	State parks are under the jurisdiction of the State Game and Fish Department (Acts of 1927, as amended).
Members; appointment; term; salary; officers.	The Department is under the control of a Commission consisting of three members appointed by the Governor, with the advice and consent of the Senate, for six year terms (rotated). Members are required to be well-known game and fish conservationists, and interested in outdoor life and recreation; are paid \$10 per day plus actual travelling and hotel expenses either in attendance upon meetings or upon the duties and work of the Commission when the same is authorized; provided, no member may receive a salary in excess of \$200 per month, and no expenses created by travel or otherwise outside of the State is ever to be paid. A Chairman, Vice-Chairman, and Secretary are elected from the membership, to hold office for a term of one year, at the discretion of the Commission.
Authority.	General authority of the Commission is as follows (Acts of 1927, as amended):
Administration.	Is given administrative control over all game, fish and fur lands;
Rules and regulations.	May make rules and regulations for the carrying out of the powers granted;
Acquire and dispose of lands.	May purchase, lease, condemn, hold and dispose of real estate incident to the exercise of its lawful powers, provided no lease of real estate may be made for less than ten years;
Price limitation.	No land may be purchased at a price in excess of \$10 per acre, except where cultivated lands, improvements, water supply, or other special advantages make such lands desirable or necessary in connection with game refuges, establishing or extending fish hatcheries, or for camp or recreational grounds in connection with game refuges, fish hatcheries, or public hunting and fishing resorts;
Improve for recreational purposes.	May make improvements of State land for game, fish and recreational purposes, to maintain game refuges, and indulge in game and fish propagation;



Public hunting and fishing grounds.	Acquire all necessary apparatus and equipment for establishing, operating, maintaining and propagating farms, fish hatcheries, game refuges, public shooting, hunting and fishing grounds;
Gifts.	May receive and apply to its property or funds gifts or bequests;
Employ personnel.	Employ all experts and assistants necessary to carry out the purposes and objects of the law;
Expenditures.	May expend all moneys in the Game and Fish Fund;
Revolving Fund.	The State Fish and Game Fund consists of all legislative appropriations, all license fees for hunting and fishing, all penalties, fines and forfeitures collected for violation of the fish and game laws, and all donations. A reserve fund of not less than \$50,000 is required to be maintained to be used in emergencies only, by and with the consent of the Governor.
State lake.	Acts of 1933 authorized the State Board of Public Affairs to acquire certain lands for the purpose of having constructed a State lake, and when constructed to be under the supervision and control of the Commission;
Control use.	Is authorized and directed to promulgate rules and regulations governing the use of the property and the establishment of camp sites, business houses and lodges;
Lease camp houses and lodges.	May lease shore front and adjacent lands for camp houses or lodges and for other purposes and charge a reasonable yearly rental therefor;
Fees for fishing and hunting.	May charge 25¢ per day for fishing and 50¢ per day for hunting in addition to the current hunting and/or fishing license, until such times as the rentals and revenues repay the cost of the land; thereafter no charges may be made for such privileges;
State Lake Revolving Fund.	All moneys received from such hunting and fishing privileges are to be deposited in a "State Lake Revolving Fund" to be used for reimbursing the State Treasurer for the cost of the land; revenues derived from leases, after repayment of the original cost thereof, are to be distributed one-half to the general fund of the Commission and one-half to the Common School Equalization Fund.





## II. STATE PARK COMMISSION.

Establishment.	Declaring it to have become necessary and advantageous to negotiate with the Emergency Conservation work of the State Park Division of the National Park Service and co-operate with such agency, with a view to developing recreational areas now owned and controlled by the Fish and Game Department, and which may be acquired in the future for such purposes, or which may be acquired as submarginal land by the Federal government to be retired for recreational purposes, a State Park Commission, to work under the supervision of the Game and Fish Department, was established in 1935 by resolution of the Game and Fish Commission.
Members; appointment.	The Commission consists of three members appointed by the Governor; are to be paid no salary, but receive actual and necessary expenses while performing their duties. Its authority and duties are as follows:
Control of recreational areas.	To assume control over all recreational areas owned by the State and under the control of the Department;
Cooperate with National Park Service.	To enter into working agreements with emergency conservation work of the National Park Service for the purpose of improvement and development of such areas and with every other agency of the Federal government for such improvement and development; also for the purpose of maintenance of sub-marginal areas developed by the National Park Service for recreational purposes;
Employ personnel.	To employ a qualified technician to supervise all improvements of recreational areas;
Survey.	To survey the State for the purpose of ascertaining the best areas suitable for recreational purposes with a view to the ultimate creation of a well balanced State park system, and to report the estimated cost of new areas. For this purpose, may negotiate with land owners to secure options.

## III. STATE FOREST PARKS.

Gifts of land.	Acts of 1925 authorize the State Forest Commission to accept from individuals or organizations tracts of land to be used for State forest, park, experimental purposes;
Purchase.	Also may purchase other lands for such purposes out of any funds appropriated;  All lands so acquired to be managed and developed under



its jurisdiction and supervision under such rules and regulations as may be deemed necessary.

#### IV. STATE PLANNING.

A State Planning Board was created by Acts of 1935, empowered and directed as follows:

- |                          |  |
|--------------------------|--|
| State plan.              | To prepare and adopt an official State plan for the physical development of the State, including in its recommendations, among other things, the general location, character and extent of forest reservations and parks;                                    |
| Program.                 | To prepare and keep up-to-date a long-term coordinated program of public improvement projects;   |
| Cooperation.             | To confer and cooperate with the authorities of neighboring States for the purpose of bringing about a coordination of planning in this region; also to cooperate with subdivisions of the State for the purpose of bringing about a coordinated State plan; |
| Promote public interest. | To promote public interest and understanding of the State plan and the problems of State planning;   |
| Assistance.              | Upon request of the Board, the Governor may assign to it members of the staffs or personnel of any State administrative department or institution, or he may direct any department or institution to make special surveys and studies for it.                |



# I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction and control of the State Highway Department (Laws of 1921).
Commission; appointment; term.	The Department is administered by a Commission consisting of three members, appointed by the Governor, one from each congressional district, for three-year terms (rotated). Members are allowed actual traveling and other necessary expenses incurred in the performance of official duties (Laws of 1917).
Chairman; Engineer.	Members select a Chairman, and also appoint a State Highway Engineer to hold office at the pleasure of the Commission, but for a period not to exceed four years without reappointment; is paid a salary fixed by the Commission, together with traveling and other necessary expenses incident to official duties.
Powers and duties.	The Commission is empowered:
Land for planting trees.	To acquire by purchase, donation or by eminent domain, rights of way, land or trees and ground necessary for the culture and support thereof, on or along the course of any State highway or any public highway within a maximum distance of 300 feet on each side of the center thereof, in any case where the acquisition of such rights of way, land and trees will be for the benefit of the State highway or public highway, in aiding the maintenance and preservation of the road-bed of such highway, or aid in the maintenance and preservation of the attractions and scenic beauties thereof (Laws of 1921);
Land of scenic value.	To acquire by purchase, agreement, gift, or by eminent domain, rights of way, land and ground necessary for the culture of trees and the preservation of scenic places and other objects of attraction and scenic value adjacent to, along or in close proximity to State highways (Laws of 1925);
Land for parks, camps, etc.	To similarly acquire land and ground necessary for the development and maintenance of parks, parking places, auto camps, camp-sites, public squares, recreation grounds or resorts which, in its opinion, are necessary for the convenience of the public and which are so situated as to be accessible to and conveniently reached by and from State highways;



- Development, maintenance, etc. To acquire, develop, construct, improve and maintain such lands and public places to such an extent and in such manner as will best afford to the traveling public necessary conveniences and accommodations required in connection with the use of public highways to the end that there may be preserved and made available for public use representative stands of virgin timber and other scenic areas valuable for recreational use, which are advantageously located along the public highways;
- Pavement from highway funds. To pay the cost and expense of such acquisitions, development and maintenance out of State highway funds;
- Eminent domain. In any procedure in eminent domain the determination of the Commission that the taking is necessary for the described purposes shall be conclusive evidence of such necessity.
- Sale of land. Whenever, in the judgment of the Commission, lands, ground or property acquired are no longer needed or useful for highway or other purposes, it may sell or otherwise dispose of same, the receipts of the sale to be paid to the State Treasurer, and by him credited to the State highway fund (Laws of 1927).
- To compile data. May compile with respect to the several public highways, public parks, recreational grounds, scenic places and other public places and scenic areas or objects of interest, data as to distances, special and peculiar advantages and historical facts; and may assemble and compile such other information with respect thereto as in its opinion will be of interest and value to the general public; also may prepare maps disclosing thereon the highways and the places of interest served thereby (Laws of 1935).
- Cities and counties may convey land for State park purposes. Any county court or board of county commissioners, or the governing body of any incorporated city or town, may convey to the State, by and through the State highway commission, for rights of way, parks or other State highway purposes, any lands or rights therein vested in such county or municipality, and not desired by such county or municipality, upon such terms and conditions as may be mutually agreed upon (Laws of 1935);
- Same as to counties. Any county court may, by order, designate as public parks or recreational areas, any real property acquired by such county for delinquent taxes or otherwise. Upon entry of such order the lands are to be deemed set apart for such use and may not thereafter be alienated for any purpose unless authorized by a majority of the voters; except





To United States.

that the county court may convey such lands to the State or to the United States for public use. Before any order of conveyance the county court is required to hold a hearing at which objections to such proposed designation or conveyance may be heard;

Sale or gift generally.

The county court or board of county commissioners may grant an option to purchase, contract to sell and convey, or donate, to the United States, or to the State, or to any corporation the majority of whose capital stock is owned by the United States, any real property owned by the county, including that acquired pursuant to tax foreclosure proceedings, at such price and/or on such terms as the county court or board may deem to be for the best interests of the county; and may receive as partial or full consideration other real property or stumpage at a value to be determined by an inspection and appraisal of any such property received in exchange.

Clamming prohibited adjacent to State parks.

It is declared to be unlawful for any person, persons, firm or corporation to dig for or take clams for commercial purposes from any part of the shore of the ocean or beach in the State fronting on, or abutting on a State park (Laws of 1935).

## II. PROVISIONAL GOVERNMENT PARK.

Board;  
Appointment.

By Acts of 1935 the Governor was directed to appoint a non-salaried Board of five persons, to hold office at his will to -

Supervision.

Provide for the care, preservation, development and use of the park, including the buildings and museum therein;

Gifts.

Receive gifts and donations of money and things of historic value;

Employ personnel.

Employ custodians of the park and a curator of the museum;

Reports.

Report biennially to the Governor of its activities and expenditures.

## III. STATE FORESTS.

Acquire areas suitable for recreation.

The State Board of Forestry is authorized to acquire by gift, purchase, or conveyance of title by any county, lands to be designated State forests, which, in its judgment are suited chiefly for any or all of the following purposes: Growing forest crops, water conservation, watershed protection, recreation (Laws of 1931);



As to title.	Before accepting any conveyance, except as to conveyances from the several counties covering lands suitable for reforestation and acquired through tax foreclosure, the Board must have the title thereto examined and submitted to the Attorney General for his approval, and may not (except as to county lands) accept title unless a good and merchantable title free and clear of all taxes, liens or encumbrances is shown to be vested in said grantor;
Limitation as to area.	Provided, that not more than 100,000 acres may be so acquired prior to June 30, 1933;
Limitation as to location.	And provided further, that not more than 15% of said 100,000 acres may be acquired in any county;
Appropriation.	And provided further, that no lands may be purchased except as funds are made available by specific appropriation by the State legislature, and which appropriation is to fix the maximum amount per acre that may be paid (as amended 1933);
Administration.	Such lands are to be administered and managed by the Board for any or all of the following purposes: (a) Continuous forest production, and, so far as practicable, to promote sustained yield forest management for the forest units of which such lands are a part; (b) water conservation or watershed protection; (c) recreation;
Reserved from sale; exchange.	Such lands are to be reserved from sale, but may be exchanged for public lands of equal value for the purpose of grouping isolated tracts into contiguous holdings for better administration and protection;
Sell products, issue use permits.	The Board may, in its discretion, sell at public sale the timber and other products thereon and issue permits for the use of said lands;
Counties may convey.	The county courts may convey to the State title to any or all forest lands suitable for reforestation which has been acquired more than one year previous thereto through the foreclosure of one or more tax liens against the same (as amended 1933);
Payments to county.	On lands that are acquired the State is to pay the county 5% per acre annually and $12\frac{1}{2}\%$ of all revenues received from the lands. All funds are to be deposited with the county treasurer, who is directed to apportion the same to the various taxing districts in which the lands are situated in the proportion that the tax levy of each taxing agency or district bears to the total tax levy against the property within such taxing district for the then current year. The remaining revenues from the lands are to be placed in and become a part of the State irreducible school fund;



Rules and regulations.

The Board is authorized and empowered to promulgate rules and regulations for the purpose of carrying out the provisions of the Act.

#### IV. PUBLIC HUNTING AND FISHING GROUNDS.

Acquire lands and waters.

The State Game Commission is empowered to use so much of the State game funds as may be necessary for the acquisition of lands, water-rights, roads, lanes, pathways, riparian rights, easements and other property for providing access to and making available to the public game fish and/or game birds and/or game animals and lands or waters by them used, by means of roads, lanes, pathways, easements and other lands, shores and/or waters as in its judgment may seem necessary (as amended 1931);

Gifts.

Is authorized to accept gifts of money, lands or other property and to use the same in exchange or otherwise for the acquisition of other lands, waters, rights and other property;

Program.

Is directed to co-ordinate and organize the activities and duties of the officers and employees of the Commission on the program suggested by the designation of the powers and purposes of the Commission, including among other things, recreation, promotion of hunting, fishing, trapping and appreciation of wild life.

#### V. STATE PLANNING.

A State Planning Board was created by Acts of 1935, and is directed from time to time to recommend to the Governor comprehensive plans for the utilization, conservation and development of the natural resources of the State;

Investigations.

Conduct investigations, surveys and research, and, from data obtained thereby, recommend to the Governor a balanced program of projects for public improvements; to assist cities, counties and other political subdivisions in preparing applications for public works and public improvements to appropriate Federal agencies;

Cooperate.

Confer and cooperate with the United States, State and regional agencies and other planning boards, in order to coordinate the development of the State with the program of the United States, regions or other states;

Research.

At the request of the Governor or the Legislature, conduct investigations, surveys and research upon any subject, and submit reports and recommendations on such subjects to the Governor or the Legislature;



Advisory  
committees.

May appoint advisory committees to assist in developing plans for particular resources or subjects. These committees may be composed of persons having a special knowledge of particular fields or subjects;

Reports.

Render an annual report to the Governor, and may report and recommend to the Governor, and upon his approval to the Legislature, or any State agency, or any political subdivisions of the State, on any matters relating to the State planning program.





## P E N N S Y L V A N I A

### I. STATE PARKS.

#### Jurisdiction.

All State parks, except as hereinafter noted, are under the immediate jurisdiction of the Department of Forests and Waters (P. L. 1929, as amended).

#### Secretary of Forest and Waters; appointment; term.

The administrative head of the Department is the Secretary of Forest and Waters, appointed for four years by the Governor, by and with the advice and consent of two-thirds of all members of the Senate. His compensation is fixed by statute.

#### Deputy Secretary.

The Secretary is empowered, with the approval of the Governor, to appoint and fix the compensation of a Deputy Secretary or such other number of deputies as the Executive Board may approve, and who may exercise all of the powers and perform all of the duties imposed upon the Secretary in his absence, except the power to appoint deputies, bureau or division chiefs, or other assistants or employees; and provided further any such deputy may not exercise any power or perform any duty which the State Constitution requires the Secretary to personally exercise or perform.

#### Administrative Boards and Commissions.

Administrative Boards and Commissions within the Department are as follows:

Water and Power Resources Board  
Geographic Board  
Lake Erie and Ohio River Canal Board  
Pennsylvania State Park and Harbor Commission  
of Erie  
Washington Crossing Park Commission  
Valley Forge Park Commission  
Fort Washington Park Commission

#### Advisory Commissions. Advisory Commissions within the Department are as follows:

State Parks Commission  
State Forest Commission  
Bushy Run Battlefield Commission

### II. STATE PARKS COMMISSION.

#### Members.

The Commission consists of the Secretary of Forests and Waters, the Chairman of the Pennsylvania Historical Commission, and four other citizens. The Commission annually elects from its members a Chairman and Vice-Chairman (P. L. 1929, 1931).



### III. BUSHY RUN BATTLEFIELD COMMISSION.

Members. The Commission consists of the Secretary of Forests and Waters, the Chairman and Secretary of the Pennsylvania Historical Commission, ex-officio, and six other members residing in the vicinity of the Bushy Run Battlefield State Park, and having a knowledge of and interest in the history of the locality wherein the park is situated. Members annually elect a Chairman and a Secretary.

Authority. The Commission is empowered to meet from time to time for the purpose of considering and studying the work of the Department with regard to the Park, and to make recommendations and render advice to the Department with reference to the conduct, improvement and maintenance of the park.

### IV. STATE FOREST COMMISSION.

Members. The Commission consists of four persons, and the Secretary of Forests and Waters, ex-officio, as Chairman. It is empowered (P. L. 1929);

Powers and duties. To consider, study and advise in the work of the Department relating to forests and parks;

To advise the Department, on request, and to make recommendations, upon its initiative, for the improvement of the work of the Department;

To approve or disapprove the rules and regulations which the Department may from time to time propose to adopt;

To give or withhold its consent to any act of the Department, the validity of which is made subject to the consent of the Commission.

Appointments. All members of the various Boards and Commissions are nominated and appointed by the Governor, by and with the advice and consent of two-thirds of all members of the Senate. Appointments are for four years. Members serve without compensation, but are entitled to receive necessary expenses incurred in the performance of their public duties.

Powers and authorities. Administrative boards and commissions exercise their powers and perform their duties independent of the head of the Department, but in all matters involving the expenditure of money are responsible to the Department; are required to make biennial reports to the Governor and to the head of the Department concerning the condition, management and financial transactions; may prescribe rules and regulations for their government and the conduct



Gifts and donations. of employees; with the approval of the Department, may accept gifts or donations of money or other personal property to be used in furtherance of their work; except as otherwise provided, may not accept any gift of real estate or of any interest in real estate, or sell or exchange any real estate, without specific authority from the General Assembly.

Bureaus, etc. The Secretary is directed, subject to the approval of the Executive Board, to establish such bureaus and divisions within the Department deemed necessary for the proper conduct of its work; appoint and fix the compensation of directors, superintendents, bureau or division chiefs, assistant directors, and such other personnel as may be required.

Bureaus and Divisions. Bureaus and Divisions have been established as follows:

Bureau of Forestry  
Division of Parks  
" " Research  
" " Management  
" " Protection  
" " Information

Bureau of Waters  
Division of Dams  
" " Encroachments  
" " Hydrography

Departmental powers and duties. The Department is empowered and directed (P. L. 1929, as amended):

Supervise and improve. To supervise, improve, regulate, police, and preserve all parks belonging to the Commonwealth, excepting

Pennsylvania State Park at Erie  
Washington Crossing Park  
Valley Forge Park  
Fort Washington Park

Acquire areas. For the purpose of promoting healthful outdoor recreation and education, and making available for such use natural areas of unusual scenic beauty, especially such as provide impressive views, waterfalls, gorges, creeks, caves, or other unique and interesting features, to acquire by purchase, gift, lease or condemnation any lands which, in the judgment of the Department, should be held, controlled, protected, maintained and utilized as State park lands;

Reservations. Such lands may be purchased or accepted subject to the conditions of any such lease, and subject to such reservations, if any, of mineral rights, rights of way, or other



encumbrances as the Department may deem not inconsistent with such holdings;

- Price limitation. Provided the amount expended for the acquisition of lands for State park purposes may not exceed the amount specifically appropriated for such purposes, nor may the purchase price exceed \$50 per acre;
- Rules and regulations. May establish rules and regulations for the control, management, protection, utilization, development, occupancy and use of the lands and resources of the parks as it may deem necessary to conserve the interests of the Commonwealth; such rules and regulations to be compatible with the purposes for which State parks are created;
- Facilities for public use. Is directed to see that the conveniences and facilities for the transportation, shelter, comfort and education of the people are so designed and constructed as to retain, so far as may be, the naturalistic appearance of State park areas, surroundings and approaches, and conceal the hand of man as ordinarily visible in urban, industrial and commercial activities;
- Lease of areas. May lease for a period not to exceed ten years, on such terms as may be considered reasonable, to any citizen or organization of the Commonwealth, a portion of any State park, whether owned or leased by the Commonwealth, or may be suitable as a site for temporary buildings to be used for health, recreational or educational purposes;
- Same. May similarly lease parking areas or concessions for the convenience and comfort of the public;
- Counsel. Is directed to study, counsel and advise in reference to gifts of lands or money for park purposes;
- Same. Also to counsel and advise in reference to the development of park lands by concessionaires with facilities and equipment for the accommodation and education of the public.
- V. FORT WASHINGTON PARK COMMISSION.
- Members; Officers. The above Commission consists of the Commissioners of Fairmount Park, Philadelphia, and the Secretary of Forests and Waters, ex-officio. The Commission annually elects a Chairman and a Secretary (L. 1929).
- Authority. The Commission is empowered and directed to supervise, maintain, regulate, police and preserve Fort Washington Park.





## VI. VALLEY FORGE PARK COMMISSION.

### Members; Officers.

The above Commission consists of the Secretary of Forests and Waters, ex-officio, and thirteen other persons. The Commission annually elects a Chairman and a Secretary (P. L. 1929).

### Preservation.

For the purpose of perpetuating and preserving the site on which the Continental Army, under General George Washington, was encamped in winter quarters at Valley Forge, during the winter of 1777-78, the title to and ownership in the ground covering said site, including Forts Washington and Huntington, and the entrenchments adjacent thereto, and adjoining grounds, on both sides of the Schuylkill River, in all not exceeding 5,000 acres, is vested in the State, to be laid out, preserved, and maintained forever as a public place or park, by the name of Valley Forge, so that the same and the fortifications thereon may be maintained, as nearly as possible in their original condition as a military camp, and may be preserved for the enjoyment of the people of the State (as amended 1935).

Note: Initial legislation relating to this area was enacted in 1893, the Commissioners at that time being restricted in their taking to 250 acres, to include the two forts. Acts of 1905 enlarged the area permitting Washington's headquarters at Valley Forge to be included in the park. Subsequent legislation has authorized additional land acquirement as above.

The Commission is empowered and directed as follows:

### Improve area.

After they have secured possession of the grounds, to adopt plans for the improvement, preservation and maintenance thereof;

### Police officers.

Are empowered to deputize one or more persons as special constables to maintain order, protect the property, and make arrests for riots or illegal trespass;

### Expenditures.

All monies expended to be under the supervision of the Commission; but no contracts may be made for improvement unless an appropriation therefor has been made by the Legislature;

### Utilities.

To grant to any railroad corporation the right to construct its railroad under the surface of the land included within the park; provided no part of the route may in any manner encroach upon or interfere with the surface of the park;

### Camping Ground for National Guard.

Permit the use of the premises as a camping ground for the National Guard of the State;



- Gifts of money or land. Are authorized to accept any gifts of money or of lands contiguous or adjacent to the lands taken or to be taken, to be held and used for park purposes;
- Erection of monuments. May permit the United States or any of the States to erect monuments or other memorials on the grounds;
- Note: By resolution of the Commission no additional monuments or other memorials are to be erected.
- Trust fund. May accept in trust any fund created for the benefit or improvement of the Park, by deed, bequest, devise, grant, decree or otherwise;
- Roads. May enter into agreements with officials charged with the duty of constructing and maintaining public roads or highways providing for the location or relocation of any road or highway within the limits of the park; and may make rules and regulations for policing such roads or highways and for regulating traffic thereon; the duty of constructing and maintaining such roads and highways to remain with the officials charged with said duty by law;
- Utilities. May consent to the location, relocation, construction, etc., of any street, electric or elevated railway, subway tunnel, railroad or other means of travel or transportation within the limits of the park upon such terms and conditions as the Commission may impose for the advantage of the park, with the approval of the Governor.
- VII. WASHINGTON CROSSING PARK COMMISSION.
- Members; Officers. The Commission consists of the Secretary of Forests and Waters, ex-officio, and ten other persons. The Commission annually elects a Chairman and a Secretary (P. L. 1929).
- Purpose. For the purpose of perpetuating and preserving the site on which the Continental Army, under the command of General George Washington, was assembled, and from which they crossed the Delaware River on the night preceding the Battle of Trenton, December 25, 1776, the title to and ownership in the ground covering the site and the adjoining grounds, not exceeding 500 acres, is vested in the State.
- Powers and duties. The powers and duties of the Commission are as follows (P. L. 1917, as amended):
- Preserve and Maintain. To lay out, preserve and maintain the area as a public place or park, so that the same and the monuments thereon may be maintained as nearly as possible in their original condition as a military camp, to be forever preserved for the enjoyment of the people of the State;



National Guard camping ground.	Whenever the Governor, acting as Commander-in-Chief, so directs, to open the grounds and park as a camping ground for the State National Guard; to make all necessary arrangements for such camps, provide for sufficient water and power and drainage, and during such camps to relinquish to the commanding officer all police control over and through the park and grounds.
VIII. PENNSYLVANIA STATE PARK AND HARBOR COMMISSION OF ERIE.	
Members; Officers.	The Commission consists of the Secretary of Forests and Waters, the Secretary of Internal Affairs, the Commissioners of Fisheries, ex-officio, and nine other persons, of whom two are appointed by the Council of the City of Erie. The Commission annually elects a Chairman and a Secretary (L. 1929).
Authority.	The Commission is empowered as follows (L. 1921, as amended):
Develop and maintain area.	To enter upon and take possession of the lands dedicated and such other lands as may be acquired as provided, and to exercise full power to manage, control, protect, maintain and develop the lands for public park purposes and for the improvement of the harbor of Erie, and to adopt, establish, and enforce all necessary rules and regulations therefor;
Purpose of dedication.	All lands dedicated is to the end that Presque Isle Peninsula be preserved, maintained, improved, enlarged and forever held as a public park to be known as Pennsylvania State Park at Erie, and for increasing the utility and importance of the harbor of Erie;
Landmarks.	To make a survey and place suitable landmarks;
Improvement plan.	To make a general plan for improvement, to be submitted to the proper department of the United States Government, and to the Secretary of Internal Affairs of Pennsylvania for their approval;
Same.	To enter into contracts for the building of roads, planning, enlarging, engineering, dredging, filling, bridging, erection of docks, and necessary buildings;
Leases and concessions.	To grant reasonable leases and concessions, including leases for a period of years, subject to proper restrictions, for the establishment and maintenance of a suitable harbor for yachts, and the use of sufficient lands, not exceeding ten acres, for the erection of yacht club buildings;



- Control. To control waterways, ponds, lagoons, drives, walks, and waves, the operation of small boats and small craft, docks and landings;
- Same. To provide against encroachment on the lands, channels, and all of the shores of Presque Isle Peninsula and the waters adjacent thereto, and the lands under said waters to a distance of 500 feet out from low water, as well as all of that part of the Bay of Presque Isle known as Misery Bay, together with the lands thereunder and the shores thereof, and wharves;
- Same. To prevent nuisances or pollution of lands or waters under its jurisdiction;
- Conservation powers. To enact rules and regulations for the protection of all forms of wild life that may be encouraged in the woods or ponds or adjacent waters; and for the prevention of encroachments not inconsistent or in conflict with international law or any Federal laws, rules or regulations. Under no consideration is any timber to be sold or removed from the peninsula, and such timber as may be required to be removed for making the ways and roads is to be used in construction work on the peninsula;
- Gifts of land, etc. May accept gifts of lands, buildings, money or other articles of whatever kind or description, to be used in the improvement of the park and harbor;
- Purchase of lands. May acquire necessary lands by purchase; but no purchase is to be made without the approval of the Governor.
- Same. The Department of Forests and Waters may acquire by purchase or condemnation any outstanding private property rights or interests in any lands within the area of the park, to be paid for out of any appropriation to the Department for park purposes, or to the Commission (P. L. 1935);
- Same. The Department may also, acting either directly or through the Commission, revoke and terminate any revokable grant of any right or privilege to occupy and possess any part of the lands in the city and county of Erie, dedicated to the use of the public and known as the Pennsylvania State Park at Erie, or any wharf or pier thereon, which grant has heretofore been made by any public or municipal agency (P. L. 1935).

#### IX. STATE FOREST PARKS.

The Department is further empowered and directed (P. L. 1929, as amended):





- Acquire forest areas. With the approval of the State Forest Commission, to acquire by purchase, gift, lease or condemnation, and hold as State forests, subject to the conditions of any such lease, and subject to such reservations, if any, of mineral rights, stumpage rights, rights of way, or other encumbrances as the Department and the Commission deem to be consistent with such holding, any lands which, in the judgment of the Department the Commonwealth should hold, manage, control, protect, maintain, utilize and regulate as State forests;
- Price limitation. Provided, that the purchase price of any such lands may not exceed \$10 per acre, and that the amount expended for the acquisition in any biennial appropriation period may not exceed the appropriation for that period;
- Other lands. To purchase and hold, as State forests, unseated, vacant or unappropriated lands, lands advertised for sale for taxes, and lands sold for taxes, as may now or hereafter be provided by law;
- Regulate use. To hold, manage, control, protect, maintain, utilize, develop, and regulate the occupancy and use of all lands heretofore or hereafter acquired, owned and maintained as State forests, together with the resources thereof;
- Forest districts. To divide the State into such convenient forest districts as it may deem economical and effective to administer, protect, develop, utilize and regulate the occupancy and use of the lands and resources of the State forests;
- Cooperate with cities, etc. To cooperate with the authorities of townships, boroughs, and cities in the acquisition and administration of municipal forests;
- Rules and regulations. With the advice of the State Forest Commission, to establish such rules and regulations for the control, management, protection, utilization, development, occupancy and use of the lands and resources of the State forests as the Department may deem proper to conserve the interests of the Commonwealth, such rules and regulations to be compatible with the purposes for which the State forests are created; namely, to provide a continuous supply of timber, lumber, wood and other forest products, to protect the water sheds, conserve the waters, regulate the flow of rivers and streams, and to furnish opportunities for healthful recreation to the public;
- Purpose of State forests defined.
- Sell timber. Whenever it appears that the welfare of the Commonwealth with reference to forestry will be advanced by selling or disposing of any of the timber on the State forests, to dispose of same on terms most advantageous to the State;



- Set aside groves of trees. Provided, the Department is authorized and directed to set aside, within the State forests unusual or historical groves of trees, or natural features especially worthy of permanent preservation, and to make the same accessible and convenient to the public use, and to dedicate them in perpetuity to the people of the State for their recreation and enjoyment;
- Auxiliary forest reserves. To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law;
- Sell or exchange land. To sell or exchange State forest land whenever it is deemed to the advantage of the State forest interests; provided that such action has been authorized by resolution of the State Forest Commission;
- Lease areas for recreation. To lease for a period not exceeding ten years, on such terms and conditions as it may consider reasonable, to any citizen, church organization or school board of the State, such portion of any State forest, whether owned or leased by the State, as the Department may deem suitable, as a site for a temporary building to be used for health and recreation, or as a site for a church or school purposes;
- Note: Approximately 3300 sites are under lease; leases are now on year-to-year basis; areas average one-quarter acre; rental minimum \$10 per annum; lessee may erect buildings.
- Lease areas. To lease for not more than ten years small areas in State forests, whether owned or leased by the Commonwealth, deemed to be better suited for the growing of other crops than the growing of forest trees;
- Grant rights of way. To grant rights of way through State forests to individuals or corporations when the same will not adversely affect the land as to interfere with its usual and orderly administration, and when it appears that the interests of the Commonwealth or its citizens will be promoted by such grant;
- Municipal dams. With the advice of the State Forest Commission, to give to boroughs and other municipalities, upon such terms and subject to such restrictions and regulations as the Department may deem proper, the privilege of impounding water upon any State forest, and of construction, maintaining, and operating lines of pipes upon and through State forests for the purpose of conveying water therefrom, whenever in the public interest to do so;
- Maintain roads. In all cases where there are public roads, regularly established, running into or through or bordering upon State forests, from time to time to expend such reasonable sums



for the maintenance, repair or extension of such roads as may be necessary for the proper administration and protection of the State forests. All expenses thus incurred to be paid in the same manner as other expenses of the Department.

Construct roads.

The Department of Forests and Waters is authorized to construct, improve or repair, at the expense of the Commonwealth, any portion of a road or highway connecting a road or highway lying within the area of a State forest with any State, county or township road or highway not lying within the area of a State forest, whenever such connection is deemed necessary by the Department for the development, protection or use by the public of any State forests now owned or thereafter acquired; subject to the approval of the plans by the Governor (P. L. 1931, 1935).

X. PUBLIC HUNTING AND FISHING GROUNDS.

Acquisition.

The Board of Game Commissioners may acquire title to or control of lands or waters or hunting or other rights on private lands or waters suitable for hunting purposes, by purchase, lease, gift, condemnation or otherwise;

Improvement.

May purchase, repair, maintain and erect such buildings or other improvements thereon as may be deemed necessary for their proper utilization, maintenance and protection;

Reservations.

May purchase or lease land from which the ownership of minerals, oil or gas and the right to mine and drill for or remove the same have been excepted, or from which water, lumber or other rights have been excepted or reserved: Provided, that such exceptions or reservations will not interfere with the proper use of the land for which it was acquired;

Price limitation.

No lands are to be purchased at a price to exceed \$10 per acre, except that the Board, with the approval of the Governor, may pay a fair and reasonable price for lands, with or without buildings, or cultivated lands, deemed necessary for proper maintenance and administration purposes;

Sale and exchange.

Whenever deemed to the best interests of the Commonwealth the Board may, with the consent of the Governor, authorize the exchange of any lands to which title has been acquired by purchase, gift or otherwise, for privately owned lands of equal or greater value and adapted for State game lands. Such lands may also be exchanged or sold to the State Forest Commission or to the United States for National Forest Reserves;



Tax exemption.

Lands or waters to which title has been taken in the name of the Commonwealth are exempt from the payment of all taxes, except such fixed charges as are imposed upon State forests;

Use of lands.

Lands so acquired may be used for the purpose of creating and maintaining State game refuges and/or hunting grounds, or for the propagation of game; may cut, remove and sell timber on lands acquired by purchase, gift or otherwise, the net proceeds to be deposited in the Game Fund; at its discretion, may grant leases for church or school purposes for a period not to exceed ten years; sell or otherwise dispose of buildings or other improvements; sell or lease minerals, oil or gas;

Funds for acquisition.

The sum of 75¢ from each resident hunter's license fee is to be used exclusively for the creation, purchase, lease or otherwise, and the maintenance of public hunting grounds and game refuges and the purchase of outstanding timber and mineral rights on the lands so acquired, or the acquisition of water rights on adjoining lands (P. L. 1923, as amended 1931).

Use of streams and lakes.

Any natural stream or lake stocked with fish furnished by the Commonwealth are to be open to the public for the purpose of lawful fishing; Provided, that whenever any stream is stocked with trout during the open season for trout, the Board of Fish Commissioners may close such stream, or any part thereof, for a period of five days after the same has been stocked; and may also set aside such streams, lakes, dams, ponds, or parts thereof as nursery waters (P. L. 1925, as amended 1935).

Acquire public fishing grounds.

With the consent of the Governor, moneys credited to "The Fish Fund" may be used, among other things, for the purchase of lands and waters for the impounding of waters, and to make the same available for use by the citizens for fishing, hunting, and forest purposes (P. L. 1925, as amended).

XI. GENERAL.

State Forests and Waters Fund.

All moneys received by the Treasury Department from the Department of Revenue, arising from the receipts and proceeds derived in any way from or on account of State forests, State parks, recreational areas, and other lands and waters under the jurisdiction of the Department of Forests and Waters; together with all water powers and water rights belonging to the Commonwealth in the streams, lakes, rivers or other waters; all moneys arising from annual charges on limited power and water supply permits; and all receipts and proceeds resulting from the collection of costs of forest fire extinction, and all other activities of the Department





of Forests and Waters, are credited to the State Forests and Waters Fund (P. L. 1935).

How used.

Monneys in the above fund from time to time are specifically appropriated to the Department for the development of State forest and park lands, and other lands under its jurisdiction; also for the payment to the Federal government of so much of its share of the direct profits resulting from Emergency Conservation Work projects as may be required by Federal law or order (Id).

Condemn land for park or forest purposes.

Whenever the Department of Forests and Waters, the Board of Game Commissioners, or the Board of Fish Commissioners desires to acquire land, suitable for State forest, State park, or game preserve purposes, or for the perpetuation or protection of fish, and a price for such lands cannot be agreed upon with the owner or owners thereof, or where such owner or owners cannot be found, such lands may be acquired by condemnation (P. L. 1935). The Department of Forests and Waters or the Board of Game Commissioners or Board of Fish Commissioners respectively to have the control and supervision of all such lands so acquired. All income and revenue derived from said lands to be expended in the same manner and for the same purposes as provided by law for the expenditure of the income from the State forests, State parks, or the receipts of the Board of Game Commissioners or Board of Fish Commissioners respectively.

Same.

The Department of Property and Supplies is empowered and directed, out of any funds appropriated for the purpose, to purchase or condemn lands, with or without buildings thereon, for the purpose of adding the same to any of the public lands or parks, whenever in the judgment of the Governor the purchase or condemnation is necessary, or whenever such purchase or condemnation has been authorized by law (P. L. 1929, 1931).

Gifts.

The Department of Forests and Waters is authorized to receive gifts, donations or contributions from townships, counties, corporations, associations, individuals, or other agencies for purposes within its powers and duties; to be employed for the purpose or purposes specified by the donors, and to whom an accounting is to be made. Any excess of the amount estimated by the Department to accomplish a specific purpose is to be returned to the donor (P. L. 1925).

Contributions for park purposes.

Commissioners of counties of the fourth class (population between 150,000 and 250,000), and council of cities of the third class (population under 135,000) are authorized to appropriate annually such sums of money as may be deemed advisable, to any State park, or State park and harbor commission to aid in the construction, improvement or mainten-



ance of roads within the limits of such park, and for the development of such park; No money may be appropriated for expenditures beyond the territorial limits of such county (P. L. 1925).

Alteration of roads  
leading to parks.

Whenever a public road or highway within a park or public ground, title to which is vested in the State, is laid out, located, relocated, altered or vacated in such manner that a public road or highway approaching, leading to or contiguous to such park or public ground becomes useless, inconvenient or burdensome, the same may be altered, relocated, or vacated by the officers charged with its maintenance for the purpose of making it convenient and suitable as an approach to the roads within the park or public grounds, upon the consent and agreement of: (a) the commissioners or officers charged with the care and management of the park or public grounds; (b) the officials charged with the duty of maintaining the roads or highways; and (c) the owners of the majority of the frontage of land abutting upon the relocated portion of the roads or highway approaching, leading into or contiguous to the public or park grounds. Such road or highway, when altered or relocated, to be maintained and repaired in the same manner as township roads (P. L. 1919, 1931).

Park roads.

The Department of Highways, with the approval of the Governor, may build, rebuild, construct, and maintain that portion of any or all roads running through or over the lands of any State park; the cost and expense to be paid out of any moneys appropriated to the Department of Highways for the construction, reconstruction or maintenance of State highways (P. L. 1927).

No race discrimination.

All persons within the jurisdiction of the Commonwealth are entitled to the full and equal accommodations, advantages, facilities, and privileges of any places of public accommodation, resort or amusement, subject only to the conditions and limitations established by law and applicable alike to all persons (P. L. 1887, 1935).

Hunting in parks  
prohibited.

It is unlawful for any person at any time of the year to discharge a shotgun, rifle or firearm of any description, except in defense of person or property, or by written consent of the owner or person controlling the same, upon the grounds belonging to or connected with and controlled by those operating a public or private park or resort, set apart to the use of the public either free or otherwise, and upon which human beings congregate in the open in quest of health, recreation or pleasure -- such lands being surrounded by a marker, either a fence or single wire or a marker of any description that will clearly designate the boundaries thereof, and a line of notices printed upon



cloth, or painted, and posted not to exceed 100 yards apart, along said marker, calling attention to the fact that the land within such enclosure has been set aside for a specific purpose (naming it), and that shooting upon such property is prohibited: Provided, that no privileges may be given by those owning or operating such lands to any person to hunt for or shoot at either animals or birds classed as game upon such property (P. L. 1913).

**Tax exemption.**

All public parks when owned and held by trustees for the benefit of the public, and used for amusements, recreation, sports and other public purposes without profit, are exempt from all county, city, borough, town, township, road, poor and school tax (P. L. 1933).

**Unredeemed land.**

When county commissioners have received a conveyance of lands sold for taxes, they are required to offer same to the Department of Forests and Waters and the Board of Game Commissioners for forestry or game purposes when directed so to do by the Department or Board;

If found suitable for the authorized purposes of either the Department or Commission, the one desiring the land so notifies the Commissioners of its suitability and the land is thereafter conveyed to the Commonwealth. The consideration is to include all taxes levied, interest and costs; but may not exceed the purchase price limit fixed by law for the purchase of land by the Department or Board (as amended 1933):

**Unredeemed lands as State forests.**

Whenever any seated or unseated lands are sold at a county treasurer's sale to the county commissioners, and are not redeemed within two years, the commissioners may, if the Department of Forests and Waters or Board of Game Commissioners within one year do not record a desire to acquire such lands as State forests or State game lands, retain such lands as county forests or convey the same to the State as State forests (P. L. 1933).

**Definition.**

Note: The term "State forests" as used in the Act is defined as land deeded to the State for organization and management as public forests or recreation areas; "County forests" are defined as lands owned and retained by a county and organized systematically for the purpose of facilitating proper management for forestry and recreational purposes.

**Transfer of lands.**

Any lands retained by the county for county forests may at any time be transferred to the Department or Board for State forests or State game lands for such price as may be agreed upon;



## Requirements.

In order to have its application accepted for the establishment of State forests in a county, the county commissioners must demonstrate to the Department

That it has in its possession a total of at least 1000 acres of such land which it offers to deed, that no single piece is less than 100 acres in area, and that the 1000 acres is located within a radius of five miles;

That it is willing to deed the necessary land free of any and all costs to the State for the purpose of assisting in the establishment of such State forests;

That it is willing to convey to the Department all title, right and control over the management of such lands when established as State forests; in return for which the State is to pay an annual charge of 5¢ per acre for county, road and school purposes (as in the case of State forest lands), and a share of not to exceed 25% of the net income derived from their operation as State forests;

## Added areas.

After the establishment of State forests in any county, if the county commissioners desire to add to the area by further transfers of unredeemed seated or unseated lands, they may do so by making application to the Department as above;

## Gifts.

The Department may also accept as gifts any lands which in its judgment will be useful or valuable additions to the State forests already established;

## Purchase; price limitation.

May also add to the area of State forests in a county through purchase at prices not to exceed \$5 per acre;

## Exchange.

May also make such exchanges of land as in its judgment will benefit the State forests;

## Definition.

Note: "Seated land" means land that is occupied, cultivated, improved, reclaimed, farmed or used as a place of residence, or which has upon it such permanent improvements as indicate a personal responsibility for its taxes. "Unseated" means that class of lands which is neither in the possession of, nor cultivated by any person, and has been held to be synonymous with "unimproved".

## XII. FOREST ADVISORY COUNCIL.

### Members; duties.

In every county where State forests are established, the Department, acting in cooperation with the Board of County





Commissioners, is directed to appoint a local State Forest Advisory Council consisting of nine persons, to serve without pay, and to be the intermediary between the people of the county and the Department. As far as possible, the Council should include spirited residents of the county from the following walks of life: A farmer working on a farm in the county; a woodworker in the forests of the county; a teacher from a rural school; a teacher from a high school or college in the county; a logger or saw-mill man operating in the county; a labor union delegate from a labor union in the county; a worker from a wood-using industry in the county; a representative from a sportsmen's organization in the county.

### XIII. STATE PLANNING.

#### Master plan.

A State Planning Board was created by Act of July 30, 1936, charged with the duty of preparing and perfecting a master plan for the physical development of the State by the State, its agencies and political subdivisions;

#### Scope of plan.

Such master plan is to show the Board's recommendations for the development of the State, and may include, among other things, parkways, waterways, water front development, flood prevention work, parks, reservations, forests, wildlife refuges, aviation fields, motor vehicle routes, and other public ways, grounds, spaces and works which by reason of their function, size, extent, location or legal status are of State-wide as distinguished from merely local concern, or the location, construction or authorization of which falls according to law within the province of State agencies or officials, and which are appropriate subjects of a State as distinguished from a merely local program or plan; the general location and extent of existing and proposed forests, agricultural areas, and other development areas for purposes of conservation, food and water supply, sanitary and drainage facilities, or the protection and perfection of urban and rural development; also a land utilization program including the general classification and allocation of the land within the State amongst mineral, agricultural, soil and water conservation, forestry, recreational, industrial, urbanization, housing and other uses and purposes;

#### Advisory service.

The Board is to advise with the various State departments and bureaus and with local authorities and individuals with a view to the coordinating of all physical development plans, including plans for highway, airway and airway terminals, parkways, parks, water supply development, flood control and land use, recreation areas and forest reservations, and such other things as are related to an ordered and comprehensive development of the State by the State, its agencies and political subdivisions;



Public works program. To prepare, amend and keep up-to-date a long term development program of all major State improvement projects. The program so prepared to be a comprehensive construction and financial program covering a ten-year period, to be prepared in consultation with the several State departments; also to promote and encourage the development of similar public works programs in the various political subdivisions of the State and to coordinate public works programs where joint action is required.

Cooperation. To cooperate with county, municipal and regional planning boards; also with planning boards and similar bodies of other States and of the Federal government in formulating comprehensive regional plans and in the solution of regional problems.

Secretary. Provision is made for a Planning Secretary, to act as executive director of the Board and to conduct the work of the Board under its supervision.

#### MIV. STATE FOREST RULES.

1. The State Forests are for the use and benefit of all the citizens of Pennsylvania. State Forest officers are instructed to cooperate and assist all persons in the legitimate enjoyment of them.

2. To provide for the proper use and protection of the forests, no standing young or old trees shall be cut, shot at, barked, or otherwise damaged or destroyed except as may be necessary for proper utilization of the forests and with the approval of a State Forest officer secured in advance.

3. Since uncontrolled grazing by horses, sheep, cattle, or hogs is injurious to young trees, it is prohibited except by special permission.

4. No permit is required to camp overnight, but to insure the protection of forest against abuse, a permit is necessary to camp for a period of two days or longer.

5. For the protection of the public health, springs and streams must not be polluted.

6. If the needs of the Commonwealth for timber are to be met, forest fires must be stopped. No camp fires are permitted that are not adequately protected against the spread of fire.

7. All camp fires must be put out completely immediately after use.



8. Persons suspected of starting forest fires, intentionally or unintentionally, will be prosecuted.

9. The placing of advertisements is not permitted.

10. For the protection of those who will camp in the forests hereafter, all waste papers, empty cans, and other refuse must be buried or otherwise disposed of before leaving camp.

11. For the protection of wildlife, strict observance of the game and fish laws by campers will be required.

12. For the preservation of flowers, the gathering of flowers of woody species is prohibited except on permission of a State Forest officer.

13. For the preservation of fish life, and the comfort and consideration of campers, the use of motor-driven boats on lakes, ponds, and dams within the State forests is prohibited.

XV. APPLICATION FOR PERMIT - TEMPORARY STATE FOREST CAMP.

\_\_\_\_\_  
Forester

Sir:

\_\_\_\_\_  
19

I hereby request you to grant me a permit to camp within a State Forest. My intended camp will be located at or near \_\_\_\_\_ township, \_\_\_\_\_ county. It is desired to erect the camp on or about the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and to remain there for a period of about \_\_\_\_\_ days.

In consideration of being granted a permit, I will obey the rules for the government of State Forests, and specifically promise:

That I will violate no game, fish, or forest law of the State.

That I will not destroy or in any other manner interfere with birds' nests.

That I will be careful with fire; open camp fires will be made only in a hole or pit encircled with the earth taken out; all fires will be extinguished before abandoned; lighted matches, cigars, cigarettes, or hot pipe ashes will be extinguished before being dropped; no fires will be built upon "runways".

That I will not cut down, break, or otherwise injure living trees or shrubbery without a special permit.

That I will not attempt to erect my camp until I have received a permit and reported to a forest officer, whose instructions with respect to a camp site will be followed; I will not remain within the State Forest more than three weeks without a renewal of my permit; no permanent camp or structure shall be erected; my camp shall not be erected within one-half mile of a game refuge nor within one-eighth mile of another permanent camp.



That I will place no advertisements within State Forests or otherwise disfigure their natural beauty.

That I will contaminate no spring or stream.

That being aware of the authority vested by law in forest officers, I will to the best of my ability aid them in the performance of their duty. I will report to you all violations of the law or the rules governing the State Forests, coming under my observation.

EACH APPLICANT MUST SIGN IN HIS OWN HANDWRITING OR THE PERMIT WILL BE REFUSED.

NAMES.

ADDRESSES.

Send permit to \_\_\_\_\_, Address \_\_\_\_\_

(Do not write in the space below.)

Location or Number of Camp \_\_\_\_\_ Township, \_\_\_\_\_ County,

Referred to \_\_\_\_\_, Permit begins \_\_\_\_\_ Expires \_\_\_\_\_

#### XVI. RULES AND REGULATIONS - PUBLIC FISHING GROUNDS.

##### NOTICE TO ALL FISHERMEN

Through the generosity of General Harry C. Troxler, Allentown, this stream known as Hickory Run, from the confluence of Sand Spring Run and Hickory Run to the mouth of Hickory Run, has been turned over to the Board of Fish Commissioners, Commonwealth of Pennsylvania, and is open to the public for fishing with rod, hook and line, from six o'clock A.M. until seven o'clock P.M., during the open season for the taking of trout - April 15th-July 31st, SUNDAYS EXCEPTED. All fishermen must observe the laws governing fishing, have the proper Resident or Non-Resident Fisherman's License, and comply with:

##### THE FOLLOWING RULES AND REGULATIONS

Machines of all character must be kept off the property.

No camping will be permitted on the property.

Picking of any flowers or shrubbery is forbidden.

The cutting of any trees, shrubbery or in any way interfering with or destroying of any property is strictly forbidden.

Paper, remnants of food, or trash of any kind must not be thrown about the grounds or buildings.

There must be no polluting or interfering with the water in the stream.

By observing these rules and regulations you will be co-operating with the Board in making more and better fishing.





PENALTY for violation of the above, subject to a fine of ONE HUNDRED DOLLARS (\$100), in accordance with Section 204, Article VIII, Act of May 2, 1925, P. L. 448.

N. R. BULLER, Commissioner of Fisheries

PREVENT FOREST FIRES, IT PAYS



## R H O D E I S L A N D

### I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the Department of Agriculture and Conservation (Public Laws of 1935).
Director; Chiefs of Divisions.	The Department is under the supervision of a Director appointed by the Governor and confirmed by the Senate. The Director appoints a Chief of each of the Divisions.
Divisions.	Divisions within the Department are as follows:  Division of Forests, Parks and Parkways Division of Fish and Game Division of Entomology and Plant Industry Division of Animal Industry and Milk Control
Monuments.	Note: The Chief of the Division of Forests, Parks and Parkways is also placed in charge of the monuments erected by the State.
Powers and duties.	Powers and duties of the Director, acting through the Chief of the Division of Forests, Parks and Parkways, are as follows (Public Laws of 1923, 1927):
Acquire areas for parks and beaches.	May acquire by purchase, gift, devise or condemnation, lands, easements, rights and interests in land, for a park, recreation ground or bathing beach in any part of the State, and for intercommunication between them and adjacent streets and highways;
Consult with authorities.	Such acquisitions, other than tide flowed lands acquired by condemnation, to remain subject to all rights of riparian proprietors on any waters bordering upon such property;
Use of areas.	May use or permit the use of property so acquired for exercise and recreation, and the waters bordering thereon for bathing, boating, fishing and skating;
May lease areas and buildings.	May let, rent or lease any part of the parks and reservations deemed necessary or advisable, but not for periods in excess of five years;
Improve and maintain areas.	To improve, preserve, care for and administer all parks and reservations acquired;
May accept and administer lands and trusts.	Also, in his discretion, and upon such terms and conditions as he may approve, to administer such other lands and interests, estates and rights therein, or funds in trust, as may be entrusted, given, conveyed or devised by the United States.



or by cities, towns, corporations or individuals, for such purposes as may be designated by the grantor, donor or devisor; and subject to the existing rights of any city or town to water supply purposes and the right and privilege of taking advantage of such rights;

May expend trust funds.

May expend such funds given in trust, and the income thereof, in accordance with its terms, the General Treasurer being authorized, with the approval of the Governor, to receive and hold in trust for the State, exempt from taxation, any gift, grant or devise of lands, or interests, estates or rights therein; also any gift or bequest of money or other personal property;

Control of State lands. Is vested with the care and custody of all lands owned by the State and not used by any department of the State (1929);

Cities may transfer control.

Any city or town is authorized to transfer to the Director the care and control of any open space owned or controlled by it, upon such terms and conditions and for such period as may be mutually agreed upon, or to enter into any agreement for the joint care, control or preservation of open spaces within or adjacent to such city or town;

Director may transfer control to cities.

The Director may in like manner transfer the care and preservation of any open spaces under his control to any city or town, with its consent, upon such terms and for such period as may be agreed upon;

Rules and regulations.

May make rules and regulations for the control, government and use of the public reservations and highways under his care, and for the breach thereof may fix penalties;

General authority.

In general, may do all acts needful for the proper execution of the powers and duties granted and imposed.

United States may acquire lands for parks, etc.

Consent of the State is given to the acquisition by the United States or any authorized agency thereof, by purchase, gift, devise or lease, of such lands or interests in land as the United States or such agency may deem necessary or desirable for the purpose of establishment and/or maintenance of forest, wildlife, park or recreational areas in accordance with Acts of Congress authorizing acquisitions for such purpose (Public Laws of 1935);

Reservations.

Reserving to the State full and complete jurisdiction and authority not incompatible with the administration, maintenance, protection and control thereof by the United States; the State to have authority not incompatible with the administration, maintenance, protection and control thereof by the United States; the State to have authority to execute all civil and criminal processes on such areas and in any buildings and structures that may be erected thereon (Id).



## II. STATE FORESTS.

Acquire areas from United States.

For the purpose of cooperating with the Federal Government in the proper utilization of lands suitable for the maintenance of forest areas, the Director may, with the approval of the Governor, acquire, without expense to the State except a nominal consideration, by deed or lease from, or by agreement with, the United States or any authorized agency thereof, lands or interests in lands which in the judgment of the Director and the Governor are suitable for the purpose of or in connection with the establishment and/or maintenance of State forests or forest areas (Public Laws of 1935);

Use of areas.

Such lands to be used for general forest demonstration and experimental purposes and in such other ways deemed most suitable for such forests and forest areas and will best promote the public good;

May dispose of products.

May sell or otherwise dispose of products therefrom, and make such rules and regulations as may be necessary in connection therewith;

Disposition of revenue;  
State Forestry Fund.

Revenues received from such forests and forest areas are to be placed in a "State Forestry Fund", and a special record kept when there is an obligation in connection therewith to reimburse the United States;

Payment of purchase price.

When the purchase price - which may not exceed the amount expended by the United States in the acquisition of such lands - has been repaid, title to such lands is to be taken in the name of the State. Obligations for the acquisition of lands are to be paid solely from revenues derived therefrom, and may not impose any liability on the general credit and taxing power of the State;

Development and maintenance.

Revenues received from such forests or forest areas beyond those required to reimburse the United States is to be expended for their maintenance and development whenever the agreement between the Director and the United States requires it; and when there is no obligation to reimburse the United States, revenues are to be credited to the general fund of the State.

May acquire areas for CCC cooperation and for forests.

With the approval of the Governor, the Director may acquire by rental, lease or purchase, any property deemed suitable for use in the establishment and maintenance of camp sites in connection with the work of the Civilian Conservation Corps or other agencies engaged in conservation projects, or in the establishment and maintenance of forest areas for such purposes as may be required by law (Public Laws of 1935);





May accept grants of money from Federal Government.

May also accept any allotment or grant of money from the Federal Government or from other sources for the purchase and development of property for such uses.

### III. PUBLIC FISHING GROUNDS.

How acquired.

For the purpose of protecting and propagating fish and providing public fishing preserves, the Department of Agriculture and Conservation may acquire by gift, lease, or purchase, any land, fresh water stream, lake, pond or part thereof, or rights or interests therein, upon such conditions as may be agreed upon with the owners (Laws of 1927).

### IV. STATE PLANNING.

Board to prepare State master plan.

A State Planning Board was created by Laws of 1935 (amended 1936), charged with the duty to prepare and perfect from time to time a master plan for the physical development of the State; and to prepare and keep current a proposed long term development program of major State improvements;

Advise with other departments.

Advise with the various State departments and bureaus and with local authorities and individuals with a view to coordination of all physical development plans, among other things, for parkways, parks, land use, recreation areas and forest reservations that are related to an ordered and comprehensive development of the State;

Study rural land utilization.

Make studies of rural land utilization with a view to the determination of the areas suitable for recreation which by reason of their function, size, extent, location, legal status or other reasons are of State-wide as distinguished from local concern;

Collect and publish information.

Collect and publish information relating to the proper development of the State and the conservation of its natural resources designed to promote the general welfare, and make such recommendations thereon to the Governor and the Legislature as it may deem proper and advisable;

Prepare synopsis of work.

Prepare synopsis of planning work in Rhode Island already accomplished, obtain reports, plans and other data from all State boards, federal boards and other agencies;

Prepare maps of recreation areas, etc.

Prepare a series of "existing condition maps" of the State on which will be marked specific areas relating to, among other things, public-owned lands, waterways, land utilization, historic sights, resorts, and vacation facilities, which in the judgment of the Board, will be for the benefit of the people and the welfare of the State. Lay out a preliminary long range plan for the development of the State and the capitalization of its natural resources, cooperating with State and municipal agencies with relation, among other things, to land utilization, recreation, and historic sites;



Study and make recommendations as to land uses.

State departments, boards, commissions, and agencies before entering upon any major improvement, or the acquisition of lands for public use related to or affected by any plans prepared by the Board, or before requesting a change of use or disposition of real property owned by the State or in which the State has an interest, are required to give written notice to the Board of such contemplated or proposed action with opportunity to study and make its recommendations thereon;

Make recommendations as to appropriations.

Every State department, agency, or official before requesting legislative or executive approval of a plan or the authorization of an appropriation for a major public improvement related to or affected by any general plan prepared by the Board, or before requesting a change of use or disposition of real property owned by the State or in which the State has an interest, shall make a written request to the Board for its recommendation thereon;

Prepare maps relating to parks, etc., for Governor, Legislature.

The Board is further authorized to prepare and make maps for the information of the Governor, the legislature and State departments, cities, towns and other agencies; to make planning studies and surveys for the collection of data pertaining, among other things, to parks, playground development, parkways, and other matters involved in the physical development of the State or of any subdivisions thereof.

#### V. BLACKSTONE VALLEY AUTHORITY.

Purposes.

Acts of 1936 established the Blackstone Valley Board, to act in cooperation with the authorities of the Commonwealth of Massachusetts, for the purposes of advancing rehabilitation of the valley and administering such grants as may be made by the Federal Government for the payment of the expense of construction of such projects as may be deemed to be advisable for the conservation of health, for the improvement of sanitation, for the abatement of nuisances, for the elimination of soil erosion, for stream regulation and flood control, for reforestation, for the coordination and development of transportation, housing and recreation facilities, and for such other improvements as may be found reasonably necessary and proper for the health, welfare and safety of the inhabitants of the watersheds of the Blackstone and Seekonk Rivers, and their tributaries in Massachusetts and Rhode Island.

Members.

The Board to consist of five members, to be appointed by the Governor for such terms as he may see fit, and at such salaries as may be established by him, if and when such grants become available;



- Cooperation. The Board to act jointly with a similar Board of the State of Massachusetts and the two bodies so acting to be known as the Blackstone Valley Authority;
- Construction, etc. The Authority to provide for the construction and for the subsequent maintenance and operation of the constructed works by making contracts or agreements with the Federal Government, with the Commonwealth of Massachusetts, the State of Rhode Island, or political subdivisions thereof, or with any duly, legally and responsibly constituted districts or agencies or firms;
- Reports. The Authority to report annually to the Federal Government and to the Governors of Massachusetts and Rhode Island, and to make recommendations for the continuance and improvement of benefits contemplated under the Act.

## VI. REPRESENTATIVE RULES AND REGULATIONS.

### State of Rhode Island BURLINGAME RESERVATION Charlestown, Rhode Island

#### Dedicated Forever to the Use and Enjoyment of the People

To the end that it may fulfill its greatest possible usefulness, all who use it and all who appreciate its value are requested to cooperate with the Division in preserving its attractions by helping to enforce the following RULES and REGULATIONS:

1. No person shall light a fire except in a place designated for that purpose by permit, and for which a fee of fifteen (15) cents has been paid; nor leave burning material at any place. A permit will entitle bearer to one bundle of fireplace wood.
2. No person shall hunt, nor shall any person have in his possession any firearm or any wild animal, bird, bird's egg, or nest, or any device or animal used for hunting.
3. No person shall cut, remove or damage any tree, bush, plant, fence, berry, flower, building or other public property or affix a sign.
4. No person shall leave papers, glass, or any other refuse upon the ground, but will place such papers, glass and refuse in receptacles provided for that purpose.
5. No person shall bathe in waters on the Reservation, except at such places as are designated for such use, and then only in proper costume. Undressing in automobiles is prohibited.



6. No person shall hitch a horse to any tree.
7. No person shall use profane or indecent language; or in any way annoy another person; or commit any disorderly or indecent act.
8. No person shall refuse or neglect to obey any reasonable direction of a police officer or any authorized representative of the Division of Forests, Parks and Parkways.
9. Smoking is prohibited in the wooded area of the Reservation.
10. The parking of automobiles between the hours of 11 P.M. and 6 A.M. is prohibited, except by permit at the overnight camping grounds. After office hours of this Division, such permit may be issued by the Foreman-Caretaker of the Reservation, if space is available. The drawing of all curtains in parked automobiles at any time is forbidden. The drawing of some of the curtains before sunset is permitted, but none, with the exception of the rear curtain, may be drawn thereafter. No person shall be allowed on the Reservation between the hours of 11 P.M. and 6 A.M., unless by special permit given by the Division of Forests, Parks and Parkways, or an authorized representative.

By Order Of  
Division of Forests, Parks & Parkways  
Of The  
DEPARTMENT OF AGRICULTURE & CONSERVATION

Any person violating any one of the above rules is liable to a fine of Twenty (20) Dollars for each offense. (Public Laws, Chap.1466, Sec. 4, 1907 as amended)

#### VII. FIREPLACE PERMIT.

Permission to maintain a fire at a fireplace and picnic in BURLINGAME RESERVATION, for which fee has been collected, is hereby granted to:

Name \_\_\_\_\_ Date \_\_\_\_\_

Fireplace # \_\_\_\_\_ Location \_\_\_\_\_

This permit entitles holder to one bundle of fireplace wood upon presentation at the residence of the caretaker at Burlingame Reservation. Additional wood may be purchased at ten cents per bundle. This permit is granted with the express understanding that if any of the above rules and regulations governing the use of the Reservation are violated, the said permit immediately becomes null and void.

Chief, Division of Forests, Parks & Parkways

=====

Caretaker or individual disbursing wood for fireplace purpose will detach this certificate for fireplace # \_\_\_\_\_ Location \_\_\_\_\_

Issued to (name) \_\_\_\_\_ Date \_\_\_\_\_  
when presented by bearer, and return same to the Office of the Division of Forests, Parks and Parkways, by mail, at the close of the day that certificate is collected.





## SOUTH CAROLINA

### I. STATE PARKS.

#### Jurisdiction.

State Parks are under the jurisdiction of the State Commission of Forestry (Acts of 1934, 1935).

#### Members; appointments.

The Commission was established by Acts of 1927, and is composed of five members, appointed by the Governor. Two are required to be practical lumbermen; one must be a farmer who is a land owner; one is appointed from the public at large; the other is the President of Clemson Agricultural College. Members are to be selected and appointed with reference to their knowledge of and interest in the forests of the State and the products derived therefrom. With the exception of the President of Clemson Agricultural College, who is a continuing member, appointments are for four years (rotated). Members are paid actual expenses while in attendance upon meeting and while going to and from meetings. Members select a Chairman, and employ a technically trained State Forester who serves as Secretary of the Commission.

#### Chairman, State Forester, Secretary.

#### Divisions.

Note: Administrative Divisions have been created within the Commission as follows:

Division of Lands and Parks  
Division of Forest Extension  
Division of Fire Control  
Division of Public Relations

### II. RECREATION POLICY.

In general, the Commission has developed a policy of providing recreational advantages along the following lines:

(1) For the man who, with his family or friends, wishes to spend a day in the open at a place where he can find reasonable protection, a place to cook a meal, pure water, the necessary sanitary equipment, and the facilities for bathing, boating and hiking;

(2) For the man who wishes to spend a week in the open either in a tent or in a cabin;

(3) For the tourist camper, either with tent or trailer, who wishes to see his State or Country at a minimum cost;

(4) For the family who wishes to spend a week or ten days in the country, at the beach, or in the mountains, but whose income will not permit the trip to the commercial resorts;



(5) For those groups of underprivileged children, for Boy Scouts, Girl Scouts, 4-H Clubs, Future Farmers, Farm Women, and other organizations.

Powers and duties.	In furtherance of this policy, the Commission is empowered as follows:
Control and improve the parks.	To control, supervise, maintain, and wherever practicable, to improve all parks now or hereafter belonging to the State for general recreational and educational purposes (Acts of 1934);
Acquire recreational areas; public shooting grounds, etc.	To acquire by purchase submarginal agricultural lands, and cut-over forest lands at an average price not to exceed \$5 per acre, and in no event above \$10 per acre, to be used for timber production, demonstration in forestry practice, erosion and flood prevention, game sanctuaries, public shooting grounds, and as places of general recreation;
Acquire lands by gift.	May accept gifts, donations and contributions of land suitable for forestry and park purposes (Acts of 1935);
Other gifts.	May accept and hold gifts, donations or contributions from individuals, associations, corporations, counties, municipalities or other agencies (Acts of 1929);
By purchase, lease.	May enter into agreements with the Federal Government and other agencies for acquiring by lease, purchase or otherwise such lands as in its judgment are desirable for State forests or State parks (Acts of 1935);
Expenditures for development, etc.	When lands are so acquired or leased, expenditures may be made from unobligated funds for the management, development and utilization of the areas (Id);
Use of revenue.	Revenues derived from lands now owned or later acquired are to be segregated by the State Treasurer for the use of the Commission in the acquisition, management, development and use of the lands until all incurred obligations are paid in full. Thereafter 50% of all net profits accruing from the administration are to be applicable for such purposes as the General Assembly may prescribe, and 50% is to be paid into the school fund of the county in which the lands are situated. Obligations for the acquisition of lands must be paid solely and exclusively from revenues derived therefrom, and may not impose any liability upon the general credit and taxing power of the State (Id);
May sell, exchange or lease lands.	May sell, exchange, lease, transfer, rent, pledge and mortgage lands and other property under its jurisdiction when in its judgment it is advantageous to the State to do so in the highest orderly development and management of State forests and State parks, subject to the terms of any contract entered into (Acts 1933, 1935);



Rules and regulations.

May prescribe rules and regulations governing the use of all parks (Id);

General powers and authority.

May cooperate with all Federal agencies in all matters pertaining to reforestation and in providing employment for the benefit of the public; also with any other department of the State to accomplish the intent and purpose of the statutes; and is vested with any and all power deemed necessary to conform to any Act of Congress, or any rule or regulation promulgated by any authorized agency of the Federal government; and, in general, to do any and all things necessary and incident to the furtherance of the use to which the parks are dedicated (Acts of 1933, 1934).

May borrow money; how secured.

May borrow from time to time sums of money not exceeding \$500,000 and issue notes or bonds therefor. Any sums borrowed may be secured by mortgage of any property owned; may pledge any and all income of every kind, including rents, issues and profits accruing to it from any of its properties and for any rights or privileges accruing to it under any contract of sale or lease. Fifty percent of the net income from any lands acquired may be pledged for the repayment of labor costs incurred under Federal laws pertaining to reforestation in aid of unemployment, should such be a requisite by the Federal government. Following satisfaction of any indebtedness, 25% of the net income from the products of forest lands acquired is to be assigned to the county in which the lands are situate in lieu of taxes (Acts of 1934).

To acquire waste lands.

Acts of 1929 authorized and directed the Sinking Fund Commission to convey to the Commission certain waste lands owned by the State, for forestry development, reforestation, or other uses. Upon the sale of trees, timber or other articles or things from such lands the Commission is required to pay to the Sinking Fund Commission a sum equal to the amount chargeable against the lands at the time of conveyance.

### III. KING'S MOUNTAIN BATTLE GROUND COMMISSION.

Object.

The above Commission was established by Act of March 15, 1935, to acquire land for the purpose of establishing and maintaining a military park, park reservation or recreational park of, at and near King's Mountain Battle Ground;

How acquired.

The Commission is empowered to accept gifts of money or lands or to acquire by purchase or condemnation such lands as is in its opinion are necessary or desirable for the holding, owning and perpetuation of the historical points of the Battlefield and lands adjacent thereto, and any and all other lands that may be necessary or desirable adjacent to the battlefield, for the purpose of establishing and maintaining a recreational park;



Convey custody.

May convey said lands when so acquired to the State, the United States, or to any Commission or Association that may be established or to any individual or individuals forming themselves into a patriotic association, on such terms and conditions as they see fit, for the purpose of establishing and maintaining a National Military Park and a recreational park adjacent to and in connection therewith.

#### IV. PUBLIC SHOOTING GROUNDS.

How acquired; to be used for general recreation.

Acts of 1934 authorized the State Commission of Forestry to acquire by purchase, gift or otherwise, submarginal agricultural lands and cut-over forest lands to be used for timber production, demonstration in forestry practice, erosion and flood prevention, game sanctuaries, public shooting grounds, and as places of general recreation;

Price limitation.

The average price to be paid may not exceed \$5.00 per acre, and in no event above \$10 per acre.





## S O U T H   D A K O T A

### I. STATE PARKS.

Jurisdiction.	State parks, excepting Custer State Park, are under the jurisdiction of the State Park Board (Acts of 1935);
Members; terms.	The Board is composed of five members appointed by the Governor for five year terms (rotated); are to be appointed without reference to political affiliations; are to serve without compensation, but are allowed necessary traveling and subsistence expenses not to exceed \$500 for any one year. The Board elects a Chairman, a Vice-Chairman, and a Secretary, and who constitute an Executive Committee, the powers of which are determined by the Board;
Officers.	
Powers and duties.	Powers and duties of the Board are as follows:
Acquire lands.	To acquire park areas by purchase, lease, gift, or by condemnation;
Administer.	To develop and administer such areas as are acquired;
Accept funds.	To accept and use any funds provided by any agency of the United States Government or from other public or private sources, all such funds to constitute a Revolving Fund to be disbursed by the Board;
Revolving Fund.	
Employ personnel.	To employ necessary personnel under such appropriations as the Legislature may grant.
Grazing prohibited.	Acts of 1921 declare it to be unlawful for any person, association or corporation having charge or possession of any horses, mules, cattle, goats, sheep, swine, or other like animals, to cause or permit such animals to enter or graze upon any State park game preserve except on permits issued by the Board or other governing body.

### II. CUSTER STATE PARK.

Jurisdiction; Members of Board.	The above park is administered by the Custer State Park Board, which consists of three members appointed by the Governor for four year terms. Members serve without compensation but are allowed necessary expenses incurred in the performance of their various duties; a secretary may be employed (1927).
Powers and duties.	Powers and duties of the Board are as follows (1919, 1927):
Administration.	To operate, manage, improve and maintain the park and all property, real and personal, belonging to the State within



the limits of the park;

Purchase lands.

To purchase or to contract for the purchase, in fee simple, of any lands within the boundaries of the Park, suitable for park purposes, or to pay off mortgages, existing on such land as are purchased, and to pay taxes now a lien against said land;

Eminent domain.

Is invested with the power of eminent domain and with the power to take or damage private property for public use;

Park land purchase fund.

The State Treasurer and State Auditor are directed to create a special fund to be called the "Park Land Purchase Fund" and to which are to be credited annual appropriations to be drawn and expended by the Board;

Same.

To acquire and hold such private property by gift, grant, devise, purchase, lease or condemnation proceedings as may be located in the park or adjacent thereto;

Lease lands.

May rent common school lands belonging to the State or rent privately owned land, in or adjacent to the park when deemed suitable or necessary for park purposes, unless or until such lands may be purchased;

School lands not to be sold.

The Commissioner of School and Public Lands is prohibited to advertise for sale, or sell, any school lands in the Park prior to January 1, 1938 unless requested by the Board to hold such sale;

Highways, roads and trails.

To construct and maintain the necessary highways, roads and trails within the park boundaries and to use such moneys as are available for such purposes. The State Highway Department may enter into cooperative agreement with the Board to carry out this work. The Commission may determine the maximum expenses for the construction and maintenance during each year, but no highways, roads or trails may be built except such are designated by the Board; or the Commission may by resolution set aside or appropriate funds to the Board for the construction and maintenance of such highways, roads and trails, as the Commission may deem necessary. The Board may purchase the necessary right of way for highways and trails and may exercise the right of eminent domain. No automobile or wagon roads are to be built to the top of Harney Peak, nor to a higher altitude than 6400 feet;

Park Highway Fund.

Restrictions.

Control of highways; signs; fences.

To regulate the speed limit on highways and trails, and to erect road signs at such points as may be deemed advisable; may also erect and maintain a fence around the entire park;

Maintain schools.

To maintain or assist in the maintaining of schools within the park, and to pay for the same out of any funds available; but no additional schools are to be established in



excess of revenues derived for school purposes, except upon resolution of the park board advising the school board of its willingness to contribute the necessary funds for the maintenance of such additional schools;

Encourage summer homes; leases.

To encourage the erection of summer cottages and summer homes, may make term permits or leases for such purposes, but no lease may be made on the slopes of Sylvan Lake or within view of the Lake; the minimum rental for a site to be \$10 annually, and the Board may cancel the lease in case of failure to comply with such permit or lease, or to pay the rental. No leases may be made for homes along the highway but only upon locations designated by the Board;

Sale of timber.

May contract for and sell timber on any of the State lands in the Park, but not in excess of 100,000 lumber feet in any one year. No trees may be cut adjacent to the highway, except as may be necessary to improve the appearance of growing conditions. Proceeds derived from the sale of timber are to be placed in the General Fund of the State, except where such timber is from school land, in which case the proceeds are to be credited to the permanent school fund and applied to the purchase price of said land;

Superintendent.

Is directed to employ a Superintendent to care for the park property, manage and execute park enterprises and activities, direct and supervise other employees, and perform such other duties as the Board requires. The Board may also employ such other personnel as may be necessary, including a park Forester, or the Superintendent may be required to act as such;

Park Forester.

Rules and regulations.

May make and enforce necessary rules and regulations, and designate one or more employees as game wardens to enforce the provisions of the Act or any of the laws of the State;

Game warden.

Annual reports to Governor.

Must annually file with the Governor a report of all funds received from any source during the preceding year and a statement of all moneys paid out; including a report of all lands purchased, the price paid therefor, the lands rented and rental paid therefor; also a detailed report of all property sold or disposed of and the price received therefor.

State-wide park plan.

Is directed to formulate and recommend a State-wide plan for a State park system, embracing the different scenic and recreational areas in different sections of the State and report to the next Legislature.

Hunting regulated.

Hunting, trapping, killing or capturing game animals or game birds within the boundaries of the park is unlawful except under such regulations as may be prescribed by the Board. It is also unlawful to carry firearms therein or to permit dogs to run at large.

Firearms; dogs.



### III. PUBLIC SHOOTING GROUNDS.

#### How acquired.

By Acts of 1927 the Game and Fish Commission is vested with the power, on behalf and in the name of the State, to acquire by gift, grant, devise, purchase, lease or condemnation, any public or privately owned real property, known as duck passes or "flyways", or any public or privately-owned real property especially useful to hunters in shooting wild aquatic fowl.

### IV. STATE PLANNING.

A State Planning Board was created by Acts of 1935. Its powers and duties are as follows:

#### Make surveys.

To make inquiries, investigations and surveys concerning the natural and human resources of all sections of the State;

#### Formulate plans.

To assemble and analyze the data thus obtained and to formulate plans for the conservation of such resources and for their intelligent and systematic utilization and development;

#### Recommendations.

To make recommendations from time to time as to the best methods of such conservation, utilization and development;

#### Draft legislation.

To draft for submission to the Legislature such procedure affecting the use, development and conservation of natural resources and the promotion of industrial and social facilities as are deemed advisable;

#### Publicity.

To promote public interest in and understanding of the State plans or of research reports, and the use of other means of publicity and education as it deems advisable;

#### Cooperation.

To confer and cooperate with Federal agencies and with the executive, legislative or planning authorities of neighboring states and of counties and municipalities of such states.





## T E N N E S S E E

### I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the State Park and Forestry Commission (Acts of 1925).
Members; appointment; terms.	The Commission is composed of the Governor, ex-officio, and three persons by him appointed for terms of two years. Members serve without compensation, but receive expenses incident to official duties. The Governor also appoints a Secretary as executive officer.
	Powers and duties of the Commission are as follows (1925):
Survey lands.	To make a careful study of lands suitable for park and forestry purposes, and to formulate and adopt a system for the proper development, preservation and administration thereof;
Acquire areas.	To acquire by gift, devise, purchase, or by eminent domain, areas, properties, lands, or any estate or interest therein, of scenic beauty, material or recreational utility, historic interest, remarkable phenomena or any other unusual features, which in its judgment should be acquired, preserved and maintained for the use, observation, education, health and pleasure of the people of the State;
Limitation on acquisitions.	Provided, that such authority of acquisition must be within the limits of any appropriation which may be made by the General Assembly for the purchase of such properties;
Recommendations to General Assembly.	To make recommendations to the General Assembly of any other areas or properties for acquisition for which no appropriations have been made;
Solicit gifts.	To make diligent effort to obtain by gift, or otherwise, money or other property for park and forestry purposes;
Accept gifts.	To receive by bequest, gift or otherwise, money or other personal property for similar purposes;
Rules and regulations.	To make rules and regulations for the management and control of park and forest property;
Disposition of revenue.	All revenue derived from park and forest areas is required to be paid into the State Treasury for State purposes.



Camping by non-residents.

Non-residents may not camp within the State forest reserves for pleasure until they have obtained the services, at their own cost, of a warden, and who is held strictly responsible for the care and prevention of fires from extending to the forest areas (Acts of 1907).

## II. STATE FORESTS.

Cooperate with United States in forestry matters.

By Act of the 1933 Legislature the Governor is authorized to cooperate with the Federal Government in its reforestation program, and, within his discretion, to designate and set apart State-owned lands suitable for State forests;

Use of tax reversion lands.

Also to set apart suitable lands which have or may revert to and become the property of the State on account of delinquent taxes; also surface rights to State-owned lands held primarily for minerals, and any lands held or which may be given to the State by donation or otherwise;

Use by Federal Government.

Such lands may also be used by the Federal Government in its reforestation program, provided, that the title to the lands is to remain in the State. All direct profits derived from such lands and/or the products thereof to be divided equally between the State and the Federal Government until the latter has been reimbursed for the fund expended thereon at the rate of \$1 per man per day for the time spent upon said projects, but not to exceed .3 per acre (amendment of 1935).

Meet requirements of ECV.

The Act further authorizes the Governor to meet all the requirements of the ECV Act and to cooperate with the Federal authorities in the promotion of such reforestation program. Provided (Acts of 1935), that all funds derived from the sale of timber or other special uses in connection with the administration of State forests and/or parks which are not due to the Federal Government under the terms of Chapter 162 of the Acts of 1935 (Regular Session as above), or under H. R. 6914 of the United States Congress (The Fulmer Act, Public No. 395, 74th Congress), may be expended by the Department of Agriculture, Division of Forestry, to improve the areas for public use and benefit; the said Department and Division being authorized to administer the provisions of H. R. 6914, providing for the acquisition, development and administration of State forests and/or parks insofar as may be possible in connection with other activities provided for in the general appropriation bill.

## III. PUBLIC FISHING AND HUNTING GROUNDS.

Board. How areas acquired.

The 1935 Legislature created a Board of Conservation for Game, Fish and Wildlife, which is authorized, among other



things, to acquire by purchase, condemnation, lease, agreement, gift or devise, lands or waters suitable for public hunting, fishing or trapping; also to extend and consolidate lands or waters suitable for such purposes.

#### IV. STATE PLANNING.

**General State Plan.** The 1935 Legislature created a State Planning Commission, charged with the duty of making and adopting a general plan for the physical development of the State, including the classification and allocation of land amongst forestry, recreational and other uses and purposes;

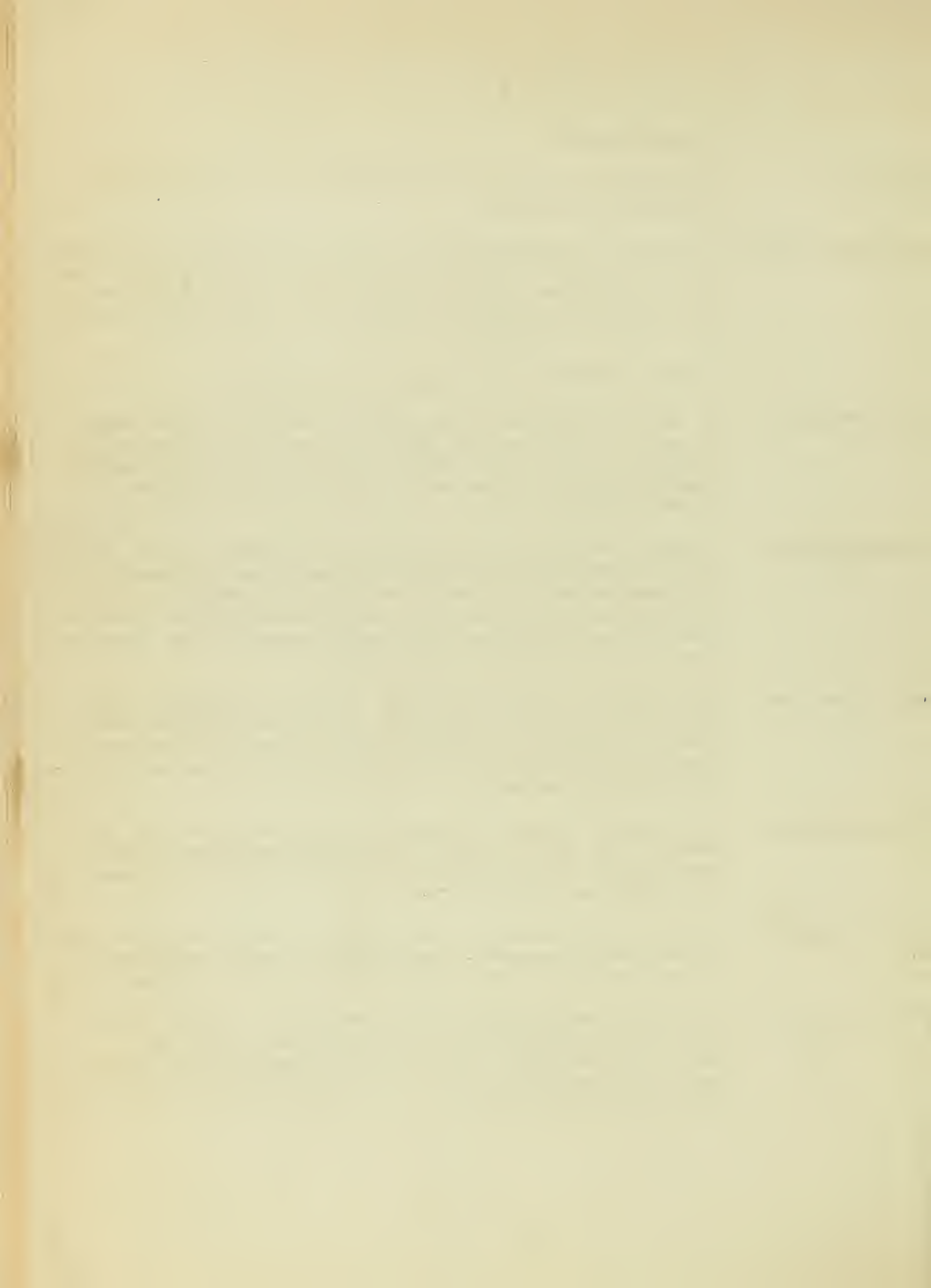
**Purpose.** Such State plan is to be made for the general purpose of guiding and accomplishing a coordinated, adjusted, efficient and economic development, which will, in accordance with present and future needs and resources, best promote the health, safety, morals, order, convenience and welfare of the people, as well as efficiency and economy in the process of development; including among other things, such distribution of population and of the uses of land for urbanization, trade, industry, habitation, recreation, agriculture, forestry and other uses as will tend to create conditions favorable to transportation, health, safety, property, and civic, recreational, educational and cultural opportunities.



## T E X A S

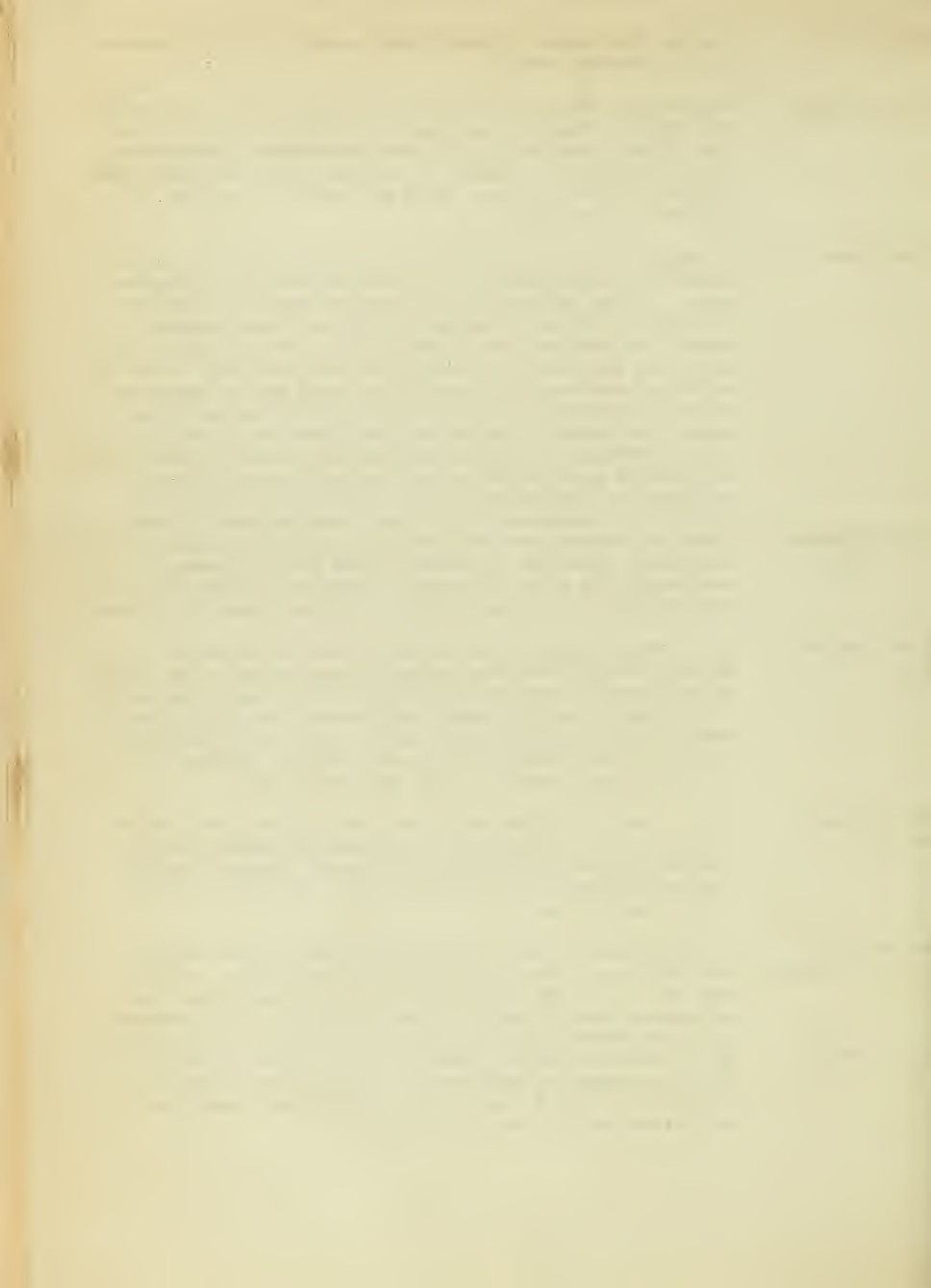
### I. STATE PARKS.

- Jurisdiction.** State Parks are under the jurisdiction of the State Parks Board (Acts of 1923).
- Members; appointment.** The Board is composed of five members appointed by the Governor for six year terms (two terms expiring biennially). Members serve without compensation but are reimbursed for necessary traveling expenses and hotel bills, except where localities pay such expenses,
- Powers and duties of the Board are as follows:**
- Solicit donations of land.** To solicit donations to the State of tracts of land, large or small, to be used for the purpose of public parks, and to accept in behalf of the State the title to any such tract or tracts of land, subject to the approval of the Legislature (Acts of 1923);
- Investigate lands.** To make investigations of any tract or tracts of land, of any size, to determine if suitable for public park purposes and the terms on which it can be acquired. The result of their investigations, together with their recommendations and findings, to be reported to each regular session of the Legislature for such action as it may take;
- Purpose of the law.** The purpose of the law being to initiate a movement looking to the establishment eventually of a system of State parks for the benefit of the people, secured either by donation or purchase, or established on any land owned by the State available for such purpose;
- Traveling expenses.** Any locality desiring to do so may pay the expenses of the Board on any trip to inspect land and investigate in such locality, in order to ascertain whether there is a suitable site there for a State Park.
- Concessions; improvements.** To grant concessions in State parks, and make concession contracts for any causeway, beach, drive or other improvements in connection with State park sites, wherever feasible (1931),
- Disposition of funds.** Funds and revenue derived are deposited in a special fund in the State Treasury known as the State Parks Fund, out of which not exceeding \$1,000 per year is appropriated for the payment of the necessary traveling and contingent expenses of the members of the Board;





- Convict labor. May use the labor of trusty State convicts on or in connection with State parks;
- Purchase lands. May acquire State park sites by purchase, gift or otherwise, and improve, beautify and equip, or contract with any person, firm or corporation for the improvement, beautification or equipment of same, to such an extent as it may deem advisable (1933). Note: Such authority to purchase is limited to two years.
- How paid for. In payment for such sites and of the improvement, beautification and equipment of the parks and/or other improvements, or for the purpose of borrowing money from the Reconstruction Finance Corporation, or any other Federal Agency, or from any other person, firm or corporation, may issue its evidences of indebtedness for such sums of money and upon such conditions as to the Board may be deemed advisable, bearing interest at a rate not to exceed 6% per annum. As security for payment the Board may pledge its rents, revenues and income from any source other than legislative appropriations; and in furtherance thereof, may have full authority to make concession contracts of any kind or character which it may deem desirable. Projects so financed are declared to be self-liquidating in character, supported by charges other than by taxation, and nothing is to be construed as creating a debt or binding the State in any way except as to the pledge of revenue.
- Self-liquidating.
- Marking historic sites. May locate, designate and suitably mark the historic grounds, battlefields and other historic spots in the State, and to erect thereon fitting markers or monuments in memory of the heroes and the heroic achievements that consecrated, sanctified and made immortal the glorious and resplendent pages of Texas history. No expense may be incurred in the name of the State for such projects (1934).
- Constitutional provision. Note: The Legislature may, from time to time, make appropriations for preserving and perpetuating memories of the history of Texas, by means of monuments, statues, paintings and documents of historical value (Sec. 39, Art. 16, State Constitution).
- Cooperate with cities and counties. May cooperate with any city and/or county in the acquisition and establishment of parks and playgrounds, and to make such rules and regulations for the acquisition, establishment and operation of same with any city or county as may be mutually deemed advisable; the Government and the State Prison Board may permit the use of State convicts for the improvement and maintenance of such parks under such provisions as may be made by the State Parks Board with said cities and/or counties (1931).
- Convict labor.



Same. Any county or incorporated city, either independently or in cooperation with each other, or with the Board, may acquire by gift, purchase or condemnation, lands to be used for public parks and playgrounds (as amended 1935). To pay for lands for park purposes, may levy a tax not in excess of 10¢ on each \$100 valuation of taxable property if approved by a majority of the voters. Land so acquired may be turned over to the State Parks Board to be operated as a public park, the expense of the improvement and operation to be paid by the county and/or city. Counties and cities may levy a tax of not exceeding 5¢ on each \$100 property valuation to create a fund for the improvement and operation of such parks. The management of any park so created may sell and lease concessions for the establishment and operation of such amusements, stores, filling stations and all such other concessions as are consistent with the operation of a public park. The proceeds therefrom to be used for the improvement and operation of the park (1931).

Tax levy.

Concessions.

Appropriation of waters for public parks, etc. The waters of the State may be appropriated for the purpose and use as public parks, game preserves, recreation and pleasure resorts (1925).

State highway lands. The State Highway Commission is authorized and empowered, in its discretion, to exchange any lands or interests therein donated to the State, either for right-of-way purposes, or for the use of the people for camping accommodations and for park purposes for other lands or interests therein, located adjacent to or accessible from a State highway and deemed by the Commission in its discretion to be more desirable for said purposes than lands or interests heretofore donated (1933).

Pecan tree. The Pecan tree is declared to be the State tree, and it is the duty of the State Board of Control and the State Parks Board to give due consideration to the Pecan tree when planning beautification of State parks or other public property belonging to the State (as amended 1927).

## II. SAN JACINTO STATE PARK.

Jurisdiction. The above park is under the care and direction of the State Board of Control (1907).

Members; appointment; term. The Board consists of three citizens, one to be appointed biennially by the Governor, with the advice of the Senate, for a term of six years.

State Park Commissioners; appointment; duties. The Governor is directed to biennially appoint three resident citizens to be known as the "San Jacinto State Park Commissioners", and who are to advise with and assist the Board in the improvement, care and preservation of the park. One or more of the Commissioners may, in the discretion of the Governor, be selected from the San Jacinto Chapter, D.A.R.



or any kindred organization. Members are required to serve without compensation.

Keeper. The Commissioners are directed, acting with the advice and consent of the Board, to appoint a resident keeper and who is clothed with the powers of a police officer;

Improvements. To provide necessary equipment and material for beautifying, improving and protecting the grounds;

Improvement plan. To provide for and outline a plan of the work to be done from time to time;

General authority. To do any and all things necessary to be done with the intent and purpose of beautifying, improving and protecting the State's interest therein.

### III. GONZALES STATE PARK.

The above park is also under the care and direction of the State Board of Control (1913).

State Park Commissioners. The Governor is directed to biennially appoint three resident citizens of the State to be known as the "Gonzales State Park Commissioners", and who are to advise with and assist the Board in the improvement, care and preservation of the land. One or more of the Commissioners may, in the discretion of the Governor, be selected from the Gonzales Chapter, D.A.R., or from any kindred organization. Members are required to serve without compensation.

### IV. WASHINGTON STATE PARK.

Jurisdiction. The Governor is directed to biennially appoint for a term of two years five resident citizens of the State who are designated as "The Washington State Park Commission" (1923).

Duties. The duties of the Commission, acting with the advice and consent of the Board of Control, are defined as the same provided by law for the San Jacinto State Park, as far as applicable.

### V. GOLIAD STATE PARK

Jurisdiction. The Governor is directed to appoint three resident citizens of the State to be known as "Goliad State Park Commissioners". Appointments are for six years, two terms expiring biennially. (The members first appointed were directed to decide by lots among themselves who should have the two, four and six year terms.) Members are required to serve without compensation except for such reasonable and necessary expenses as may be incurred in the performance of their duties (1931).



Duties.	The duties of the Commissioners, acting with the advice and consent of the Board of Control, are the same as those prescribed for the San Jacinto State Park Commissioners, with the added authority to solicit further donations of land adjoining the park, and to accept not to exceed 125 acres of such additional land in behalf of the State when and as tendered, subject to the approval of the Board of Control;
Solicit donations of land.	
U. S. may erect memorial.	The United States Government to have permission, if same is necessary, to erect upon the parksite a memorial in the form of a monument, building, or whatever it may desire as such memorial.
Leasing of land prohibited.	The Board for Lease of Eleemosynary and State Memorial Lands is expressly forbidden to lease for any purpose any of the land composing the park, or any other lands subsequently added thereto.
Board for Lease of Eleemosynary and State Memorial Park Lands.	Note: The Board referred to was created by Acts of 1930, with authority to lease all lands owned and held by the State as State Eleemosynary and State Memorial Park Lands to any person, persons, firm or corporation for the purpose of leasing for agricultural purposes or for prospecting, or exploring and mining, producing, storing, caring for, transporting, preserving, and disposing of oil and/or gas therein belonging to the State;
Survey and subdivide land.	The Board is authorized to cause the said lands to be surveyed and divided into such lots or blocks as will be conducive or convenient to facilitate the advantageous sale of oil and/or gas leases thereon; is directed to obtain authentic abstracts of title to all Eleemosynary and State Park lands and cause the same to be examined by the Attorney General, and to take such steps as may be necessary to perfect a merchantable title to such lands.
Oil and gas to be sold.	Wherever, in the opinion of the Board, there is such a demand for the purchase of oil and/or gas leases on any lot or tract of such land as will reasonable insure an advantageous sale, the Board must place such oil and gas in the market in such lots or blocks as it may designate.
Period title to be held.	Title to all rights purchased may be held by the owners so long as the area produces oil and gas in paying quantities. All rights purchased may be assigned in quantities of not less than forty acres.
Grant permits for pipe lines, etc.	The Board may further authorize the laying of pipe line, telephone line, and the opening of such roads over the Eleemosynary and State Park Lands as may be deemed reasonably necessary for and incident to the purposes of the Act.





Land excepted.

Land composing the San Jacinto Battlefield lands, or any other lands where battles were fought for Texas independence, and Washington Park, are also excluded from the provisions of the Act.

## VI. PUBLIC HUNTING AND FISHING GROUNDS.

How acquired.

Moneys received from the sale of hunting licenses, and penalties and forfeitures of bonds imposed and collected for violation of the game laws, are to be used by the Game, Fish and Oyster Commissioner, among other purposes, for the creation, purchase and maintenance of game sanctuaries and public hunting grounds.

Waters for public fishing and hunting.

Acts of 1931 provided that the river bed of the Trinity River in certain counties is to remain the property of the State and not to be sold, and that all portions of the river bed that are now the property of the State may not be sold, even though the channel has been or may be changed, and that the people of the State are to have full right to fish in the waters of the river and in such waters that are abandoned channels of the river; also the full right to hunt within the confines of such State property;

Condemn rights of way.

The Commissioners' Court of the respective counties being granted full power to condemn rights of way in order that the public may reach the water or the abandoned channels, such condemnation being declared a public necessity.

Roads to public waters.

The lack of adequate roads for the purpose of public access to navigable streams or public lakes, or to shores of lakes or bays within tidewater limits is declared to be a public necessity for additional roads in the counties of Leon or Madison, which will furnish a means of access for the general public (1935);

"Navigable streams" and "public lakes" defined.

"Navigable streams" are defined to be statutory navigable streams of an average width of 30'; "public lakes" are defined to be those lakes in which the State owns the beds, or reserves the right of access for its citizens for fishing, boating, hunting or other recreation;

Public necessity.

A public necessity for roads of this character is declared to exist where any existing public roads which furnish access to public rivers, lakes or bays are more than 5 miles apart, and/or where there is an area of at least 5 miles on any such river, stream, lake or bay without a road to furnish public access thereto.



Withdrawal of public land.	Acts of 1929 withdrew from sale all public land lying beneath or adjacent to the waters of Caddo Lake (in counties named), and all such public lands theretofore sold that may revert to the State are to become a part of the public domain, the same to remain in the State to be enjoyed by the public for fishing, hunting and park purposes.
VII. STATE FORESTS.	
Gifts of land.	Upon the recommendation of the Board of Directors of the State Agricultural and Mechanical College, the Governor may accept gifts of land to the State to be held, protected and administered by the said Board as State forests, to be used to demonstrate the practical utility of timber culture and water conservation and as game preserves (1915).
Tax delinquent lands.	When pine forest lands are sold to the State for the payment of taxes and not redeemed or resold, such lands are to be withdrawn from the market and held, protected and administered by the Board as State forests;
Purchase lands.	The Board may also purchase lands in the name of the State, suitable chiefly for the production of timber as State forests, using for such purposes any special appropriations;
Gifts to Board.	The Board may also accept gifts, donations or contributions of land suitable for forestry purposes, and to enter into agreements with the Federal Government or other agencies for acquiring by lease, purchase or otherwise such lands as it deems desirable for State forests (1935);
Development.	When lands are so leased or acquired the Board may make expenditures from any funds not otherwise obligated for the management, development and utilization of such areas; to sell or otherwise dispose of the products, and to make such rules and regulations as may be necessary to carry out the purpose of the Act;
Disposal of revenues.	All revenues derived from such lands are to be segregated by the Board for use in the acquisition, management, development and use of such lands until all obligations incurred have been paid in full. Thereafter, net profits are to be applicable for such purposes as the Legislature may prescribe. Acquisitions are to impose no liability upon the general credit and taxing power of the State but must be paid solely from revenues derived from the lands;
Sale, etc.	State forest lands are subject to sale, exchange or lease by the Board when in its judgment it is advantageous to the State to do so.



## VIII. GENERAL.

Constitutional conservation provision.

The conservation and development of all of the natural resources of this State, including the control, storing, preservation and distribution of its storm and flood waters, the waters of its rivers and streams, for irrigation, power and all other useful purposes, the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, the reclamation and drainage of its overflowed lands, and other lands needing drainage, the conservation and development of its forests, water and hydro-electric power, the navigation of its inland and coastal waters, and the preservation and conservation of all such natural resources of the State are each and all hereby declared public rights and duties; and the Legislature shall pass all such laws as may be appropriate thereto (Sec. 59a, Art. 16, State Constitution, adopted August 21, 1917).

Reimbursement for improvements.

Where, as a result of improvements made on lands owned by the State or by any county or city of the State by the Federal Government with funds appropriated and expended under the provisions of an Act of Congress approved March 31, 1933 (Public No. 5, 73rd Congress), and providing "for the relief of unemployment through the performance of useful public work and for other purposes", there accrues upon the sale of said lands or from the sale of its products, a direct profit to the State resulting directly from such work, the profits so arising are to be divided equally between the State and the Federal Government until the State has paid for the work done on each particular tract of land, or its products so sold, at the rate of \$1.00 per day per man for the time spent on such work, not to exceed, however, \$3.00 per acre so improved (1933).

## IX. STATE PLANNING.

A State Planning Board was created by Acts of 1935, for a period of four years. Its authority is of a purely advisory character and is prohibited to exercise any administrative functions.

Duties.

The duties imposed embrace consideration of a long-term plan for physical development of the State, and the recommendation of economic and social measures for the welfare of the people; advising the Governor and Legislature; ascertaining what Federal funds are allocated for use in the State, and formulating a comprehensive State program for constructive expenditures.



## X. STATUTORY REGULATIONS.

No persons shall drive or cause to be driven, over or along any roadway in any of the public grounds of this State, any heavy vehicle for carrying merchandise, or vehicle heavily loaded or otherwise reasonably calculated to injure or deface such roadways or to make their maintenance more expensive;

Or drive or cause to be driven any vehicle or conveyance of any kind, or drive or cause to be ridden any animal of any kind over, across, or along any of the footpaths or walks in such grounds or on the turf of such grounds or at any place therein, except on or along the roadways;

Or cause or permit any horse not being driven to some vehicle or ridden, or any cow, sheep, goat, hog or other animal reasonably calculated to injure said ground or anything pertaining thereto to go into or remain in any portion of said grounds;

Or cut, pull, break, bruise, remove, or in any way injure any tree, or shrub or vegetation of any kind growing thereon; or disturb any birds' nests or eggs;

Or in any way injure, deface, or in any way interfere with any chair, bench, seat or hydrant, frame, fence, gate or structure of any kind therein or thereon or connected therewith;

Or wash or bath in or in any way pollute the waters of any lake or pond, or stream therein; or obscenely or indecently expose any part of his person, or do any indecent act thereon.

Any person violating any provision of this article shall be fined not less than \$5.00 nor more than \$100.00 (1903).

etc: The term "public grounds" is defined as including all parks maintained at the expense of the public.

It shall be unlawful for any person wilfully to pick, pull, pull up, tear up, dig up, cut, break, injure, burn or destroy any tree, shrub, vine, flower or moss growing upon any land reserved, set aside, or maintained by the State as a public park, or as a preserve, or sanctuary for trees, plants, wild animals, birds or fish, without having previously obtained permission of the Superintendent or Custodian so to do (1933).





## XI. STATE PARK RULES AND REGULATIONS

### Notice to the Public

This park is the property of the State of Texas; it has been improved by the Texas State Parks Board and the National Park Service for the use and benefit of the public.

### Rules and Regulations

1. No intoxicating liquors or beverages may be brought into, sold or consumed within State Park limits.
2. No gambling or lottery devices may be exhibited or operated.
3. Fishing and hunting will be allowed only on written permit from the Manager.
4. Traffic is limited to defined roads, trails and parking areas. No vehicle will be permitted to move at a speed in excess of twenty (20) miles per hour. Please drive slowly.
5. Fires will only be built in grates and fire-places. Be careful that all fires are completely out before leaving. Extinguish matches, cigarettes and cigars before discarding. A grass fire might result in complete destruction of this park.
6. Please burn all refuse in grates or deposit same in receptacles provided for that purpose. Please do not leave the area in an unsightly or unsanitary condition.
7. Picking of wild flowers, cutting breaking or otherwise injuring or mutilating trees and shrubs is positively prohibited. Do not write or carve upon, deface or injure any building, fixture, tree or other park feature.
8. Molesting wild life in state parks is positively prohibited. No dogs or cats will be permitted to run loose within the park area. Please help us protect the birds and animals in this park.
9. No loud or unnecessary noises, language or unbecoming conduct will be permitted, and offenders will be ejected from the Park. Remember that other visitors have come here for rest and relaxation.
10. Prices charged for merchandise, commodities and services are in line with those prevailing in the near-by towns. Please report any case of overcharge and undercharge, and oblige.

The Park Manager is responsible for the strict enforcement of the rules and regulations of the State Parks Board for this area. Please do your part in abiding by these rules and regulations, and assisting the Park Manager by encouraging all others to do likewise.

Texas State Parks Board



# I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the State Board of Park Commissioners (Laws of 1925).
Members; appointment; terms.	The Board consists of the Governor, the President of the University of Utah, the President of the Utah State Agricultural College, and two other persons appointed by the Governor by and with the consent of the Senate. The Governor is designated as President. The Board may elect any suitable person as its Secretary. Appointive members are to serve for four years, and without pay.
Powers and duties.	Powers and duties of the Board are as follows:
Management.	Is vested with full and exclusive power to manage and control any and all lands that the State may acquire for State parks;
Rules and regulations.	To make rules and regulations necessary to manage and control the same;
Cooperate with other agencies.	To cooperate with any Federal or other organization having for its purpose the investigation of State park possibilities within the State, and to assist such investigations;
Designate areas as parks.	If the findings disclose any areas of sufficient natural, historical, or lofty scenic quality to justify such action, to designate such areas as State parks or State monuments as the importance of such designation demands;
Acquire lands.	To acquire any land within or comprising any such designated area or spot;
Accept gifts.	May accept gifts from any county, municipality, individual, or the Federal Government, of money or land which may be used in furtherance of any of the provisions of the act;
Names for parks.	To name the parks and monuments; provided, that persons making gifts of areas may name the same;
Assistance from other State agencies.	Any department of the State University or of the Agricultural College may assist the Board in any of its work, such assistance to be with the approval and under the direction of the President of the University assisting;



Funds. Expenses incurred to be paid from funds regularly set aside for the respective offices of Governor, President of the University, and President of the College.

## II. PUBLIC HUNTING GROUNDS.

Establishment. The Fish and Game Commissioner, under the direction of the State Board of Examiners, is authorized to procure, set aside and maintain suitable lands as public shooting grounds (Laws of 1923);

Funds available. Under like direction, may expend such part of the fish and game funds as may be necessary for such purposes;

Rules and regulations; prescribe fees. In cooperation with the said Board, may prescribe reasonable rules and regulations, and fix reasonable fees, for hunting thereon.

## III. STATE PLANNING.

A State Planning Board was established by Acts of 1935.

Powers and duties. Powers and duties of the Board are as follows:

Develop plans. To develop, formulate and propose plans for the material, economic and social development of the state and for the welfare of its citizens;

Cooperation. To cooperate in all such work with all or any agencies of the Federal government, and any county, city, State, school or other agency interested in the development of the natural resources of the State and the welfare of its citizens;

Legislation. To formulate and recommend to the Governor, prior to the regular sessions of the Legislature, the enactment of such legislation as may be advisable or necessary to put into effect a definite plan or program for the ultimate development and utilization of the natural resources of the State and for the welfare of its citizens;

Assistance from others. Every State, county, town and municipal officer, department and institution may be requested to cooperate with the Board, and at its request furnish it with available data needed for its studies; and may supply additional funds for use in conducting investigations and compiling data.



## VERMONT

### I. STATE PARKS.

#### Jurisdiction.

State Parks (designated "State forest parks" by Statute) are under the jurisdiction of the Department of Conservation and Development (Acts of 1935).

#### Board; appointments; terms; interests to be represented.

The Department is administered by a Board of Conservation and Development consisting of three members appointed by the Governor, with the advice and consent of the Senate, for terms of six years (rotated). Members serve without compensation, but are reimbursed expenses incurred in the performance of official duties. It is a requirement of the Act that the fish and game, forestry and recreational interest be represented on the Board.

#### Divisions; directors.

Divisions of the Department are as follows, each to be administered by a Director who is appointed by the Board with the approval of the Governor;

Forest Service  
Fish and Game Service  
Publicity Service

#### Authorities.

Powers and duties of the Department, to be exercised by the State Forester, are as follows:

#### Acquire land for parks.

With the approval of the Governor, may purchase or accept gifts of land in the name of the State, to be held, developed and administered as State forests and State forest parks (Acts of 1925, 1929);

#### Use of revenue and gifts.

May use all money received from the sale of products therefrom for their development; also such sums as may be appropriated by the Legislature for similar purposes; also such gifts of real and/or personal property which the Governor may accept in behalf of the State for the furtherance of State forest parks;

#### Erection of shelters, etc.

May use such portion of the money apportioned for forestry as he may deem advisable for the erection of shelters, lookout towers, storehouses or barns on any property under his control (Acts of 1933).

#### Governor may accept forest lands.

The Governor may also accept gifts of land to the State to be held, protected and administered as State forests (Acts of 1919, 1933).

#### United States may acquire lands for parks.

Acts of 1935 authorized the United States to acquire by purchase such lands deemed necessary for the general welfare of the State for the establishment, consolidation and





- extension of State forests, forest parks, game reserves, game sanctuaries and parks; such necessity to be determined by a board consisting of the Lieutenant Governor, Speaker of the House, Auditor of Accounts and Attorney General; and approved by the Governor and the selectmen of the town wherein such land, or a part thereof is located.
- Board to determine necessity.
- Conditions. Such consent is given upon the express condition that the United States Government will lease any or all of such real property to the State for a term of 999 years at an annual rental of one dollar for the entire area so acquired; and upon the further condition that it will convey by deed to the State at any time during the term of the lease the title to any or all of such real property upon payment of the purchase price without interest or other charges.
- Reimbursement to the United States. If, upon the sale of products from State land, it is determined that the State has derived a direct profit as the result of work on land, the products of which are sold, done or to be done under the Emergency Conservation Work Act, one-half of the profits of the sale of such products, or such lesser amount as may be sufficient, is to be applied to or toward reimbursing the United States Government for moneys expended by it for the work so done at the rate of \$1 per man per day but not exceeding in the aggregate \$3 per acre (Acts of 1935).
- Publicity. The sum annually available for the purpose of maintaining the publicity service is to be expended in such manner as may be determined by the Board, with the approval of the Governor, as will best result in promoting the development of the State through an attractive presentation of the resources and opportunities afforded, by the collection, preparation, publication and distribution of information and statistics respecting its natural, agricultural, recreational and industrial advantages.
- ## II. PUBLIC HUNTING AND FISHING GROUNDS.
- Constitutional provision. "The inhabitants of this State shall have the liberty in seasonable times to hunt and fowl on the lands they hold, and on other lands not inclosed, and in like manner to fish in all boatable and other waters (not private property) under proper regulations to be made by the General Assembly". (Chap.2, Sec. 63, State Constitution)
- Waters stocked by Department. Waters, except closed waters, stocked by the Director of Fish and Game, thereafter are to be treated as public waters. (Sec. 5642 P.L.)



### III. GENERAL.

restriction on advertising signs.

Advertisements and signs may not be displayed within fifty feet of any public park or playground. The Secretary of State may order the removal of any advertisement which is displayed contrary to law. (Chap.332, P.L.).

closing of hunting and fishing seasons.

When during an open season for the taking of fish or game it appears to the Governor that, by reason of drought, hunting or fishing is liable to cause forest fires, he may by proclamation suspend such open season and make it a closed season for such time as he may designate. (Chap.2332, P.L.)

taxation of State park lands.

Land held as State forest reserves or as State parks is required to be taxed annually, under the general tax law, at the local rate on the valuation of the land alone, but in no case to exceed \$3 per acre; and when so appraised to be set to the State in the grand list of the town where located, and the State shall pay taxes thereon. (Chap.33, 348, P.L.).

### IV. STATE PLANNING.

recreation development.

A State Planning Board was created by Acts of 1935, charged with the following duties;

studies.

To make studies, draft plans, and make recommendations to the Governor and the Legislature for the development of recreation, industry and agriculture;

publicity.

To make a broad study of matters relating to the physical, social and economic development of the State's resources insofar as they may be properly influenced by a State agency;

To advise and cooperate with other State departments in regard to advertising the attractions and resources of the State, and to assist by advice and cooperation in conserving and promoting the public health, safety, convenience and general welfare of the people of the State.



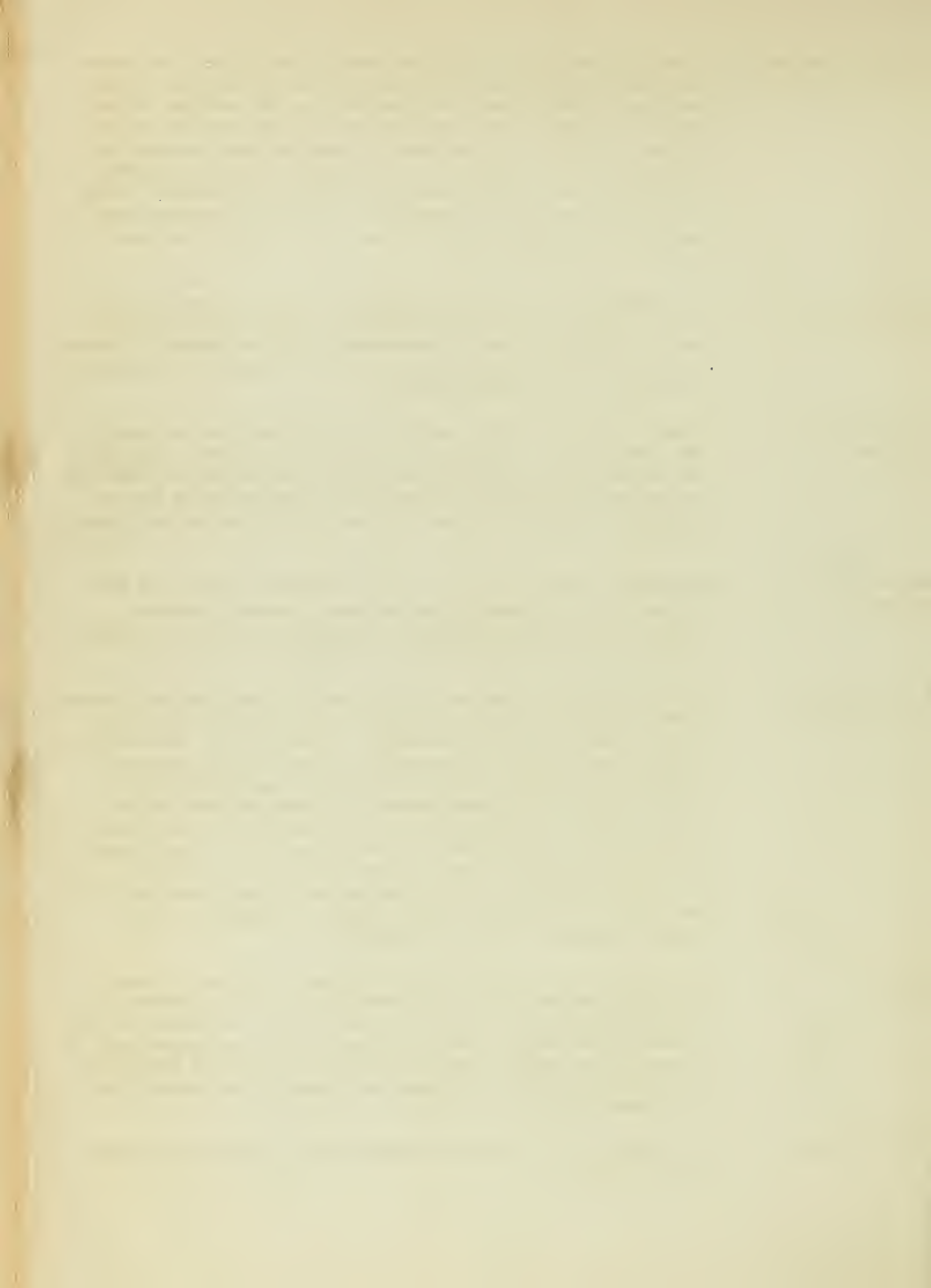
## VIRGINIA

### I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the State Commission on Conservation and Development of the Department of Conservation and Development (Acts of 1926).
Members: appointment; terms.	The Commission consists of five members, appointed by the Governor, subject to confirmation by the General Assembly, for four year terms (rotated). One member is designated by the Governor as Chairman; the Commission may elect one of its members as Vice-Chairman; also appoints an executive Secretary and Treasurer. The Chairman is required to devote his full time to the performance of his official duties and receives a salary fixed by statute. The other members are paid traveling and other necessary expenses in attendance upon meetings or while otherwise engaged in the discharge of their official duties; also the sum of \$10 a day for each day or portion thereof while so engaged (as amended 1934).
Powers and duties.	The Commission is vested with the following powers and duties (Acts of 1926, as amended);
Rules and regulations.	To adopt rules and regulations for its own organization, the proper disposition and administration of any property to which it may acquire title or over which it may have control, and for the conduct of its business and the exercise of its powers;
Divisions; Directors.	Note: Administrative divisions have been established as follows, each headed by a Director appointed by the Commission and confirmed by the Governor: <div style="margin-left: 40px;">Division of Parks " " Forest Service " " History and Archaeology " " Geological Survey " " Publicity and Advertising " " Water Resources and Power</div>
Acquire areas, lands, etc.	To acquire by gift, purchase, or by eminent domain, areas, properties, lands, or any estate or interest therein, of scenic beauty, recreational utility, historical interest, remarkable phenomena, or any other unusual features, which in its judgment should be acquired, preserved and maintained for the use, observation, education, health and pleasure of the people of Virginia. Such power and authority of acquisition to be within the limits of any appropriation, or of voluntary gifts or contributions for such purposes;
Limitation.	



Lease of property to contributors.	When any property is acquired without the aid of an appropriation, and exclusively with the aid of gifts or contributions, it may place such property in the custody of the person, persons or association making such gift or contribution, or lease the property to such person, persons or association for a period not to exceed ninety-nine years, upon terms and conditions approved by the Governor, which, in the opinion of the Commission, will best preserve and maintain such properties for the above objects and purposes;
Acquire areas for park purposes.	May purchase or otherwise acquire for park purposes such real estate as it may deem proper to extend the park system of the State, and to cooperate with the Federal Government in reducing unemployment, and in conserving the natural resources of the Commonwealth;
Appropriation; proviso.	Note: This Act (1933) carried an appropriation to enable the Commission to exercise the powers conferred, with the provision that no part of the appropriation may be expended, or any real estate be acquired or purchased under the authority of the Act, unless and until approved by the Governor;
Leases and concessions.	May grant concessions on or with respect to and, with the consent of the Governor and Attorney General, execute leases of and grant easements affecting any lands or other property owned or held (Acts of 1936);
Revolving fund; how expended.	Gifts of money, entrance and concession fees, and all funds accruing from, on account of, or to the use of the State parks or any State park acquired or held by it, other than regular and specific appropriations made by the General Assembly, constitute (unless otherwise specifically provided), a Revolving Fund under the direction and control of the Commission, and which may be expended in the conservation and development of State parks or of any State park. No unexpended part of such fund is to revert to the State Treasury at the close of any fiscal year until and unless specific provision therefor is made by the General Assembly (Acts of 1932);
Expend publicity funds.	To have control of and expend any funds created for advertising the resources and advantages of the Commonwealth in such manner as it may deem best; and to cooperate so far as may be practicable and expedient with other organizations in the State engaged in similar or related work, and to acquire by gift or by transfer property or funds to be so expended (Acts of 1928);
State Museum.	Is vested with control and supervision of the State museum (Acts of 1932);





Investigate streams and rivers.

To investigate the streams and navigable rivers within and bordering upon the State; of the methods and means of improving the same; of conserving the water supply thereof; of using the same for the production of power, and how and in what ways the said streams and waters may be made of most value to the State and to the people thereof.

## II. STATE FORESTS.

Require tax delinquent lands for forest purposes.

The State Commission on Conservation and Development may acquire the fee to lands sold to the Commonwealth for delinquent taxes, when it deems such land chiefly valuable for forest purposes. After lands are so acquired the Commission is required to pay annually to the counties in which such lands may lie one-fourth of the gross returns therefrom;

Require waste and unappropriated lands for forest purposes.

May also acquire as State forest land any waste and unappropriated land, other than unappropriated marsh and meadow land lying on the eastern shore of Virginia, as exempted from entry and grant, upon a showing that such lands are more valuable for forestry purposes than for agriculture or any other purposes;

Require forest lands by purchase or gift.

May also purchase lands suitable for State forests, and may accept gifts of land and money to the State for forestry purposes. Such gifts must be absolute, except that mineral and mining rights over and under land donated may be reserved by the donors, and that the lands shall be administered as State forests (Acts of 1914, as amended);

Accept lands from the United States.

May also accept gifts, donations and contributions of land from the United States, or any agency or agent thereof, and to enter into agreements with the same for acquisition by purchase, lease or otherwise, of such lands as the Commission may deem suitable for State forests, and to pledge and apply on the purchase price thereof not to exceed one-half of the gross proceeds derived from the said lands (Acts of 1936);

Manage and develop; sell products.

To provide for the management, development and utilization of any such lands so purchased, leased or otherwise acquired, and to sell or otherwise dispose of products on or derived from the land (Id);

Reimburse United States for Emergency Conservation Work.

If, upon the sale of any lands belonging to the Commonwealth, or of any products of any such lands, the Commission determines that the Commonwealth has derived a direct profit as the result of work on the lands sold, or on lands the proceeds of which are sold, done or to be done under any project carried on pursuant to the Emergency Conservation Work Act, one-half of such profit from the sale of such lands, or one-half the proceeds of the sale of such products, or such lesser



amount as may be sufficient, is to be applied to or towards reimbursing the United States Government for monies expended by it under such Act for the work so done, to the extent and at the rate of \$1 per man per day for the time spent in such work, but not exceeding the amount of 3 per acre. The Commission to fix and determine the amount of such profit or proceeds (Acts of 1936).

### III. PUBLIC SHOOTING AND FISHING RESERVES.

Acts of 1930 empowered the Commission of Game and Inland Fisheries

Acquire by purchase, etc. To acquire by gift, exchange, purchase, lease or otherwise, lands and waters for game and fish refuges, preserves, or public shooting and fishing, and to establish such lands under appropriate regulations;

Other public areas. To exercise full control of the hunting and fishing rights and privileges in and on all impounded water areas in the State resulting from power development; also in all forest and watershed areas within the State which are now owned or which may hereafter be acquired by the United States Government, subject to the rights and powers of the United States Department of Agriculture therein; and to establish refuges, sanctuaries, and public shooting and fishing reserves in said areas under such regulations as it may deem proper.

Funds for financing. The amount received by the State Treasurer from the sale of hunting, trapping and fishing licenses, the fifteen per centum dog fund, and such other items as may accrue to the Commission are required to be set aside as a Game Protection Fund, to be used for the payment of salaries, wages and expenses incident to carrying out the provisions of hunting, trapping, inland fish and dog laws and for no other purpose.

Use of unappropriated marsh or meadow lands. All unappropriated marsh or meadow lands lying on the eastern shore of Virginia which have remained ungranted, and which have been used as a common by the people of the State, are to continue as such common, and remain ungranted, and no land warrant located upon the same. Any of the people of the State may fish, fowl or hunt on any such marsh or meadow lands (Code of 1930).

### IV. FOREST, GAME, FISH AND RECREATION RESERVES.

Use of private lands. Acts of 1930 authorize the owner of any forest land, or land suited to the growth of timber, desiring to do so, to offer the same, subject to pasturage, to the Commission of Game and Inland Fisheries as a forest, game, fish and recreation reserve;



- Leased to State. In the event such land is accepted, the owner is required to lease the land to the Commission on Conservation and Development until such time as the timber thereon becomes suitable for marketing; also to lease to the Commission of Game and Inland Fisheries the exclusive hunting, fishing and recreation rights or privileges so long as it may remain as a reserve;
- Commissions to develop. Thereafter it is the duty of the respective commissions to aid in the development and the increase of the forest resources of the land, and to protect it, so far as is possible, from fires and trespass; to propagate and protect game and fish, promote recreation therein, and issue rules and regulations therefor;
- Exclusive rights of State. From the time such land is leased the State is vested with the exclusive hunting, fishing and recreational rights thereon; except that the owners, their families and tenants, actually residing thereon, are allowed, without cost to themselves, such rights and privileges as the Commission of Game and Inland Fisheries is authorized to sell;
- Classes of licenses; cost. The Commission is authorized to sell hunting, fishing and limited recreation privileges on any reserves so created for an annual fee of not less than \$5 nor more than \$15 per person, except that non-residents of the State are to be charged not less than \$10 nor more than \$15 per person. The Commission may also, in its discretion, issue a limited recreation privilege which does not entitle the purchaser to hunting or fishing privileges, charging therefor whatever fee it may deem proper. All of the foregoing charges to be in addition to the present hunting and fishing licenses to be prescribed by law.
- Privileges of licensees. The license as issued entitles the holder to hunt and fish, except in the case of holders of limited recreation privileges, on all forest, fish and recreation reserves during the regular hunting and fishing seasons prescribed by law, and to camp thereon at any time, all under such rules and regulations as the Commission of Game and Inland Fisheries may prescribe. The Commission may, in its discretion, at any time close any area in such reserves against all hunting, fishing and recreation for the purpose of establishing sanctuaries thereon;
- Use of license fees. All funds accrued from the above privileges are to be paid into a fund in the State Treasury designated as the Forest, Game, Fish and Recreation Fund, and used for the payment of taxes on the real estate embraced in such areas, for the benefit and administration thereof, and for the purchase of State-owned forest demonstration and game and fish propagation and recreation areas;



#### Taxes deferred.

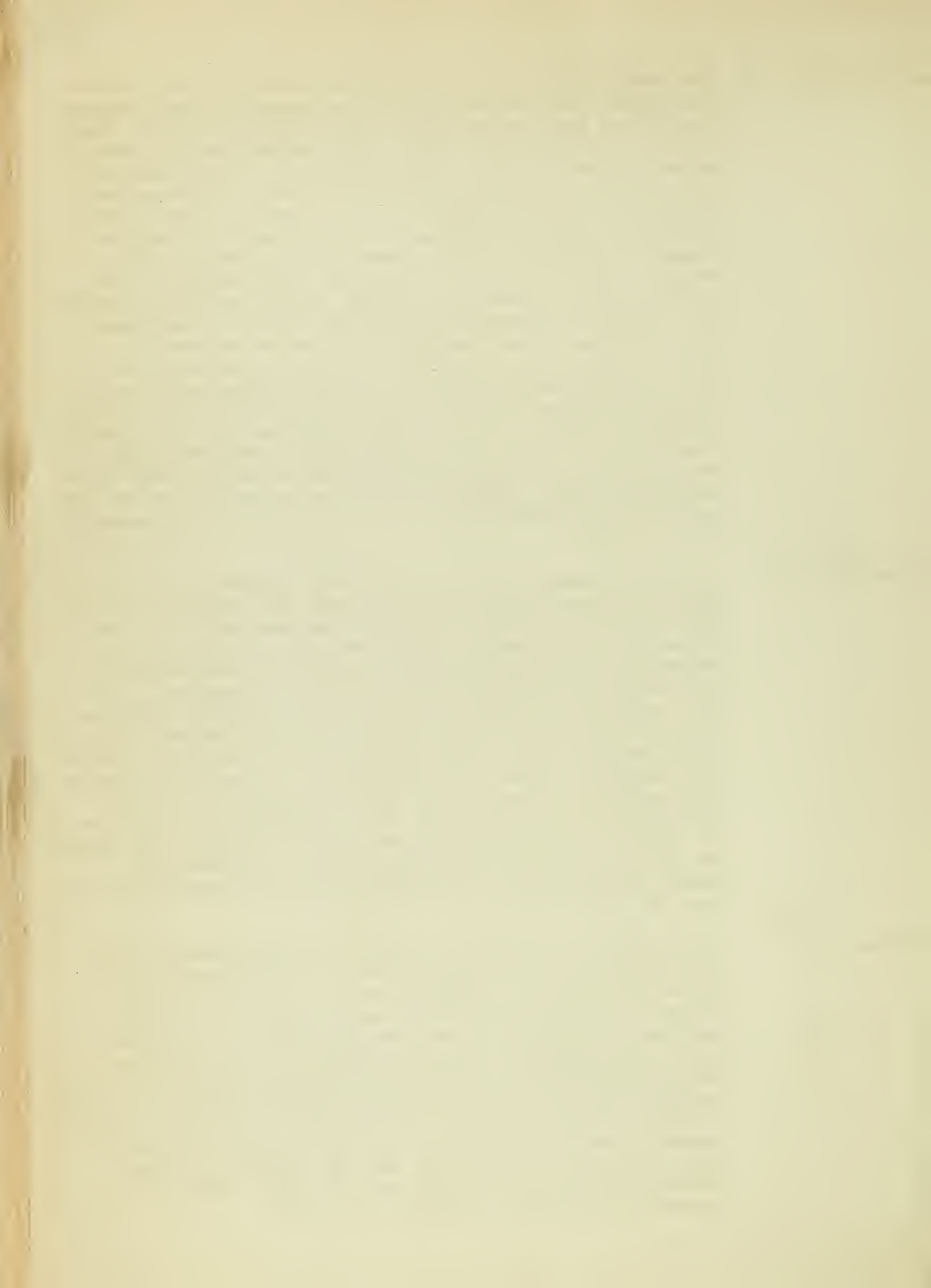
When any area has been accepted, the buildings, improvements and tillable land therein are to be assessed separate from the forest land and land suitable to the growth of timber. Thereafter, on forest land or land suited to the growth of timber no tax or local levies are to be paid, unless the owner desires to do so, or the collection thereof be enforced; but the taxes or levies imposed are to be entered by the county clerk in a book specially kept for that purpose. Such accrued taxes are to carry an annual interest rate of 6% per annum, and are to be a lien upon the lands embraced in the reserve, to be payable at such time as the timber is marketed or is matured for marketing; such maturity to be determined by the State. In no event may any taxes be deferred for a period longer than forty years. So far as possible, the funds derived from the sale of hunting, fishing and recreational privileges are to be used in advancing to the several counties the taxes or levies which have accrued. When and as such liens are paid to the county by the Commonwealth the county's lien for the taxes paid is to become the property of the Commonwealth; thereafter the amount so paid is to be reimbursed to the Commonwealth as a prerequisite to the removal of any timber;

#### Withdrawal of lands.

Any person leasing his land for a forest, game, fish and recreation reserve may withdraw the same from such area at any time after three months' notice to the Commission on Conservation and Development of his intention to do so; but as a prerequisite to withdrawal must pay all tax liens thereon, with accrued interest from the first day of December of the year in which such taxes were assessed or levied. However, in the event of such withdrawal during the first ten years of entry, the State may retain its lease of the hunting, fishing and recreation rights and privileges for a term of five years from expiration of withdrawal notice, unless a fee of not less than five cents per acre for land withdrawn be paid to the State; in which event the State will surrender such rights and privileges at the expiration of notice period. The amount of this fee is to be determined by the Commission of Game and Inland Fisheries;

#### Referendum.

The foregoing provisions are not to become operative in any county except upon a majority vote. A county once accepting may not withdraw its acceptance as to land which has been leased prior thereto; but the Commonwealth has the right at any time, acting through the General Assembly, to repeal the law or to abolish any reserves created. In the event the reserve is abolished after acceptance by any county, tax liens accruing on any real estate entered in the reserve are not to be enforced for a period of five years from the date of abolishment. The Commonwealth may at any time on three months' notice to the owner eliminate from the reserve any lands entered thereon when it deems such lands not suited for the purposes for which the reserve is created;





When county fails to adopt.

Should any county fail to adopt the provisions as set forth in the preceding paragraph, then the owners of any land in such county, suited to entry, may enter same in the reserve, in which event such lands are not to be subject to the provisions of the Act providing for assessments and the deferrment of taxes, but in lieu thereof such owners are to receive annually one-half of such a sum as may result from dividing the total receipts from the sale of all hunting, fishing and recreation privileges on such reserve by the total number of acres of land entered in the reserve, and multiplying the same by the number of acres owned by such owner. The State retains the other half of such sum to be used for the purposes hereinbefore set forth. The provisions of the paragraph also apply to all persons entering lands in the reserve and paying taxes thereon as at present. The Commission of Game and Inland Fisheries is also authorized under the provisions of this paragraph, and subject to its provisions, to lease the hunting, fishing and recreation rights and privileges on any lands not eligible to entry under the first paragraph;

Rules and regulations. The Commission on Conservation and Development is authorized to promulgate and enforce rules and regulations pertaining to the administration of forestry; the Commission of Game and Inland Fisheries is authorized to issue, promulgate and enforce rules and regulations pertaining to hunting, fishing and recreation.

#### V. GENERAL.

Destruction of trees, shrubs, etc.

It is unlawful for any person to pick, pull, pull up, tear, tear up, dig, dig up, cut, break, injure, burn or destroy, in whole or in part, any tree, shrub, vine, plant, flower, or turf, found, growing, or being upon any land reserved, set aside, or maintained by the State as a public park, or sanctuary for wild animals, bird or fish; or to deposit any trash, debris, garbage or litter thereon, without having previously obtained permission in writing of the superintendent or custodian of such park, refuge or sanctuary to do so, unless the same be done under the personal direction of such superintendent or custodian of such park, refuge or sanctuary. Any person violating this section to be guilty of a misdemeanor (Acts 1926, 1930).

Violation of rules and regulations.

Violation of any rule or regulation for the Government or use of any State reservation or park, or road or boulevard traversing the same, is punishable by a fine of not less than \$5 nor more than \$50 (Acts 1914, 1916).

Constitutional provision.

"\* \* \* nor shall the State become a party to or become interested in any work of internal improvement, except public roads and public parks \* \* \*." Appdx. State Constitution, Section 185.

Tax exemption.

All property and income of the State Commission on Conserva-



tion and Development is exempt from taxation, State and local (Acts of 1926).

## VI. STATE PLANNING.

In October of 1933, the then Governor of Virginia appointed a State Planning Board which, in the absence of suitable legislative action, acted in an unofficial capacity until the regular session of the General Assembly which convened in January of 1934. The General Assembly, during the session of January - February, 1934, passed a resolution reading as follows:

Whereas, under Title II of the National Industrial Recovery Act, the Administrator under the direction of the President of the United States, is required to prepare a comprehensive program of public works which shall include, among other things, construction, repair and improvement of public highways and parkways, public buildings and any publicly owned instrumentalities and facilities and development of natural resources, including control, utilization, and purification of waters, prevention of soil or coastal erosion, development of water improvement, transmission of electrical energy, construction of river and harbor improvements and flood control, and of drainage improvements; and

Whereas, in order to effectuate in a more orderly manner this program, the Federal Emergency Administration of Public Works, under the direction of the President of the United States, has established a National Planning Board and has allotted to it the sum of \$250,000.00 with which to stimulate the preparation of State, regional, local, and city plans; and

Whereas, this program contemplates the sending of qualified technical advisors by the National Planning Board to State, city, and regional planning units; and

Whereas, because of the great interest in the development of the national capital areas, the Chesapeake Bay region; the Potomac River Valley, and the development of the Skyline Drive and the Shenandoah National Park, it has seemed advisable to the National Planning Board to place at the disposal of Maryland and Virginia the same consultants; and

Whereas, such a qualified consultant has been offered to the Commonwealth of Virginia to aid its State Planning Board; and

Whereas, former Governor Pollard, acting during the recess of the General Assembly of Virginia, appointed a State Planning Board; and

Whereas, the present Governor of Virginia is desirous of continuing that Board as heretofore constituted in order to cooperate with the President in his program;



Therefore, be it resolved by the House of Delegates (the Senate concurring therein) that the Governor be, and he is hereby authorized to continue the State Planning Board, as it now exists, with the right to change the membership thereof at pleasure, in order to cooperate in aiding to effectuate Virginia's cooperation with the purposes of the National Planning Board.

Under the authority of the above Resolution, the Board appointed by Governor John Garland Pollard (Governor in 1933) was reappointed by Governor George C. Peery (who took office in January, 1934).

#### VII. EXCERPTS FROM REGULATIONS GOVERNING PARK PERSONNEL.

The Custodian has been instructed to see that the public observes the following rules, which are quoted from rules and regulations for park personnel:

1. Drunkenness will not be tolerated on the park property and persons found guilty of this offense will be requested to leave the park. The Custodian and his assistants will see that this rule is rigidly enforced, but tact must be observed to prevent scenes likely to be objectionable to other visitors.
2. Any breach of the moral codes will be treated in a like manner.
3. Any person or persons who conduct themselves as to constitute a nuisance to other users will be firmly but courteously requested to desist. Should they persist, the Custodian will request them to leave the park.
4. The speed laws must be enforced. Any person driving in the parks to the common danger or under the influence of liquor is to be reported to the proper authorities.
5. Breaches of game laws will be reported to the proper authorities.
6. The carrying and use of fire arms is prohibited.
7. Great care is to be taken that unseemly noise and conduct at night which will affect the comfort of others does not occur.
8. Safety measures and rules governing the same for bathing and boating will be observed and it shall be the duty of the life guard to see that they are enforced and it shall be the duty of the Custodian to see that he does so.

The methods that will be adopted by each custodian will of course vary, and it will be found that in the main the public will observe the regulations that it is necessary to impose if the custodian will instruct his subordinates to avoid the use of the word "don't". It is better to secure the cooperation of the public by courteous explanation and so win their support than to threaten, but should it become necessary to enforce regulations when courteous methods have failed, firmness is expected.



### VIII. LETTER TO PATRONS OF PARK CABINS.

In welcoming you to our park we wish to express our appreciation of your patronage and hope that your stay with us will be a very happy one and upon leaving, it may be with regret.

In making these cabins available to the use of the public at the present rates, the State Commission on Conservation and Development is only able to do so as long as we receive cooperation of the persons using them. I am sure you will appreciate that maintenance and operating costs are only just covered by the rental which you pay for your cabin. It is our earnest desire that the enjoyment that we hope you will receive may be also available to others under like conditions. This can only be possible if we are able to keep our operating costs down to a minimum.

We, therefore, ask for your full cooperation in order that not only may we be able to continue to make these cabins available for your pleasure at the present prices, but possibly develop more.

We ask that you aid us by keeping all equipment as clean as possible, and upon leaving that you leave the cabin, china, kitchen utensils, etc. in a clean condition. Only by so doing shall we be able to continue renting these cabins at this price.

Any additional labor costs that are involved will mean operating at a loss and necessitate an increase in the rental of these cabins.

We are anxious to receive your comments on our parks and appreciate constructive criticism at all times. Your comments will aid us in our problems.

Sincerely trusting that we may have your cooperation, I am

Yours very truly,

(Signed) R. E. BURSON  
Director of Parks

### IX. INSTRUCTIONS TO PARK VISITORS.

All visitors are expected to observe the following rules in order that the park may be preserved for your enjoyment. Your admission fee and co-operation will ensure this.

Do not injure or damage any structure, rock, tree, flower, bird or wild animal within the park.

Firearms are prohibited at all times.

Dogs must be kept on leash while in the park.





There shall be no vending or advertising without permission of the Department of Conservation.

Fires shall be built only in places provided, visitors must put waste in receptacles provided for that purpose.

Motorists will observe speed limits as posted in the park and park in areas designated for parking.

Bathing is limited to such places and times as designated by the Division of Parks.

Drinking water should be taken only from hydrants or fountains provided for that purpose. This water supply is tested regularly for purity.

Please build fires only in designated places and see that cigars or cigarettes are out before they are thrown away.

Break your match before you drop it.



## WASHINGTON

### I. STATE PARKS AND PARKWAYS.

Jurisdiction.	State parks and parkways are under the jurisdiction of the State Parks Committee (Laws of 1921).
Members.	The Committee consists of the Commissioner of Public Lands, the Secretary of State, and the State Treasurer, ex-officio. The Committee is authorized to appoint and employ an Executive Secretary.
Powers and duties.	The Committee is empowered (Laws of 1921, as amended):
Control of parks and parkways.	To have the care, charge, control and supervision of all parks and parkways acquired or set aside by the State for park or parkway purposes;
Acquire lands.	To select and to purchase, lease, or in any other manner acquire such tracts of land, including tide and shore lands, for park and park purposes as it deems proper, subject to the following conditions:
Limitation.	(a) No tracts, except tracts acquired by donations or bequests, and tracts which abut upon a public highway actually constructed located or projected, are to be acquired unless the acquisition is specifically authorized by the Legislature;
Condemnation.	(b) If it cannot acquire any tract which it has been authorized to acquire at a price it deems reasonable, title thereto may be acquired by condemnation;
Other areas.	Whenever any tract or tracts of land not to exceed 100 acres, considered as a whole regardless of ownership, situated in a county composed entirely of islands and bounded on two or more sides by an established State park, in the judgment of the Committee is desirable for State park purposes, the Committee is authorized to lease, purchase or condemn said tract or tracts for park purposes and incorporate the same within the adjoining established State park.
Control of public lands.	The Commissioner of Public Lands may upon his own motion, and shall when directed so to do by the Committee, withdraw from sale any land abutting upon any public highway. Lands so withdrawn are not to be sold until directed by the Legislature and in the meantime are to be under the care, charge, control and supervision of the Committee;



- Same. Any land held by the State and not acquired directly from the United States with reservations as to the manner of its sale and purposes for which it may be sold, may similarly be withdrawn and be controlled by the Committee; and any such lands may, with the consent of the Commissioner of State Lands and the Superintendent of Public Instruction, be exchanged for land of equal value abutting upon a public highway;
- Exchange.
- Gifts. To receive in trust any money donated or bequeathed to it; and to carry out the terms, if any, of such donation or bequest; or, in the absence of such terms, to expend the same as it may deem advisable for park or parkway purposes. Money so received to be deposited in the State treasury to the credit of the State Park and Parkway Fund;
- Cooperate with U.S., cities and counties. To cooperate or join with the United States, any county or counties, any city or cities, in any matter pertaining to the acquisition for park or parkway purposes of any areas not within the limits of any city, and in the care, control or supervision of any park or parkway now or hereafter acquired and so situated; and, when deemed advisable by the Committee, to contract with any such public organization or organizations to that end. All parks or parkways, to the acquisition or improvement of which the State has contributed, or in whose care, control or supervision it participates, are, insofar as practicable, to be governed by the provisions relating to State parks;
- Improvements. May clear, drain, grade, seed and otherwise improve and/or beautify any parks and parkways; erect structures; buildings; fireplaces; comfort stations; build and maintain paths; trails and roadways;
- Permits to improvement clubs. May grant permits to improvement clubs or voluntary associations, or committees representing the same, to improve, without expense to the State, any State park or parkway, or any lands belonging to the State and withdrawn from sale; any such organization desiring to obtain such permit to make application to the Committee describing the lands proposed to be improved and stating the nature of the proposed improvement, the name and general purpose of the club or association, and the names and places of residence of its officers or of the committee making application, to be accompanied by a certificate of a judge of the Superior court of the county in which the lands are situated, to the effect that he is acquainted with such officers or committee and that he knows them to be persons of good repute in the community in which they reside. If the State Parks Committee determines that the proposed improvement will be of benefit to the public, the applicant is required to submit detailed plans and specifications of the proposed improvement which, as submitted, or as modified by the State Parks Committee are to be incorporated in the permit when granted.



Requirements for permit.	Before any such permit is granted the applicant must file with the Secretary of State a sufficient bond in such penal sum as the State Parks Committee may require, conditioned that the grantee will make the improvement in accordance with the plans and specifications contained in the permit, and will pay all cost of such improvement and the claims of all laborers and materialmen; and, in case the improvement is made upon lands withdrawn from sale as above provided, will pay into the State Treasury to the credit of the fund to which the proceeds of the sale of such lands would belong, the appraised value of all merchantable timber and material on the land destroyed or used in making such improvement (Laws of 1929);
Rules and regulations.	To adopt, promulgate, issue and enforce rules and regulations pertaining to the use, care and administration of State parks and parkways; the members of the Committee and such of its employees as it may designate to be vested with police powers;
Police powers.	
Camping.	To permit the use of State parks and parkways by campers and the public generally under such rules and regulations as may be prescribed as aforesaid;
Concessions.	To grant concessions upon such rentals, fees or percentage of income or profits and for such terms, in no event longer than 5 years, as it may approve. No concession may be granted which will prevent the public from having free access to the scenic attractions of any park or parkway, but the Committee itself may in its discretion impose fees upon campers upon State parks and parkways;
Employ assistants.	To employ such assistants as it may deem necessary;
Report to Governor.	To investigate and report to the Governor on or before the convening of the regular session of the Legislature regarding any proposed park or parkway, and in such report to make recommendations respecting other regions in the State desirable for State park or parkway purpose, either on account of their historical interest, their natural beauty or otherwise.
Park and Parkway Fund.	All fees received by the Committee are to be deposited in the State Park and Parkway Fund. The Fund is also credited with 75% of the fines and forfeitures collected on account of violations outside of incorporated cities and towns of the Motor Vehicle Act.
Motor Vehicle Act; fines; disposal.	





## II. STATE FORESTS.

State Forest Board. The State Forest Board consists of ex-officio the Governor, Commissioner of Public Lands, Dean of Forestry of the University of Washington, Director of Conservation and Development and State Supervisor of Forestry. The Governor is Chairman and the Commissioner of Public Lands is Secretary. A Vice-Chairman and Assistant Secretary may be designated from among the members. Members receive no compensation for their services but are reimbursed for expenses incurred in the performance of their duties (as amended 1936).

Powers of Board. The Board is empowered to accept gifts and bequests of money or other property to promote generally the interests of reforestation or for a specific named purpose in connection with reforestation (as amended 1929);

Acquire lands. To acquire by purchase or gift any lands which by reason of their location, topography or geological formation, are chiefly valuable for the purpose of developing and growing timber, and to designate such lands and any lands of the same character belonging to the State as State forests; and may acquire by gift or purchase any lands of the same character (Id);

Development. May seed, plant and develop forests on any lands purchased, acquired or designated as State forest lands, and is directed to furnish such care and fire protection as it deems advisable (Id);

County lands. If any lands heretofore or hereafter acquired by any county through foreclosure of tax liens, or otherwise, come within the foregoing classification, which can be used as State forest lands, and if the Board deems such lands necessary for the purposes herein, the counties are required, upon demand of the Board, to deed such lands to it to become a part of the State forest lands, to be held in trust and administered by the Board. Any monies derived from the lease of such lands or from the sale of forest products, oils, gases, coal, minerals or fossils therefrom to be distributed as follows: (a) The expense incurred by the State for administration, reforestation and protection to be returned to the general fund of the State treasury; (b) 10% to be placed in the Forest Development Fund; (c) Any balance remaining to be paid to the county in which the lands are located (as amended 1935).

Lands to be acquired; price; area. The Board is directed to take such steps as it deems advisable for locating and acquiring lands suitable for State forests and reforestation. No sum in excess of \$2 per acre may be paid or allowed either in cash, bonds or otherwise, for any lands suitable for forest growth, but devoid of



such; nor may more than \$6 per acre be similarly paid or allowed for any lands adequately restocked with young growth or left in a satisfactory natural condition for natural reforestation and continuous forest production; and no lands are ever to be acquired except upon approval of title by the Attorney General; nor are any forest lands to be designated, purchased or acquired unless the area so designated or to be acquired, is in the opinion of the Board, of sufficient acreage and so located that it can be economically administered for forest development purposes. Whenever any forest lands are acquired or designated the Board is to designate such area by a distinctive name or number, e. g., "State forest No. \_\_\_\_\_", or "Cascade State Forest." (Laws of 1923).

Exchange of bonds  
for land.

Laws of 1923 authorized the Board to issue State forest utility bonds during the biennium expiring March 31, 1925, for the purpose of acquiring and paying for State forest lands: such bonds not to be a general obligation of the State and to be wholly paid from the forest development fund. Laws of 1933, amended 1935, authorized the Board to issue and dispose of State utility bonds during the biennium expiring March 31, 1937, with the proviso that not in excess of \$1 per acre may be paid or allowed either in cash, bonds or otherwise for any lands suitable for but devoid of forest growth, nor in excess of \$3 per acre for any lands adequately restocked with young growth.

Same; price limitations.

Forest development  
fund.

Laws of 1923 (as amended 1930) created a Forest Development Fund, of which the State Treasurer is custodian, and which is pledged for the purpose of paying interest and principal on the bonds issued by the Board, and for the purchase of land for growing timber. No sums may be withdrawn or paid out except upon order of the Board.

Lands reserved from  
sale; sale of pro-  
ducts, leases, dis-  
position of revenue.

All lands acquired or designated as State forests are forever reserved from sale, but the timber and other products thereon may be sold, or the lands may be leased in the same manner and for the same purposes as is authorized for the State granted lands. All money so derived (except where the State Constitution requires other disposition) to be disposed of as follows:

Repayment to the Reclamation Revolving Fund of money expended in acquiring, caring for, maintaining and administering the lands; upon such repayment the remaining and subsequent revenues are to be paid into the Forest Development Fund (Laws of 1923);

Report on suitable  
lands.

The Supervisor of Forestry, the Supervisor of Geology, and the Commissioner of Public Lands are to report annually to the Board any logged-off lands or deforested lands belonging to the State, or held in private ownership coming to their knowledge and observation during the preceding year of a character suitable for State forest lands or reforestation (Id).



Protection and development.

The State Supervisor of Forestry may contract with private corporations for the protection and development of the forests or any designated forest area (Laws of 1933).

Fire protection.

Any person who wilfully sets any fire upon any land within the State, except for necessary lumbering operations, or at the proper places on camping grounds, which have been prepared and designated for recreation purposes, which fire shall spread and damage or destroy property not his own, or who starts any fire, except in a stove, upon any designated camp ground, and upon leaving such ground, fail to extinguish such fire, is subject to penalties fixed by Statute;

Same.

During the closed seasons any person who without a written permit kindles a fire in or dangerously near any forest material, except for necessary lumbering operations or at the proper places on camping grounds which have been prepared and designated for recreation purposes, or who is a party to kindling such fire, or who by throwing away any lighted cigar, cigarette, matches, or by use of fire-arms, or in any other manner starts a fire in forest material, and fails immediately to extinguish the same, is subject to penalties fixed by statute.

The Director of the Department of Conservation and Development is directed to designate and prepare such camping grounds as he may determine for carrying out the foregoing provisions (Laws of 1911, as amended).

Reimbursement for ECW.

Acts of 1935 make it the duty of the State Commissioner of Public Lands to determine if the State has realized a direct profit in the sale of any State lands, or products therefrom, as the result of projects carried on under the Federal Emergency Conservation Work Act, and what portion of such amount is necessary to reimburse the United States government for moneys expended by it, to be computed at the rate of \$1 per man for the time spent in such work on the lands or products so sold; Provided, such sum may not exceed one-half of the profits so realized nor the value of the land sold at the rate of \$3 per acre. Report of his findings are to be made to the Legislature so that it may, if not prohibited by the Constitution, make an appropriation reimbursing the United States government.

Proviso.

### III. STATE PLANNING.

Act approved January 17, 1934, created a State Planning Council.

Powers and duties.

In order that the people of the State may realize the greatest possible benefit from the natural, agricultural and other resources of the State, including communication and transportation facilities, fisheries, forests, in-



dustrial and commercial establishments, lands, mines and minerals, rivers and harbors, wildlife and recreational facilities, watersheds furnishing water for irrigation and domestic use, the Council is empowered and directed:

- Surveys. (1) To make inquiries, investigations and surveys concerning the resources of all sections of the State;
- Formulate plans. (2) To assemble and analyze the data thus obtained and to formulate plans for the conservation of such resources and the planned and systematic utilization and development thereof;
- Recommendations. (3) To make recommendations from time to time as to the best methods of such conservation, utilization and development;
- Cooperate. (4) To cooperate with the United States, other States or territories and their agencies, and the departments of the State and all other public agencies of the State in such planning, conservation, utilization and development of resources;
- State Master Plan. To prepare and perfect from time to time a State Master Plan for flood control, public reservations, sites for public buildings, and for the economical and orderly development of the resources of the State.
- Report on proposed improvements. Whenever a State improvement is proposed, the agency in charge must request of the Council a report thereon. In case such improvement is not established in conformity with the report so furnished, such agency must file with the Council a statement setting forth its reasons for rejecting or varying from such report; such statement to be open to public inspection.

#### IV. STATE PARK RULES AND REGULATIONS.

Every person who shall

1. Cut, break, injure, destroy, take or remove any tree, shrub, timber, plant or natural object in any park or parkway -
2. Kill, cause to be killed, or pursue with intent to kill, any bird or animal in any park or parkway -
3. Take any fish from the waters of any park or parkway, except in conformity with such general rules and regulations as State Parks Committee may prescribe -
4. Wilfully mutilate, injure, deface, or destroy any guidepost, notice, tablet, fence, inclosure or work for the protection or ornamentation of any park or parkway -





5. Light any fire upon any parkway, except in such places as the State Parks Committee shall have authorized, or wilfully or carelessly permit any fire which he has lighted or cause to be lighted or which shall be under his charge, to spread or extend to or burn any of the shrubbery, trees, timber, ornaments or improvements upon any park or parkway, or leave any camp-fire which he shall have lighted or which shall have been left in his charge, unattended by a competent person, without extinguishing the same -

6. Place within any park or parkway or affix to any object therein contained, without a written license from the State Parks Committee, any work, character or device designed to advertise any business, profession, article, thing, exhibition, matter or event -

7. Violate any rule or regulation adopted, promulgated, or issued by the State Parks Committee pursuant to the provisions of this act -

Shall be guilty of a misdemeanor.



## WEST VIRGINIA

### I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the Conservation Commission of West Virginia (Acts of 1933).
Purpose of Act.	The declared purpose of the Act is to provide an organization for the protection, beautification, development, and use of lands, forests, fish, game, waters, plant and animal life, and the natural scenic resources of the State; and for the use of forest lands and other natural resources for projects to relieve unemployment.
Members; appointment; terms.	The Commission consists of five members and a Director, appointed by the Governor, with the advice and consent of the Senate, for six year terms (rotated). Members are required to be selected with special reference to their training and experience in relation to the principal activities required of the Commission, and for their ability and fitness to perform their duties. No member may be a candidate for or hold any other public office, nor be a member of any political committee. Members serve without compensation, but receive actual and necessary expenses incurred in the performance of official duties.
Advisory powers and duties.	The members of the Commission are to serve only as an advisory body to the Director, and, as such, have the following powers and duties:
Study legislation and administration methods.	To consider and study the entire field of legislation and administrative methods concerning the forests and their maintenance and development, the protection of fish and game, the beautification of the State and its highways, and the development of lands and natural resources;
Advise Director.	To advise with the Director concerning the conservation problems of particular localities or districts of the State;
Recommend policies.	To recommend policies and practices to the Director relative to any duties imposed upon him by law;
Investigate work of Director.	To investigate the work of the Director, and for this purpose to have access at reasonable times to all official books, papers, documents and records;
Advise Governor on conservation matters.	To advise or make recommendations to the Governor relative to conservation policy of the State;



Keep minutes of transactions.	To keep minutes of the transactions of each session, regular or special, which are declared to be public records and to be filed with the Director.
Advice to Director.	The Director may submit to the Commission or any committee thereof any matter upon which he desires its advice or opinion.
Report proceedings to Governor.	Upon the request of the Commission, the Director is required to incorporate its proceedings in his annual report to the Governor, or he may do so upon his own initiative.
Director; qualifications.	The Director is required to be selected with special reference to his training, experience, capacity and interest in the activities embraced within the law; is paid a salary fixed by statute; appoints and fixes the salaries of the heads of divisions and other personnel.
Divisions.	Note: The Director, with the advice of the Commission, and subject to the orders of the Governor, administers the work of the Commission through the following divisions, each of which is headed by an official selected by and responsible to him, namely: <div data-bbox="495 599 741 691" data-label="List-Group"> <ul style="list-style-type: none"> <li>Division of Parks</li> <li>Division of Forestry</li> <li>Division of Game</li> <li>Division of Fish</li> </ul> </div>
Powers and duties.	In addition to his other powers, the Director is vested with the sole authority to:
Supervise Commission.	Exercise general supervision of, and make rules and regulations for the government of the Commission or Department;
Execute contracts for State.	Sign and execute in the name of the State any contract or agreement with the Federal government or its departments, subdivisions of the State, corporations, associations, co-partnerships or individuals;
Supervise fiscal affairs.	Supervise the fiscal affairs and responsibilities of the Department;
Devise general conservation program; conduct research.	Make a general conservation plan or program for the State; conduct research in improved conservation methods, and disseminate information on conservation matters to the residents of the State;
Organize department.	Organize his Department to give adequate treatment to the problems of fish and game, forestry, parks and playgrounds, natural resources and publicity;
Regulate hunting.	Alter the open seasons and bag limits;



Designate refuges.	Designate localities deemed necessary and desirable for the perpetuation of any species of fish and for the purpose of replenishing adjacent fishing waters;
Surveys.	Enter private lands to make surveys or inspections for conservation purposes;
Acquire areas; how; purposes.	Acquire by purchase, condemnation, lease or agreement, or receive by gift or devise, lands or waters suitable for the following purposes;
Forests, recreation, etc.	For State forests for the purpose of growing timber, demonstrating forestry, protecting watersheds, or providing public recreation;
State parks, etc.	For State parks for the purpose of preserving scenic or historic values or natural wonders;
Shooting and fishing grounds.	For public shooting, trapping or fishing grounds or waters to provide areas in which citizens may hunt, trap or fish;
Hatcheries, nurseries.	For fish hatcheries, game farms, forest nurseries and experimental stations;
Exchange lands.	To extend and consolidate lands or waters suitable for the above purposes by exchange of other lands or waters under his supervision;
Stocking of lands or waters.	Capture, propagate, transport, sell or exchange any species of game or fish needed for stocking any lands or waters;
Protect forests, etc.	Exercise powers granted for protection of forests; regulate fires and smoking in the woods or in their proximity;
Beautification of highways.	Cooperate with other departments and agencies in the beautification of State highways;
Cooperate with State & Federal government.	Cooperate with other departments and agencies of the State and Federal government;
Record proceedings; purchase equipment, etc.	Keep a complete and accurate record of all proceedings; purchase necessary equipment;
Reports to Governor.	Report to the Governor each year all information relative to the operation and functions of his Department; also such other reports and recommendations as may be required by the Governor;
General authority.	Exercise any other power that may be necessary or proper for the orderly conduct of his business and the effective discharge of his duties. Invoke any legal or equitable remedies for the enforcement of his orders or the provisions of law.





Condemnation.	Private property may be taken or damaged for the construction, maintenance and operation of parks and other works of internal improvement, for the public use. Sec. 5362, Code of 1932.
Shooting near parks.	It is unlawful for any person to shoot or discharge any firearms on or near any park or other place where persons gather for purpose of pleasure. Sec. 6054, Code of 1932.

## II. STATE FOREST PARKS.

Cooperation with Federal government.	Acts of 1933 further declared it to be the policy of the State to extend its cooperation to all provisions of Acts of Congress now in force or thereafter enacted providing for cooperation between States and the United States in the relief of hardship and unemployment through acquisition and development by the State of lands, State forests, and State forest parks, and the public recreational facilities, fish and game refuges therein.
Contract with Federal government; acquire areas by purchase, etc.	In order to effectuate this policy, the Director, with the consent of the Governor, is authorized to enter into contracts or agreements with the United States or any of its agencies; and, with like consent, to acquire by purchase, lease or agreement any lands necessary to carry into effect the purposes of the Act.
State Forest Land Fund; what constitutes.	The Act created a "State Forest Land Fund", to consist of 10% of the total revenue obtainable each year from all classes of hunting and fishing licenses; all income derived from the sale, exchange or management of State forest lands; from the sale of timber, cuttings or stumpage; from the sale of all gas and mineral rights, sale of camp sites, and leasing of camp building material. Moneys received from the United States Government or any of its agencies for the purchase of lands are excepted.
For what purpose used.	The proceeds of the fund are to be used solely for the liquidation of any indebtedness incurred for the purchase or administration of lands until such indebtedness has been entirely discharged; thereafter the fund is to be used for the acquisition of lands for conservation and work relief purposes, and for the improvement, development and maintenance of the natural resources, plant and animal life of the State.
Pledge for liquidation of loans.	In order to efficiently administer the Fund for the accomplishment of the described purposes, the Director is authorized to pledge such sum or sums as in his discretion, and with the approval of the Governor, may be necessary for the liquidation of loans from the United States government or any of its agencies;



Sell, purchase or exchange to consolidate tracts.	In order to consolidate forest tracts under either State or Federal administration, the Director may sell, purchase or exchange stumpage or lands within or adjacent to any National forest purchase area within the State;
Disposition of lands purchased with Federal funds.	At the expiration of the present emergency the Director, upon the request of the United States government, is directed to convey to the United States such title and interest acquired by the State in lands purchased with money granted outright to the State by the United States.
Authorities of Director.	In carrying into effect the provisions of the Act, the Director is further authorized to:
Rules and regulations.	Make rules and regulations for the use and occupancy of lands and other property under his control;
Facilities for outdoor recreation.	Provide and develop facilities for outdoor recreation, including the leasing of camp sites and the sale of camp building materials;
Dispose of products.	Remove and dispose of forest and mineral products incidental to the protection, reforestation and proper development of lands under his control;
Conduct research; utilize facilities of State University.	Conduct such investigations and research as may be necessary for the proper conduct of his work, and to this end utilize the facilities of the West Virginia University in so far as they may be adequate.
Reimbursement to Federal Government.	If and when, as a result of any work done by the establishment of conservation work camps on the State forest lands the State derives a direct profit from the sale of such lands or their products, the proceeds are to be equally divided between the Federal government until the State has paid for the work done at the rate of \$1 per man per day for the time spent on projects, subject to a maximum of \$3 per acre (Acts of 1933).

### III. PUBLIC SHOOTING GROUNDS.

Purchase; terms; reservations.	Under the authority of Acts of 1929 the Director, with the consent of the Governor, may purchase out of funds set aside for the purpose (10% annually of the revenue from hunting and fishing licenses) lands suitable for forest culture, forest parks, game and/or fish refuges, or game refuges and public shooting grounds. Such purchases may be made on terms requiring not less than one-third of the purchase price to be paid at the time of the conveyance, and the residue in not less than one and two years after date. Gifts of land by deed or will may also be accepted. When acquired by either gift or purchase, minerals and mining rights may be reserved;
Accept lands conveyed by deed or will.	



Limitation on price paid.	Not more than \$5 per acre may be paid for lands for game refuges and public shooting grounds; and not more than one-third of the area may be used as a game refuge, the remainder to be used as public shooting grounds;
Set aside private lands.	Any land of two thousand or more acres in extent may, with the consent of the owner, be set apart by the Director as a game refuge and public shooting grounds; not more than one-third to be used as a game refuge.
May lease lands; conditions.	Lands may also be leased for similar purposes for not less than ten year periods, the rental price not to be more than the taxes thereon, and in no event to exceed ten cents per acre per annum.

#### IV. PUBLIC LAND CORPORATION.

Holds title of State.	Acts of 1933 created the "Public Land Corporation of West Virginia" in which is vested the title of the State in public lands.
Acquire lands.	The corporation may acquire from individuals or the State Commissioner of Forfeited Lands by purchase, lease or agreement, any lands that may be necessary for the public use;
Acquire lands.	Also acquire by purchase, condemnation, lease, agreement or exchange, and to receive by gifts or devise, lands, rights or way or easements, waters and minerals suitable for any public purpose;
Sell or exchange.	For the purpose of consolidating lands under either State or Federal administration, may sell, purchase or exchange lands or stumpage;
Use of income.	All income received from the use and development of public lands is to be used solely for the purpose of the liquidation of obligations incurred for the acquisition, development and administration of such lands until all indebtedness or other obligations have been discharged. Funds are then to be paid into the general school funds;
Borrow funds for purchasing.	May negotiate loans from the Federal government or any proper agency thereof, for the purchase, as provided by law, of such lands as may be necessary for the public use and the acquisition of which has been authorized by law;
Allocate lands for public uses.	May designate lands to which it has title for development and administration for the public use, including forestation, stock grazing, agricultural rehabilitation and homesteading, and may contract or lease for the proper development of oil, gas, mineral and water rights within or upon the lands of property under its control;



Allocate lands for public uses.

Is directed to convey, assign or allot lands to proper departments or other agencies of State government for administration and control within the functions of such departments or other agencies as provided by law; also to make proper lands available for the purpose of cooperating with the Federal government in the relief of unemployment and hardship.





# W I S C O N S I N

## I. STATE PARKS.

### Jurisdiction.

State parks are under the jurisdiction of the State Conservation Commission (Laws of 1931, 1935).

### Members; appointment; terms.

The Commission consists of six members, appointed by the Governor, by and with the advice and consent of the Senate. Two members are to be appointed in each odd year for a term of six years, three from the territory north and three from the territory south of a line running east and west through the south limits of the City of Stevens Point; are to receive no pay for their services, but are allowed actual and necessary traveling expenses and subsistence while absent from their homes in attendance upon meetings of the Commission or in the discharge of their official duties. The Commissioners appointed are to be persons having knowledge of and interest in conservation. Members elect a Chairman and Secretary.

### Conservation Director.

The Commission employs a Conservation Director, to continue in office at its pleasure, as the administrative head of the State Conservation Department, and is responsible to the Commission for the execution of its policies. The Director employs, by and with the advice and consent of the Commission, such technical and administrative assistance as may be necessary for the execution of such policies. The Director also exercises the powers of the Commission in the interim of its meetings but subordinate thereto, but has no authority to make rules and regulations.

### Divisions.

Administrative divisions have been established by the Commission as follows:

Division of Fisheries	Division of Recreational
" " Law Enforcement	Publicity
" " Forests and Parks	" " Education
" " Forest Protection	" " Public
" " Cooperative Forestry	Relations
" " Clerical	" " Game Manage-
" " Contract Commercial	ment
Fishing	

### Powers and duties of the Commission.

Powers and duties of the Commission are as follows (Laws of 1931, 1935):



By-laws.	May make and establish such rules and by-laws as it may deem useful to itself and its subordinates in the conduct of the business entrusted to it;
Jurisdiction over parks and other lands.	Is empowered and required to have and take the general care, protection and supervision of all State parks, of all State fish hatcheries and lands used therewith; of all State forests, and of all lands owned by the State or in which it has any interests, except lands, the care and supervision of which are vested in some other officer, body or board;
Acquire park land; scenic and historical values.	To acquire by purchase, condemnation, lease or agreement, and to receive by gift or devise, lands or waters suitable and needed for State park purposes; for preserving scenic or historical values, or natural wonders;
Appropriation.	No land may be purchased until after the Legislature has appropriated or the Commission has otherwise acquired the necessary money for that specific purpose;
Blockading lands.	May extend and consolidate lands or waters suitable for the above purposes by exchange of other lands or waters under their supervision;
Donations for park purposes.	To accept grants, conveyances and devises of land, and bequests and donations of money, to be used for park purposes, if unconditional, or subject to such conditions only as the Commission finds are reasonable and not inconsistent with the use of such property for park purposes;
Continued possession of homestead.	Whenever any lands have been acquired which have been occupied as a homestead by the owner for 25 years or more, the Commission is required, if requested by such owner, to enter into a contract whereby he is to be permitted to remain for a term not exceeding his natural life upon the portion of such lands, not to exceed one acre in extent, upon which the homestead buildings are located; is to be allowed to fence such portion of lands and be afforded access to highways; the land and the buildings thereon to be used as a home only, subject to the rules of the Commission relating to the sale of intoxicants, to sanitation, and to the preservation of the park;
Control of private lands.	If in negotiating for such purchases it is ascertained that any lands or premises situated within the limits of a proposed State park have a value which is incommensurate with their value for the purpose of such park, the Commission may enter into written agreement with the owner for such control or supervision by the State over such land or premises as it deems necessary to the reasonable requirements of said park; and may extend over the lands and premises pursuant to any such agreement, such protective, police and



other of its powers as it may deem advisable;

- Accessibility. Whenever any lands under its care and supervision are inaccessible because surrounded by lands privately owned, and whenever in its opinion the usefulness or value of such lands, whether so surrounded or not, will be increased by access thereto over lands not belonging to the State, it may acquire such lands as may be necessary to construct highways that will furnish the needed access;
- Ornamentation. To lay out and ornament any State park and construct all proper roads and bridges therein;
- Camping. Permit people to camp in and use the parks under restrictions and rules made by it, and to make such rules and regulations, with the Governor's approval, as may be necessary to manage and control the same;
- Establish services and recreational facilities. Establish and furnish, at a reasonable charge, such services, conveniences, and recreational facilities as will render the parks more attractive to tourists and the general public and increase the number of visitors thereto. Among such services, may operate portable launches in the Devil's Lake State Park. All moneys received from any of such services and facilities to be paid into the Conservation Fund;
- Disposition of fees.
- Police supervision. Exercise police supervision over all parks; its agents or representatives of any park being authorized and empowered to arrest, with or without warrant, any person within the park area committing an offense against the State laws or in violation of any rule or regulation of the Commission;
- Protect trees and shrubs. To enforce laws for the prevention of destruction of shrubs and trees in the parks;
- Conservation wardens. To appoint conservation wardens to enforce the laws which it is required to administer;
- Lease park lands. May lease for terms not exceeding 15 years parts or parcels of park lands or properties, or grant franchises or concessions; the proceeds to be paid into the State treasury to the credit of the Conservation Fund, and are appropriated therefrom to be used by the Commission for the purchase of State park lands, and for the purchase, construction, improvement and maintenance of park buildings, or for the improvement of park grounds; all subject to the approval of the Governor;
- Licenses to prospect. Licenses may also be granted to prospect for ore or mineral upon any of said lands; security to be taken that the licenses will fully inform the Commission of every discovery of



ore or mineral and will restore the surface to its former condition and value if no discovery of valuable deposits be made;

Sale of products. May remove wood, timber, rocks, stones, earth or other products from the parks and sell the same to the highest bidder;

Use of land by societies. May allow State agricultural and horticultural societies to establish and maintain upon any portions of the parks which it deems suitable such museums, experiment stations and buildings as will best serve the requirements of such societies;

For school purposes. May allow the use of portions of the parks, which it deems suitable, for buildings and playgrounds for school purposes; all of which to be under the general supervision of the Commission;

Names for parks. May designate by an appropriate name any State park not expressly named by the Legislature;

Investigations. To investigate, and in its annual report to the Governor make a detailed statement of the facts regarding any proposed park; also recommendations regarding the requirement of any new parks, the extension of existing parks, and such other recommendations it deems necessary;

Same. Investigate and consider the propriety and desirability of securing and preserving all places of historical interest and of natural beauty, and include in its report its recommendations thereon;

Same. To consider the natural resources of the State and report to the Governor from time to time the results of its investigations, with recommendations of such measures as it deems necessary or suitable to conserve such resources and preserve them, so far as practicable, unimpaired.

Same; services. To inaugurate such other studies, investigations and surveys, and establish such services deemed necessary to carry out the provisions and purposes of the conservation laws;

Research. To conduct research in improved conservation methods, and to disseminate information to the residents of the State in conservation matters;

Game and fish propagation. To capture, propagate, transport, sell or exchange any species of game or fish needed for stocking or restocking any lands or waters of the State;





- Cooperation. To enter into cooperative agreements with persons, firms, corporations or governmental agencies for purposes consistent with the purposes and provisions of the conservation laws, including agreements with the highway authorities with regard to planting trees or other vegetation in or along highways, or furnishing stock for such planting;
- Sale of lands. May sell at public or private sale lands and structures owned by the State and under its jurisdiction when it determines that said lands are no longer necessary for the State's use for conservation purposes;
- Note: State park lands are not held for sale and are not subject to the foregoing provision.
- Disposition of funds. The funds derived to be deposited in the Conservation Fund to be used exclusively for the purpose of purchasing other areas of land for the creating and establishment of public hunting and fishing grounds, wild life and fish refuges, and State parks;
- Interdepartmental cooperation. Cooperate with the several State departments and officials in the conduct of matters in which the interest of the respective departments or officials overlap;
- Publicity. To collect, compile and distribute information and literature as to the facilities, advantages and attractions of the State, the historic and scenic points and places of interest, and the transportation and highway facilities; also to plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the State to the State; also to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the State for the same purposes.
- Maps of parks. Provide a suitable and durable set of maps of each park so arranged that additions thereto can be made whenever lands are added to them; each parcel of land designated thereon donated to the State as a gift for park purposes to have written thereon the name of the donor; and in close proximity to each map to be inscribed a schedule of all legislative acts affecting the park represented;
- Publications. May issue pamphlets from time to time; may also issue a publication or magazine at stated intervals, all pertaining to fish and game, forests, parks and other kindred subjects of general information, and may sell subscriptions thereto; the same to be self-sustaining, and no moneys, except from the receipts therefrom are ever to be used therefor;



- State Park roads. Sums are annually appropriated for the construction and maintenance of roads, including fire roads, in the State parks and forests and other public lands, and for highway or fire roads leading from the most convenient State or Federal trunk highway to such lands. All work done to be determined by the Conservation Commission for State parks and forests. All work to be done by or under authority of the Highway Commission. Outside the limits of the park, forest and public land areas, not more than two direct connections to the most convenient State trunk highway may be built or maintained;
- U. S. may acquire lands for parks, etc. Consent of the State is given to the United States to acquire by purchase, gift, lease, or condemnation, with adequate compensation therefor, areas of land and water within boundaries approved by the Governor and the county board of the county in which the land is located, for the establishment of State forests, State parks, or other State conservation areas to be administered by the State under long-term leases, treaties or cooperative agreements (Laws of 1935).
- Restricting private use of islands. No lease to be hereafter (1931) issued or any lease extended or renewed on any unsurveyed and unattached islands in inland lakes north of the township line between townships 33 and 34 north, except that the Commission may extend or renew any such leases in existence June 25, 1925, to public, charitable, religious, educational or other associations not organized for profit; and except it may extend or renew any such leases in existence June 25, 1925, on islands upon which improvements have been made.
- Destruction of Indian mounds. It is unlawful except upon permit by the Commission, to destroy, deface, mutilate, injure, or remove any Indian burial, linear or effigy mounds, enclosures, cemeteries, graves, plots of corn hills, garden beds, boulder circles, pictograph rocks, caches, shell or refuse heaps, spirit stone 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 (Laws of 1931).
- Conservation Fund. All moneys, except fines, accruing to the State by reason of any provision of the fish and game laws, or otherwise received or collected by each and every person for or in behalf of the State Conservation Commission, if not payable into the forest reserve fund, constitutes the Conservation Fund, and is required to be paid, within one week after receipt, into the State treasury and credited to said fund. No money may be expended or paid from the Fund except in pursuance of an appropriation by law; but any unappropriated surplus may be expended, subject to the approval of the Governor, Secretary of State, and State Treasurer, for the



purchase of lands from counties for forestry purposes and owned by counties by virtue of any tax deed, for additional equipment, new buildings, new hatcheries, or hatchery ponds, property improvements, increasing the warden force at any particular period, or any other similar special purpose except road work or improvement work on the State parks (Laws of 1931).

Reforestation fund.

All moneys received from State forest lands are to be paid into the Reforestation Fund and are appropriated to the Commission for the purchase or improvement of additional land for forest or park purposes (Laws of 1931, 1935).

Constitutional provision.

The State or any of its cities may acquire by gift, purchase, or condemnation lands for establishing, laying out, widening, enlarging, and maintaining memorial grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; and after the establishment, laying out and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate, so as to protect such public works and improvements, and their environs, and to preserve the view, appearance, light, air, and usefulness of such public works (Art. XI, Sec. 3a, State Const.)

## II. STATE FORESTS.

Jurisdiction.

The Conservation Commission executes all matters pertaining to forestry within the jurisdiction of the State, and directs the management of the State forests (Laws of 1931, 1935);

Acquire areas; recreation.

May acquire by purchase, condemnation, lease or agreement, and receive by gift or devise lands suitable for State forests for the purpose of growing timber, demonstrating forestry methods, protecting watersheds, or providing recreation;

Purchase of county tax deed lands.

May purchase, with the approval of the Governor, Secretary of State and State Treasurer, lands owned by any county by virtue of any tax deed issued to such county, and which the county is willing to sell, and when such lands are adapted for forestry purposes; but the purchase price may not exceed the amount due the county for taxes, interest and charges;

Exchange.

For the purpose of blocking out State-owned and county-owned forest lands, the State or county is authorized to exchange



any of such lands for other lands adapted to forestry purposes, whether publicly or privately owned. The word "exchange" includes the purchasing of lands without conveying other lands in exchange therefor. The exchange of such lands, when owned by the State, to be subject to the approval of the Governor. All exchanges to be determined on the basis of equal values.

**Sale.** For the purpose of blocking out State forest areas, for the acquisition of recreational areas, or for otherwise extending the usefulness of State forest lands, is authorized to sell parcels of the State forest lands, or the timber thereon;

**Regulation of camp fires.** May regulate camp fires and smoking in the woods at such times and in such designated localities as it may find reasonably necessary to reduce the danger of destructive fires;

**U. S. to be reimbursed.** The Governor, in the name and on behalf of the State, may contract or enter into agreements with the President of the United States as the President may deem necessary or advisable in carrying out the Emergency Conservation Work program whereby if, as the result of any conservation work project on State, county or municipally owned lands the State derives a direct profit from the sale of any such land, or the products thereof, the proceeds are to be divided equally between the State and the Federal government until the latter has been repaid the amount of its investment in such work, computed at the rate of \$1 per man per day, with a maximum limitation of \$3 per acre of land purchased.

**Constitutional provision.** The State may appropriate moneys for the purpose of acquiring, preserving and developing the forests of the State (Art. VIII, Sec. 10, State Constitution).

### III. PUBLIC SHOOTING AND FISHING GROUNDS.

**How acquired.** The Conservation Commission may acquire by purchase, condemnation, lease or agreement, and receive by gift or devise, lands or waters suitable for public shooting, trapping or fishing grounds or waters for the purpose of providing areas in which any citizen may hunt, fish or trap (Laws of 1931, 1935).

### IV. STATE PLANNING.

A State Planning Board was created by Acts of 1931 (amended 1935).

**Powers.** It is declared to be the duty of the Board, and it is vested with power, jurisdiction and authority;





- Assemble data. To assemble and correlate data and information with reference to the development of the State and its subdivisions which may be appropriate subjects of State concern; the general character and extent, among other things, of parks, reservations, forests; also, the general location and extent of forests, agriculture areas and open development areas for purposes of conservation, food and water supply, sanitary and drainage facilities, and the protection of urban and rural development; also a land utilization program, including the general classification and allocation of the land within the State amongst agricultural, forestry, recreational, soil and water conservation, industrial, urbanization and other uses and purposes;
- Purpose of study. Such studies are to be made with the general purpose of guiding and accomplishing a coordinated, adjusted, efficient and economic development of the State, which will, in accordance with present and future needs and resources, best promote the health, safety, order, convenience and welfare of the State as well as efficiency and economy in the process of development;
- Cooperation. All State boards, commissions, departments and institutions are directed to cooperate with the Board to further these ends.

#### V. RULES AND REGULATIONS.

-----  
IN THE MATTER OF establishing :  
certain rules and regulations :  
for the management and control :      Order No. M-173  
of all state parks in the state:  
of Wisconsin :  
-----

Section 1. WHEREAS, in accordance with the power and authority delegated to the state conservation commission of Wisconsin by and under the provisions of section 23.09 of the Wisconsin statutes, the aforesaid state conservation commission upon its own motion has caused a careful and extensive investigations to be made relative to the necessity of promulgating rules and regulations for the management and control of all state parks, and

Section 2. WHEREAS, upon the evidence presented to it after such investigations the state conservation commission of Wisconsin verily believes that certain regulations should be adopted for the management and control of all state parks so as to protect such areas from depredation, and to insure to the people of this state and its tourists and visitors continued opportunities for recreation under proper safeguards while within the boundaries of such parks.



Section 3. NOW, THEREFORE, IT IS HEREBY ORDERED AND DECLARED under and pursuant to the provisions of section 23.09 of the Wisconsin statutes that the following rules and regulations shall be adopted and enforced within the boundaries of all state parks in Wisconsin, and it shall be unlawful for any person or persons to violate any of the following provisions as set forth in this order:

(1) State property. It shall be unlawful for any person or persons to disturb, molest, deface, remove, or destroy any trees, shrubs, plants, or other natural growth or to carve on any rocks, signs, walls, structures, drive nails in trees, or to injure or deface in any manner any park buildings, fences, tables, or other state property.

(2) Property of others. It shall be unlawful for any person or persons to disturb, molest, or remove the property or personal effects of others while on state park lands.

(3) Refuse. It shall be unlawful for any person or persons to dispose of any garbage, bottles, tin cans, paper, or other waste material in any manner except by placing in receptacles provided for such purposes. The bathing of dogs, washing of cars or clothing, or throwing of broken bottles, tin cans, or sewage in any of the lakes or streams within the boundaries of state parks is prohibited.

(4) Fires. It shall be unlawful for any person or persons to build any campfire or burn any rubbish except at designated fireplaces or to throw away any cigarettes, cigars, or pipe ashes without first extinguishing them.

(5) Peddling. It shall be unlawful for any person or persons to peddle or vend in or on any of the state parks unless authorized by the state conservation commission in writing.

(6) Safety. It shall be unlawful for any person or persons to drive an automobile, truck, motorcycle, or other vehicle at a speed greater than twenty-five miles per hour on state park roads.

(7) Firearms. It shall be unlawful for any person or persons to have in their possession or under their control any firearms of any kind unless the same is unloaded and within a carrying case; and to hunt, trap, or disturb any wild animals or birds at any time within the boundaries of a state park. It is unlawful to allow any dogs to run at large at any time within the boundaries of a state park.

(8) Parking. It shall be unlawful for any person or persons to park or leave unattended any automobiles, trucks, trailers, wagons, motorcycles, boats, or other similar equipment except in spaces and areas designated for such purposes.

(9) Personal conduct. It shall be unlawful for any person or persons to be intoxicated, to use profane language, to practice rowdiness or to otherwise conduct themselves in an improper manner while within the boundaries of a state park.



Section 4. IT IS FURTHER ORDERED that nothing in this order shall prohibit or hinder the state conservation commission, its park superintendents, or other duly authorized agents, or any peace officers, from performing their official duties on such state park areas.

Section 5. IT IS FURTHER ORDERED that this order shall become effective one week after publication in the official state paper, namely the Sheboygan Press of Sheboygan, Wisconsin, the Superior Telegram of Superior, Wisconsin, and the Wisconsin State Journal of Madison, Wisconsin.

Section 6. IT IS FURTHER ORDERED that this order shall be in force and effect from and after August 20, 1936.

Section 7. THIS ORDER was made and passed by the State Conservation Commission of Wisconsin at a meeting duly called and held by the said commission in the city of Madison, Wisconsin, this 21st day of July, 1936.

Section 8. IT IS FURTHER ORDERED that the Director of the State Conservation Commission of Wisconsin is authorized to validate this order by signing the same.

STATE CONSERVATION COMMISSION OF WISCONSIN

By (Signed) H. W. MacKenzie,  
Conservation Director.

State of Wisconsin )  
                          ) ss.  
County of Dane       )

Barney Devine, being first duly sworn, deposes and says that he is the duly qualified and acting Chief Conservation Warden and that as such Chief Conservation Warden he has custody and possession of Order No. M-173, the same being the original order passed by the State Conservation Commission under the provisions of section 23.09 of the Wisconsin statutes, and that the foregoing copy of the said order hereto attached is a true and exact copy of such original order.

Barney Devine.

Subscribed and sworn to  
before me this 20th day  
of August, 1936.

C. A. Bontly,  
Notary Public.

My commission expires August 13, 1939.



## W Y O M I N G

### I. STATE PARKS.

No State park enabling laws. Wyoming has no general State park enabling laws.

### II. HOT SPRINGS STATE PARK.

- Jurisdiction. The above park was created by special acts and is under the jurisdiction of the State Board of Charities and Reform (Laws of 1920).
- Members. The Board is composed of the Governor, the Secretary of State, the State Treasurer, the State Auditor, and the State Superintendent of Public Instruction (Laws of 1895 as amended).
- Powers and duties. Powers and duties of the Board with respect to the above park are as follows (Laws of 1920 as amended):
- Control. To have full power, control, and supervision over all property thereon;
- Rules and regulations. To adopt rules and regulations for the government of the park, for the conservation of peace and good order, for the preservation of the property of the State therein, and of the property and people situated and residing or being therein, and to promote the happiness, comfort and well-being of said people, and to provide penalties for the violation thereof and to declare what constitutes a nuisance upon the park.
- Superintendent; duties. To appoint a Superintendent to have charge of all State property under its direction; to collect all rentals; to appoint, upon approval of the Board, such deputies as are necessary for the proper control and conduct of the affairs of the park, and to enforce the State laws as they pertain thereto, and for the enforcement and carrying out of such rules and regulations as may be made by the Board;
- Free public baths. To retain one-fourth of the water in the main or largest principal spring with sufficient land adjacent thereto upon which suitable bath houses may be constructed and with preference to use given free to persons who are indigent and suffering from ailments for which bathing in the waters will afford relief;
- Free camping sites. May set apart from time to time a portion of said lands for free camping purposes. The balance of water and lands may be leased for a term of years not less than five nor more than ninety-nine; to be determined in accordance with the value of the improvements proposed and actually placed thereon; the Board being empowered to make rules and regula-





- tions with respect to the erection of buildings and improvements.
- Rental of water rights. May pipe any portion of the waters above the one-fourth of one spring reserved for free use to provide baths and bath houses for the use of the water so piped upon such rental or rates as it may prescribe;
- Attendant at free bath. To appoint an attendant upon the free bath house whose duty it is to keep the bath houses and the grounds surrounding the same in a clean, healthful and sanitary condition; also to perform such other duties as may be assigned to him;
- Board of Health to inspect. May call upon the State Board of Health to inspect, examine and report upon the condition of any and all hotels, bath houses, sanitariums and buildings, and all places and localities within the limits of the park;
- Special funds. Any and all moneys received for rentals of lands or waters and all money in any way derived from the lands are paid into the State treasury and kept in the "Hot Springs Sanitary Fund" to be at all times available for carrying into effect the objects of the law. The State Treasurer is also to create additional special funds designated "Landscape Fund", "Water Fund," and "Building Fund".
- Gambling prohibited. Gambling in any form is prohibited, and any violation of this provision is sufficient ground for the cancellation of the lease and expulsion of the offending person in addition to any proscribed penalties;
- Roaming live stock. It is unlawful for any person, owner or custodian of any live stock to permit the same to roam at will over, upon or across the park; subject to liability for damage to the property in addition to proscribed penalties;
- Transfer of lands to U. S. Whenever in the judgment of a majority of the Board the interest of the State will be advanced by granting, conveying or deeding to the United States any tract or tracts of land within the park as may be fit and proper and desirable by the United States government for the construction and maintenance of a Veteran's Soldiers' hospital, sanitarium and recreation ground, together with the free use of the mineral hot waters, the Board is to notify the Board of Land Commissioners which is authorized to make such transfer.

### III. SARATOGA HOT SPRINGS.

- Purchase of area. The State Board of Charities and Reform was directed (L.1921) to purchase the property known as Saratoga Hot Springs, together with all the hot medicinal and mineral springs therein contained and all the improvements thereon, and which is forever set aside for the treatment and care of diseases and for sanitary, charitable and such other purposes as are



Superintendent.	from time to time determined by the Board, and to appoint a Superintendent who is vested with police powers.
Fund.	All moneys received in rentals of the land, or for buildings or springs on the reserve are to be deposited in the State treasury and credited to the Saratoga Hot Springs Fund and used by the Board for the upkeep, maintenance and improvement of the reserve (L. 1925).
IV. STATE PLANNING.	
Functions.	A State Planning Board was established by Acts of 1935, empowered and authorized;
Investigations.	To receive or initiate, investigate, consider and recommend projects, plans and proposals for orderly and planned development; improvement and extension of public works and private works affected with public interest; including plans, projects and proposals for
Recreation.	Transportation needs and improvement, including trails, roads and camping grounds and recreational centers;
Surveys.	Soil, surveys and uses, including adaptability for cultivated crops, range, economic and recreational values;
Social service.	Education, health, community and other social service and betterment;
Reports and recommendations.	To make reports and recommendations to the Governor, and to officers, Boards and Commissions of the State having jurisdiction of the subject matter, and to the National Resources Board or proper department or bureau of the Federal Government.



# A L A S K A

## I. TERRITORIAL PLANNING.

- Planning Council. In order to realize the greatest possible benefit from its resources, including, among other things, forests, lands, wildlife and recreational facilities, Acts of 1935 created the Alaska Planning Council which is empowered and directed:
- Surveys, etc. To make inquiries, investigations and surveys concerning the resources of all sections of the territory;
- Analyze data; formulate plans. To assemble and analyze the data thus obtained, and to formulate plans for the conservation of such resources and the planned and systematic utilization and development of the same;
- Recommendations. To make recommendations from time to time as to the best methods of such conservation and development;
- Cooperation. To cooperate with the United States, other States and Territories, and other agencies, and with the other departments of Alaska and all other public agencies of the Territory in such planning, conservation, utilization and development of its resources.



## H A W A I I

### I. TERRITORIAL PARKS.

- Establishment. Hawaii has no territorial park enabling law. Parks have been established from time to time by special Acts. By Laws of 1911 (as amended) it is directed that all public parks and public recreation grounds -- other than Makiki Valley Park or Reservation, and the parks within the city and county of Honolulu -- be transferred and placed in charge of the board of supervisors of the county in which the same may be maintained, to be managed and controlled by them.
- Makiki Valley Park; supervision. Makiki Valley Park, excepted from the foregoing provision, was established in Honolulu by Laws of 1898, as free and public recreation grounds, and to be maintained as such by the Superintendent of Public Works for the use and benefit of the public.
- Fair grounds. Laws of 1917 (as amended) created a Fair Commission, directed to cause to be held a fair or exhibition for the purpose of showing and exhibiting mechanical, live stock, agricultural and horticultural products of the Territory;
- Use for recreation. Whenever any fair grounds or lands under the jurisdiction of the Commission are not required for fair or exhibition purposes, it may, within its discretion, permit the general public to use the same for recreational or other public purposes, and may establish and maintain tennis courts, playgrounds, and a golf course thereon;
- Playgrounds, etc.
- Fees. The Commission is authorized to charge the public using such grounds or lands reasonable fees therefor. All moneys so realized are to be available for the general purposes of the law.
- Eminent domain. All necessary land for the growth and protection of public forests, public squares and pleasure grounds are declared to be public uses, and may be taken by eminent domain (L. 1896, as amended). The legislature may by general act provide for the condemnation of property for public uses (Organic Act).
- Restriction on outdoor advertising. Laws of 1911 (as amended 1925) prohibits any person to display any outdoor advertising except upon billboards, etc., erected, owned or leased by him, or to paste, post, etc., any handbill, sign, poster, advertisement or notice of any kind on any curbstone, tree, lamp-post, pole, or any other public structure, or upon any private wall, or other private structure or building, without the written consent of the owner;





Outdoor advertising defined.	The term "outdoor advertising" is defined to include all advertising so displayed as to attract the attention of persons on any public highway, or (among other places) in any park or other public place.
II. TERRITORIAL FOREST RESERVES.	
Board.	Laws of 1903 (as amended) created a Board of Commissioners of Agriculture and Forestry of five members, to be appointed by the Governor, by and with the advice and consent of the Senate, for five year terms (rotated). one being designated as President.
General powers.	It is the duty of the Board;
Information and statistics.	To gather, compile, tabulate, furnish and publish from time to time information and statistics -
Forestry.	Concerning the area, location, character and natural and artificial increase of forests, and the natural, artificial and accidental decrease of the same, in the Territory;
Rules and regulations.	To make rules and regulations concerning the preservation, protection, extension and utilization of forest reserves;
Care and control.	To have the care, custody, control and protection of all lands set apart as forest reservations;
Utilization, etc.	To devise ways and means of protecting, extending, increasing and utilizing the forests and forest reserves, more particularly for protecting and developing the springs, streams and sources of water supply, so as to increase and make such water supply available.
Land set apart for.	The Governor may, with the approval of a majority of the Board, after a hearing thereon, from time to time set apart any government land or lands, whether under lease or not, as forest reservations; provided, that on lands under lease the reservation is not to take effect until the expiration of the existing lease (L. 1903, as amended 1907, 1925).
Surrender of private lands.	Any person may at any time surrender to the government the care, custody and control of any lands, whether held under lease or fee, as a forest reservation, either for one or more years, or forever. No taxes are to be levied or collected upon said lands so long as under the control of the government as a forest reservation (L. 1903, as amended 1925);
Tax exempt.	



Disposal of income.

In case any moneys accrue from any forest reservation, or the products thereof, the same is to be deposited in the treasury as a special fund for the preservation, extension and utilization of forests and forest reservations (Id).

### III. PUBLIC FISHING GROUNDS.

Repeal of exclusive fishing rights.

All laws of the Republic of Hawaii which confer exclusive fishing rights upon any person or persons are repealed, and all fisheries in the sea waters of the Territory, not included in any fish pond or artificial inclosure, are to be free to all citizens of the United States, subject to vested rights, and which rights become invalid after three years from the taking effect of the Act (Organic Act of 1900).

Use of fishing grounds.

All fishing grounds appertaining to any government land, or otherwise belonging to the government, excepting only ponds, are forever granted to the people for the free and equal use of all persons; provided, that for the protection of such fishing grounds the taking of fish at certain seasons may be tabued (P.C. 1869, R.L. 1925).



## PHILIPPINE ISLANDS

### I. PUBLIC FORESTS.

Use leases and permits.

Under the provisions of an Act of 1917 (Revised Administration Code), the Director of Forestry, with the approval of the Secretary of Agriculture and Natural Resources, may, upon such terms as he may deem reasonable, lease or grant permits for the use of forest land or vacant public lands not declared agricultural lands, for the construction, among other things, of hotels, sanatoria, bathing establishments, residences or for camps, for a period not to exceed twenty years and not more than ten hectares in area.

Public forest defined.

"Public Forest" is defined to include all unreserved public land, including nipa and mangrove swamps, and all forest reserves of whatever character.

Principle governing administration.

The public forests of the Islands are to be held and administered for the protection of the public interests, the utility and safety of the forests, and the perpetuation thereof in productive condition by wise use.

Extent of public rights.

No prescriptive right to the use, possession, or enjoyment of any forest product, nor any permanent concession, continuing right, privilege, or easement of any kind upon or within the public forests and respecting the products thereof, may accrue or be granted otherwise than in conformity with law. All such forests are to be and remain open to the people of the Islands for all lawful purposes.



## PUERTO RICO

### I. INSULAR PARKS.

- Munoz Rivera Park.** By Act of the 1917 Legislature (Amended 1919, 1923), a Park Commission was created to establish, develop and maintain a public park in the municipality of San Juan, to be known as "Munoz Rivera Park".
- Commission.** The Commission is composed of the Commissioner of the Interior, the Commissioner of Agriculture and Labor, and the Commissioner of Public Service of San Juan.
- By Act of the 1935 Legislature, the powers of the Park Commission were extended as to Munoz Rivera Park, and in addition was granted the following powers and attributes:
- Establish other gardens; promenades.** To promote, construct and maintain public gardens and promenades in the vicinity of the Puerta de San Juan and on lands reclaimed from the sea that belong to the People of Puerto Rico in the Marina of San Juan, in the Paseo de la Princesa, in the surroundings of the Insular Capitol, in the Paseo de Covadonga, in Townshend Plaza, in the Plazuela de las Monjas, in the Plaza del Colon, in the Boulevard del Valle, in the surroundings of the Guillerino Esteves Bridge, in the Boys' and Girls' Charity Schools, in such lands as are owned by the Government of the Capitol and are suitable for such purposes, as well as any other parcels of land belonging to the Insular Government that are not previously devoted to other purposes;
- Maintain parks, etc.** To study the possibilities of developing a park in any of the mountainous regions of the Island, on the shores of the lakes formed by the dams of the different systems for irrigation and for the production of hydroelectric power in the Island, and at the lakes, canas, and other places suitable for the purposes of the enjoyment and recreation of the public and the development of tourism;
- Prepare plans.** To prepare plans and to direct and inspect the works constructed under the provisions of the Act;
- Lease sites for concessions.** To lease sites for installing kiosks, cafes, fairs, circuses and other public spectacles. Funds obtained from these sources are to be covered into the special fund of the Commission;
- Rules.** To organize and make rules for the corps that guard and maintain the public parks, promenades, and gardens, and to create a park police with power to denounce and arrest persons violating the ordinances and regulations which, for the purpose of conserving property, order, and public





morals in these places, are to be prescribed by the Commission with the approval of the Executive Council;

Tax, appropriation.

For the construction, improvements, and maintenance of Muncz Rivera Park and all other public parks, promenades and gardens developed under the Act, a special tax of one-hundredths of one per-cent is levied on the value of such real and personal property of the Government of the Capital as is not exempt from taxation. The Insular Government is to contribute annually the sum of \$45,000 for the purposes stated in the Act.

Park Commission  
Fund. Use.

The Treasurer of Puerto Rico is directed to cover into a special fund to be known as the "Park Commission Fund", the proceeds of the special tax, the contribution by the Insular Government, such donations as may be made to the Commission, and the proceeds from leases. The Fund is to be used exclusively for the purposes prescribed by the Act.



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DEPARTMENT OF THE INTERIOR

