

seal and may alter same at pleasure. No appointive member of the board shall hold any other office, elective or appointive, under the State of Minnesota.

Sec. 2. **Inconsistent acts repealed.**—All acts or parts of acts inconsistent herewith are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1923.

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CHAPTER 430—S. F. No. 556.

*An act defining and relating to the creation, acquisition, care, improvement, supervision, control and management of state parks, state public camp grounds, state monument sites and state monuments; withdrawing from sale and providing for the leasing and use of state lands bordering on or adjacent to meandered lakes and other public waters and watercourses; and defining certain offenses and prescribing penalties therefor.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **State properties to be known as such.**—All parks, public camp grounds and monument sites heretofore created or acquired by or at the expense of the state or which hereafter may be so created or acquired, and all monuments heretofore or hereafter erected by or at the expense of the state, shall be known respectively as state parks, state public camp grounds, state monument sites and state monuments in accordance with the respective legislative or other lawful designation thereof.

Sec. 2. **State auditor to have charge of state properties.**—The state auditor as state land commissioner, (hereinafter referred to as the auditor) hereby is charged with the care, improvement, supervision, control and management of all state parks, state public camp grounds, state monument sites, state monuments and state lands withdrawn from sale as hereinafter provided.

Sec. 3. **State treasurer may accept gifts.**—The state treasurer shall be and he hereby is authorized to receive and accept on behalf of the state any gift, donation, bequest or endowment of moneys or securities which may be made by any person by will or otherwise, to or for the benefit, support, maintenance or improvement of state parks, state public camp grounds, state monument sites or state monuments; provided, however, that no such gift, bequest or endowment shall be so accepted unless or until the governor, the auditor and the state treasurer shall determine that it is to the interest of the state to accept the same and in writing approve of and direct such acceptance. The net proceeds of such gifts, donations, bequests and endowments are hereby appropriated to be expended for the purposes for which they may be

so made and accepted; provided however that no such gift, donation, bequest or endowment shall be accepted for the purpose of establishing a new park, public camping ground or monument site without legislative authority.

**Sec. 4. State auditor to accept gifts.**—The auditor shall be and he hereby is authorized to receive and accept on behalf of the state, any gift, donation, bequest, conveyance, devise or endowment of real property or rights, interests or easements therein and of personal property other than moneys or securities which may be made by any person by will, conveyance, deed of gift or otherwise, to or for the benefit, creation, acquisition, support, maintenance or improvement of state parks, state public camp grounds, state monument sites or state monuments; provided, however, that no such gift, donation, bequest, conveyance, devise or endowment of real property or rights, interests or easements therein shall be so accepted unless or until the governor, the auditor and the state treasurer shall determine that it is to the interest of the state to accept the same and in writing approve of and direct such acceptance. Such gifts, donations, bequests, conveyances and devises hereby are devoted to and the net proceeds of such endowments are hereby appropriated to be expended for the purposes for which they may be so made and accepted.

**Sec. 5. State auditor may acquire lands in certain cases.**—Upon recommendation of the state forestry and the state game and fish commissioner, concurred in by him, the auditor from time to time may enter into negotiations on behalf of the state with the owners of tracts or parcels of real property which are especially desirable for immediate acquisition by the state for park, public camp grounds or monument site purposes by reason of exceptional natural beauty, location, great historical interest or otherwise, for the purchase and acquisition thereof or of rights, easements or interests therein, but no such purchase or acquisition shall be consummated without the written approval of the governor, nor beyond the limits of appropriations made and available therefor. The auditor may, however, arrange with such owners for the preservation of such tracts or parcels in their natural condition until the adjournment of the next succeeding session of the legislature, reporting thereto his acts and doings in that connection.

**Sec. 6. State to exercise right of eminent domain.**—Upon written request and direction of the auditor, the state forester and the state game and fish commissioner, approved in writing by the governor, the attorney general is hereby authorized and directed to exercise the power of eminent domain in manner and form prescribed by law in the name of and for and on behalf of the state for the acquisition by the state of such tracts and parcels of real property or rights, interests and easement therein as cannot be secured upon satisfactory terms and as shall be determined, designated and described in such requests, directions and approvals as es-

pecially desirable for immediate acquisition by the state for state parks, state public camp grounds or state monument sites by reason of exceptional natural beauty, location, great historical interest or otherwise and as likely otherwise to be shortly devoted to uses substantially interfering with the later acquisition or availability thereof for such public purposes.

**Sec. 7. State parks to be for use of public.**—State parks shall be preserved and maintained for the free use and enjoyment of the general public. No fee shall be charged or collected for the privilege of transient camping therein, nor shall any part thereof be leased or otherwise made available for the erection or maintenance of private cottages or permanent private camps therein.

**Sec. 8. State auditor to promulgate rules.**—The auditor may adopt and promulgate reasonable rules and regulations not inconsistent with law governing the use and enjoyment of areas of state land reserved from sale as hereinafter provided, state parks, state public camp grounds and state monument sites, which shall have the force and effect of law. A reasonable fee may be fixed, charged and collected by the auditor for the privilege of transient camping in state public camp grounds and the amounts so collected hereby are appropriated to be expended by him in the care, maintenance and improvement of such respective state public camp grounds.

**Sec. 9. Employees to have powers of peace officers.**—All supervisors, guards, custodians, keepers and care-takers of state parks, state public camp grounds and state monument sites shall have and possess the authority and powers of peace officers while in their employment.

**Sec. 10. Violation of rules to be misdemeanor.**—Any person who, within the limits of any state park, state public camp grounds, state monument site, or area of state land reserved from sale as herein provided, shall wilfully cut, injure or destroy any live tree, shrub, timber, evergreen or ornamental plant of any kind, or shall wilfully injure, remove, destroy, deface or mutilate any guide board, guide post, furniture, fixture, improvement, monument, tablet or other property of the state of any kind, or shall wilfully violate or fail to comply with any rule or regulation of the auditor adopted and promulgated in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor.

**Sec. 11. State land on meandered lakes to be withdrawn from sale.**—All state lands bordering on or adjacent to meandered lakes and other public waters and watercourses and the live timber growing or being thereon hereby are withdrawn from the sale of all such lands bordering on meandered lakes and so withdrawn from sale, a strip 100 feet in width, the lakeside boundary thereof being ordinary high water mark, and the landside boundary thereof being a line drawn parallel to the ordinary high-

water mark and 100 feet distant landward therefrom, hereby is reserved for public travel thereon, and wherever the conformation of the shore line or other conditions require, the auditor shall reserve a wider strip for such purpose. Of all such lands bordering on public waters and watercourses other than meandered lakes and so withdrawn from sale, a strip along the banks of such waters and watercourses of sufficient width to accommodate public travel thereon hereby is reserved.

**Sec. 12. Auditor to designate certain lands as public camp grounds—Platting.**—The auditor may designate suitable portions of said state lands so withdrawn from sale and not reserved as hereinbefore provided, as permanent state public camp grounds and cause the same to be surveyed and platted into lots of convenient size, and may lease and let such lots for cottage and camp purposes under such terms and conditions as he may prescribe; provided that no lease shall be made for a longer term than ten years with the privilege of renewal from time to time for additional terms of not to exceed ten years each; and provided further, that all moneys received from leases under this act of state lands so withdrawn from sale shall be credited to the fund to which the proceeds of the land belong.

**Sec. 13. Same—Transient camping places.**—The auditor may designate suitable portions of said state lands so withdrawn from sale and not reserved as hereinbefore provided as state public camp grounds for the use and enjoyment by the public as transient camping places.

**Sec. 14. Auditor to make report to legislature.**—The auditor biennially shall report to the legislature his acts and doings hereunder with recommendations for the improvement or conservation of state parks, state public camp grounds and state monument sites, and for desirable accessions thereto, such report to include an inventory of the tracts and parcels of land, and rights, interests and easements therein held by the state or withdrawn from sale for any of said purposes, with the value thereof.

**Sec. 15. Application.**—The provisions of this act shall not be applicable to Itasca State park or other state forests.

Approved April 21, 1923.

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#### CHAPTER 431—S. F. No. 655.

*An act to amend Sub-section 1 of Section 2746 of Statutes of 1913 to make it the duty of the school boards of districts in counties now or hereafter having a population of not less than 28300 nor more than 28500 inhabitants, including joint school districts in such counties and counties adjoining, such school districts having an area of not less than four sections an assessed valuation of not less than \$100,000.00 and not less than twenty children of school*