

No. 269, A.]

[Published May 20, 1947.]

CHAPTER 124.

AN ACT to amend 31.06 (3) of the statutes, relating to permits for the construction, operation and maintenance of dams.

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

31.06 (3) of the statutes is amended to read:

31.06 (3) At such hearing or any adjournment thereof the commission shall consider the application, and shall take evidence offered by the applicant and other persons in support thereof or in opposition thereto, may require the amendment of the application, and if it shall appear that the construction, operation or maintenance of the proposed dam will not materially obstruct existing navigation or violate other public rights and will not endanger life, health or property, the commission shall so find and a permit is hereby granted to the applicant. * * * *The enjoyment of natural scenic beauty is declared to be a public right, to be considered with other factors of economic need of electric power for the full development of agricultural and industrial activity in the state. The commission in weighing the economic need for the dam against the destruction and removal of natural scenic beauty shall consider and investigate the potentialities of the usefulness of the lake shore line created by the flowage and determine the greatest usefulness by the larger number of the general public utilizing for recreational purposes the lake shore property as compared with the known use of such stream or river in its natural state, and the commission shall further weigh the known use and scenic value of the particular section of river involved in its natural state compared to the known use and scenic value of other sections of the same river for the same purposes remaining in its natural state (without regard to plans of other dams subsequently filed or to be filed). If it appears that the river in its natural state offers greater recreational facilities than can by proper control of the flowage level be obtained from the recreational use of the lake, and if it further appears that the remaining sections of the river in its natural state provide an insufficient amount of natural scenic beauty for recreational facilities, the commission may determine that the construction, operation, and maintenance*

of such dam to serve the economic need is contrary to the public interest of the state as a whole, and the permit be denied on the ground that the economic need of the dam is of less value to the state as a whole than the recreational use of such river in its natural state, but in case of a dam or flowage located outside the boundaries of a state park or state forest no permit shall be denied on the ground that the construction of such proposed dam will violate the public right to the enjoyment of fishing, hunting or natural scenic beauty if the county board or boards of the county or counties in which the proposed dam and the flowage created thereby are located by a two-thirds vote approve the construction of such dam.

Approved May 15, 1947.

No. 471, S.]

[Published May 20, 1947.

CHAPTER 125.

AN ACT to renumber 20.417 to be 20.417 (1) and to create 20.41 (2) (bm) and 20.417 (2) of the statutes, relating to the university of Wisconsin and making emergency appropriations.

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

SECTION 1. 20.41 (2) (bm) of the statutes is created to read: 20.41 (2) (bm) On the effective date of this paragraph, \$120,000 to be used as a revolving appropriation for the purchase of textbooks, supplies, and equipment for resale to students in the extension division of the university. All moneys received from the sale of such textbooks, supplies and equipment shall be paid within one week after receipt into the general fund, and are appropriated therefrom as a revolving appropriation for the purposes of the appropriation made by this paragraph.

SECTION 2. 20.417 of the statutes is renumbered 20.417 (1).

SECTION 3. 20.417 (2) of the statutes is created to read: 20.417 (2) Out of the sum of \$7,400,000 appropriated by subsection (1) there is allotted on the effective date of this subsection \$361,141 for the payment of expenses, purchase of equipment, and temporary construction in connection with the