

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 220 Department or Agency Conservation and Natural Resources
**Rule No. 220-5-.16 Possession or Consumption of Alcoholic Beverages at Certain State
Park Areas**

Rule Title: Possession or Consumption of Alcoholic Beverages at Certain State Park Areas

New Amend Repeal (of Existing Rule) Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the rule? N/A

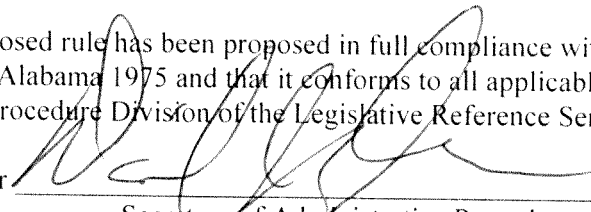
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have any economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Alabama Administrative Procedure Division of the Legislative Reference Service.

Signature of Certifying Officer  Secretary of Administrative Procedure

Date August 22, 2011

APA-2
6/93

Department of Conservation and Natural Resources
State Parks Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Conservation and Natural Resources
RULE NO. & TITLE: 220-5-.16 Possession or Consumption of Alcoholic Beverages at
Certain State Park Areas
INTENDED ACTION: Amendment.

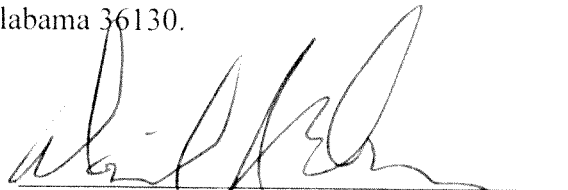
SUBSTANCE OF PROPOSED ACTION: To further provide for and regulate the possession
and consumption of alcoholic beverages at the state parks; and to provide for a certain exception
by permit.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their
views in writing to the Director of the State Parks Division at any time during the period stated
below, or orally if requested in advance by personally appearing at Room 469, Folsom
Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m.,
Thursday, October 6, 2011.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, October 6, 2011.

CONTACT PERSON AT AGENCY: Marcus Easterwood, Director, State Parks Division, 5th
Floor, 64 N. Union Street, Montgomery, Alabama 36130.



DAVID J. DEAN
Secretary of Administrative Procedure

N. Gunter Guy, Jr.

220-5-.16 Possession or Consumption of Alcoholic Beverages at Certain State Park Areas

It shall be unlawful to possess or consume any alcoholic beverage at the following State Park areas, except as permitted in writing by the Commissioner of Conservation and Natural Resources or his designee:

- (1) The beach area and adjacent parking areas at Lake Lurleen State Park;
- (2) The beach area, adjacent parking lot, and north and south picnic areas, at Wind Creek State Park;
- (3) The beach area, adjacent parking lot, and adjacent picnic areas, at Oak Mountain State Park; and
- (4) The following areas at Gulf State Park: All beach areas, including, but not limited to, the public beach areas at Alabama Point, Romar Beach, and Cotton Bayou; and adjacent parking areas at all beach areas; and also including the beach pavilion, the state fishing pier, all picnic areas, and the camp pavilion.
- (5) The beach area, upper and lower picnic areas and all other day use only areas of Chewacla State Park.
- (6) The beach area, picnic area, and all other day use only areas of Frank Jackson State Park.
- (7) The spring, pool, picnic areas and all other day use only areas of Blue Springs State Park.
- (8) The picnic, beach, boat launch areas and all other day use only areas of Paul M. Grist State Park.
- (9) The picnic area, beach area and all other day use only areas of Cheaha State Park.
- (10) Any other portion of any State Park to the extent that such consumption or possession of alcoholic beverages is prohibited by state law.

Statutory Authority: §§ 9-2-3, 9-2-9, and 9-2-12, Code of Alabama 1975

PENALTY: As provided by § 9-2-9, Code of Alabama 1975

11/13/91; 8/17/95; 10/19/95; 5/30/96 (ER); 9/25/96; 5/22/98; 7/22/2003;