TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. <u>220</u> Department or Agency <u>Conservation and Natural Resources</u> Rule No. **220-5-.16**

Rule Title: Possession or Consumption of Alcoholic Beverages at Certain State Park Areas	
Newx Amend Repeal (of Existing Rule) Adopt by Ref.	erence
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?	<u>NO</u>
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?	<u>NO</u>
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?	<u>YES</u>
**********************	*****
Does the proposed rule have any economic impact? If the proposed rule has an economic impact, the proposed rule is required to be ac fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of	
**************************************	*****
Certification of Authorized Official	
I certify that the attached proposed rule has been proposed in full compliance with Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable the Alabama Administrative Procedure Division of the Legislative Reference Serv	filing requirements of
Signature of Certifying Officer Secretary of Administrative Procedure	
Date 2-210-15	

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.

<u>SUBSTANCE OF PROPOSED ACTION:</u> To omit the word "fishing" from paragraph (4) so that term in paragraph (4) reads "state saltwater pier" instead of "state saltwater fishing pier."

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 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Wednesday, May 6, 2015.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 6, 2015.

<u>CONTACT PERSON AT AGENCY:</u> Gregory M. Lein, Director, State Parks Division, 5th Floor, 64 N. Union Street, Montgomery, Alabama 36130.

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:

- (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 saltwater 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) 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, <u>Code of Alabama 1975</u>

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;