

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. _____ Department or Agency Forestry Commission
Rule No. 390-X-7-.08
Rule Title: Prohibited Devices
_____ New X Amend _____ Repeal _____ 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 proposed rule? N/A

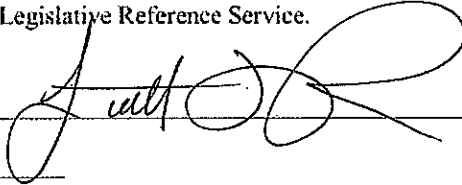
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an 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 Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 
Date 12/15/2015

(DATE FILED)
(STAMP)

APA-2
07/04

ALABAMA FORESTRY COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Forestry Commission

RULE NO. & TITLE: 390-X-7-.08 Prohibited Devices

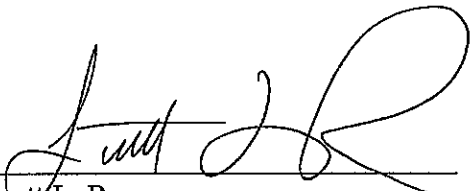
INTENDED ACTION: To amend the rule.

SUBSTANCE OF PROPOSED ACTION: This amendment is needed to update the language of the rule regarding fireworks, to remove restrictions on individual citizens' possession of firearms on State Forest lands, and to remove references to inspections conducted by Forestry Commission law enforcement officers.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Views may be presented orally or in writing on or before February 5, 2016. Such input should be addressed to Scott L. Rouse, General Counsel, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: February 5, 2016

CONTACT PERSON AT AGENCY: Scott L. Rouse, General Counsel, Alabama Forestry Commission, 513 Madison Avenue, Montgomery, Alabama 36104, (334) 240-9342.



Scott L. Rouse
Secretary of Administrative Procedure

ALABAMA FORESTRY COMMISSION
ADMINISTRATIVE CODE

CHAPTER 390-X-7
STATE FOREST VISITOR REGULATIONS

390-X-7-.08 Prohibited Devices.

~~(1) It shall be unlawful for any person other than a duly authorized law enforcement officer to possess or carry into any State Forest or any property owned by the Forestry Commission any form of firearm without written permission of the manager in charge of the State Forest visited, except those areas designated as a Wildlife Management Area or Handicapped Hunting Area in conjunction with the Alabama Department of Conservation and Natural Resources and then only firearms for the appropriate hunting season. No person shall possess, discharge, ignite, or otherwise set off on or within a State Forest any firecrackers, torpedoes, rockets, cap pistols, sky lanterns (also known as Chinese lanterns), or any other fireworks.~~

~~(2) All automobiles, ice chests, coolers or other containers that enter into any state forest are subject to inspection by any Forestry Commission law enforcement officer or other employees authorized by the State Forester for prohibited devices and alcoholic beverages. For purposes of this regulation, "prohibited devices" shall include, in addition to alcoholic beverages, all fireworks of any kind and any firearm except as provided in Section 1 of this rule. Any person that refuses to allow inspection of the above named articles shall be in violation of this regulation.~~

Author: Scott L. Rouse

Statutory Authority: Code of Ala. 1975, § 9-3-9

History: May 17, 2005; Amended: March 9, 2010; Amendment proposed: December 31, 2015.