Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

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Electronic Copy Certification Statement

I, **Robert J. Klee, Commissioner**, of the **Department of Energy and Environmental Protection**, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut,* **do hereby certify**:

That the electronic copy of a regulation and amendments concerning **Alcoholic Beverages in State Parks and Recreation Areas,** which was approved in whole with technical corrections by the Legislative Regulation Review Committee on **June 24, 2014**, and which shall be submitted electronically for filing to the Secretary of the State by **Tom Tyler** of this agency on **or before July 3, 2014**, is a true and accurate copy of the original regulation and amendments approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*. The technical corrections identified in the Legislative Commissioners' Office report are reflected in the final regulation and amendments.

In testimony whereof, I have hereunto set my hand on June 27, 2014.

Robert J. Klee, Commissioner

REGS-1 Rev. 09/2013
(Title page)

For permanent regulations
First NOTICED ON AND AFTER JULY 1, 2013

IMPORTANT: Use this form (**REGS-1**) to submit permanent regulations to the Legislative Regulation Review Committee.
For *emergency regulations*, use form REGS-1-E instead.
For *non-substantive technical amendments and repeals* proposed without prior notice or hearing as permitted by subsection (g) of CGS 4-168, as amended by PA 13-247 and PA 13-274, use form REGS-1**-T** instead.

Please read the additional instructions on the back of the last page (Certification Page) before completing this form. Failure to comply with the instructions may cause disapproval of proposed regulations.

State of Connecticut
REGULATION
of the

NAME OF AGENCY:
Department of Energy and Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION:
Alcoholic Beverages in State Parks and Recreation Areas

Subsection (e) of section 23-4-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

(e) Alcoholic beverages.

(1) The possession or consumption of alcoholic beverages in the following state parks and state forest recreation areas is prohibited:
(A) Bigelow Hollow State Park;
(B) Black Rock State Park and campground;
(C) Eagleville Dam;
(D) Hopeville Pond State Park and campground;
(E) Housatonic Meadows State Park and campground;
(F) Indian Well State Park;
(G) Kent Falls State Park;
(H) Kettletown State Park and campground;
(I) Macedonia Brook State Park and campground;
(J) Mansfield Hollow State Park;
(K) Mashamoquet Brook State Park, East Killingly Pond area;
(L) Miller's Pond State Park;
(M) Osbornedale State Park;
(N) Mt. Misery and Green Falls campgrounds in Pachaug State Forest;
(O) Silver Sands State Park;
(P) Squantz Pond State Park; and
(Q) Sherwood Island State Park.

(2) For any state park or state forest recreation area not listed in subdivision (1) of this subsection, the following requirements apply:
(A) The possession or consumption of alcoholic beverages is prohibited on state park beaches, state forest recreation area beaches, boardwalks and other areas so posted.
[(2)] (B) The possession of beer in containers larger than one [(1)] liter is prohibited.

[(3)] (C) The sale of alcoholic beverages is prohibited, unless authorized in writing by the commissioner.

[(4) The Commissioner shall have the authority to ban the possession or use of alcohol in any state park acquired or opened after April 1, 2006.]

[(5)] (D) The [Commissioner] commissioner shall have the authority to temporarily ban, for periods up to a maximum of ninety [(90)] days, the possession or use of alcohol at specific recreation areas if its possession or consumption is creating public safety issues as determined by the [Commissioner] commissioner.

(E) The possession or consumption of alcoholic beverages by a minor on lands under the commissioner's control is prohibited.

Statement of Purpose

The current subsection regulates alcohol in state parks and recreation areas, including where or when alcohol is or may be prohibited and restrictions on volume and sales. For public convenience, the proposed subsection explicitly lists the parks and recreation areas that have prohibited alcohol since prior to October 1, 1999 and that still prohibit alcohol, pursuant to section 23-4 of the Connecticut General Statutes, regardless of the adoption of the proposed subsection. These parks and recreational areas are Bigelow Hollow State Park; Black Rock State Park; Eagleville Dam; Housatonic Meadows State Park and campground; Indian Well State Park, Maples area; Macedonia Brook State Park and campground; Mansfield Hollow State Park; Mashamoquet Brook State Park, East Killingly Pond area; Miller's Pond State Park; Osbornedale State Park; Silver Sands State Park; Squantz Pond State Park; and Sherwood Island State Park. The proposed subsection expands on this list of alcohol-prohibited parks and recreation areas by including the areas that have been added in recent years pursuant to the regulatory authority of the Commissioner under RCSA 23-4-1 (e)(2)(D) by adding Hopeville Pond State Park; all of Indian Well State Park; Kent Falls State Park in Kent, Kettletown State Park and campground; and Mt. Misery and Green Falls campgrounds in Pachaug State Forest.

REGS-1 Rev. 09/2013

(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full.

I hereby certify that the above Regulation(s)

1) is/are *(check all that apply)* ☐ **adopted** ☒ **amended** ☐ **repealed** by this agency pursuant to the following authority(ies): *(complete all that apply)*

a. ***Connecticut General Statutes* section(s)** 23-4.

b. **Public Act Number(s) _____.**
(Provide public act number(s) if the authorizing act has not yet been codified in the Connecticut General Statutes.)

And I further certify

2) that **Notice of Intent** to adopt, amend or repeal said regulation(s) was electronically submitted to the Secretary of the State on 1/2/14, and posted to the Secretary's regulations website on 1/6/14; *(Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)*

3) and that a public hearing regarding the proposed regulation(s) was held on _____ **or** ☒ that no public hearing was held; *(Insert date(s) of mandatory public hearing(s) held pursuant to CGS 4-168(a), as amended, or other applicable statute, and/or voluntary hearing, **or** if no hearing was held, check the box for that statement.)*

4) and that notice of **Decision to Take Action** on said regulations was electronically submitted to the Secretary of the State on 2/10/14, and posted to the Secretary's regulations website on 2/24/14; *(Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)*

5) and that said regulation(s) is/are **EFFECTIVE** *(check one, and complete as applicable)*

☒ When posted online by the Secretary of the State.

OR ☐ on *(insert date)* _____.

6) SIGNED ***(Head of Board, Agency or Commission)***	OFFICIAL TITLE, DULY AUTHORIZED Commissioner	DATE

APPROVED *by the* ***Attorney General*** *as to legal sufficiency in accordance with CGS Section 4-169, as amended.*

DATE	SIGNED *(Attorney General or AG's designated representative)*	OFFICIAL TITLE, DULY AUTHORIZED

Proposed regulations are ***DEEMED APPROVED*** *by the Attorney General in accordance with CGS Section 4-169, as amended, if the Attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.*

(For Regulation Review Committee Use ONLY)

APPROVED ☐ in WHOLE **or** WITH ☐ technical corrections ☐ deletions ☐ substitute pages

☐ DEEMED APPROVED, *pursuant CGS 4-170(c), as amended.*

☐ Rejected without Prejudice ☐ Disapproved, *pursuant to CGS 4-170(c), as amended.*

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED *(Administrator, Legislative Regulation Review Committee)*

In accordance with CGS Section 4-172, as amended by PA 13-247 and PA 13-274, one certified paper copy and one electronic copy with agency head certification statement received on the date(s) specified below.

DATE	SIGNED *(Secretary of the State)*	BY

(For Secretary of the State Use ONLY)

Date Posted to SOTS Regulations Website:

Date Electronic Copy Forwarded to the Commission on Official Legal Publications:

SOTS file stamp:

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for determination of legal sufficiency. (See CGS Section 4-169.)

2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Section 4-168, as amended by PA 13-247, section 28, and PA 13-274, and CGS Section 4-170.)

3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)

4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)

5. Existing language to be deleted must be enclosed in [brackets]. (See CGS 4-170(b).)

6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)

7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)

8. The *Certification Statement* portion of this form must be completed, including all applicable information regarding notice submission and website posting date(s) and public hearing(s). (See more specific instructions below.)

9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: http://www.cga.ct.gov/rr/ .

10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the Certification Statement page)

1. a) Indicate whether the regulation contains newly adopted sections, amendments to existing sections, and/or repeals of existing sections. ***Check all cases that apply.***

   b) Indicate the specific legal authority that permits or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.

2. An agency must electronically submit notice of its intent to adopt the regulation to the Secretary of the State at regulations.sots@ct.gov for posting on the Secretary's regulations website. Enter both the date notice of intent was submitted to the Secretary of the State *and* the date the notice was posted on the Secretary's website. *For emergency regulations, use Form Regs-1-E instead of this form. For non-substantive technical amendments and repeals adopted without prior notice or hearing as permitted by subsection **(g)** of CGS 4-168, use Form REGS-1-**T** instead of this form.*

3. CGS 4-168(a), as amended by PA 13-247 and PA 13-274, prescribes requirements for holding a public hearing on proposed regulations. Enter the date(s) of all hearing(s) held under that section, if any, also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law; and enter the date(s) of any public hearing(s) the agency elected to hold voluntarily. If no public hearing was held, mark (X) the check box.

4. **NEW REQUIREMENT**: CGS 4-168(d), as amended by PA 13-247 and PA 13-274, prescribes requirements electronically submitting notice of decision to take action (proceed with adoption) of a proposed regulation for posting to the Secretary's regulations webpage. Enter both the date notice of decision was submitted to the Secretary of the State *and* the date the notice was posted on the Secretary's website.

5. As applicable, enter the specific effective date of the regulation; or indicate that it is effective upon posting online by the Secretary of the State. ***Please note the important information below.***

   Permanent regulations adopted after July 1, 2013 are effective upon posting online by the Secretary of the State (SOTS), or at a *later* date specified by the agency, or at a *later* date if required by statute. See CGS 4-172(b). An effective date may not precede the date of posting online by SOTS, and it may not precede the effective date of the public act requiring or permitting the regulation.

6. Submit the original proposed regulation to your agency commissioner for signature.

REGS-1 Rev. 09/2013

(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full.

I hereby certify that the above Regulation(s)

1) is/are *(check all that apply)* ☐ **adopted** ☒ **amended** ☐ **repealed** by this agency pursuant to the following authority(ies): *(complete all that apply)*

   a. ***Connecticut General Statutes*** **section(s)** 23-4.

   b. **Public Act Number(s)** _____.
   (Provide public act number(s) if the authorizing act has not yet been codified in the Connecticut General Statutes.)

And I further certify

2) that **Notice of Intent** to adopt, amend or repeal said regulation(s) was electronically submitted to the Secretary of the State on 1/2/14, and posted to the Secretary's regulations website on 1/6/14; *(Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)*

3) and that a public hearing regarding the proposed regulation(s) was held on _____ **or** ☒ that no public hearing was held; *(Insert date(s) of mandatory public hearing(s) held pursuant to CGS 4-168(a), as amended, or other applicable statute, and/or voluntary hearing,* ***or*** *if no hearing was held, check the box for that statement.)*

4) and that notice of **Decision to Take Action** on said regulations was electronically submitted to the Secretary of the State on 2/10/14, and posted to the Secretary's regulations website on 2/24/14; *(Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)*

5) and that said regulation(s) is/are **EFFECTIVE** *(check one, and complete as applicable)*

   ☒ When posted online by the Secretary of the State.

   OR ☐ on *(insert date)* _____.

6) SIGNED *(Head of Board, Agency or Commission)*	OFFICIAL TITLE, DULY AUTHORIZED	DATE
[signature]	Commissioner	3/25/14

APPROVED *by the* ***Attorney General*** *as to legal sufficiency in accordance with CGS Section 4-169, as amended.*

DATE	SIGNED *(Attorney General or AG's designated representative)*	OFFICIAL TITLE, DULY AUTHORIZED
4/14/14	[signature] Joseph Rubin	ASSOC. ATTY. GENERAL

Proposed regulations are ***DEEMED APPROVED*** *by the Attorney General in accordance with CGS Section 4-169, as amended, if the Attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.*

(For Regulation Review Committee Use ONLY)

APPROVED ☐ in WHOLE **or** WITH ☑ technical corrections ☐ deletions ☐ substitute pages

☐ DEEMED APPROVED, *pursuant CGS 4-170(c), as amended.*

☐ Rejected without Prejudice ☐ Disapproved, *pursuant to CGS 4-170(c), as amended.*

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED *(Administrator, Legislative Regulation Review Committee)*
	6-24-14	[signature]

In accordance with CGS Section 4-172, as amended by PA 13-247 and PA 13-274, one certified paper copy and one electronic copy with agency head certification statement received on the date(s) specified below.

DATE	SIGNED *(Secretary of the State)*	BY

(For Secretary of the State Use ONLY)

Date Posted to SOTS Regulations Website:

Date Electronic Copy Forwarded to the Commission on Official Legal Publications:

SOTS file stamp: