

## PUBLIC COMMENT

Based on our Arkansas Constitution, Article 7 Section 28, et al; and for other reasons, I OPPOSE the adoption of proposed rules by the ADPHT commission which pertain to Act 655 of 2023—rules of which authority said Act construes to permit the sale and serving of alcoholic beverages in state parks, even in the parks in dry counties. Therefore, I am submitting this intention with the following Comments of Opposition to be entered into the Record of Act 655:

1. It is an unconstitutional Act in its overriding of local option elections.
2. It is a departure from and a liability to the historic and original purpose of the designation and preservation of Arkansas' great natural beauty and recreational resources for the benefit and use of all Arkansans; and...
3. It purports to empower Park Superintendents to oversee the sale *and free* "complimentary" servings (both "without limitation") of alcoholic beverages in our state parks, without requirement to comply with most rules for control of this dangerous beverage—with which all other permitted small business owners of the state must comply and be trained. Thereby making a situation of very unjust application of law and potential liabilities of major proportions.

4. Other: *Not the place for alcohol. These should be children friendly and oriented. Not everyone wants to be around drunk loud disorderly people when they're trying to enjoy the relaxing outdoors*

Thank you, and please respond to me at the address below:

*Myrna Siler Ghyms Siler*  
*23433 Siler Rd*  
*Hindsville AR 72738*

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Morris Lawson  
2650 E. Heritage Pkwy  
Farmington AR 72730  
\_\_\_\_\_

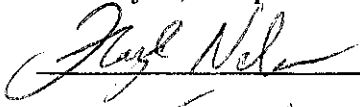
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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

  
\_\_\_\_\_  
Floyd Nelson  
\_\_\_\_\_  
244 Madison 8417  
\_\_\_\_\_  
Hindsville AR 72738  
\_\_\_\_\_

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Bita Nelson  
244 Madison 8417  
Hindsville, AR 72738  
\_\_\_\_\_

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Melissa Nelson  
PO Box 83  
Hindsville, AR 72738  
\_\_\_\_\_  
\_\_\_\_\_

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Emily Kirk

PO Box 83

Hindsville Ar 72738

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Allison Frazier  
114 Madison 6046  
Elkins AR 72727

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Elsie White  
6868 Highway 412  
Henderson AR 72738  
\_\_\_\_\_



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4. Other: *When I take my grandchildren to the state parks, I don't want them to be concerned about drunken parties! More drunks means more driving while drunk which leads to more danger of children be hit by a car which is driven by a drunk!*

Thank you, and please respond to me at the address below:

Lonnie Siler  
23433 Siler Road  
Hindsville, AR 72738

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

Joyce Eubanks  
383 madison 1455  
Huntville, AR 72740  
\_\_\_\_\_

**PUBLIC COMMENT**

**Re: Act 655 of 2023/ACA 3-9-103/  
Promulgation of rules as required at 3-9-103 (g)(1)**

**From:**

**Connie Burks  
2184 Madison 1745  
Huntsville, Ark 72740**

**For: August 2023 ADPHT Commission Meeting  
on Thursday, August 17, 2023 at 9 a.m.**

**at The Blue Lion, (physical address): 101 N. Second (2<sup>nd</sup>) Street, Fort Smith, Ark.  
(and for Public Hearing of Act 655 rules, yet to be announced in Little Rock)**

**ATTENTION: ALL MEMBERS OF THE ADPHT COMMISSION and GOVERNOR SANDERS:**

Having been informed of a 3 minute time limit for those speaking their public comments at your Commission meeting, I have chosen instead to submit my remarks in writing, requesting for them to be read aloud in entirety, AND to be entered in entirety into the permanent record of your Minutes of 8-17-23. And further that each Commission Member be provided with a hard copy of these 2 pages (plus attachments) prior to reading:

**REMARKS**

Please understand what an insult to the public it is to be burdened with the hours-long drive with either overnight lodging to reach your early morning meetings or else necessity to arise by 2 a.m. to drive from east side of state to Ft. Smith (in this instance), or as much as 3-4 hours when government meetings are in Little Rock. AND then, be limited to 3 minutes to address the volumes of pages of proposed rules and regulations prepared and adopted and enforced upon us by those of you who are provided with the best of luxury and accommodations paid for by those of us (taxpayers) whom are rarely even listened to or heeded when we expend our own funds and efforts to attempt to preserve the rule of law-- of the people, by the people, for the people. It is as much for *your* hard won freedoms as it is *ours* that we labor to exercise our freedom of speech, that your 3 minute, (or any amount of) time limit defies. Public servants such as yourselves should not accept appointments to ruling boards or hearing commissions unless you are willing to allow the public to exhaust their grievances before you, regardless of how long it takes, being that you are amply and comfortably provided for by our tax dollars. Unless you are willing to hear, listen, consider, and contemplate all points of view for the rules you are bringing upon us, you have committed the wrongs of malfeasance, misfeasance, and nonfeasance. Whether it will be rectified in this present American government, or in the Government to come that shall be upon the shoulders of the Mighty Prince of Peace whose wrath will be poured out upon the children of disobedience, I would think that each of you individually, commissioners and agency officers, shall have cause for pause tonight when you retire your head on your pillow. I pray this question comes then to your mind: *"By my exercise of my position in the government of this state, AM I a part of the PROBLEM or a part of the SOLUTION to the dilemma of government overreach that erodes and intrudes into the powers of we the people to govern ourselves at the local level?!"* In this great state of Arkansas our founders provided for us via our state constitution and subsequent statutes, the privilege of "exclusive original jurisdiction" of our "county courts" and local option elections in "the matter of local concern" of alcohol presence in our respective counties, as well as a multitude of other "local concerns". Therefore, if you adopt these proposed Rules for Act 655 today, you shall be violating all oaths to uphold the constitutions that you affirmed before God and your fellow citizens. And, thereafter you shall give account before that same Almighty God, and *maybe* before the courts of this state as well. I urge you to NOT adopt these state park alcohol rules before you today without requiring full disclosure of why and what liabilities you may be bringing upon yourselves. Evidence of that possibility is disclosed in an internal document (attached), which I obtained by Freedom of Information privilege. It is in the review notes of Mike Wilson (MW), Manager of Operations. Beside the first line of the pro-posed rules of the Section entitled "Rule 3 SECRETARY PERMITS", MW makes this note in the side bar of the page: *"Superintendents will ask about liability situations. Civilly, I believe we can all be sued. But over consumption and the consequences could be a thing."*

For your consideration of these issues I have raised to your Commission, please....

Commissioners, be wise, be aware, be informed-completely, and most of all be true to your oath of office. I urge you to seek for the repeal of Act 655, by refusing to promulgate rules for this unconstitutional Act 655.

## PUBLIC COMMENTS

from Connie Burks

(continued from Remarks of previous page)

1. Having visited Stone County, which is home to the Ozark Folk Center at Mountain View, I wish to raise awareness to your Commission, that even though it is a state park, the city of Mountain View holds *ownership* of the property itself. That makes it unique from other state parks, which properties are owned by the state. As state officials you need to be fully informed of the possibility of liability to yourselves for forcing an unproven and unsubstantiated permitting of alcohol on the city of Mountain View, and the county of Stone, which has undeniably held a DRY county status for many decades due to the lawful local county option elections pertaining to alcohol sales, etc.
2. No amount of supposedly increased revenue in relation to the availability of alcohol is worth the result of negative impacts on the, heretofore, peaceful town, or upon the many minor-aged youth who frequent the Folk Center. Your commission needs to determine why local officials are fearful of threats of having funding for essential services withdrawn if they stand their ground and refuse to let your commission and the ADPHT department violate local laws, by forcing alcohol upon state parks when many counties have definitively said NO to alcohol sales. Stone County is a prime example.

From where do these threats arise? What kind of crime do state officials commit when they use our own tax dollars against us as leverage to coerce us into complying with state rules and regs that they manipulate upon us?

The Folk Center has always had a pronounced local youth focus and has therefore hosted a lot of youth activities through the years. Why would we want to bring a smudge upon the family friendly reputation by introducing the presence and availability of this beverage that has to be "controlled" as a dangerous substance?! How can YOU as a commissioner feel justified in forcing alcohol on *any* state park for the lame excuse of attracting more alcohol-using patrons to enrich state coffers at the expense of our children, who have not previously had to deal with public access to intoxicating drinks in their hometown park venues-- which has been very successful WITHOUT alcohol for 50 years!
3. The *as yet unwritten* rules about operating hours which "are not to be strictly enforced"; and the vagueness of references to "3<sup>rd</sup> party vendors"; and what types of "alcohol related activities" can be later developed as "internal policy"; and *exemption from many rules* that all other ABC permitted alcohol providers in the state have to comply; and the repeated phrase of "*without limitation*"; etc. etc. of the Act 655, and the proposed rules before you are very troubling for Stone county folks as well as people all across the state as they realize the very real potential of having our historic and traditional uses of our state parks taken from us for the vain purpose of attracting and impressing national and foreign visitors on a grand scale for the stated purpose of exceeding other states in revenue and attention, all the while greatly diminishing the protection and original purpose of our state's crown jewels for the benefit of Arkansans.
4. Even though Act 655 names only restaurants and outdoor events as the venues for alcohol sales at state parks, a FOIA released email reveals that detailed plans for a BAR at the Ozark Folk Center is already well underway. That is unacceptable, and ramifications of such should be very troubling to this Commission as well. Please seek for the repeal of Act 655 by refusing to promulgate rules for this unconstitutional Act 655.

Attachments: 5 pages of ADPHT internal emails via Freedom of Information privilege



**From:** Daniel Faulkner <[Daniel.Faulkner@arkansas.gov](mailto:Daniel.Faulkner@arkansas.gov)>

**Sent:** Wednesday, May 10, 2023 3:34 PM

**To:** Shea Lewis <[shea.lewis@arkansas.gov](mailto:shea.lewis@arkansas.gov)>; Jeff King <[jeff.king@arkansas.gov](mailto:jeff.king@arkansas.gov)>

**Cc:** Suzanne Grobmyer <[Suzanne.Grobmyer@arkansas.gov](mailto:Suzanne.Grobmyer@arkansas.gov)>

**Subject:** First Draft Alcohol Rules

Here's a very rough first draft of the alcohol rules. As discussed, I've kept it very simple with the thought we can build operational details into internal policy.

I take no pride in ownership here. Please let me know what you think.



**Daniel Knox Faulkner**  
General Counsel

Arkansas Department of Parks, Heritage and Tourism  
Office of the Secretary  
1100 North Street  
Little Rock, AR 72201  
[daniel.faulkner@arkansas.gov](mailto:daniel.faulkner@arkansas.gov)  
p: 501.324.9157 | f: 501.324.9575

[Adpht.Arkansas.gov](http://Adpht.Arkansas.gov)

# ARKANSAS DEPARTMENT OF PARKS, HERITAGE & TOURISM ALCOHOLIC BEVERAGE RULES

accordance with.....

## RULE 1 DEFINITIONS

"Alcoholic beverages" means a beverage containing more than five-tenths of one percent (0.5%) of alcohol by weight.

"Division" means Division of Arkansas State Parks.

"On-premises consumption" means the serving of alcoholic beverages on the state park property, including without limitation at a restaurant or outdoor event.

"Permit" means a permit to serve alcoholic beverages issued by the Secretary pursuant rule 3.\*.

"Secretary" means Secretary of the Department of Parks, Heritage, and Tourism.

## RULE 2 PARK APPLICATIONS AND SECRETARY APPROVAL

A state park may seek approval from the Secretary to sell alcoholic beverages or provide complimentary servings of alcoholic beverages for on-premises consumption to an individual who is twenty-one (21) years of age or older at the state park during legal operating hours without obtaining a permit from the Alcoholic Beverage Control Division.

Approval shall be sought on an application approved by the Secretary. The park shall request the type of sales and service sought for approval. All requests must receive a recommendation from the Director of Arkansas State Parks before submittal to the Secretary.

Upon approval by the Secretary, the state park is authorized to sell or serve alcoholic beverages as allowed by Ark. Code Ann. § 3-9-103 and the Secretary's permit.

A state park shall renew the state park's approval to sell or serve alcoholic beverages with the Secretary yearly.

A state park may request modifications to its permit after issuance, including, but not limited to, expansion of sales and services permitted and special event authorization.

## RULE 3 SECRETARY PERMITS

Permits shall be issued to the Park Superintendent or other designated party at the state park with a short description of the authorized sales and service at that park.

Commented [NW1]: Should there be a clear introductory statement here denoting that this document fulfills Ark. Code Ann. § 3-9-103.

Commented [NW2]: Will legal hours be tied to our current state park hours or can they be identified as separate.

Commented [NW3]: Could add hours of operation of said on-premise permit.

Commented [NW4]: Shouldn't state park have a designated party. Believes it should be, but not stating it for the consequences could be a fine.

Before doing any business under any Secretary permit, the permit shall be displayed in a conspicuous place where the business permitted by the permit is carried on so that all persons visiting the premises may readily see the permit.

*Secretary permits may use permit classes established by Title 1, Subtitle C, Article 1, Section 1.19 of the Alcoholic Beverage Control Division Rules as guidelines for permits, but shall not be strictly bound by that rule. The Secretary shall have the discretion to issue permits in any fashion allowed by Ark. Code Ann. § 3-9-103.*

All permits shall contain the following:

- (1) The state park and the name of the person to whom the permit is issued;
- (2) The kind of permit and the type of activity thereby permitted;
- (3) A description by street and number or otherwise of the permitted premises.

#### **RULE 4 HOURS OF OPERATION**

A state park authorized to sell alcoholic beverages shall serve the alcoholic beverages only during operating hours of the premises, including without limitation, the hours of operation of a restaurant on the state park property, or the hours of an outdoor event.

#### **RULE 5 ABC RULES**

A state park authorized to sell alcoholic beverages under a Secretary's permit is subject to all other applicable Arkansas laws involving the distribution and sale of alcoholic beverages that do not conflict with Ark. Code Ann. § 3-9-103.

A permitted park shall follow the rules applicable to sell controlled beverages at retail (Title 3 of the Alcoholic Beverage Control Division Rules) and rules applicable to on premises hotel or motel and restaurant (Title 4 of the Alcoholic Beverage Control Division Rules).

#### **RULE 6 MONITORING AND COMPLIANCE**

The Division shall perform inspections for all permitted facilities for compliance with Arkansas laws and rules involving the distribution and sale of alcoholic beverages.

Any violation of these rules shall be reported to the Alcoholic Beverage Control Board within 15 days of discovery.

Commented [MW5]: Should we add...

Commented [DF6]: thought to make it easy to distinguish between on premises and off premises... specified by Ark. Code Ann. § 3-9-103.

Commented [MW7]: Can we allow additional hours during approved Director's hours for discretionary purposes? Such as probate court, etc.

Commented [MW8]: Should these be necessary? I think this document is related to ABC training and background check to obtain the club license permit for DeGray. How will we enforce ABC permit holders accountable for following these mentioned rules?

Commented [DF9]: Should we add time period?

Commented [MW10R9]: Annually. What and who will inspect? Training required for compliance?

Commented [DF11]: That and who will be required by ABC and the state?

Commented [MW12R11]: Should be added?

Commented [MW13R11]: Check with 15 days.

#### **RULE 7 THIRD PARTY VENDORS**

A state park that has obtained a permit may allow a third-party vendor at the state park to serve alcoholic beverages as described under Ark. Code Ann. § 3-9-103 of this section.

The third-party vendor shall operate under the Secretary's permit, and does not obtain any permit right requiring revocation by the Secretary or Division.

#### **RULE 8 GENERAL**

Nothing in these rules shall repeal any current permit issued by the Alcoholic Beverage Control Division until a Secretary's permit is issued.

#### **EFFECTIVE DATE**

These rules were adopted effective DATE.



**Daniel Faulkner**

**From:** Mike Wilson (ADPHT)  
**Sent:** Tuesday, May 16, 2023 1:24 PM  
**To:** Shea Lewis; Becky Bariola; Walt Reding  
**Cc:** Jeff King  
**Subject:** RE: First Draft Alcohol Rules  
**Attachments:** ALCOHOL RULES DRAFT 5.10.23 Mike.docx

I have read through once and supplied some discussion comments.

**MIKE WILSON**  
Manager of Operations

Division of Arkansas State Parks  
One Capitol Mall  
Little Rock, AR 72201  
[mike.wilson@arkansas.gov](mailto:mike.wilson@arkansas.gov)  
p: 501.682.7639 | c: 501.454.3991  
f: 501.682.1199

[arkansasstateparks.com](http://arkansasstateparks.com)



**From:** Shea Lewis <[shea.lewis@arkansas.gov](mailto:shea.lewis@arkansas.gov)>  
**Sent:** Tuesday, May 16, 2023 10:29 AM  
**To:** Mike Wilson (ADPHT) <[Mike.Wilson@arkansas.gov](mailto:Mike.Wilson@arkansas.gov)>; Becky Bariola <[Becky.Bariola@arkansas.gov](mailto:Becky.Bariola@arkansas.gov)>; Walt Reding <[Walt.Reding@arkansas.gov](mailto:Walt.Reding@arkansas.gov)>  
**Cc:** Jeff King <[jeff.king@arkansas.gov](mailto:jeff.king@arkansas.gov)>  
**Subject:** FW: First Draft Alcohol Rules

Can you give this draft set of rules a review today?

Thanks.

Shea

**SHEA LEWIS**  
Director

Division of Arkansas State Parks  
One Capitol Mall  
Little Rock, AR 72201  
[shea.lewis@arkansas.gov](mailto:shea.lewis@arkansas.gov)  
p: 501.682.6925 | c: 870.784.3083

[ArkansasStateParks.com](http://ArkansasStateParks.com)

## Daniel Faulkner

**From:** Mike Wilson (ADPHT)  
**Sent:** Wednesday, July 12, 2023 1:39 PM  
**To:** John Morrow (ADPT)  
**Cc:** Becky Bariola; Tamara Lunsford  
**Subject:** RE: Committee of One Hundred Room at Skillet Restaurant

John,

I appreciated the brainstorming of options. We will need decide alcohol permit types and create operational guidelines before making decisions on facility modifications. I will relay this information to leadership for future discussion.

Thanks,

**MIKE WILSON**  
Manager of Operations

Division of Arkansas State Parks  
One Capitol Mall, 4B.206  
Little Rock, AR 72201  
[mike.wilson@arkansas.gov](mailto:mike.wilson@arkansas.gov)  
p: 501.682.7639 | c: 501.454.3991  
f: 501.682.1199

[arkansasstateparks.com](http://arkansasstateparks.com)

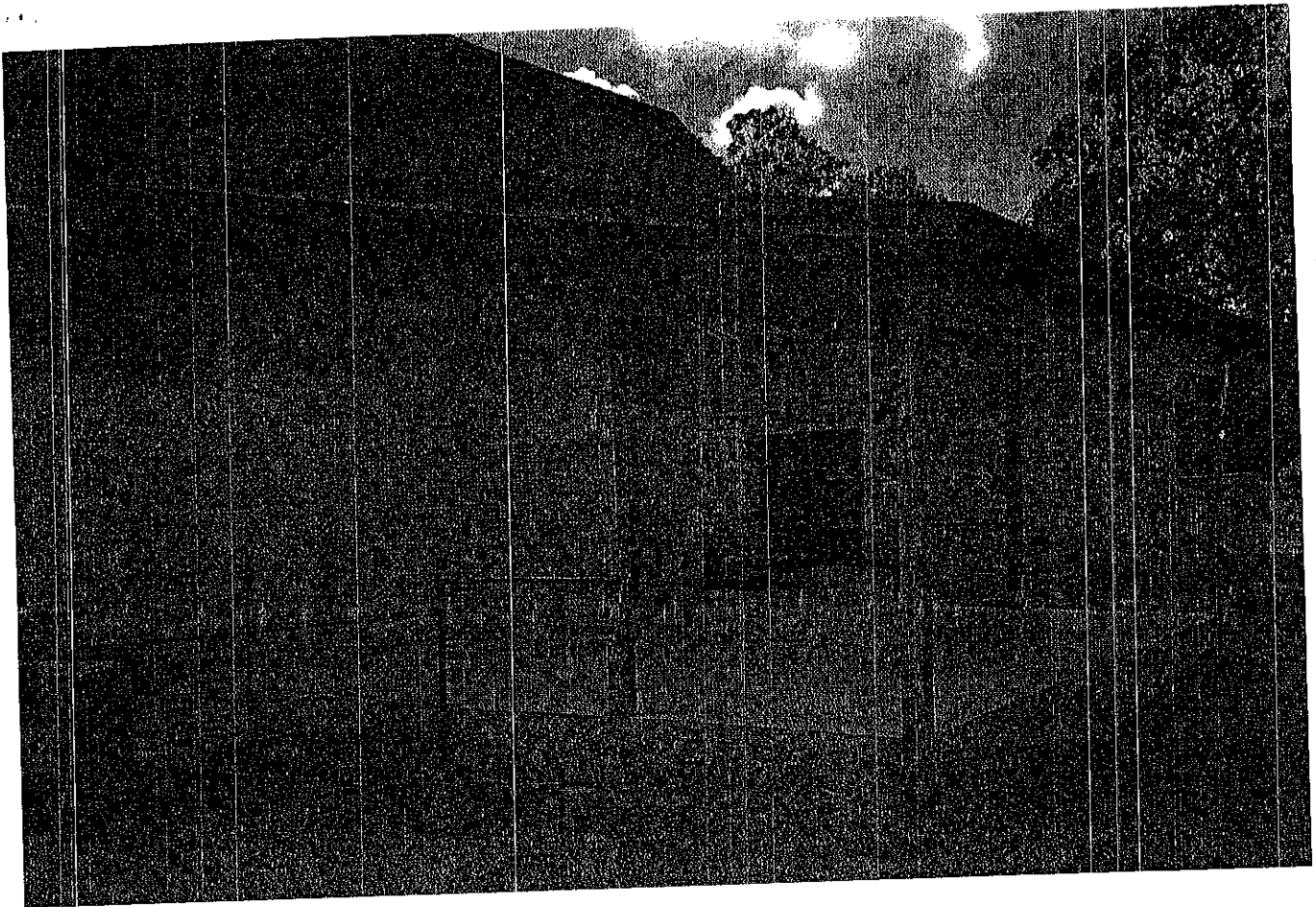


**From:** John Morrow (ADPT) <[John.Morrow@arkansas.gov](mailto:John.Morrow@arkansas.gov)>  
**Sent:** Wednesday, July 12, 2023 11:27 AM  
**To:** Mike Wilson (ADPHT) <[Mike.Wilson@arkansas.gov](mailto:Mike.Wilson@arkansas.gov)>  
**Cc:** Becky Bariola <[Becky.Bariola@arkansas.gov](mailto:Becky.Bariola@arkansas.gov)>; Tamara Lunsford <[tamara.lunsford@arkansas.gov](mailto:tamara.lunsford@arkansas.gov)>  
**Subject:** Committee of One Hundred Room at Skillet Restaurant

Hi Mike-

Yesterday Becky, Tamara and I had a meeting concerning implementation of alcohol sales at the Ozark Folk Center. One of the things that has concerned me is that the obvious place to put a bar in the Skillet is the Committee Room. Originally designed for this reason, it not only has power and plumbing to it, it also is separated from the rest of the main dining making it ideal for this purpose. In the 1990's, under Bill Young, it was moved from being called the "Dry Hole" to being called the Committee of One Hundred Room. They decorated it with various items they have collected over their 49-year relationship with the park, and it has been called the Committee Room ever since.

If we convert this area to the bar for the Skillet, then that status will need to change. I have a compromise that I would like to propose for approval that would allow this to occur in the smoothest way possible. We have had a plan to enclose the back deck of the Theater for several years now. In our last FYI you wanted P&D to review this, and Jacob earlier this year stated that it would be a simple project. The Project Request is currently parked in the P&D folder for OFC MM FY24. We had the plywood deck removed this winter (M&O) and a concrete slab poured to replace the rotting wood. This is how it currently looks:



Our plan was to enclose this space, put windows/doors in it, install a minisplit for heat and air and finish it out as a classroom. Electric is already at the location. This all could be done in house with my maintenance team. This then could be dedicated as the new Committee of One Hundred Room, and the finishing touches would be to move their decorations/awards from the Skillet to here. This continues to give the Committee a space at the park they can utilize and preserve their legacy of support for the park. It also moves them to a hub area of the park. We get the classroom space we continue to need.

Becky agreed this would be a good idea for the space and helps to keep the Committee engaged through this transition. Would you consider this as an option, and if favorable, continue it up the chain for approval?

**JOHN MORROW**  
Superintendent

Ozark Folk Center State Park  
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Mountain View, AR 72560  
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## PUBLIC COMMENT

Based on our Arkansas Constitution, Article 7 Section 28, et al; and for other reasons, I OPPOSE the adoption of proposed rules by the ADPHT commission which pertain to Act 655 of 2023—rules of which authority said Act construes to permit the sale and serving of alcoholic beverages in state parks, even in the parks in dry counties. Therefore, I am submitting this intention with the following Comments of Opposition to be entered into the Record of Act 655:

1. It is an unconstitutional Act in its overriding of local option elections.
2. It is a departure from and a liability to the historic and original purpose of the designation and preservation of Arkansas' great natural beauty and recreational resources for the benefit and use of all Arkansans; and...
3. It purports to empower Park Superintendents to oversee the sale *and free* "complimentary" servings (both "without limitation") of alcoholic beverages in our state parks, without requirement to comply with most rules for control of this dangerous beverage—with which all other permitted small business owners of the state must comply and be trained. Thereby making a situation of very unjust application of law and potential liabilities of major proportions.

4. Other: *I thought we were trying to discourage drinking & driving on the highways. Further more I think it should put to a vote by the people of Arkansas. There will be another Election?*

Thank you, and please respond to me at the address below:

*Henry Hawley*  
*115 Madison 6494*  
*Huntsville, AR. 72740*

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4. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thank you, and please respond to me at the address below:

\_\_\_\_\_  
*Luther E. Cliver*  
\_\_\_\_\_  
*21269 Fire Tower Rd.*  
\_\_\_\_\_  
*Elkins, AR 72727*  
\_\_\_\_\_

*Burford Distributing, Inc.*

925 South H Street, P.O. Box 1663, Fort Smith, AR 72902

Telephone: 479-783-8979 Facsimile: 479-783-2577

8/30/23

VIA EMAIL ([shealyn.sowers@arkansas.gov](mailto:shealyn.sowers@arkansas.gov))  
& FIRST CLASS MAIL

Arkansas Department of Parks, Heritage & Tourism  
ATTN: Shealyn Sowers, Chief of Communications  
1 Capitol Mall, Suite 3B  
Little Rock, AR 72201

Re: Concerns Regarding the Proposed Alcoholic Beverage Permit Rule  
Policy Statement 2600

To Whom It May Concern:

I represent Burford Distributing, Inc., a licensed beer wholesaler based in Fort Smith, Arkansas. In light of the proposed rule pursuant to Act 655 of the 2023 Regular Session, we have delved deep into its implications, especially considering the unique landscape of alcohol sales and distribution in Arkansas. The division of wet and dry counties, in particular, presents complexities that may not be adequately addressed in the current proposal.

**1. Implications for State Parks in Dry Counties and Supply Chain Challenges:**

As a matter of background, granting state parks in dry counties the liberty to sell or serve alcoholic beverages without obtaining a permit from the Alcoholic Beverage Control Division might introduce inconsistencies vis-à-vis the principles underpinning the alcohol distribution industry within the state. This approach could invite unforeseen legal challenges and logistical barriers. For context, please refer to the enclosed list highlighting the wet/dry status of various state parks. Notably, approximately 20 state parks are either fully or partially situated in dry counties. A case in point is White Oak Lake State Park, which straddles the border between Nevada County (dry) and Ouachita County (wet).

It's noteworthy that not all breweries, whether national giants or local establishments, maintain consistent wholesaler partnerships across dry counties. This exclusivity in relationships, akin to franchise rights, complicates the distribution process, potentially hindering wholesalers from supplying to specific parks or sections thereof.

Taking Cossatot River State Park—Natural Area as an illustration: while Burford Distributing has the rights to distribute MolsonCoors products (a significant player in the beer industry) to the Polk County portion of the park, there is no designated wholesaler for the Howard County section. Similarly, Arkansas-based businesses, such as Lost Forty, could encounter similar challenges. Although Burford Distributing maintains a relationship with Lost Forty in certain regions, there is no appointed wholesaler for Lost Forty to cater to the Howard County section of the park. This disjointed representation can lead to an erratic product availability and variety.

## 2. Recommendations:

We propose the establishment of provisions that align state parks with the practical realities of how alcohol is distributed by wholesalers, for smoother operations.

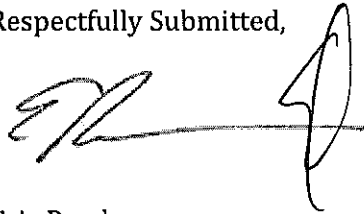
**i) Enhanced Procurement Models:** Drawing inspiration from the procurement practices of private clubs in dry counties, we advocate for a similar model. These clubs traditionally source their alcohol from designated liquor stores in neighboring wet counties. Adopting such a model for state parks could streamline the procurement process considerably.

**ii) Specified Retail Location within Parks:** To circumvent the issues stemming from multiple wholesalers catering to different sections of the same park, we suggest tying the department-issued license to a specific location within the park that lies entirely within a single county.

In conclusion, the proposed rule's aspirations are commendable, but a detailed understanding of the intricacies of alcohol distribution in Arkansas is crucial. We believe that by addressing these challenges, a harmonious balance can be struck between local governance, community expectations, and business operations. We are optimistic that collaborative discussions can lead to a mutually beneficial resolution.

Thank you for your understanding and consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'EP', followed by a horizontal line and a large, stylized flourish on the right side.

Eric Pendergrass,  
Vice President/General Counsel

State Park	County	Wet/Dry Status
Arkansas Post Museum	Arkansas	Wet
Bull Shoals-White River State Park	Baxter and Marion	Wet & Wet
Hobbs State Park - Conservation Area	Benton, Carill, and Madison	Wet, Wet & Wet
Moro Bay State Park	Bradley	Dry
Lake Chicot State Park	Chicot	Wet
DeGray Lake Resort State Park	Clark and Hot Spring	Wet & Wet
Logoly State Park	Columbia	Wet
Petit Jean State Park	Conway	Wet
Lake Fort Smith State Park	Crawford	Dry
Parkin Archeological State Park	Cross	Wet
Village Creek State Park	Cross and St. Francis	Wet & Wet
Delta Heritage Trail State Park	Desha and Phillips	Wet & Wet
Woolly Hollow State Park	Faulkner	Dry
Mammoth Spring State Park	Fulton	Dry
Lake Oachita State Park	Garland	Wet
Lake Catherine State Park	Garland and Hot Spring	Wet & Wet
Jenkins Ferry Battleground State Park	Grant	Dry
Crowley's Ridge State Park	Greene	Wet
Lake Frierson State Park	Greene	Wet
Historic Washington State Park	Hempstead	Dry
Cossatot River State Park - Natural Area	Howard and Polk (No Improvements)	Dry & Wet
Jacksonport State Park	Jackson	Wet
Conway Cemetery State Park	Lafayette	Dry
Lake Charles State Park	Lawrence	Dry
Powhatan Historic State Park	Lawrence	Dry
Mississippi River State Park	Lee	Wet
Cane Creek State Park	Lincoln	Dry
Millwood State Park	Little River	Wet
Mount Magazine State Park	Logan	Wet
Plum Bayou Mounds Agriculture State Park	Lonoke	Dry
Withrow Springs State Park	Madison	Wet
Hampson Archeological Museum State Park	Mississippi	Wet
Herman Davis State Park	Mississippi	Wet
Lousiana Purchase State Park	Monroe	Wet
White Oak Lake State Park	Nevada and Oauchita	Dry & Wet
Poison Springs Battleground State Park	Ouachita	Wet
Lake Sylvia Recreation Area	Perry	Dry
Crater of Diamonds State Park	Pike	Dry
Daisy State Park	Pike	Dry
Lake Poinsett State Park	Poinsett	Wet
Queen Wilhelmina State Park	Polk	Wet
Lake Dardenelle State Park	Pope and Yell	Dry & Dry
Lower White River Museum State Park	Prairie	Wet
Pinnacle Mountain State Park	Pulaski	Wet
Plantation Agriculture Museum	Pulaski and Lonoke	Wet & Dry
Davidsonville Historic State Park	Randolph	Wet
Ozark Folk Center State Park	Stone	Dry
Arkansas Museum of Natural Resources	Union	Wet
South Arkansas Arboretum	Union	Wet
Devil's Den State Park	Washington	Wet
Prairie Grove Battlefield State Park	Washington	Wet
Mount Nebo State Park	Yell	Dry



## Daniel Faulkner

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**From:** Donna Franks - Old Path <dfranks2009@gmail.com>  
**Sent:** Wednesday, August 16, 2023 4:50 PM  
**To:** Daniel Faulkner  
**Cc:** Shea Lewis; shealyn.sowers@arkansa.gov; steven.walker@arkansas.gov;  
general\_info@sos.arkansas.gov  
**Subject:** ADPHT Meeting ACT 655 of 2023

Some people who received this message don't often get email from dfranks2009@gmail.com. [Learn why this is important.](#)

Hello to all this may reach, My name is Donna Franks from Stone County Arkansas. I was born here 64 years ago. (Please read) I genuinely am heartbroken that you are having a meeting assisting in taking away from the goodness of my/our home county and state. I voted for Mrs Sanders. My goodness, at what a person is able to do and un-do in such a short time. . Our county is secure with the Love of God, people, and His blessings. Many come here to get away to a place w/o liquor, bright lights, and around the clock sirens, etc. We have not had to deal with the fast lane of big money, violence, drugs (for the most part) and "spirits", from alcohol served at hand. Now you are working on Spirits made available by Arkansas State Parks. We are saddened to the point of unbelief. Hopefully you will work to un-do this bad dream. I know everyone wants to be the newly elected governor's friend. Not so from here. Local representatives are not happy. Many found out through our local paper. I was told it was a favor for the governors husband. I WAS TOLD THAT! We made a mistake with our vote, but who could have known she would not be working for voters (especially) of the "dry" counties. Those who drink, will , as its available across the county line. What is not readily available is an answer to who gave her the authority to go against our Constitution and the vote of the people. In other words, with my simple God fearing approach, "Where does her authority come from? I hope you and all you will read this can UN-DO the problem at hand. What is written from our Founding Fathers, Veterans, and those who honor our Constitution cry this is wrong! We can't be silent. You must remember we also trust you. Literally, for heavens sake, the youth (whom I love dearly, family, + personal to me), who work for the state, the (people) from Stone County, and anyone else can plainly see, such an over reach of government power, an insult to this great state. We may be the last one integrity to stand for morals, what education teaches and Gods goodness, w/o being sold out for the Love of \$\$\$\$. True security is by The Holy Spirit. I ask, PLEASE read this. Remind Mrs Sanders ,we trusted her. She can still stand with the people, I pray. Thank you, Sincerely, Donna Franks