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June 7, 2000

Mr. Gerald Weber
Director, ACLU
142 Mitchell Street, S.W.
Suite 301
Atlanta, Georgia 30303

Dear Mr. Weber:

A week ago you contacted this office on behalf of the Green Party. Your contact was prompted by claims of several representatives of the Green Party that they were not permitted to solicit signatures for a potential political candidacy on several state parks during April and May, 2000. In later conversation, I furnished you a copy of DNR's park regulations and you subsequently informed me that the Eleventh Circuit Court of Appeals had found a permit provision in regulations of the National Park Service similar to the permit provision under DNR's rules unconstitutional on First Amendment grounds.

In the several conversations that followed, you expressed a desire to cooperate with the Department of Natural Resources in resolving the issue of access to state parks for the Green Party. In this regard, I understand the following: (1) The Green Party desires to solicit signatures at various state parks, but does not know which parks it will visit or when it will visit them; (2) the Green Party intends to use several people (two or three) in each park and conduct its business with politeness and regard for the rights of others and various interests within the park which DNR desires to preserve; (3) the Green Party desires to have the ability to move from one area of the park to another in order to achieve access to park patrons; and (4) the Green Party will endeavor to give as much notice of its intent to visit parks as reasonably possible and understands that, if reasonably possible, DNR would like at least 24 hours notice.

While DNR has not had an opportunity to fully consider the impact of the Eleventh Circuit ruling upon its rules and regulations, it does desire to accommodate the Green Party's First Amendment interests. DNR understands that the Green Party will respect the special areas of the park such as areas under lease to private parties, camping areas, cottages, interior of lodges managed by DNR, historic sites, burial grounds, *etc.*, as set out in DNR Rule 391-5-1-.05(11)(e).

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Please understand, however, that DNR does not intend to designate any particular area of the park, which is not an existing public forum, as a public forum. Please further understand that this letter is not intended as an attempt to impose a permit requirement upon the Green Party, given the issue you have raised.

I trust that you will find this letter responsive and helpful. We will resume discussion of this matter during the week of June 12, 2000.

Sincerely,



ISAAC BYRD
Senior Assistant Attorney General

IB/fs

cc: John C. Walden, Esq.

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