

# ALASKA STATE LEGISLATURE

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*REPRESENTATIVE ANDY JOSEPHSON*

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## **HB 321: State Game Refuge, Sanctuary and Critical Habitat Area** **Bill Summary**

(February 24, 2026, Version 34-LS1257\N)

**Name Changes:** this bill will bring naming consistency to Alaska’s Special Areas (game refuges, wildlife refuges, game sanctuaries, wildlife sanctuaries, and critical habitat areas (CHA)) by renaming all refuges and critical habitat areas as “Wildlife Refuges,” and all sanctuaries as “Wildlife Sanctuaries”. Eliminating the designation of “critical habitat area” will avoid confusion with “critical habitat” as defined in the federal Endangered Species Act and will more clearly emphasize that state wildlife refuges do not unduly restrict public access and uses.

**Purpose Statement:** the existing overriding purpose statements for refuges (AS 16.20.020) and CHAs (AS 16.20.500) is consolidated in AS 16.20.020(a) and is applicable to all redefined wildlife refuges. This statute reiterates that the primary purpose of refuges is to protect habitat values, and fish and wildlife populations. The existing stand-alone statutory purpose statements for the sanctuaries, and individual refuges and CHAs are unchanged.

**Public Uses:** in addition to the primary purpose statement in AS 16.20.020(a), subsections (b) and (c) of this statute allow for continued public uses of refuge resources including hunting, trapping, fishing, subsistence activities, wildlife viewing, and other uses and these subsections authorize the department, Board of Game, and Board of Fish to adopt regulations to better manage public access, uses, and recreational and other facilities.

**Firearms:** this bill reconfirms (via AS 16.20.028) the public’s right to carry and use firearms in refuges for legal purposes including hunting, trapping, and fishing. In subsection (a), it also allows the department, by adopting regulations, to restrict the discharge of firearms for the purpose of public safety with the intent to prohibit target shooting at public access sites. Unregulated target shooting at refuge access sites endangers public safety and creates hazardous contaminated sites through the concentrated accumulation of lead leaving the department with financial and other liabilities of contaminated sites.

This statute also allows the department to close certain areas within a refuge to public access by adopting regulations to protect public health and safety. The intent is to allow the department to close areas that are not appropriate for public entry such as the downrange area of a shooting range where public access disrupts the operation of the shooting range and creates a significant public safety issue.

**Personal Watercraft:** these watercraft would be prohibited in the Kachemak Bay and Fox River Flats refuges (AS 16.20.590(c)) and (AS 16.20.580(b)), respectively) to reduce user conflicts and to avoid disturbance to fish and wildlife and their habitats.

**Boundary Adjustments\Land Additions:** these bill provisions are necessary for several reasons including:

1. correcting errors in legal land descriptions adopted in several enabling statutes (Egegik, Pilot Point, and Port Moller refuges).
2. Adding acquired conservation lands to refuge jurisdiction located within existing refuge boundaries (Anchorage Coastal, Palmer Hay Flats, and future acquisitions).
3. Expand refuge boundary to include acquired conservation lands outside existing refuge boundary and being managed by the department (Anchorage Coastal, Creamers Field, Dude Creek, Anchor River-Fritz Creek, Mendenhall Wetlands, and Beluga Wetlands refuges).
4. Adding lands that were presumably inadvertently left out of the original legal descriptions (Anchorage Coastal, Palmer Hay Flats, Izembek, Cape Newenham, Kachemak Bay, Fox River Flats, Cinder River, Tugidak Island).

**Private/Native Corporation Lands:** removes statutory refuge jurisdiction from private lands located within a refuge boundary including private Native Corporation lands located within Port Moller, Port Heiden, Egegik, and Pilot Point refuges (AS 16.05.550, 555, 565, 570, respectively).

**Brown Bear Hunting Near McNeil River Sanctuary:** brown bear hunting at McNeil River has been closed since 1955 and is now closed by statute in the entire sanctuary. This bill would extend the closure to the adjoining McNeil River refuge (AS 16.20.041(c)) and the state-owned “Kamishak” lands between the sanctuary and Katmai National Park (AS 16.05.793). Brown bears using the sanctuary regularly range into these adjoining areas which have been closed to brown bear hunting by the Board of Game for more than 40 years in the Kamishak lands and over 30 years in the refuge. An expanded statutory hunting closure to the areas adjoining the sanctuary would permanently elevate the sanctuary’s distinction as one of the world’s premier wildlife viewing destinations.

**Interdepartmental fees:** to allow the department to more economically manage and provide for public uses in refuges and sanctuaries, AS 38.05.030(h) would exempt the department from Department of Natural Resources’ (DNR) land use permit fees or other authorization fees when the department carries out its statutory functions in refuges and sanctuaries such as development of public use or administrative facilities. This statute would have no other effect on DNR’s authorities as the state’s landowner in refuges and sanctuaries.