

Introduced: 3/14/77  
Referred: Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 247 *am*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to use of firearms in public place."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 11.55.050 is amended to read:

9 Sec. 11.55.050. FLOURISHING, POINTING OR DISCHARGING FIREARM IN  
10 PUBLIC PLACE. (a) Unless specifically permitted by law or ordinance,  
11 a person who flourishes, points or discharges a firearm in a city of  
12 any class, or in or on a railway coach, steamboat or steamship, or in  
13 or near a park or public grounds, or at a public place, whether public  
14 in itself, or made public at the time by an assemblage of persons, is  
15 guilty of a misdemeanor, and upon conviction is punishable by a fine  
16 of not more than \$500, or by imprisonment in a jail for not more than  
17 six months, or by both.

18 (b) The provisions of (a) of this section are applicable to all  
19 state monuments, historical sites, wilderness trails and campsites,  
20 paths along trails and highways, roadside rests, and recreational  
21 beaches, established under authority of AS 41.20. [NOTWITHSTANDING  
22 THE PROVISIONS IN (a) OF THIS SECTION, FIREARMS MAY BE USED IN THOSE  
23 STATE PARKS WHICH ARE BY STATUTE, OR BY LAWFUL REGULATION, OPEN TO  
24 SHOOTING.]

25 (c) The provisions of (a) of this section are not applicable to  
26 the use of firearms in conjunction with the taking of game in a state  
27 park (including a wilderness or scenic park) or recreation area  
28 established under AS 41.20 (including the Chena River Recreation Area  
29 created by ch. 26 SLA 1967, and the Nancy Lake State Recreation Area

1 created by ch. 61 SLA 1966) if that use is in full accordance with  
2 regulations governing hunting and trapping adopted by the Alaska Board  
3 of Game under AS 16 and other applicable laws and regulations.

4 However, the commissioner of natural resources may adopt regulations  
5 under the Administrative Procedure Act (AS 44.62) restricting or  
6 prohibiting any use of firearms (including use for the taking of game)  
7 in all or part of a state park or recreation area where he considers  
8 it necessary for the preservation of the public peace, safety, or  
9 order. A person who violates a regulation of the commissioner is  
10 subject to the penalties set out in (a) of this section.

11 \* Sec. 2. AS 41.20 is amended by adding a new section to read:

12       Sec. 41.20.049. FISH AND GAME MANAGEMENT. (a) Nothing in this  
13 title limits or restricts the commissioner of fish and game, the  
14 Alaska Board of Fisheries, or the Alaska Board of Game in the exercise  
15 of their respective statutory authorities relating to fish and game  
16 resources of the state.

17       (b) The commissioner of fish and game, in cooperation with the  
18 commissioner of natural resources, shall annually identify areas  
19 within state parks established under AS 41.20 which are suitable for  
20 reservation for wildlife viewing, photography, and related purposes.  
21 The commissioners shall recommend to the Board of Game that those areas  
22 be closed to hunting and trapping.

23 \* Sec. 3. AS 41.20.230(c) and 41.20.280 are repealed.  
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