

MODEL FIREARMS LEGISLATION FOR THE CONSERVATION ACTION AGENCY

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There are many policy implications of firearms legislation insofar as the conservation action agency is concerned. This is especially true in the case of state and federal wildlife departments, which deal directly with management programs which are based on the well-established management principle of harvesting the annual surplus of wildlife by public hunting with sporting firearms, including bow and arrow. The wildlife resource department deals directly with people who own and use firearms for sport and recreation, both in matters of effecting the desired annual harvest of wildlife and in securing adequate financing for all of the agency's wildlife resource management programs, the latter covering non-game as well as game birds and animals.

In 1965, the number of licensed hunters in this country totaled 14,330,549. Game fund monies accruing to state game agencies as a result of the sale of hunting licenses, tags, and permits exceeded \$75 million (24). PR receipts in 1965 came to some \$15 million (1). Thus, from these sources alone, more than \$90 million in 1965 wildlife conservation funds is immediately and directly attributable to the hunter—the user of firearms for recreational pursuits.

It is significant that wildlife law enforcement is financed almost entirely by those who own and use firearms for the purpose of taking part in the annual harvest of the wildlife surplus. That is to say, it is the very people who desire to harvest wildlife for sport and recreation who put up the monies to insure that the harvest will be adequately regulated so that no damage is done to the resource. By way of contrast, it does not appear that those individuals who are opposed to the use of sporting firearms for effecting an annual harvest of the wildlife crop provide a significant amount of funding for the management of wildlife resources.

In view of the situation just described, it is obvious that any firearms legislation which tends to interfere with or place unnecessary burdens on the person using sporting firearms for recreational purposes could have very profound effects on the conservation and management of this country's wildlife resource (14, 15, 17, 18, 19, 20, 21).

There is really no reason to think that the effects of such firearms legislation would be restricted to the wildlife resource. In Pennsylvania, for example, it is a well known fact that the sportsmen are due the major credit for the enactment of practically every piece of conservation legislation that that state has had. Indeed, were it not for the sportsmen, clean water in Pennsylvania would be as rare as the Dodo bird.

For a great many years, too many in fact, the sportsmen have had to go it alone in promoting good conservation legislation for the good of the entire community. It is only recently that the general public has become interested in conservation, and in many cases, this interest of the general public does not extend into the pocketbook.

Because firearms are so closely tied in with the program of any action agency in the conservation field, it behooves these agencies to pay attention to all aspects of firearms use in our society. The socio-economics of firearms should take its place in the resource manager's thinking right along with resource management, development, research, law enforcement, and administration.

In this same connection, because conservation agencies depend so heavily on the sportsmen, that is, those who by and large are owners and users of firearms, it naturally follows that these agencies ought to

consider the viewpoint of the sportsmen when formulating any policy or opinion in the realm of firearms legislation (21).

No individual or agency acts in a vacuum. All policy determinations must be made within certain institutional restraints. These institutional restraints may be constitutional, statutory, administrative, or sociological in nature. In the case of firearms, there has evolved, since the founding of the Republic, a substantial framework of constitutional and statutory institutional restraints (14). Some of these restraints support the right to keep and bear arms, while others modify it (7). Suffice it to say that there are strong constitutional and statutory supports for the right to keep and bear arms in this country (14, 28). This right is given credence not only by the Federal Constitution, but by the constitutions of 35 states (2). In addition, there is evidence that sometime in the future, the Supreme Court could extend the Second Amendment of the Federal Constitution to all of the 50 states (26, 28).

Nevertheless, in the past, the existence of the right to keep and bear arms has not prevented enactment of firearms legislation of the type that is potentially dangerous to the conservation movement in this country (7). At the same time, the existence of the right to keep and bear arms does not relieve agencies or individuals who are interested in firearms and their lawful use from the responsibility of recognizing that certain problems do exist in our present-day, complex society with respect to the misuse of firearms (16, 21).

However, it is also to be noted that certain individuals in our society have exploited the misuse of firearms to suit their own selfish interests. In their abysmal ignorance of the extent to which firearms are lawfully used in this country, they have oversimplified many issues which are of a complex nature, made these issues appear black and white (often all black), and extended their own ignorance to the general public.

Many examples (far too many, in fact) of this could be cited. One such is the claim by proponents of anti-gun legislation that firearms are one of the main contributing factors in the rising crime rates which are presently plaguing the United States. This claim has been given much publicity by many of the news media. However, an analysis of the latest *F. B. I. Uniform Crime Reports* (10) reveals that firearms are involved in but three per cent of all major crimes in this country (16, p. 3, 26). In other words, if it were somehow possible to completely eliminate firearms from our society, and no criminal substituted any other weapon for a firearm, we would still have 97 per cent of all our major crimes. The fact that criminals do substitute other types of weapons for commercially-manufactured firearms, when these are not available, is obvious, and has been well documented (5, 23, 25, 27, 29).

Data on the relationship of firearms to other weapons in the commission of major crimes in 1965 are presented in Table 1.

At any rate, firearms legislation and the socio-economics of firearms are subjects that warrant the attention of all conservationists. Too many times in the past, detrimental anti-gun legislation has been enacted solely because of indifference on the part of conservationists. Today, firearms legislation is receiving a great deal of attention from legislators at all levels of government. The result is often proposed legislation that is as misdirected as the shots that caused it (3, 4, 13).

But those who are cognizant of the important role which firearms play in the conservation movement cannot spend the rest of their days merely opposing anti-firearms legislation put forth by those who either do not know the facts or do not care about them. For while a great deal of firearms legislation is misdirected, there are certain areas where legislation is needed (8, 21).

The first thing to be accomplished is to determine what the problems are. This implies that the problems will be evaluated in terms of their total impact on both society and the individual.

Having determined what are the specific problem areas, the next

step is to apply reason and logic to ascertain what are the possible solutions to each of the problems.

Next comes the task of selecting from the possible solutions, those that are feasible, or practical, in terms of our existing institutions.

TABLE 1. RELATIONSHIP OF FIREARMS¹ TO OTHER WEAPONS USED IN THE COMMISSION OF SERIOUS CRIMES, 1965.

	Per cent of Weapons Used	Total Crimes Committed	Crimes in Which Firearms Were Used
Homicide	— —	9,850	— —
Firearms	57	— —	5,634
Knives or cutting Instruments	23	— —	— —
Personal Weapon (Hands, Feet, Etc.)	10	— —	— —
Blunt Objects	6	— —	— —
Miscellaneous (Unknown)	4	— —	— —
Aggravated Assault	— —	206,700	— —
Knives or Cutting Instruments	36	— —	— —
Blunt Objects	22	— —	— —
Personal Weapon (Hands, Feet, Etc.)	25	— —	— —
Firearms	17	— —	35,139
Miscellaneous	— —	— —	— —
Robbery	— —	118,920	— —
Armed With Firearms	38	— —	45,190
Other Weapon Strong Arm (Muggings)	42	— —	— —
Forcible Rape	— —	22,470	— —
Burglary	— —	1,173,200	— —
Larceny (\$50 and over)	— —	762,400	— —
Auto Theft	— —	486,600	— —
Total	3.1	2,790,000	85,963
	Firearms ¹		

¹ Firearms including the so-called gangster weapons as so classified under the National Firearms Act of 1934. Unfortunately, data breaking down firearms into gangster weapons or sporting firearms are not available (12).

Source: F. B. I. Uniform Crime Report—1965, pages 3, 6, 8, and 10 (10), and supplemental letter from the Director of the F. B. I. (11).

Once the practical solutions to each of the problems are derived, each must be evaluated in terms of what benefits society will derive therefrom, and what the costs to society will be if the recommended solutions are implemented. That is, each feasible solution must be judged not only in terms of its benefits, but in terms of its costs as well. Only those solutions whose benefits exceed costs should be selected for legislative or administrative action, as the case may be.

In the light of the foregoing, the present position of those interested in the lawful use of sporting firearms for recreation seems obvious.

There are but three choices: (1) Do nothing and be hit by bad gun laws; (2) make feeble efforts through individuals and gun clubs to oppose legislation offered by the anti-gun forces; or (3) make a strong united effort in the field, utilizing all the resources at our disposal, and proposing our own legislation to protect the civil rights of the law-abiding firearms owner and to make it as unpleasant as possible for the criminal who misuses firearms.

The third alternative would involve a coordinated effort by sportsmen, conservation professionals, various civic organizations, and conser-

vation action agencies. The latter must expect to participate to the limit of their ability.

It is only by taking such a tack that we can overcome the efforts of those who, either because of ignorance, fear, or malicious intent, would destroy the American heritage of firearms ownership and perhaps seriously impair the conservation movement in the United States.

We have a good start. The sportsmen of Florida, California, and Illinois scored important gains in firearms laws in 1965. More recently, the sportsmen of Maryland won important victories in their fight to obtain sensible firearms laws for their state (6, 9). From all of this work has come a number of firearms laws which can serve as model laws for the states, requiring only minor revisions to fit the individual needs of any given state. Such bills are presented in Figures 1 through 8.

For a detailed explanation of any of these bills, interested persons are urged to contact the author of this paper.

**Figure 1. PENNSYLVANIA RIFLE AND PISTOL ASSOCIATION
BILL NO. 66-1²**

An act regulating the issuance of hunting licenses to persons under the age of 16 years and providing for the giving of instruction in the safe handling and use of firearms and bow and arrow to such persons; and fixing effective date.

BE IT ENACTED BY THE COMMONWEALTH OF PENNSYLVANIA

Section 1. No hunting license shall be issued to any person under the age of sixteen years unless he presents to the person authorized to issue such license either (a) evidence that he has held a hunting license issued by the Commonwealth of Pennsylvania or another state in a prior year, or (b) a certificate of competency as provided in this section.

Section 2. The Pennsylvania Game Commission shall provide for a course of instruction in the safe handling of firearms and bow and arrow such as approved by the National Rifle Association of America, and for the purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of safety in the handling of firearms and bow and arrow.

Section 3. The said Commission may designate any person found by it to be competent to give instruction in the handling of firearms and bow and arrow to persons under the age of sixteen years. A person so appointed shall give such course of instruction, and upon the successful completion thereof shall issue to the person instructed a certificate of competency in the safe handling of firearms and bow and arrow. No charge shall be made for such course of instruction, except for materials or ammunition consumed.

Section 4. The Commission shall furnish information on the requirements of the hunter safety education program as provided herein, said information to be distributed free of charge to applicants for hunting licenses by the persons appointed and authorized to issue such licenses.

Section 5. This act shall take effect September 1, 1968.

**Figure 2. PENNSYLVANIA RIFLE AND PISTOL ASSOCIATION
BILL NO. 66-2³**

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," providing penalties for commission of certain crimes when armed with a firearm; providing for mitigating circumstances; protecting the civil rights of citizens in lawful use of firearms.

² To be introduced in the 1967 Pennsylvania Legislature.

³ To be introduced in the 1967 Pennsylvania Legislature.

BE IT ENACTED BY THE COMMONWEALTH OF PENNSYLVANIA

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding after section 630, a new section to read:

Section 630.1. Commission of Certain Crimes when Armed with Firearm.

(1) Whoever carries or uses any firearm during the commission of any robbery, rape, burglary, kidnapping, murder, or voluntary manslaughter, is guilty of a felony, and shall, upon conviction of any such crime, in addition to the punishment provided for the crime, be sentenced to undergo imprisonment for a term of not more than five years; upon a second conviction for any of the aforesaid crimes so committed, he shall, in addition to the punishment provided for the crime, be sentenced to undergo imprisonment for a term of not more than ten years; upon a third conviction for any of the aforesaid crimes so committed, he shall, in addition to the punishment provided for the crime, be sentenced to undergo imprisonment for a term of not more than fifteen years; upon a fourth or subsequent conviction for any of the aforesaid crimes so committed, he shall, in addition to the punishment provided for the crime, be sentenced to undergo imprisonment for an additional period of not more than twenty-five years.

(2) Such additional penalty of imprisonment shall commence upon the expiration or termination of the sentence imposed for the crime of which he stands convicted, and shall not run concurrently with such sentence.

(3) Such additional punishment shall not be adjudged if the jury shall make a recommendation of mercy based upon mitigating circumstances. If the accused has waived his trial by jury and the case is tried by a judge alone, the judge may waive the mandatory additional punishment, but shall state in his opinion or judgment the mitigating circumstances or reasons which warrant leniency.

(4) Nevertheless, the civil rights of every citizen shall include the following rights and duties: (1) To defend and protect law, liberty, life, limb, family, home and property; (2) to aid and assist public authorities in the enforcement of law and order, as by the posse comitatus; (3) to defend the sovereign states and the nation against subversion, disorder, insurrection, foreign and other attack, and (4) to own and use arms for target practice and marksmanship, lawful hunting, and other lawful purposes. No person shall be punished, or suffer any mandatory punishment, for using any firearms, or other weapons for the lawful purposes aforesaid.

Figure 3. PENNSYLVANIA RIFLE AND PISTOL ASSOCIATION
BILL NO. 66-4⁴

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," providing for minimum age limits for the purchase of any firearm or other deadly weapon.

THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA HEREBY ENACTS AS FOLLOWS:

Whoever knowingly and willfully sells or causes to be sold, to any person under eighteen years of age, any firearm or other deadly weapon, or knowingly and willfully sells or causes to be sold to any such minor any cartridge, gunpowder, or other dangerous and explosive substance, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500), or undergo imprisonment not exceeding one year, or both.

Notwithstanding the provisions hereof, sporting rifles and shotguns and ammunition therefor, and ammunition components for handloading,

⁴To be introduced in the 1967 Pennsylvania Legislature.

including gunpowder, may be sold to persons less than eighteen years of age but sixteen years of age or more when the permission of the person's parent or guardian has been given.

Section 626, 1939, June 24, P. L. 872, is hereby repealed.

Figure 4. FLORIDA SPORTSMEN'S ASSOCIATION BILL NO. 65-1

A BILL TO BE ENTITLED

AN ACT RELATING TO WEAPONS AND FIREARMS; AMENDING SECTION 790.01, FLORIDA STATUTES, PROHIBITING CARRYING OF CONCEALED WEAPONS WITHOUT A PERMIT; AMENDING SECTION 790.02, FLORIDA STATUTES, PROVIDING FOR ARREST WITHOUT WARRANT FOR PERSONS VIOLATING SECTION 790.01, FLORIDA STATUTES; REPEALING SECTION 790.05, FLORIDA STATUTES, RELATING TO THE PENALTY FOR CARRYING CERTAIN FIREARMS WITHOUT A LICENSE; AMENDING SECTION 790.06, FLORIDA STATUTES, PROVIDING FOR ISSUANCE OF LICENSE TO CARRY A WEAPON; PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. Section 790.01, Florida Statutes, is amended to read:

790.01 *Carrying concealed weapons.* Whoever shall secretly carry arms of any kind on or about his person, or whoever shall have concealed on or about his person any pistol, metallic knuckles, slung shot, billie, dirk, or other knife or other deadly weapon, without a permit, except a common pocketknife, shall be punished by imprisonment for not less than three (3) months nor exceeding six (6) months, or by fine of not less than one hundred dollars (\$100.00) nor exceeding five hundred dollars (\$500.00); provided that nothing in this section shall be considered as applying to sheriffs, deputy sheriffs, city or town marshals, policemen, constables, special officers appointed under the provision of Chapter 354, Florida Statutes, or United States marshals or their deputies.

Section 2. Section 790.02, Florida Statutes, is amended to read:

790.02 *Officer to arrest without warrant.* The carrying of concealed weapons without a permit is declared a breach of peace, and any officer authorized to make arrests under the laws of this state may make arrests without warrant of persons violating the provisions of the preceding section.

Section 3. Section 790.05, Florida Statutes, is hereby repealed.

Section 4. Section 790.06, Florida Statutes, is amended to read:

790.06 *How permit procured.* The county commissioners of the respective counties of this state shall, within thirty (30) days after the date of the application for a permit, grant a permit to carry a concealed weapon to a person who shows that he or she:

- (a) is of good moral character;
- (b) is over the age of twenty-one (21) years;
- (c) has not been convicted of a crime of violence, is not a fugitive from justice, has not been adjudged mentally incompetent, is not addicted to the use of narcotics or any similar drug, and is not a habitual or chronic alcoholic, nor a vagrant or other undesirable person as defined in Section 856.02, Florida Statutes;
- (d) has good cause to carry a concealed weapon, including one or more of the following:
 - (1) has good reason to fear injury to his person or property; or
 - (2) is engaged in a lawful business, calling, or employment which justifies a prudent man in carrying a concealed weapon for the defense of person or property or family; or
 - (3) has some other proper reason or good cause; and
- (e) is a resident of the county where the application is filed.

The citizen's Constitutional right to bear arms shall not be denied to him unless there exists positive evidence that the person fails to meet one or more of the foregoing qualifications, which the commissioners shall state in their action or order on the application.

The permit may be revoked by the county commissioners or by any Florida court with jurisdiction over misdemeanors or felonies, for any reason which would disqualify an applicant from obtaining a permit.

The county commissioners shall issue the permit upon the applicant's giving a bond payable to the Governor of the State in the sum of one hundred dollars (\$100.00), with sureties to be approved by the county commissioners, conditioned for the proper and legitimate use of said weapons. When the applicant shall meet the above qualifications and pay a permit fee in the sum of five dollars (\$5.00), the county commissioners shall issue to the applicant a permit, of billfold size, entitling him to carry a concealed weapon for a period of two (2) years from the date of issuance of the permit in all counties of the state.

The county commissioners shall keep a record of the names and permanent addresses of the persons to whom such permits are issued, and neither the permit nor the record shall require identification of any specific weapon. The county commissioners may delegate to an official the issuance of the permits, and any person denied a permit by said official may appeal his denial to the county commissioners within thirty (30) days after the denial.

Section 5. This act shall take effect July 1, 1965.

Figure 5. FLORIDA SPORTSMEN'S ASSOCIATION BILL NO. 65-4 ⁵

A BILL TO BE ENTITLED

AN ACT RELATING TO WEAPONS AND FIREARMS; REQUIRING ANNUAL REPORTS OF CONFISCATED WEAPONS TO BE MADE TO THE ADJUTANT GENERAL; PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

A report shall be made each year to the adjutant general by each chief of police and sheriff in the state on forms furnished to them by the adjutant general's office listing all weapons and arms confiscated pursuant to state or local law, and showing the date the same were forwarded to the adjutant general or the disposition pending or made. Each chief of police and sheriff in the state shall be sent a copy of this Chapter and necessary forms annually, as determined by the adjutant general. A statement on the bottom of the aforesaid form, above the place for signature, shall state that the above list represents all weapons and arms confiscated, and if all such weapons and arms have not been delivered to the adjutant general as aforesaid, then an adequate explanation of the disposition of the weapons or arms not so delivered. This Chapter shall supersede provisions to the contrary in any general or special act, whether heretofore or hereafter enacted.

This act shall take effect July 1, 1965.

Figure 6. FLORIDA SPORTSMEN'S ASSOCIATION BILL NO. 65-6

A BILL TO BE ENTITLED

AN ACT RELATING TO FIREARMS; PROHIBITING USE OF CERTAIN GUNS AND FIREARMS BY MINORS; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Use of BB guns and firearms by child under 16; limitation.

(1) The use for any purpose whatever of BB guns, air rifles, .22

⁵ Enacted into law by the 1965 Florida Legislature.

caliber rifles, or other firearms by any child under the age of sixteen (16) years is prohibited unless such use is under the supervision and in the presence of an adult.

(2) Any adult responsible for the welfare of any child under the age of sixteen (16) years who knowingly permits such child to use or have in his possession any BB gun, air rifle, .22 caliber rifle or other firearms in violation of the provisions of subsection (1) of this section, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment of not longer than thirty (30) days.

Section 2. This act shall take effect immediately upon becoming a law.

Figure 7. FLORIDA SPORTSMEN'S ASSOCIATION BILL NO. 65-7*

A BILL TO BE ENTITLED

AN ACT RELATING TO THE FLORIDA STATE GUARD; PROVIDING FOR A RESERVE CADRE; AMENDING FLORIDA STATUTES, RELATING TO DISCHARGE OF GUARD; PROVIDING EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Authority and name.

(1) Whenever any part of the national guard of this state is in active federal service, the governor is hereby authorized to organize and maintain, within this state during such period, under such regulations as the secretary of war of the United States may prescribe for discipline in training, such military forces as the governor may deem necessary to assist the civil authorities in maintaining law and order. Such forces shall be composed of officers commissioned or assigned, and such able-bodied male citizens of the state as shall volunteer for service therein, supplemented, if necessary, by men of the state militia enrolled by draft or otherwise, as provided by law. Such forces shall be additional to and distinct from the national guard and shall be known as the Florida State Guard. Such force shall be uniformed.

(2) The governor is authorized to maintain a Florida state guard reserve cadre of officers and noncommissioned officers, said officers to be a trained nucleus for such time as when the Florida state guard may be activated. Said officers shall be volunteers and shall serve with no pay or allowances except when called to active duty.

Discharge of guard. The Florida State Guard shall be discharged by the governor upon the return of the national guard to state control, or within thirty (30) days thereafter.

Section 3. This act shall take effect immediately upon becoming a law.

Figure 8. FLORIDA SPORTSMEN'S ASSOCIATION BILL NO. 65-8⁷

AS ENACTED

CHAPTER 65-410

HOUSE BILL NO. 827

AN ACT relating to weapons and firearms, lawful use, amending chapter 790, Florida Statutes, by adding section 790.25; declaring public policy; providing for the lawful ownership, possession, and use of firearms and other weapons by certain individuals and officers under certain circumstances; providing penalty; providing an effective date.

* Enacted into law by the 1965 Florida Legislature.

⁷ Passed Florida House 95-6. Passed Florida Senate by unanimous vote. Became a law without the Governor's approval. Filed in Office Secretary of State June 25, 1965.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. Chapter 790, Florida Statutes, is amended by adding section 790.25 to read:

790.25 Lawful ownership, possession, and use of firearms and other weapons; penalty.

(1) Declaration of Policy. The legislature finds as a matter of public policy and fact that it is necessary to promote firearms safety and to curb and prevent the use of firearms and other weapons in crime and by incompetent persons without prohibiting the lawful use in defense of life, home, and property, and the use by United States or state military organizations, and as otherwise now authorized by law, including the right to use and own firearms for target practice and marksmanship on target practice ranges or other lawful places and lawful hunting and other lawful purposes.

(2) Lawful Uses. This section shall not authorize carrying a concealed weapon without a permit, as prohibited by sections 790.01 through 790.04, Florida Statutes. The protections of this section shall not apply to the following:

(a) A person who has been adjudged mentally incompetent, who is addicted to the use of narcotics or any similar drug, or is a habitual or chronic alcoholic, or any person using weapons or firearms in violation of sections 790.07 through 790.24, Florida Statutes;

(b) Vagrants and other undesirable persons as defined in section 856.02, Florida Statutes;

(c) A person in or about a place of nuisance as defined in section 823.05, Florida Statutes, unless such person shall be there for law enforcement or some other lawful purpose.

(3) Exceptions. *The provisions of sections 790.05 and 790.06, Florida Statutes, shall not apply in the following instances, and despite said sections it shall be lawful for the following persons to own, possess, and lawfully use firearms and other weapons, ammunition, and supplies for lawful purposes:*

(a) Members of the militia, national guard, Florida state guard, Army, Navy, Air Force, Marine Corps, Coast Guard, the organized reserves and other armed forces of the state and of the United States, when on duty or when training or preparing themselves for military duty, or while subject to recall or mobilization;

(b) Citizens of Florida subject to duty in the armed forces under Article XIV, constitution of Florida, and chapters 250 and 251, Florida Statutes, and under federal laws, when on duty, or when training or preparing themselves for military duty;

(c) Persons carrying out or training for civil defense duties under chapter 252, Florida Statutes;

(d) Sheriffs, marshals, prison or jail wardens, constables, policemen, Florida highway patrolmen, game wardens, revenue officers, forest officials, special officers appointed under the provisions of chapter 354, Florida Statutes, and other peace and law enforcement officers, their deputies and assistants, full-time paid peace officers of other states and of the federal government who are carrying out official duties while in Florida.

(e) Officers or employees of the state or United States duly authorized to carry a concealed weapon;

(f) Guards or messengers of common carriers, express companies, armored car carriers, mail carriers, banks, and other financial institutions, while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state;

(g) Regularly enrolled members of any organization duly authorized to purchase or receive weapons from the United States or from this state, or regularly enrolled members of clubs organized for target, skeet, or trap shooting, while at, or going to or from a place of assembly or

shooting practice; or regularly enrolled members of clubs organized for modern or antique firearms collecting, while such members are at or going to or from their collectors' gun shows, conventions, or exhibits;

(h) A person while engaged in fishing, camping, or lawful hunting, or while going to or returning from a fishing, camping, or lawful hunting expedition;

(i) A person engaged in the business of manufacturing, repairing, or dealing in firearms, or the agent or representative of any such person, having in his possession, using, or carrying a firearm in the usual or ordinary course of such business;

(j) A person firing weapons for testing or target practice under safe conditions and in a safe place not prohibited by law, or while going to or from said place;

(k) A person firing weapons in a safe and secure indoor range for testing and target practice;

(l) *Any person traveling by private conveyance when the weapon is securely encased, or in a public conveyance when the weapon is securely encased and not in person's manual possession;*

(m) Any person while carrying a pistol unloaded and in a secure wrapper, concealed or otherwise, from the place of purchase to his home or place of business, or to a place of repair or back to his home or place of business.

(n) A person possessing arms at his home or place of business;

(4) Construction. *This act shall be liberally construed to carry out the declaration of policy herein and in favor of the constitutional right to keep and bear arms for lawful purposes. This act shall be supplemental and additional to existing rights to bear arms now guaranteed by law and decisions of the courts of Florida, and nothing herein shall impair or diminish any of such rights. This act shall supersede any law, ordinance, or regulation in conflict herewith.*

Section 2. This act shall take effect July 1, 1965.

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