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THE STATE SENATE
Monday, April 11, 2005

ENGROSSED
House Joint
Resolution No. 1012

ENGROSSED HOUSE JOINT RESOLUTION NO. 1012 - By: MORGAN (Fred), PERRY, AUFFET, DORMAN, DUNCAN, ELLIS, HILLIARD, JACKSON, KIESEL, McMULLEN, PRUETT and SHERRER of the House and RABON and SHURDEN of the Senate.

[Joint Resolution - proposed amendment to the Oklahoma Constitution - right of citizens to game and fish - allowing regulation - ballot title - filing]

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article II of the Constitution of the State of Oklahoma by adding a new Section 36 to read as follows:

Section 36. All citizens of this state shall have an inherent right to engage in hunting, trapping, fishing, and taking game and fish, free of state laws which explicitly or implicitly effectively prohibit the ability of citizens to engage in such activities. Hunting, trapping, fishing and the taking of game and fish are a valued part of our heritage and will forever be preserved for the

1 people. The Wildlife Conservation Commission shall be vested with
2 the power and authority to approve methods, practices and procedures
3 for hunting, trapping, fishing and the taking of game and fish.

4 Nothing in this section shall be construed to prohibit
5 reasonable regulation of the hunting, trapping, fishing and taking
6 of game and fish. Nor shall this section operate to repeal or
7 invalidate any laws or rules in existence on the effective date of
8 its adoption.

9 SECTION 2. The Ballot Title for the proposed Constitutional
10 amendment as set forth in SECTION 1 of this resolution shall be in
11 the following form:

12 BALLOT TITLE

13 Legislative Referendum No. _____ State Question No. _____

14 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

15 This measure adds a new section to the State Constitution. It
16 adds Section 36 to Article 2. It gives all people of this state
17 the right to hunt, trap, fish and take game and fish. State
18 laws which keep people from engaging in such activities would
19 not be allowed. It allows the Wildlife Conservation Commission
20 to approve methods and procedures for hunting, trapping, fishing
21 and taking of game and fish. This amendment would not prevent
22 reasonable regulation of such activities. It would not repeal
23 any existing law.

1 SHALL THE PROPOSAL BE APPROVED?

2 FOR THE PROPOSAL - YES _____

3 AGAINST THE PROPOSAL - NO _____

4 SECTION 3. The Chief Clerk of the House of Representatives,
5 immediately after the passage of this resolution, shall prepare and
6 file one copy thereof, including the Ballot Title set forth in
7 SECTION 2 hereof, with the Secretary of State and one copy with the
8 Attorney General.

9 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 4-7-05 -
10 DO PASS, As Amended and Coauthored.