

CS for SJR 13

1 THE STATE SENATE  
2 Monday, February 28, 2005

3 Committee Substitute for  
4 Senate Joint  
5 Resolution No. 13

6 COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 13 - By: RABON  
7 and SHURDEN of the Senate and MORGAN (Fred) of the House.

8 [ Joint Resolution - Constitutional amendment - rights of  
9 citizens - ballot title ]

10 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
11 1ST SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

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

17 Section 36. All citizens of this state shall have an inherent  
18 right to engage in circuses, rodeos, hunting, trapping, fishing, and  
19 taking game and fish, free of laws and regulations which explicitly  
20 or implicitly effectively curtail the ability of citizens to engage  
21 in such activities. Circuses, rodeos, hunting, trapping, fishing  
22 and the taking of game and fish are a valued part of our heritage  
23 and will forever be preserved for the people. The Wildlife  
24 Conservation Commission and the Oklahoma Department of Agriculture,

1 Food, and Forestry shall be vested with the power and authority to  
2 approve methods, practices and procedures for circuses, rodeos  
3 hunting, trapping, fishing and the taking of game and fish.  
4 Provided, no method, practice or procedure which is lawful on the  
5 effective date of the adoption of this amendment shall ever be  
6 disapproved by the Wildlife Conservation Commission or the Oklahoma  
7 Department of Agriculture, Food, and Forestry.

8 Nothing in this section shall be construed to prohibit  
9 reasonable regulation of circuses, rodeos, hunting, trapping,  
10 fishing and taking of game and fish. Nor shall this section operate  
11 to repeal or invalidate any laws, ordinances or rules in existence  
12 on the effective date of its adoption including, but not limited to,  
13 any laws or rules related to the sport of cockfighting.

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

17 BALLLOT TITLE  
18 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

19 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

20 This measure adds a new section to the State Constitution. It  
21 adds Section 36 to Article 2. It gives all people of this state  
22 the right to engage in rodeos and circuses and to hunt, trap,  
23 fish and take game and fish. Laws and rules which keep people

1 from engaging in such activities would not be allowed. It  
2 allows the Wildlife Conservation Commission and the Oklahoma  
3 Department of Agriculture, Food, and Forestry to approve methods  
4 and procedures for rodeos, circuses, hunting, trapping, fishing  
5 and taking of game and fish. It keeps the Commission or the  
6 Department from disapproving any method or procedure that is now  
7 the law. This amendment would not prevent reasonable regulation  
8 of such activities. It would not repeal any existing law.

9 SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

10  YES, FOR THE AMENDMENT

11  NO, AGAINST THE AMENDMENT

12 SECTION 3. The President Pro Tempore of the Senate shall,  
13 immediately after the passage of this resolution, prepare and file  
14 one copy thereof, including the Ballot Title set forth in SECTION 2  
15 hereof, with the Secretary of State and one copy with the Attorney  
16 General.

17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-22-05 - DO  
18 PASS, As Amended and Coauthored.