

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE JOINT
RESOLUTION 1012

By: Morgan (Fred)

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by adding a new section to Article II to be designated as Section 36; recognizing certain right of the citizens of this state related to game and fish; recognizing hunting, fishing and trapping heritage; vesting the Wildlife Conservation Commission and the State Department of Agriculture with certain power and authority; prohibiting disapproval of certain lawful activities; allowing reasonable regulation; limiting operation of law; providing ballot title; and directing 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 laws and regulations which explicitly or implicitly effectively curtail 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 people. The Wildlife Conservation Commission and the State Department of Agriculture shall be vested with the power and authority to approve methods, practices and procedures for hunting, trapping, fishing and the taking of game and fish. Provided, no

method, practice or procedure which is lawful on the effective date of the adoption of this amendment shall ever be disapproved by the Wildlife Conservation Commission or the State Department of Agriculture.

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

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

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure adds a new section to the State Constitution. It adds Section 36 to Article 2. It gives all people of this state the right to hunt, trap, fish and take game and fish. Laws and rules which keep people from engaging in such activities would not be allowed. It allows the Wildlife Conservation Commission and the State Department of Agriculture to approve methods and procedures for hunting, trapping, fishing and taking of game and fish. It keeps the Commission or the Department from disapproving any method or procedure that is now the law. This amendment would not prevent reasonable regulation of such activities. It would not repeal any existing law.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

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

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