

1 ENGROSSED HOUSE AMENDMENT
TO

2 ENGROSSED SENATE JOINT
3 RESOLUTION NO. 38

By: Coffee, Rabon, Rice,
Garrison, Ivester, Gumm,
Sparks, Adelson and
Paddock of the Senate

5 and

6 Terrill of the House

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10 A Joint Resolution directing the Secretary of State
11 to refer to the people for their approval or
12 rejection a proposed amendment to the Oklahoma
13 Constitution by adding a new section to Article II to
14 be designated as Section 36; recognizing certain
15 right of the citizens of this state related to game
16 and fish; * * * providing ballot title; and directing
17 filing.

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AUTHORS: Add the following House Coauthors: Billy, Brannon, Coody,
Denney, Dorman, Duncan, Harrison, Hoskin, Jackson, Jett,
Johnson (Dennis), Kern, Luttrell, Martin (Steve),
McMullen, Renegar, Reynolds, Sears, Smithson, Thompson,
Turner and Walker

AMENDMENT NO. 1. Strike the title, resolving clause and entire
resolution and insert

"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; granting the Wildlife Conservation

1 Commission certain power and authority; allowing for
2 the use of certain methods, practices and procedures
3 to take certain wildlife; specifying preferred means
4 of managing certain wildlife; providing for
5 construction of law; providing ballot title; and
6 directing filing.

7 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
8 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

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

14 Section 36. All citizens of this state shall have a right to
15 hunt, fish, trap, and harvest game and fish, subject only to
16 reasonable regulation as prescribed by the Legislature and the
17 Wildlife Conservation Commission. The Wildlife Conservation
18 Commission shall have the power and authority to approve methods,
19 practices and procedures for hunting, trapping, fishing and the
20 taking of game and fish. Traditional methods, practices and
21 procedures shall be allowed for taking game and fish that are not
22 identified as threatened by law or by the Commission. Hunting,
23 fishing, and trapping shall be the preferred means of managing game
24 and fish that are not identified as threatened by law or by the
Commission. Nothing in this section shall be construed to modify

1 any provision of common law or statutes relating to trespass,
2 eminent domain, or any other property rights.

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

6 BALLOT TITLE

7 Legislative Referendum No. _____ State Question No. _____

8 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

9 This measure adds a new section to the State Constitution. It
10 adds Section 36 to Article 2. It gives all people of this state
11 the right to hunt, trap, fish and take game and fish. Such
12 activities would be subject to reasonable regulation. It allows
13 the Wildlife Conservation Commission to approve methods and
14 procedures for hunting, trapping, fishing and taking of game and
15 fish. It allows for taking game and fish by traditional means.
16 It makes hunting, fishing, and trapping the preferred means to
17 manage certain game and fish. The new law will not affect
18 existing laws relating to property rights.

19 SHALL THE PROPOSAL BE APPROVED?

20 FOR THE PROPOSAL - YES _____

21 AGAINST THE PROPOSAL - NO _____

22 SECTION 3. The President Pro Tempore of the Senate shall,
23 immediately after the passage of this resolution, prepare and file
24 one copy thereof, including the Ballot Title set forth in SECTION 2

1 hereof, with the Secretary of State and one copy with the Attorney
2 General."

3 Passed the House of Representatives the 22nd day of April, 2008.

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6 Presiding Officer of the House of
7 Representatives

8 Passed the Senate the ____ day of _____, 2008.

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Presiding Officer of the Senate

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