

1 ENGROSSED SENATE
JOINT
2 RESOLUTION NO. 38

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

4
5 and

6 Terrill of the House
7
8

9 A Joint Resolution directing the Secretary of State
to refer to the people for their approval or
10 rejection a proposed amendment to the Oklahoma
Constitution by adding a new section to Article II to
11 be designated as Section 36; recognizing certain
right of the citizens of this state related to game
12 and fish; recognizing hunting, fishing and trapping
heritage; vesting the Wildlife Conservation
13 Commission with certain power and authority; allowing
reasonable regulation; limiting operation of law;
14 providing ballot title; and directing filing.
15

16 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
17 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

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

23 Section 36. A. All citizens of this state shall have an
24 inherent right to engage in hunting, trapping, fishing, and taking

1 game and fish, free of state laws which explicitly or implicitly
2 effectively prohibit the ability of citizens to engage in such
3 activities. Hunting, trapping, fishing and the taking of game and
4 fish are a valued part of our heritage and will forever be preserved
5 for the people. The Wildlife Conservation Commission shall be
6 vested with the power and authority to approve methods, practices
7 and procedures for hunting, trapping, fishing and the taking of game
8 and fish.

9 B. Nothing in this section shall:

10 1. Be construed to prohibit reasonable regulation of the
11 hunting, trapping, fishing and taking of game and fish; or

12 2. Operate to repeal or invalidate any laws or rules in
13 existence on the effective date of its adoption.

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

21 Constitution. It adds Section 36 to Article 2. It

22 gives all people of this state the right to hunt,

23 trap, fish and take game and fish. State laws which

24 keep people from engaging in such activities would

1 not be allowed. It allows the Wildlife Conservation
2 Commission to approve methods and procedures for
3 hunting, trapping, fishing and taking of game and
4 fish. This amendment would not prevent reasonable
5 regulation of such activities. It would not repeal
6 any existing law.

7 SHALL THE PROPOSAL BE APPROVED?

8 FOR THE PROPOSAL - YES _____

9 AGAINST THE PROPOSAL - NO _____

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

15 Passed the Senate the 12th day of March, 2008.

16
17 _____
18 Presiding Officer of the Senate

19 Passed the House of Representatives the ____ day of _____,
20 2008.

21
22 _____
23 Presiding Officer of the House
24 of Representatives