

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 2, As Amended

BY WAYS AND MEANS COMMITTEE

A JOINT RESOLUTION

1 PROPOSING AN AMENDMENT TO ARTICLE I, OF THE CONSTITUTION OF THE STATE OF  
2 IDAHO, BY THE ADDITION OF A NEW SECTION 23, ARTICLE I, TO PROVIDE THAT  
3 THE RIGHTS TO HUNT, FISH AND TRAP, INCLUDING BY THE USE OF TRADITIONAL  
4 METHODS, ARE A VALUED PART OF THE HERITAGE OF THE STATE OF IDAHO AND  
5 SHALL FOREVER BE PRESERVED FOR THE PEOPLE AND MANAGED THROUGH THE LAWS,  
6 RULES AND PROCLAMATIONS THAT PRESERVE THE FUTURE OF HUNTING, FISHING  
7 AND TRAPPING, TO PROVIDE THAT PUBLIC HUNTING, FISHING AND TRAPPING OF  
8 WILDLIFE SHALL BE A PREFERRED MEANS OF MANAGING WILDLIFE AND TO PROVIDE  
9 THAT THE RIGHTS SET FORTH DO NOT CREATE A RIGHT TO TRESPASS ON PRIVATE  
10 PROPERTY, SHALL NOT AFFECT RIGHTS TO DIVERT, APPROPRIATE AND USE WATER,  
11 OR ESTABLISH ANY MINIMUM AMOUNT OF WATER IN ANY WATER BODY, SHALL NOT  
12 LEAD TO A DIMINUTION OF OTHER PRIVATE RIGHTS, AND SHALL NOT PREVENT THE  
13 SUSPENSION OR REVOCATION, PURSUANT TO STATUTE ENACTED BY THE LEGISLA-  
14 TURE, OF AN INDIVIDUAL'S HUNTING, FISHING OR TRAPPING LICENSE; STATING  
15 THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLA-  
16 TIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING  
17 THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS RE-  
18 QUIRED BY LAW.  
19

20 Be It Resolved by the Legislature of the State of Idaho:

21 SECTION 1. That Article I, of the Constitution of the State of Idaho,  
22 be, and the same is hereby amended by the addition thereto of a NEW SECTION,  
23 to be known and designated as Section 23, Article I, of the Constitution of  
24 the State of Idaho and to read as follows:

25 SECTION 23. THE RIGHTS TO HUNT, FISH AND TRAP. The rights to  
26 hunt, fish and trap, including by the use of traditional methods,  
27 are a valued part of the heritage of the State of Idaho and shall  
28 forever be preserved for the people and managed through the laws,  
29 rules and proclamations that preserve the future of hunting, fish-  
30 ing and trapping. Public hunting, fishing and trapping of wildlife  
31 shall be a preferred means of managing wildlife. The rights set  
32 forth herein do not create a right to trespass on private property,  
33 shall not affect rights to divert, appropriate and use water, or  
34 establish any minimum amount of water in any water body, shall not  
35 lead to a diminution of other private rights, and shall not prevent  
36 the suspension or revocation, pursuant to statute enacted by the  
37 Legislature, of an individual's hunting, fishing or trapping li-  
38 cense.

39 SECTION 2. The question to be submitted to the electors of the State of  
40 Idaho at the next general election shall be as follows:

1 "Shall Article I, of the Constitution of the State of Idaho be amended by  
2 the addition of a New Section 23, to provide that the rights to hunt, fish and  
3 trap, including by the use of traditional methods, are a valued part of the  
4 heritage of the State of Idaho and shall forever be preserved for the people  
5 and managed through the laws, rules and proclamations that preserve the fu-  
6 ture of hunting, fishing and trapping; to provide that public hunting, fish-  
7 ing and trapping of wildlife shall be a preferred means of managing wildlife;  
8 and to provide that the rights set forth do not create a right to trespass on  
9 private property, shall not affect rights to divert, appropriate and use wa-  
10 ter, or establish any minimum amount of water in any water body, shall not  
11 lead to a diminution of other private rights, and shall not prevent the sus-  
12 pension or revocation, pursuant to statute enacted by the Legislature, of an  
13 individual's hunting, fishing or trapping license?".

14 SECTION 3. The Legislative Council is directed to prepare the state-  
15 ments required by Section 67-453, Idaho Code, and file the same.

16 SECTION 4. The Secretary of State is hereby directed to publish this  
17 proposed constitutional amendment and arguments as required by law.