

IN THE SENATE

SENATE JOINT RESOLUTION NO. 104

BY RESOURCES AND ENVIRONMENT 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 ARE A VALUED PART OF THE HERITAGE OF
4 THE STATE OF IDAHO AND SHALL FOREVER BE PRESERVED FOR THE PEOPLE THROUGH
5 THE LAWS, RULES AND PROCLAMATIONS OF THE STATE AND TO PROVIDE THAT THE
6 RIGHTS SET FORTH DO NOT CREATE A RIGHT TO TRESPASS ON PRIVATE PROPERTY,
7 SHALL NOT AFFECT RIGHTS TO DIVERT, APPROPRIATE AND USE WATER, AND SHALL
8 NOT LEAD TO A DIMINUTION OF OTHER PRIVATE RIGHTS; STATING THE QUESTION
9 TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO
10 PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF
11 STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.
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13 Be It Resolved by the Legislature of the State of Idaho:

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

18 SECTION 23. THE RIGHTS TO HUNT, FISH AND TRAP. The rights to
19 hunt, fish and trap are a valued part of the heritage of the State
20 of Idaho and shall forever be preserved for the people through the
21 laws, rules and proclamations of the state. The rights set forth
22 herein do not create a right to trespass on private property, shall
23 not affect rights to divert, appropriate and use water, and shall
24 not lead to a diminution of other private rights.

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

27 "Shall Article I, of the Constitution of the State of Idaho be amended by
28 the addition of a New Section 23, to provide that the rights to hunt, fish and
29 trap are a valued part of the heritage of the State of Idaho and shall forever
30 be preserved for the people through the laws, rules and proclamations of the
31 state; and to provide that the rights set forth do not create a right to tres-
32 pass on private property, shall not affect rights to divert, appropriate and
33 use water, and shall not lead to a diminution of other private rights?".

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

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