

REFERENCE TITLE: **hunting and fishing; constitutional rights**

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HCR 2014

Introduced by
Representatives Thorpe, Finchem: Borrelli, Fann, Livingston

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, CONSTITUTION OF ARIZONA, BY ADDING SECTION 38; RELATING TO HUNTING AND FISHING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the
2 Senate concurring:
3 1. Article II, Constitution of Arizona, is proposed to be amended by
4 adding section 38 as follows if approved by the voters and on proclamation of
5 the Governor:
6 38. Hunting, fishing and harvesting wildlife
7 SECTION 38. A. THE CITIZENS OF THIS STATE HAVE A RIGHT
8 TO HUNT, FISH AND HARVEST WILDLIFE LAWFULLY. WILDLIFE BELONGS
9 TO THIS STATE AND IS HELD IN TRUST FOR THE BENEFIT OF THE
10 CITIZENS OF THIS STATE.
11 B. EXCLUSIVE AUTHORITY TO ENACT LAWS TO REGULATE THE
12 MANNER, METHODS OR SEASONS FOR HUNTING, FISHING AND HARVESTING
13 WILDLIFE IS VESTED IN THE LEGISLATURE, WHICH MAY DELEGATE
14 RULEMAKING AUTHORITY TO A GAME AND FISH COMMISSION. NO LAW MAY
15 BE ENACTED AND NO RULE MAY BE ADOPTED THAT UNREASONABLY
16 RESTRICTS HUNTING, FISHING AND HARVESTING WILDLIFE OR THE USE OF
17 TRADITIONAL MEANS AND METHODS. LAWS AND RULES AUTHORIZED UNDER
18 THIS SECTION SHALL HAVE THE PURPOSE OF WILDLIFE CONSERVATION AND
19 MANAGEMENT AND PRESERVING THE FUTURE OF HUNTING AND FISHING.
20 C. LAWFUL PUBLIC HUNTING AND FISHING SHALL BE A PREFERRED
21 MEANS OF MANAGING AND CONTROLLING WILDLIFE.
22 D. THIS SECTION MAY NOT BE CONSTRUED TO MODIFY ANY
23 PROVISION OF COMMON LAW OR STATUTES RELATING TO TRESPASS OR
24 PROPERTY RIGHTS.
25 2. The Secretary of State shall submit this proposition to the voters
26 at the next general election as provided by article XXI, Constitution of
27 Arizona.