

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT RESOLUTION NO. 2

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
8 OF WILDLIFE SHALL BE A PREFERRED MEANS OF MANAGING AND CONTROLLING
9 WILDLIFE AND TO PROVIDE THAT THE RIGHTS SET FORTH DO NOT CREATE A RIGHT
10 TO TRESPASS ON PRIVATE PROPERTY, SHALL NOT AFFECT RIGHTS TO DIVERT, AP-
11 PROPRIATE AND USE WATER, OR ESTABLISH ANY MINIMUM AMOUNT OF WATER IN ANY
12 WATER BODY, AND SHALL NOT LEAD TO A DIMINUTION OF OTHER PRIVATE RIGHTS;
13 STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE
14 LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DI-
15 RECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS
16 REQUIRED BY LAW.
17

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

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

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

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

36 "Shall Article I, of the Constitution of the State of Idaho be amended by
37 the addition of a New Section 23, to provide that the rights to hunt, fish and
38 trap, including by the use of traditional methods, are a valued part of the
39 heritage of the State of Idaho and shall forever be preserved for the people
40 and managed through the laws, rules and proclamations that preserve the fu-
41 ture of hunting, fishing and trapping; to provide that public hunting, fish-

1 ing and trapping of wildlife shall be a preferred means of managing and con-
2 trolling wildlife; and to provide that the rights set forth do not create a
3 right to trespass on private property, shall not affect rights to divert, ap-
4 propriate and use water, or establish any minimum amount of water in any wa-
5 ter body, and shall not lead to a diminution of other private rights?".

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

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