

IN THE SENATE

SENATE JOINT RESOLUTION NO. 106

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

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

19 SECTION 23. THE RIGHTS TO HUNT, FISH AND TRAP. The rights to
20 hunt, fish and trap are a valued part of the heritage of the State
21 of Idaho and shall forever be preserved for the people and managed
22 through the laws, rules and proclamations of the state. The rights
23 set forth herein do not create a right to trespass on private prop-
24 erty, shall not affect rights to divert, appropriate and use wa-
25 ter, or establish any minimum amount of water in any water body, and
26 shall not lead to a diminution of other private rights.

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

29 "Shall Article I, of the Constitution of the State of Idaho be amended by
30 the addition of a New Section 23, to provide that the rights to hunt, fish and
31 trap are a valued part of the heritage of the State of Idaho and shall forever
32 be preserved for the people and managed through the laws, rules and proclama-
33 tions of the state; and to provide that the rights set forth do not create a
34 right to trespass on private property, shall not affect rights to divert, ap-
35 propriate and use water, or establish any minimum amount of water in any wa-
36 ter body, and shall not lead to a diminution of other private rights?".

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

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