

House Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

HOUSE CONCURRENT RESOLUTION 2008

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, CONSTITUTION OF ARIZONA, BY ADDING SECTION 36; 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 36 as follows if approved by the voters and on proclamation of
5 the Governor:

6 36. Hunting, fishing and harvesting wildlife

7 SECTION 36. 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 RULE
14 MAKING AUTHORITY TO A GAME AND FISH COMMISSION. NO LAW SHALL BE
15 ENACTED AND NO RULE SHALL BE ADOPTED THAT UNREASONABLY RESTRICTS
16 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 SHALL 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.

PASSED BY THE HOUSE MARCH 24, 2010.

PASSED BY THE SENATE APRIL 22, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2010.