

## Senate Concurrent Resolution No. 1622

By Senators Petersen, Donovan, Huelskamp, Journey, Lynn, Ostmeyer,  
Palmer, Pyle, Taddiken, Wagle and Wilson

3-17

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10 A PROPOSITION to amend the bill of rights of the constitution of the  
11 state of Kansas by adding a new section thereto, relating to the public  
12 right to hunt and fish.  
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14 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
15 *members elected (or appointed) and qualified to the Senate and two-*  
16 *thirds of the members elected (or appointed) and qualified to the House*  
17 *of Representatives concurring therein:*

18 Section 1. The following proposition to amend the constitution of the  
19 state of Kansas shall be submitted to the qualified electors of the state  
20 for their approval or rejection: The bill of rights of the constitution of the  
21 state of Kansas is amended by adding a new section thereto to read as  
22 follows:

23 “§ 21. **Right of public to hunt, fish and trap.** The people  
24 have a right to hunt, fish, trap and harvest game, subject to reason-  
25 able regulations approved by the state legislature. Consistent with  
26 the public trust to conserve birds, fish, game and wildlife, traditional  
27 methods may be used to take non-threatened species. Public hunt-  
28 ing, fishing and trapping shall be the preferred means of managing  
29 and controlling non-threatened wildlife. Nothing in this amend-  
30 ment shall be construed to modify any provision of common law or  
31 statutes relating to trespass, eminent domain or any other property  
32 rights.”

33 Sec. 2. The following statement shall be printed on the ballot with  
34 the amendment as a whole:

35 “*Explanatory statement.* This amendment is to preserve constitu-  
36 tionally the right of the public to hunt, fish and trap wildlife  
37 subject to the governing laws and regulations. The right of the  
38 public to hunt, fish and trap shall not modify any provision of  
39 common law or statutes relating to trespass, eminent domain or  
40 any other private property rights.

41 “A vote for this proposition would constitutionally preserve the right  
42 of the public to hunt, fish and trap wildlife that has traditionally  
43 been taken by hunters, trappers and anglers. This public right is

1 subject to state laws and regulations regarding the management  
2 of wildlife and does not change or diminish common law or stat-  
3 utory rights relating to trespass, eminent domain or private  
4 property.

5 “A vote against this proposition would provide for no constitutional  
6 right of the public to hunt, fish and trap wildlife. It would main-  
7 tain existing state laws and regulations governing hunting, fishing  
8 and trapping wildlife.”

9 Sec. 3. This resolution, if approved by two-thirds of the members  
10 elected (or appointed) and qualified to the Senate, and two-thirds of the  
11 members elected (or appointed) and qualified to the House of Repre-  
12 sentatives shall be entered on the journals, together with the yeas and  
13 nays. The secretary of state shall cause this resolution to be published as  
14 provided by law and shall cause the proposed amendment to be submitted  
15 to the electors of the state at the general election in the year 2008 unless  
16 a special election is called at a sooner date by concurrent resolution of  
17 the legislature, in which case it shall be submitted to the electors of the  
18 state at the special election.