

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 5008

As Amended by House Committee on Federal
and State Affairs

Brief*

HCR 5008 would propose a state constitutional amendment for consideration at the next general election, in November 2016. That amendment, if approved by two-thirds of the members of both chambers of the Kansas Legislature and a majority of Kansas voters, would establish a constitutional right to hunt, fish, and trap wildlife in the state.

The proposal would add a new section to the Bill of Rights in the *Kansas Constitution* to create the right of the public to hunt, fish, and trap wildlife. The proposal would specify the people have the right to hunt, fish, and trap by traditional methods, subject to reasonable laws and regulations that promote wildlife conservation and management and that preserve the future of hunting and fishing. The amendment also would specify that hunting and fishing shall be the preferred means for managing and controlling wildlife, and that the amendment shall not be construed to modify any provision of law relating to trespass, property rights, or water resources.

Background

The concurrent resolution was introduced during the 2015 Legislative Session in the House Committee on Federal and State Affairs by Representative Couture-Lovelady and Representative Lusker. In the hearing before the House Committee, testimony in favor of the resolution was

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

presented by Representative Lusker; a representative of Kansas Department of Wildlife, Parks and Tourism; and a representative of the Kansas State Rifle Association. Written testimony supporting the resolution was submitted by the National Rifle Association of America, the National Shooting Sports Foundation, Inc., Pheasants Forever, Inc. and Quail Forever, the National Wild Turkey Federation, and the Congressional Sportsmen's Foundation. No opposing or neutral testimony was presented.

The House Committee adopted an amendment prepared at the suggestion of the Kansas Department of Wildlife, Parks and Tourism to clarify any laws or regulations applicable to the right to hunt, fish, or trap must be reasonable.