

## Four More States Propose Right To Hunt And Fish Constitutional Amendment



## Four More States Propose Right To Hunt And Fish Constitutional Amendment

*Arizona, Arkansas, South Carolina and Tennessee have joined other states in proposing state constitutional amendments to protect sportsmen's right to hunt and fish.*

**By Darren La Sorte,**  
Manager, NRA-ILA Hunting Policy

July 23, 2010

If you hunt, fish or simply enjoy viewing the wonders of our flourishing wildlife populations and happen to live in Arizona, Arkansas, South Carolina or Tennessee, you have one more compelling reason to vote on November 2, 2010. These states have proposed state constitutional amendments on their general election ballots that provide meaningful and permanent protections for sportsmen and science driven wildlife management.

In the November 2007 and September 2008 issues of this publication, I wrote articles detailing NRA's leadership and interest in developing new and improved language for these amendments. Instead of the old language that simply provided for a right to hunt and fish "pursuant to laws and regulations," NRA's new provisions offer specific defenses against known and predicted threats from the radical animal "rights" extremists like those at The Humane Society of the United States (HSUS). The old model arguably allows any laws and regulations short of an outright ban on all hunting.

The 2008 article specifically discussed the NRA-backed amendment that passed the Oklahoma State Legislature by a combined vote of 143-2. It urged Oklahomans to go to the polls and support our outdoor heritage. They answered the call in overwhelming numbers, and NRA's model language became a permanent part of the state constitution with 80 percent voter approval. I predicted that "success in Oklahoma will lead to a wave of meaningful protections in other states as well." It is clear that this wave has, indeed, begun to build. It is now up to the voters in these four new states to ensure the momentum continues.

As a reminder of what we are all up against, HSUS spends more than \$120 million each year lobbying and litigating against hunting, science-based wildlife management (i.e. delisting of healthy wolf populations in the Rocky Mountains and Great Lakes), pet ownership and animal agriculture. It is likely this number will grow dramatically this fiscal year as it is nearly impossible to watch television (Fox News Channel in particular) without seeing HSUS' President, Wayne Pacelle, misleading Americans into contributing "... just \$19 a month ... to eliminate animal cruelty everywhere." Contrary to donors' perceptions, the Center for Consumer Freedom reports that less than one percent of the group's

enormous annual budget actually goes to hands-on animal care shelters.

Pacelle has told the Associated Press, “If we could shut down all sport hunting in a moment, we would.” He provided further detail with regard to his incremental strategy borrowed from the gun prohibitionists when he told the Bozeman Daily Chronicle, “Our goal is to get sport hunting in the same category as cock fighting and dog fighting.

Our opponents say that hunting is a tradition. We say traditions can change.” Michael Markarian, HSUS ’ top lobbyist, had an all-too-rare bout with honesty—although forced—during his congressional testimony last fall. In a committee hearing, Congressman Don Young, R-Alaska, asked Markarian what kind of hunting HSUS supported.

After refusing to answer the question and requiring Young to demand an answer six times, he admitted, “We’re not against all hunting. We’re not against subsistence hunting in your state of Alaska.” It should not provide comfort to anyone to hear this as an answer to a question regarding the kind of hunting the group supports. Of course, its poll-tested, overused line (Markarian repeated it later in the hearing) is that it opposes only the “most unsporting and inhumane hunting practices.” The truth is clear—nothing short of a total ban on regulated hunting is HSUS ’ ultimate objective.

Words are one thing and actions another. HSUS has been behind the prohibition of the hunting of deer, bears, cougars, doves, pheasants and other species in states and political subdivisions. If there is a policy proposal to ban hunting, its lobbying machinery will be set in motion. We can look to other countries, too. It’s hard to believe, but Switzerland recently banned catch-and-release fishing because it’s allegedly too cruel to the fish.

Do you think fisherman there could have used a Right to Hunt and Fish? Motivated by the constant threats posed by the radicals, this latest round of amendments in these four states involved a great deal of work and cooperation with state game agencies, commissions, legislators and other interested parties. This is illustrated by the fact that the language in each state is different in order to address unique concerns and issues. Anyone who claims that NRA is unwilling to negotiate, listen and address legitimate concerns is wrong, plain and simple.

Our most recent effort focused on Arizona. NRA worked diligently with game and fish department officials for three months prior to the legislative session to arrive at mutually acceptable language. The commission voted 4-1 to support the amendment. Arizona’s language is excellent. Word by word, NRA ’ s model seems to improve with the experience garnered in each state.

With that said, there are six core tenets that we believe should be a part of any comprehensive constitutional protection regardless of how the specific language reads once the negotiations are over. These tenets are:

1. Recognition of an individual right to hunt, fish and harvest game
2. Preservation of the state’s power to regulate these activities for scientific— not political or emotional—reasons (the 19th century showed us what happens when there is little or no regulation)
3. Preemption of the kind of local regulation that frustrates comprehensive, statewide wildlife management
4. Protection of traditional hunting methods like archery tackle and bird dogs
5. Recognition of hunting and fishing as a preferred means of managing wildlife in order to protect against dangerous contraception schemes and unwarranted use of government “sharpshooters”
6. Clarification that private property rights are not affected or diminished

Today we, as gun owners, owe an undying debt of gratitude to James Madison and our other Founding Fathers who had the foresight to enshrine our natural right to arms in the Second Amendment.

It was a right taken for granted at the time but those brilliant men knew things might change. Future generations will look back to our present times and be equally thankful about what we are doing to defend hunting from political attacks.

As Henry Clay wrote, "The Constitution of the United States was made not merely for the generation that existed, but for posterity—unlimited, undefined, endless, perpetual posterity." This applies just as well to state constitutions.

Now it is in the hands of the voters to carry the efforts across the finish line.

If you live in any one of these states or have friends or family who do, spread the word! Make sure that votes are cast on November 2 to permanently protect our hunting heritage.