

SENATE BILL NO. 236

INTRODUCED BY J. FIELDER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN  
5 AMENDMENT TO ARTICLE IX, SECTION 7, OF THE MONTANA CONSTITUTION RECOGNIZING THAT THE  
6 RIGHT TO HUNT, FISH, AND TRAP TO HARVEST FISH AND WILDLIFE IS ESSENTIAL TO PURSUING LIFE'S  
7 BASIC NECESSITIES; ESTABLISHING THAT PUBLIC HUNTING, FISHING, AND TRAPPING ARE THE  
8 PREFERRED MEANS OF CONTROLLING AND HARVESTING FISH AND WILDLIFE; ALLOWING STATUTES  
9 THAT SEEK SCIENTIFIC WILDLIFE MANAGEMENT AND CONSERVATION, SAFEGUARD CURRENT  
10 LAWFUL MEANS AND METHODS OF HUNTING, FISHING, AND TRAPPING, AND PROTECT PERSONS AND  
11 PROPERTY FROM HARM CAUSED BY FISH OR WILDLIFE; AND PROVIDING AN EFFECTIVE DATE."

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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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15 **Section 1.** Article IX, section 7, of The Constitution of the State of Montana is amended to read:

16 **"Section 7. Preservation of harvest heritage.** (1) The right of Montana citizens to hunt, fish, and trap  
17 for the purpose of harvesting fish and wildlife is a right essential to pursuing life's basic necessities.

18 (2) The opportunity to harvest ~~wild fish and wild game animals~~ fish and wildlife is a heritage that shall  
19 forever be preserved to the individual citizens of the state and does not create a right to trespass on private  
20 property or diminution of other private rights.

21 (3) Fish and wildlife management and conservation shall be subject only to statutes that seek to:

22 (a) scientifically manage fish and wildlife populations;

23 (b) provide that public hunting, fishing, and trapping, including but not limited to current lawful means and  
24 methods that exist on [the effective date of this act], are the preferred means and methods of controlling and  
25 harvesting fish and wildlife; and

26 (c) protect persons and property from threats or harm caused by fish or wildlife."

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28 **NEW SECTION. Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal  
29 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote  
30 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.



