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FLOOR DEBATE

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Chambers. Senator Beutler.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I have stayed out of this debate almost entirely up until this point in time, and I feel a little bit shamed by Senator Chambers, in the sense that I also don't believe that this should be in the constitution. And I ought to just at least get up a couple of times and explain why, so that's what I intend to do. The reason that I have not been speaking so far, I think, really has to do probably with the wrong reasons. The reasons are I like Game and Parks, I like all of the people I've met associated with hunting and fishing. I don't mind those activities at all. I engage in them myself. I think there's a lot of good family intercommunication that comes from joining in on these kinds of activities in various families. I think it's all...truly is a valued part of our heritage. I value it. But having said all of that, I don't think it is the type of right that rises to the level of the constitution. And when we start putting things like this in a constitution, all we do is invite others to come in and want other small rights to be put into the constitution. All we do is to invite litigation, to open up broad new landscapes for the lawyers to frolic in, and probably in the end it's all ineffectual anyway, because it's going to come down to the question of what is a reasonable restriction. So I want to go back and just outline why I'm against the bill and why, hopefully, you will be against the bill. And I think it's worthwhile to read the language of the bill again and to remind ourselves at the beginning of the debate exactly what it says. It's very short. It says: Fishing, trapping and hunting are a valued part of the heritage of the people and will be a right forever preserved for the people. And then it has the limitation: but subject to reasonable restrictions as prescribed by law. So you and I can make reasonable prescriptions...restrictions. Now this particular provision is sought to be put into that part of our constitution which we call the Bill of Rights. And in the Bill of Rights there are now about 28 or 29 provisions. But one of the most important provisions in the Bill of Rights is this one which says: The enumeration of the rights--that is, the rights that are being set out here--this enumeration of rights shall not be construed to impair or to deny others retained by the people, and powers