



*The citizens of this state shall have  
the personal right to hunt and fish...*

**On November 2, The Citizens Of Tennessee Will Have The Opportunity To Confirm The Personal Right To Hunt And Fish In Our State Constitution.**

Since 2004, The Tennessee Wildlife Federation Has Been Working With The Tennessee General Assembly And The Tennessee Attorney General's Office To Secure A Referendum. Our Chance Is Now.

**Why is a Constitutional Amendment Necessary?**

Hunting and fishing have long been a part of Tennessee's history, lore and culture. This is our chance to protect our outdoor traditions in perpetuity.

Today, hunting and fishing could be banned by a vote in the General Assembly or by a misguided lawsuit. This amendment to the state constitution will provide a strong clarification of an individual's right to hunt and fish in Tennessee, should these traditions be challenged in a court of law. The added level of protection would be significant, as it does not currently exist.

Tennessee's landscape is changing. Political winds are constantly shifting. We have an opportunity to secure this right before it's too late.

**As Tennessee's population grows and the state becomes more urban and suburban, we as a people are losing our connection to the land.**

The result is more elected officials who represent larger populations who are more disconnected from the land and our agrarian roots as a society.

We may not always enjoy the fundamental support of hunting and fishing that we have today.

**As our open space dwindles, wildlife populations become more concentrated. The result is negative consequences for both humans and wildlife.**

We will continue to see more deer-car collisions, more disease from overcrowding, more damage to residential landscaping, etc. More than 5,800 vehicle accidents involving deer were reported in 2009, many of which resulted in critical injuries or fatalities.

Hunters are the original conservationists – we know there's nothing humane about animals dying from disease and starvation.

As deer and other wildlife are displaced by development, they have no choice but to feed on our rose bushes and our vegetable gardens.

**Hunters and fishermen are the greatest sources of conservation funding in America.**

Much of the publicly funded open land we enjoy – for hiking, biking, bird-watching, camping and other activities – wouldn't exist without regulated hunting and fishing.

The dollars provided by hunting and fishing license fees and federal excise taxes on related equipment fund wildlife areas almost exclusively.

**Your right as a Tennessean will help protect a system of wildlife management that benefits us all.**

By supporting this ballot measure, the citizens of Tennessee will protect a system of wildlife management that benefits ALL fish and wildlife – species that are hunted and fished, and the many more species which are not.

Ask most any hunter, and they'll tell you they don't care to harvest any animal that they aren't going to eat. It's our code of ethics.

Hunters and fishermen remind us that humans are an important part of the ecological balance. If hunting and fishing disappear, the food chain is drastically altered.

We have a responsibility as humans to take care of our wildlife – to be good stewards of the earth's resources. Biologists will tell you that hunting and fishing are the only viable means by which to ensure that our wildlife populations are managed in a way that keeps them healthy and stable.

**The right to hunt and fish has been a central element of human societies for thousands of years.**

All the way back to ancient Rome, democratic societies have recognized the individual right to hunt and fish.

In England, the banning of hunting and fishing for all but the ruling class was one reason for the colonists' defection to America.

In fact, the right to hunt and fish was considered for inclusion in the U.S. Constitution, but was thought to be such a basic right in the free new world that it was unnecessary to codify.

**Fourteen states have the right dictated in their constitutions.**

Vermont has included a right to hunt and fish in their constitution since it was first drafted in 1777. California passed the amendment in 1910.

Seven other states have passed constitutional amendments since 2000, and four states have the measure on the ballot in 2010.

**Hunting and fishing are vital parts of our Tennessee heritage.**

From the pioneers' subsistence hunting to a grandfather helping his granddaughter catch her first fish, these traditions have existed for hundreds of years.

Who hasn't heard of Daniel Boone and Davy Crockett, and their exploits through the wildlands of Tennessee? Our state university's mascot is a longhunter with a coonskin cap and a muzzle-loader, roaming the sidelines at football games. This is our heritage.

They are an important part of who we are and where we came from.

**Hunting and fishing are a multi-billion dollar industry in Tennessee.**

When you think about all of the sporting goods stores, bait shops, boat dealers and equipment manufacturers across our great state, you realize that hunting and fishing are big business!

The economic impact of hunting and fishing in Tennessee is estimated to be more than \$2.5 billion annually, and that doesn't count the motel rooms, meals in restaurants, gas purchases and entertainment dollars that hunters and fishermen – from Tennessee and across America – spend in our communities every day.

Hunting and fishing provide thousands of jobs and economic benefits that help keep our taxes low and our quality of life high.

**If we wait, we will be too late.**

All over America, people are working to ban hunting and fishing. As Tennessee citizens, if we wait until we need a right to hunt and fish, we will be too late.

Anti-hunting and fishing activists have had success in other states, and they are well-funded. They accomplish their objectives legislatively and through the courts. The constitutional amendment will offer much greater protection from frivolous lawsuits, activist judges and misguided legislation.

These kinds of things have happened and will continue to happen in Tennessee. Now is the time to preserve our wildlife and protect our traditions forever – before it's too late.



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### **Why is a right to hunt and fish necessary in Tennessee?**

First and foremost, the effort to create a right to hunt and fish in the Tennessee constitution is a proactive effort to prevent these time-honored traditions from being abolished by a future general assembly. Should constitutional protection become necessary in the future, we would be at a distinct disadvantage.

Once the constitution has been amended, any future effort to ban hunting and fishing would require a multi-year legislative process and a vote of the people to remove the amendment. Further, the amendment will provide significant protection from misguided lawsuits that does not exist today.

Additionally, hunting and fishing drive essentially all of the wildlife funding in Tennessee – both game and non-game. By protecting the Tennessee traditions of hunting and fishing, we will preserve the funding that helps take care of all of Tennessee's fish and wildlife.

Finally, hunting and fishing represent an economic engine in all of our 95 counties – from the rural areas to our largest cities. The hunting and fishing industry generates more than \$2.5 billion annually, including nearly \$100 million in sales tax revenues and thousands of jobs. In these economic times, that's a major impact we can't live without.

### **Why is it important to pass the right to hunt and fish amendment now?**

Following the success of similar amendments in other states over the last 20 years, the Tennessee Wildlife Federation began the legislative process to secure a referendum in 2004. The lengthy process was complicated, but in the end the Tennessee General Assembly voted nearly unanimously to place the constitutional amendment on the ballot to be decided by the people.

Our state's population is growing and the demographics are rapidly changing. We may not always have the support of the majority of our legislators, and we needed to seize the opportunity while it existed.

The passage of the amendment will have two positive effects. First, it will act as a serious deterrent to those persons and organizations wishing to end hunting and fishing today; and second, it will prevent the loss of these traditions in the future.

The time was right to act, and this is our chance to put the issue to rest forever.

### **Do other states have the right to hunt and fish in their constitutions?**

Yes, 14 states have the personal right to hunt and fish secured in their state constitutions.

Some of the states (California and Minnesota are good examples) passed amendments because animal rights organizations posed a real threat to hunters and fishermen. Most of the others, like Alabama, Georgia and Louisiana, were being proactive.

Nine other states have a right to hunt and fish provision in their constitutions.

Four states – Arizona, Arkansas, South Carolina and Tennessee – have the right to hunt and fish amendment on the ballot in 2010. Several others are working through the legislative process required for public referendum.

### **What does the right to hunt and fish do for sportsmen and women in Tennessee?**

With the right to hunt and fish secured in our state constitution, any future efforts to abolish hunting or fishing would face much more difficulty in Tennessee.

In order to overturn a constitutional amendment, a legislator must sponsor a bill that would require passage at the committee level and by a two-thirds majority of both houses of the Tennessee General Assembly, in two separate sessions. If it passed those hurdles, then it would have to get the majority of the votes in a statewide referendum. It would be a multi-year process, whereas today, the passage of a law (even at the local level) or a lower court ruling could conceivably ban hunting or fishing.

Additionally, this right will allow sportsmen and women a stronger appeal to any legal effort in a court of law – this added level of protection is significant, and it does not currently exist.

### **Would the right to hunt and fish allow citizens to trespass on private property in pursuit of fish and game?**

Absolutely not. The language in the proposed constitutional amendment – written by a former chief justice of the Tennessee Supreme Court -- specifically protects private property owners' rights to prevent and prosecute trespass.

The Tennessee Wildlife Federation wholeheartedly supports the rights of private landowners, and would never support an initiative that could deteriorate the rights of individual property owners.

### **Will the right to hunt and fish allow citizens to hunt or fish without a license?**

No. The amendment clearly specifies the continued requirement of a hunting/fishing license, and protects the state's ability to set seasons and regulations.

The funds generated by hunting and fishing support the operations of the Tennessee Wildlife Resources Agency, and are used to manage both game and non-game species.

### **Will the constitutional amendment allow citizens to ignore bag limits or season requirements?**

It most certainly will not. The language in the amendment specifically states that hunting and fishing are subject to reasonable regulations as prescribed by law.

Bag limits and season lengths will always be management tools used by wildlife and fisheries biologists to preserve and maintain Tennessee's fish and wildlife populations.

### **What can I do to help?**

There are many ways by which every citizen of the state of Tennessee can help secure our Right to Hunt and Fish. The public education component of this campaign will be costly, and the Tennessee Wildlife Heritage Fund is set up specifically to help pay for the costs of this campaign. We need your financial support, and your contribution will help ensure the success of this initiative. You can make a donation to the campaign via PayPal or by mailing your contribution to the Tennessee Wildlife Heritage Fund, 300 Orlando Avenue, Suite 200, Nashville, TN 37209.

You can also help by spreading the positive message of Vote YES on the constitutional amendment. Talk to your friends and neighbors, tell them why you support it and why you believe we all have a stake in the future of our wildlife populations. Write letters to the editor of your newspaper, send emails and organize informational events in your community. Contact us and we'll get you involved in the effort.

**Most importantly, Vote YES on November 2, or during the early voting period October 13-28. We can't win without your vote.**

