

A constitutional right to hunt and fish? Florida voters will decide in 2024

October 12 2023, by Skyler Swisher, Orlando Sentinel



Credit: Unsplash/CC0 Public Domain

Florida voters will decide next year whether to establish a state constitutional right to hunt and fish.

The amendment's backers say pre-emptive action is needed to head off "anti-hunting forces" who want to push "radical" restrictions on hunting

and fishing.

"Hunting and fishing are not just pastimes in states like Florida," said Luke Hilgemann, executive director of the outdoors group, International Order of T. Roosevelt. "It's become a way of life. They contribute significantly to the economy and play a critical role in [wildlife conservation](#). This amendment ensures these traditions remain for generations to come."

The issue, which has garnered bipartisan support, has been overshadowed by other ballot initiatives. But a new opposition group has formed, warning voters that enshrining hunting and fishing rights in the state constitution could lead to bear hunts and other ramifications that have mostly escaped public scrutiny.

Florida's proposed amendment would "preserve forever fishing and hunting, including by the use of traditional methods, as a public right and preferred means of responsibly managing and controlling fish and [wildlife](#)." It also specifies the amendment "does not limit the authority granted to the Fish and Wildlife Conservation Commission."

Chuck O'Neal, a Central Florida environmental activist, said he worries the amendment could open Florida to bear hunts, lead to hunters trespassing on private property, authorize "barbaric" hunting methods and conflict with a voter-approved constitutional ban on gill net fishing.

"There is a place for hunting and fishing in society, but it is not to use barbaric methods to destroy our native wildlife populations," said O'Neal, a member of Noto2.org, the group opposing the amendment. "That is what we object to."

Hunters could point to the "traditional methods" language to argue they have a right to use steel traps, spears or other primitive techniques,

circumventing animal cruelty laws, he said.

Making hunting the "preferred" means of managing wildlife could mean that hunting trumps nonlethal approaches, such as eliminating bear attractants, O'Neal said.

His group is also concerned the amendment could spur hunters to claim they have a right to hunt on private property. They also worry the amendment will be used to try to overturn a 1994 amendment that banned the use of gill nets in state waters.

Hilgemann said those concerns are overblown and misguided, and the amendment is intended to preserve practices as they exist today. The amendment aims to block measures such as a proposed animal rights ballot initiative in Oregon that would criminalize hunting and fishing, he said.

His organization has also objected to efforts to phase out lead ammunition and fishing tackle in national wildlife refuges.

Florida lawmakers approved putting the hunting and fishing amendment on the 2024 ballot with near unanimous support. The measure passed 116-0 in the Florida House and 38-1 in the Senate with Democratic Leader Lauren Book casting the dissenting vote.

It'll need at least 60% support from voters in November 2024 to pass.

State law already recognizes a statutory right to hunt and fish "subject to the regulations and restrictions prescribed by law and by the state constitution."

State Sen. Jason Brodeur, R-Lake Mary, who sponsored the measure, said the amendment is geared toward future efforts to restrict hunting

and fishing and won't infringe on the FWC's regulatory authority.

But state Sen. Tina Polsky, D-Boca Raton, said she thought the measure is unnecessary because hunting and fishing isn't in danger in Florida.

"There's no way we wouldn't have both of these sports going on in the state of Florida," Polsky said at a committee hearing in March. "It would be like preserving tennis. I mean, seriously, I don't understand why we'd be doing this."

The amendment is supported by outdoors and sportsmen organizations, along with the National Rifle Association. Twenty-three states have established constitutional protections for hunting and fishing.

Florida has about 242,000 hunters and 3.6 million anglers, including residents and nonresidents, according to the FWC.

Florida is known as the "fishing capital of world," and that industry alone generates nearly a \$14 economic impact, the FWC estimates.

The hunting and fishing amendment could join two contentious issues in the 2024 election. Ballot initiatives are underway to put [marijuana legalization](#) and abortion protections before Florida voters next year.

What the amendment says, "Fishing, [hunting](#), and the taking of fish and wildlife, including by the use of traditional methods, shall be preserved forever as a public right and preferred means of responsibly managing and controlling fish and wildlife. This section does not limit the authority granted to the Fish and Wildlife Conservation Commission under Section 9 of Article IV."

2023 Orlando Sentinel. Distributed by Tribune Content Agency, LLC.

Citation: A constitutional right to hunt and fish? Florida voters will decide in 2024 (2023, October 12) retrieved 28 April 2024 from <https://phys.org/news/2023-10-constitutional-fish-florida-voters.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.