

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 1080

4  
5 By: Senators Higginbothom, Faris, Whitaker  
6 By: Representatives Berry, Dickinson, Petrus

## For An Act To Be Entitled

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10 AN ACT TO PROTECT THE HUNTING LANDS OF ARKANSAS;  
11 TO ENSURE THAT LAND WILL ALWAYS BE AVAILABLE TO  
12 THE CITIZENS OF ARKANSAS FOR PURPOSES OF HUNTING;  
13 AND FOR OTHER PURPOSES.

## Subtitle

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16 AN ACT TO PROTECT THE HUNTING LANDS OF  
17 ARKANSAS.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code Title 15, Chapter 41 is amended to add an  
23 additional subchapter to read as follows:

24 15-41-301. Title.

25 This subchapter shall be known and may be cited as the "Arkansas  
26 Hunting Heritage Protection Act".

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28 15-41-302. Findings.

29 The General Assembly finds that:

30 (1) Recreational hunting is an important and traditional  
31 recreational activity in which some fourteen million (14,000,000) Americans  
32 sixteen (16) years of age and older participate;

33 (2) Hunters have been and continue to be among the foremost  
34 supporters of sound wildlife management and conservation practices in the  
35 United States;

36 (3) Persons who hunt and organizations related to hunting



1 provide direct assistance to wildlife managers and enforcement officers of  
 2 federal, state, and local governments;

3 (4) Purchases of hunting licenses, permits, and stamps and  
 4 payment of excise taxes on goods used by hunters have generated billions of  
 5 dollars for wildlife conservation, research, and management;

6 (5) Recreational hunting is an essential component of effective  
 7 wildlife management, in that it is an important tool for reducing conflicts  
 8 between people and wildlife and provides incentives for the conservation of  
 9 wildlife, habitats, and ecosystems on which wildlife depend; and

10 (6) Recreational hunting is an environmentally acceptable  
 11 activity that occurs and can be provided for on state public lands without  
 12 adverse effects on other uses of that land.

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 14 15-41-303. Definitions.

15 As used in this subchapter:

16 (1) "Commission" means the Arkansas State Game and Fish  
 17 Commission;

18 (2) "Commission-managed lands" means those lands that:

19 (A) The commission owns; and

20 (B) Over which the commission holds management authority;

21 and

22 (3) "Hunting" means the lawful pursuit, trapping, shooting,  
 23 capture, collection, or killing of wildlife or the attempt to pursue, trap,  
 24 shoot, capture, collect, or kill wildlife.

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 26 15-41-304. Recreational hunting.

27 (a) Subject to valid existing rights, commission-managed lands shall  
 28 be open to access and use for recreational hunting except as limited by the  
 29 Arkansas State Game and Fish Commission for reasons of public safety or  
 30 homeland security or as otherwise limited by law.

31 (b)(1) The commission shall exercise its authority consistent with  
 32 subsection (a) of this section in a manner to support, promote, and enhance  
 33 recreational hunting opportunities to the extent authorized by law.

34 (2) The commission is not required to give preference to hunting  
 35 over other uses of commission-managed lands or over land or water management  
 36 priorities established by state law.

1       (c)(1) To the greatest practicable extent, commission land management  
2 decisions and actions may not result in any net loss of land acreage  
3 available for hunting opportunities on commission-managed lands that exists  
4 on the effective date of this subchapter.

5       (2) This subchapter does not apply to commission-owned lands  
6 under contract to private persons or entities.

7       (d) On or before October 1 of each year, the commission shall submit  
8 to the House and Senate cochair of the Legislative Council a written report  
9 describing:

10       (1) The acreage administered by the commission that has been  
11 closed during the previous year to recreational hunting and the reasons for  
12 the closures; and

13       (2) The acreage administered by the commission that was opened  
14 to recreational hunting to compensate for the acreage that was closed during  
15 the previous year.

16       (e) This subchapter does not compel the opening to recreational  
17 hunting of national parks or national monuments administered by the National  
18 Park Service.

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