Maine Forest Products Council

The voice of Maine's forest economy

Testimony Neither For Nor Against
LD 820

"RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish the Right to Hunt and Fish"

March 11, 2025
Krysta West, Deputy Director

Good afternoon, Senator Baldacci, Representative Roberts and members of the Inland Fisheries and Wildlife Committee. I'm Krysta West of Readfield, Maine and I am testifying on behalf of the Maine Forest Products Council today "neither for nor against" LD 820. As someone who enjoys hunting and fishing with my family, I fully appreciate the intent of the sponsor in proposing this legislation. That said, the Council has a few questions about this proposed constitutional amendment.

1) In 2021, Maine voters overwhelmingly supported an amendment that enshrined a "Right to Food" in the Maine Constitution that guarantees all persons "a natural, inherent, and unalienable right to food, including…to grow, raise, **harvest**, produce, and consume food of their own choosing... so long as an individual does not commit trespass, theft, poaching or other abuses of private property rights, public lands or natural resources in the harvesting, production or acquisition of food."

   Shortly after adoption, Maine's Sunday hunting prohibition, which dates back to 1883, was challenged in *Virginia Parker et al. v. Department of Inland Fisheries and Wildlife* on the grounds that Maine's law infringes on the Parker's right to harvest food. According to the October 4, 2024 Maine Supreme Judicial Court decision, "Because the word "harvest" is already widely used and understood to include hunting in Maine, the plain language of the amendment unambiguously affirms a right to hunt…" (Pg. 15)

   With this considered, what would this proposed amendment achieve, and more importantly, would the inclusion of two separate, but related amendments create confusion?

2) As proposed, this amendment states that the right of people to harvest game and fish may not be infringed, "subject to ***reasonable laws*** enacted by the Legislature, and ***reasonable rules*** adopted by the state agency designated for fish and wildlife management…"

   What is considered "reasonable" under this amendment is not defined, meaning that it is subjective. **Does this have the potential to open each and every wildlife law and regulation to litigation?** It seems that the courts would ultimately have to determine what is considered to be "reasonable."

While we certainly appreciate the sponsor's intent to enshrine an important way of life in Maine's constitution, we would urge you to consider the unintended consequences of adopting two competing amendments on the same topic. Thank you for your consideration.

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