

128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 11

H.P. 12

House of Representatives, January 5, 2017

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

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative WOOD of Greene.

Cosponsored by Representative WARD of Dedham, Senator JACKSON of Aroostook and Representatives: DUNPHY of Old Town, FARRIN of Norridgewock, GROHMAN of Biddeford, HARVELL of Farmington, MARTIN of Sinclair, O'CONNOR of Berwick, PIERCE of Dresden, SIMMONS of Waldoboro. 1 **Constitutional amendment. Resolved:** Two thirds of each branch of the 2 Legislature concurring, that the following amendment to the Constitution of Maine be 3 proposed:

4 **Constitution, Art. IX, §26** is enacted to read:

5 Section 26. Right to hunt, fish and harvest game and fish. The right of the people of this State to hunt, fish and harvest game and fish, including by the use of 6 traditional methods, may not be infringed, subject to reasonable laws enacted by the 7 Legislature and reasonable rules adopted by the state agency designated for fish and 8 9 wildlife management to promote wildlife conservation and management, to maintain 10 natural resources in trust for public use and to preserve the future of hunting and fishing. Public hunting and fishing are a preferred means of managing and controlling wildlife. 11 12 This section may not be construed to modify any provision of law relating to eminent domain, trespass or property rights. 13

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; and be it further

15 **Constitutional referendum procedure; form of question; effective date.** 16 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their 17 respective cities, towns and plantations to meet, in the manner prescribed by law for 18 holding a statewide election, at a statewide election held in the month of November 19 following the passage of this resolution, to vote upon the ratification of the amendment 20 proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to provide that the
right of the people of this State to hunt, fish and harvest game and fish
may not be infringed, subject to reasonable laws and rules, and to provide
that public hunting and fishing are a preferred means of managing and
controlling wildlife?"

26 The legal voters of each city, town and plantation shall vote by ballot on this question 27 and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and 28 29 declared in open ward, town and plantation meetings and returns made to the Secretary of 30 State in the same manner as votes for members of the Legislature. The Governor shall 31 review the returns. If it appears that a majority of the legal votes are cast in favor of the 32 amendment, the Governor shall proclaim that fact without delay and the amendment 33 becomes part of the Constitution of Maine on the date of the proclamation; and be it 34 further

Secretary of State shall prepare ballots. Resolved: That the Secretary of State
 shall prepare and furnish to each city, town and plantation all ballots, returns and copies
 of this resolution necessary to carry out the purposes of this referendum.

SUMMARY

This resolution proposes to amend the Constitution of Maine to provide that the rightof the people of this State to hunt, fish and harvest game and fish, including by the use of

- traditional methods, may not be infringed, subject to reasonable laws and rules to promote wildlife conservation and management, to maintain natural resources in trust for public use and to preserve the future of hunting and fishing. It also provides that public hunting and fishing are a preferred means of managing and controlling wildlife.