



The Veterans Afield Foundation

Senator LaFountain, Representative Landry and members of the Inland Fisheries and Wildlife Committee,

I am Dave Hentosh, owner of Smoldering Lake Outfitters and founder of The Veterans Afield Foundation.

I am here today testifying in favor of LD 2194, "An Act to Clarify When a Wounded Game Animal May Be Dispatched by an Authorized Licensed Guide," .

Originally, authorized guides who were permitted to dispatch mortally wounded game were issued a permit and required to report all occasions where dispatch occurred. Later, the permitting and reporting requirements were removed.

At the time of that change, the guide team at Smoldering Lake Outfitters was instructed on the intent and rules of dispatch by the Maine Warden Service. We were instructed that if at all possible the hunter should indeed dispatch the animal. If the hunter is not able for reasons of age, illness, injury, disability or safety, the guide could then dispatch the animal. We were instructed not to carry a weapon, (commonly used for hunting that particular game), but to use the hunters weapon or a hand gun to dispatch.

Events this past fall, brought to light the fact the current wording of Title 12, allowing guides to dispatch mortally wounded big game, allows them to do so **ONLY** after legal hunting hours.

It has been common practice and understanding, within both the guide community and our local warden service staff; that guides have the right to dispatch game as necessary. Guides are responsible for the safety of the hunting group and the ethical recovery of shot game.

The following are examples from the field that would be in violation of this law as written.

An upland bird hunting guide's dog retrieves a grouse and returns it to hand, The bird is still alive so he quickly dispatches it. No weapon used, but a violation non the less.

Goose hunting is typically a group event, with hunters positioned in a line for safety and the guide/ caller behind them. When birds are downed we ask that guns are pointed up for safety as the dog retrieves. Retrieved birds to hand need to be dispatched without a weapon. In the case that a crippled bird needs to be shot the safest manor is for only one individual, typically the dog handler/ guide.

We host combat wounded veterans on the disabled veterans moose hunt and other trips through our non profit, The Veterans Afield Foundation. Many of these individuals simply can not follow up. Here are two examples of how we have followed the dispatch rule as we understood we were allowed.

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Major Jon Turnbull lost both of his eyes in Syria due to a suicide bomber that targeted his team. We were able to help him harvest a moose on the disabled veterans moose hunt. He shot it twice at 200 yards with the help of an adaptive scope that allowed us to see where he was aiming. I followed up on the animal and found it bedded with head up but unable to stand. We brought Jon in and had him provide the coup de grâce.

During the Disabled Veterans Moose Hunt this past fall we used our electric UTV to enable a paraplegic veteran to stalk a moose. A moose came into view in a small gap between fields. The moose disappeared from view at the shot. We moved forward in the UTV to the location of the hit. With no moose in view, I tracked the animal to find it lying in the woods with its head up. With no possible way to get Bob to it, I took his weapon and ethically dispatched the animal.

I told the story to several District wardens and a Sergeant. All replied the same... good work. I mention this to reiterate that this has been the common understanding of the law.

What the aforementioned case brought to light was a disconnect between the general understanding and actual wording of the law.

The way the law is written, the moose harvested by the paraplegic at 5:30 AM would have had to wait until after dark (8PM) before I could dispatch. This would be unless we could get a game warden or dog handler to the scene.

There are many more scenarios requiring a guide to dispatch during legal hunting hours than those that occur after legal hours. It is my understanding that the current wording was to also allow guides to dispatch after hours without infringing upon night hunting laws.

This is a matter of ethical treatment of hunted game and safety for the hunting party. I urge you to vote ought to pass on LD 2194 to clarify when a wounded game animal may be dispatched by an authorized guide.

Thank you!

Sincerely,

Dave Hentosh

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