

Testimony in Opposition to L.D. 820-Resolution Proposing an Amendment to the Constitution of Maine to Establish the Right to Hunt and Fish

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Good afternoon. My name is John M. Glowa, Sr. I am testifying today on my own behalf.

For decades Maine's small group of consumptive use extremists have waged war on Maine wildlife and wildlife advocates. This bill is the latest volley fired in this war. It is unnecessary, overkill, misleading, and a waste of public resources.

The right to "harvest" food is already enshrined in Section 25 of Maine's constitution. The word "harvest" was inserted to gain support for the constitutional amendment from Maine's "sportsmen". This was a not so thinly veiled attempt to make hunting and fishing constitutional rights. Sportsmen hoped that it would give them an unfettered legal right to take wildlife including on Sundays. The court determined that the amendment did not extend to allow Sunday hunting. For this reason, at least one major proponent of the "Right to Food" amendment is back in support of this bill.

The pro-killing lobby led by the NRA has succeeded in enshrining the right to kill wildlife in at least 22 state constitutions. As stated, it is already enshrined in Maine's constitution through the word "harvest" in section 25 of Maine's constitution. Apparently, this isn't enough. This proposed resolution wrongly states that the constitutional amendment is "subject to reasonable laws enacted by the legislature and reasonable rules adopted by the state agency...." This is both misleading and false. In accordance with legal primacy, laws and rules are subject to the constitution-not the other way around.

This proposal would enshrine in the constitution the dangerous and wholly unjustified principle that "public hunting and fishing are the preferred means of managing and controlling wildlife." This could hamstring both the state and municipalities and prevent them from implementing scientifically and socially preferred means of "managing" wildlife populations. It is also contrary to the North American Model of Wildlife Conservation which prescribes "scientific management". Consumptive use extremists slipped similar language into Maine law Title 12 Section 10051 several years ago with the caveat of "whenever feasible". This proposed amendment would eliminate the feasibility requirement.

I urge the committee to unanimously vote this bill Ought Not to Pass and allow our government to manage the public's wildlife for all the people-not just for the small vocal minority who want to kill it.