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Testimony of Tom Doak

Executive Director

Maine Woodland Owners

Neither For Nor Against

LD 820

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

Senator Baldacci, Representative Roberts and Members of the Joint Standing Committee on Inland Fisheries and Wildlife, my name is Tom Doak, I am the Executive Director of Maine Woodland Owners speaking today Neither For Nor Against LD 820, "Resolution, Proposing an Amendment to the Constitution of Maine to Establish the Right to Hunt and Fish".

My organization has long supported the Maine tradition of hunting and fishing and have worked with hunting and fishing interests over the years to expand these opportunities. Over the last decade or more, those opportunities have been expanded so there is now a spring and fall turkey hunting; a special muzzle loader season for deer, which started as use of a primitive gun but has now turned into hunting with a single shot rifle; multiple youth hunting days; archery season, which begins in September; crossbows are now legal and, more recently, have been allowed during the regular archery season that starts October 1<sup>st</sup>; bonus deer permits; year round coyote hunting; 8 1/2 months of coyote hunting at night; a southern Maine moose hunt; changing the start of partridge (ruffed grouse) hunting season from October to September so people could fish and hunt the same day (most fishing ends September 30<sup>th</sup>), and there are many others. And, not to mention that the past several deer seasons have been very successful and resulted in some of the largest deer harvests in Maine history.

This bill seems unnecessary. There is already a right to hunt in the Maine Constitution as a result of the Right to Food Constitutional Amendment enacted in 2021 and enshrined by a decision of the Maine Supreme Judicial Court in 2024. That right exists as long as it does not involve illegal hunting, defined as hunting in violation of a law or rule.

This legislation would create a possible conflict with the existing provisions of the Constitution by bringing the terms “reasonable laws,” “reasonable rules,” by “preferred means of managing and controlling wildlife,” (as opposed to what? trapping?) into the Constitution. Additionally, amending the Constitution means that the courts will ultimately define the meaning and words in this proposal.

Because 90% of all public hunting, and a significant amount of fishing, occurs on private land in Maine, further establishing an undefined constitutional public right to an activity that largely occurs, and is dependent upon, use of private land is a significant concern to woodland owners. It seems fraught with the potential for unintended consequences.

Thank you for this opportunity to comment on this proposed legislation.