

Jared Bornstein  
Support for LD 1033

Senator Dill, Representative Landry and the esteemed members of the Inland Fisheries and Wildlife committee. I am here to express my enthusiastic and confident support of LD 1033. This is an issue that has been heard every session, without movement from the legislature. Historically, landowners have opposed Sunday hunting. See, that's the beauty of this bill, if someone does not want Sunday hunting on their land- they simply choose not to give out written permission for access to their land. This bill is a compromise, it is good legislation and it is time that Maine gives some access to hunters that work for a living. There is an idea that large landowners do not want this, I say idea because I have never met one. My family historically has owned large tracks of timber land and none of us has an issue with people hunting on their own property, doesn't affect us any. In fact, I spoke with the employee who for many years oversaw that property. I told him about our bill and he said that he has no issue with it at all. This is someone who spends 40 or more hours a week in the woods all year, even during hunting season.

As someone who believes in the property rights of individuals, it confuses me that a collection of businesses can dictate what private citizens do on their own land. I don't understand. It seems to me that Maine landowners should be the ones deciding whether or not they hunt on Sunday on their own land, not special interests. Landowners should be empowered to utilize their land to feed their families, they should also be empowered to allow others to hunt on their land if they so choose.

I have spent a long time working on this bill, and thinking about the arguments. One of the saddest, and most frustrating aspects of this is the irony. The irony is that those families who work 5-6 days a week, and barely get a hunting season, are the same ones who would benefit most from having some opportunity to hunt on Sundays. Its inequitable. People like me who have privilege and can take days off and leave work early are the ones getting 2 or 3 deer a year. I recognize this dynamic and give away a deer or a deer and a half of meat every year. But I can't give venison to everyone who didn't get a deer due to their work schedule, and that is where you all can step in to correct this inequity.

Hunting is safe, in the last 30 years there have been three non-hunter deaths. If you average it out that means that about 1 death per 1,000,000 hunting licenses sold. To put that in perspective, there are about 100 car accident fatalities for every 1,000,000 car registrations. The anti-hunter arguments that start off or end with "I don't feel safe" are not backed by data, and should not be the basis for preventing working Mainer's from putting food on the table. Hikers, landowners and other non-hunting outdoor enthusiasts are 100 times more likely to die driving to their land or the hiking trail- than they are to be shot by a stray bullet.

It is time to give Sunday's a chance. It is time to give working Mainer's a chance. Pass LD 1033.

By Jared Bornstein

Commentary in the Bangor Daily News

<https://bangordailynews.com/2021/03/10/outdoors/commentary-its-time-maine-allowed-some-form-of-sunday-hunting/>

COVID-19 has reshaped how the Maine Legislature operates, and a sense of unfamiliarity hangs over the 130th legislative session. However, a familiar issue has resurfaced with an impressive bench of support. LD 1033, “An Act To Allow Sunday Hunting on Private Property with Written Permission of the Landowner,” sponsored by Senator Jeffrey Timberlake, would allow a landowner to hunt on their own property and give permission to hunt on their property on Sundays.

The bill is simple and short, and strikes a compromise between the hunting community and the non-hunting outdoors community. It allows hunters some opportunity to get in the woods on Sunday, while respecting landowners and others who do not want hunting on their land on Sunday. It has notable co-sponsors like Senate President Troy Jackson, Minority House Whip Joel Stetkis and Minority Senate Whip Matt Pouliot. The bill is backed by the NRA as well as a Facebook group with 2,500 members ready to lobby their representatives for a chance to get in the woods on Sunday.

Sunday hunting bills have been tried and failed for 30 years, but with this bill boasting strong support it is worth taking a look at some of the history and main arguments.

The prohibition of hunting wildlife on Sunday started out as a blue law in most of the country, mandating that Sunday was a day of rest as it relates to the Christian faith. In recent years, most states (48 of 50) have ended the total prohibition on Sunday hunting. Some states have specific regulations on Sunday as it relates to what land you can hunt. Some states only have a few Sundays per year that you can hunt, and there are other variations including normal access.

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The risk associated with hunting on Sunday is no different than the risk of hunting on other days of the week as far as hunting practices go. However, the main argument of many against hunting on Sunday is that the prohibition gives nonhunters a day to be in the woods worry-free that they are going to be errantly shot by a hunter. The risk and the perception of risk then becomes that if nonhunters are in the woods at the same levels on Sunday with hunters, that there

would be more risk to them than if they were in the woods on Sunday without hunters.

The risk that has been highlighted needs to be compared to the benefit that is sought. Hunting, especially in Maine, lies at the core of our history. When settlers first came there was only forest, no farm land to grow or raise food. Hunting provided the primary source of protein. Since then, farming and trade has allowed much of our society to move away from hunting as a primary source of sustenance. However, hunting still remains a source of food for many families who choose to source their protein naturally. Some families rely on a successful deer harvest to fill their freezer and help out their budget during the winter. Sadly, these same families often have primary providers who are already working five or six days a week in order to make ends meet. This means that in the month-long deer season, they may only get two to four days to hunt. It is extremely hard to even see a deer in the Maine woods in two to four days. Having an extra four Sundays to hunt means more families who need the food can have a better opportunity for it. It is hard to make the argument that people's ability to walk in the woods without feeling endangered, even though statistically that feeling is unsubstantiated, overrules another person's right to feed their family.

Studying the specific risks around Sunday hunting is very difficult for a few reasons. First, Maine has prohibited it for so long that there is absolutely no Sunday-specific data for Maine. Second, you could use data from other states but that data would be even tougher to align because of the many different laws and regulations that hunting has. So, for data purposes we will explore data from Maine only, and expand the conclusions to include Sunday.

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The scope of hunting itself is pretty large, but hunting accidents themselves remain miniscule in comparison. Maine is 95 percent forested, so there is plenty of opportunity for hunters and nonhunters to enjoy the outdoors without ever coming into contact with each other. Further, in order to obtain a hunting license, one must undertake an in-depth safety course. There are separate safety courses for; firearms, archery and trapping. The biggest concern here, and the most salient argument for the relative safety of hunting is "how many non-hunters have been killed as a result of stray bullets or misidentified targets?"

According to a Bangor Daily News article, three non-hunters were killed between 1988 and 2017. If you average hunting license sales at 100,000 per year, which it has been more than in recent years but was likely less than in the earlier years, that

means that there is on average one nonhunter death for every 1 million hunters. Similarly, according to that article there have been 14 hunters killed in hunting accidents, some likely self-inflicted, which means there are 4.66 hunter deaths for every 1 million hunters in the woods.

In contrast, according to the Ellsworth American, "In 2018, of 43 accidents, four resulted in a total of four deaths. In 2017, there were 49 recreational boating accidents of which 11 resulted in a total of 13 deaths." Fales Law Firm summarizes for us that in 2015 there were over 100,000 boats registered in Maine. During the same year, there were 32 boating accidents resulting in 8 deaths. To put this in perspective, for every 1 million boats in the water there are 80 deaths. A stark contrast to 4.66 hunter deaths for every 1 million hunters and one nonhunter death for every 1 million hunters. By voyaging on a boat in Maine waterways, you are 80 times more likely to die than you are by being in the woods with hunters.

Hunting in general remains a very safe activity in Maine. It is reasonable to expand that conclusion to the seventh and final day of the week, Sunday.

Why the reluctance to let people hunt on Sundays, then? The biggest apprehension comes from a place of not understanding the risk.

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Nonhunters have not taken the safety course, they do not regularly interact with hunters and understand that most hunters are extremely scrupulous in their practice. While it is understandable to be skeptical of people in the woods with guns looking for their game, one must also remain skeptical of our own bias while evaluating the risk.

The hunting community can do a better job showcasing the safety of their trade and educating nonhunters on the benefits of allowing people to provide food for their families seven days a week. Similarly, nonhunters have a responsibility to seek out information to challenge their preconceived notions, especially when those notions come with the risk of sullyng the ability of people to provide food for their loved ones.

Another argument that will no doubt be made against LD 1033 is that it will either shorten the season or in some way increase the harvest numbers by too much. Again, the numbers do not support this argument. For the last three years the Maine Department of Inland Fisheries and Wildlife has been issuing more any-deer permits and increasing harvest goals, so there is no need to be worried about a

shorter season right now. In 2014 Virginia passed a somewhat similar bill to LD 1033. Interestingly, according to the Executive Director of the Virginia Department of Game and Inland Fisheries, Robert Duncan, the Sunday harvest data more closely relates to a weekday than a Saturday. This means that for Maine that we can reasonably expect to add a Monday or Tuesday worth of harvest, not a Saturday.

It is time to partially open up the woods to hunters on Sunday. Doing so will allow people the opportunity to feed their families, and the data indicates that Sunday hunting will be safe and will help meet harvest goals, not exceed them. We should come together, Democrats, Republicans, hunters and nonhunters to support this safe and data- backed bill.

Jared Bornstein lives in Wayne where he enjoys hunting, shing and whitewater rafting. He works in politics as a Legislative Consultant and Senior Campaign Advisor.