



Maine Municipal Association

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Testimony of the Maine Municipal Association

In Opposition to

LD 11, *Resolution, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish*

April 20, 2017

Senator Cyrway, Representative Duchesne and members of the Inland Fisheries and Wildlife Committee. My name is Kate Dufour and I am providing testimony in opposition to LD 11 on behalf of the Maine Municipal Association and at the direction of its 70-member Legislative Policy Committee.

The proposed amendment establishes a constitutional right for persons to engage in hunting, fishing and wildlife harvesting activities subject only to restrictions established by state law or related state regulation. Accordingly, the proposed constitutional amendment would likely impair the ability of a municipal legislative body to enact certain ordinances that may directly or indirectly interfere with, or be perceived as interfering with, the rights to hunt, fish and harvest wildlife as provided in this legislation.

Municipal officials have concerns with establishing a broad constitutional right to engage in certain activities and simultaneously removing authorities that currently exist at the municipal level to protect the public and locally-important resources.

For example, municipalities with built-up downtown centers and densely populated areas commonly adopt ordinances that restrict the discharge of firearms within designated zones. Would the constitutional rights proposed by this legislation override those local enactments?

If fishing or the harvesting of wildlife is interpreted to include the harvesting of shellfish and other similar wildlife products, how would the proposed constitutional amendment square with the shellfish conservation ordinances adopted and rigorously maintained by many coastal communities?

Do the "property rights" that are apparently not being modified by this proposed constitutional amendment extend to the rights of the public to control publicly owned property?

These represent a sampling of the concerns and questions municipal officials have with LD 11 as currently drafted.