

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 1303

H.P. 930

House of Representatives, April 2, 2013

### **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish**

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Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative FREDETTE of Newport.  
Cosponsored by Senator GOODALL of Sagadahoc and  
Representatives: DAVIS of Sangerville, GUERIN of Glenburn, McCABE of Skowhegan,  
REED of Carmel, SHORT of Pittsfield, TYLER of Windham, WOOD of Sabattus, Senator:  
JACKSON of Aroostook.

**Constitutional amendment. Resolved:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

**Constitution, Art. IX, §26** is enacted to read:

**Section 26. Personal right to hunt, fish and harvest wildlife; limitations.**

The freedom to hunt, fish and harvest wildlife traditionally taken by hunters and anglers is a valued natural heritage that must be forever preserved for the citizens of this State. Every citizen has the personal right to hunt, fish and harvest wildlife, using traditional methods, subject only to statutes enacted by the Legislature and to rules adopted by the designated state agency to promote wildlife conservation and management and to preserve the future of hunting and fishing. Public hunting and fishing are a preferred means of managing and controlling wildlife. This section may not be construed to modify any provision of law relating to trespass, property rights or the regulation of commercial activities.

; and be it further

**Constitutional referendum procedure; form of question; effective date.**

**Resolved:** That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to provide that the citizens of Maine have the personal right to hunt, fish and harvest wildlife, subject to laws and rules that promote wildlife conservation and preserve the future of hunting and fishing, and to provide that public hunting and fishing are a preferred means of managing and controlling wildlife?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it further

**Secretary of State shall prepare ballots. Resolved:** That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

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## **SUMMARY**

This resolution proposes to amend the Constitution of Maine to provide that the citizens of Maine have the personal right to hunt, fish and harvest wildlife, subject to laws and rules that promote wildlife conservation and preserve the future of hunting and fishing, and to provide that public hunting and fishing are a preferred means of managing and controlling wildlife.