

Testimony Before the Vermont State Legislature

On Private Property Rights and Hunting Access

Good morning, and thank you for the opportunity to speak.

My name is Michael Libecci. I am a Vermont landowner, and before moving here, I hunted for most of my life in New York State. I understand the hunting tradition. I respect it. I've lived it firsthand — and I am not opposed to hunting in any way.

In fact, many hunters I know here in Vermont also support reforms like those in H.723. They hunt on their own land, or on land owned by family and friends — and they, too, do not want strangers wandering their property without permission.

I want to be clear: this is not about hunters versus anti-hunters.

This is about balance — balance between sportsmen and landowners.

Draft 1.1 introduces a purple paint option and a reasonable-person standard. That is progress. But the larger framework remains: private property in Vermont is open by default unless the owner paints, signs, dates, spaces markings properly, records annually with the town clerk, and pays a fee to enforce what they already own.

The burden still falls on the landowner.

Commissioner Batchelder has said the current system reflects a constitutional balance between hunting access and property rights. I respect that perspective. However, balance must protect both sides equally.

The Vermont Constitution protects the right to hunt on unenclosed land. It does not require unnecessary administrative hurdles for landowners to enclose their land. Annual filings and fees are policy choices — not constitutional mandates.

We also do not have to speculate about whether reform works.

Maine has successfully implemented purple paint posting. New Hampshire does not require annual dating of signs. Vermont is an outlier. Maine — a larger state with greater hunting pressure — has modernized its system without dismantling hunting traditions.

If Maine can do it, Vermont can do it.

There is no compelling reason why Vermont cannot modernize its posting laws while respecting both hunters and landowners.

And this issue is not theoretical for me.

For the past two Septembers, hound hunters have arrived on my road at approximately 6:00 a.m. on Sunday mornings without warning, waking the entire hillside. They release packs of hounds that run across private property — including mine — without permission.

I own over 50 acres. My neighbors own land. We all have dogs that roam freely on our property. None of us should have to worry about a pack of hounds injuring our dogs on our own land.

That is not balance.

That is imbalance.

Vermont has substantial state and federal land available for hunting. Public lands exist for public hunting.

Private land should require private consent.

Private property is not a suggestion. It is not conditional. It is not secondary to recreation. It is a foundational right.

I urge you to stand for clarity, consent, and common sense. Protect hunting on public land. Protect private land through private permission. And make it unmistakably clear that in Vermont, private property truly means private.

Thank you for your time and your service.