

Senator Talbot Ross, Representative Pluecker, Members of the Committee on Agriculture, Conservation and Forestry:

My name is Roberta Manter, I live in Fayette, and I am writing neither for nor against LD. LD 1655 - An Act to Allow the Keeping of Chickens on Private Residential Property. When our daughter was young we kept chickens and a few turkeys for a while, and now that our daughter has grown, her family keeps a few dozen assorted poultry. They have proven to be a great way to teach the kids a range of valuable lessons ranging from responsibility and compassion for living things to carpentry and money management.

While I much appreciate the apparent original intent of this bill, i.e. to make sure people are not prohibited from having chickens, I'm afraid that without major revision it will have the opposite effect. The first paragraph, which states that a municipality may not adopt a regulation or ordinance that prohibits a person from raising chickens on private residential land, is good. But then it gets ambiguous. It says a municipality may adopt a regulation or ordinance that is stricter than this section. It says a person may not have more than 36 chickens, but then says that if there is a number determined by municipal regulation, the limit is whichever number is *higher*. In other words, although the bill appears to set a *maximum* of 36 chickens, this bill actually guarantees a right to have *at least* 36 chickens, even if local regulation sets a lower number. The language is confusing and misleading. If you want to guarantee a minimum of 36 chickens, then say so.

That being said, that many chickens on a small inner city lot with a large building and hardly any yard might not be a good idea - although if a person can keep a parrot as an indoor pet, why not a chicken? The number should be dictated more by the amount of space available, but the area per chicken required by this bill is not reasonable. According to the USDA, free-range chickens must have access to the outdoors. There is no specific requirement for how much space per chicken. If eggs are labeled Certified Humane Free Range, they are required to have at least 2 square feet of outdoor space per bird with vegetation for grazing. Where did the number ten square feet per bird come from?

The "predator proof" coop requirements are completely impractical. In order to keep a weasel out, you'd have to have a concrete floor and 1/4" hardware cloth all around, roof included. A simple wooden hutch seems reasonable under most circumstances. The amount of space needed per chicken can depend on what breed of chickens you have, as there is a broad range of sizes of poultry. What would be not enough for one breed would be too much for another, especially in winter when conservation of body heat is a concern.

As for "secure" outdoor space, what does that mean? Does that just mean the chickens must be kept in, or does it mean predators must be kept out? The latter (again in the case of weasels) would require 1/4" hardware cloth all around the entire yard. In order to keep out hawks and owls you would have to have a roof over the entire yard. If fencing must be predator proof for chickens, why not also for small dogs, which are also prey for large birds of prey, as well as coyotes? And if it's more to keep the birds in, what about people who live out in the country who currently can allow their flock to forage unfenced? In our area, I pass several homes that have chickens, ducks, geese, or guinea fowl happily patrolling the yard for bugs. They do us a

great service. (Guinea fowl in particular are famous for eating ticks!) And believe it or not, most chickens are smart enough NOT to try to cross the road!

When we had the scare several months ago that there was going to be an egg shortage due to avian flu, I expected to see empty shelves, due in part to people hoarding them as they did with toilet paper during COVID. There was in fact ONE day when the egg cabinet at my local Hannaford was down to just one size and brand of eggs. (That's not that uncommon during the shortest days of winter, when many hens stop laying.) After that, I never encountered any real problem. The reason, I think, is that so many people in our area have their own chickens. If there were no eggs at the store, most people could easily go to a neighbor and get a dozen.

Small flocks are also a good defense against avian flu. When allowed plenty of fresh air and sunshine and a varied diet of foraged wild foods, they have better resistance to disease than closely confined commercial flocks. If they do get flu, the major symptoms tend to be lack of appetite and reduced egg production, not death. Once they recover, they are then resistant to the disease.

As for noise and odor, we who live in the country expect to have certain noises and odors around. We have Crows, Pileated Woodpeckers, Wild Turkeys, and even Whippoorwills (the latter sing loudly all night,) plus farms that spread manure on their fields, and occasional skunks. We figure we like that a lot better than constant noise of traffic, honking horns, or people yelling, plus exhaust fumes, and sulfur from catalytic converters. So if you don't like country sounds and smells, move back to the city. It might be reasonable *within city limits or in areas with a population density above a certain level* to allow a limitation on roosters and require proper and frequent manure disposal, but for anyone with yard space there should be as few restrictions as possible.

As for attracting rodents, are you also going to prohibit people from having bird feeders? Or vegetable gardens? It might be more effective to crack down on littering, especially when the litter contains food or food residues. Or don't allow people to eat out of doors - unless there is a local flock of chickens to go around after them and clean up the crumbs!

In short, we need to do everything possible to preserve people's right to keep chickens if they want to. So please preserve the broad intent of this bill, and make sure there are not any minute details that have the opposite result. My proposal would be the following:

A county or municipality may not adopt a regulation or ordinance that prohibits a person from raising chickens on private residential land. Period.

Beyond that, you might allow within city limits or in areas with above a certain population density to have ordinances that set a limitation on roosters, and require proper and frequent manure disposal. Leave it at that.

Thank you for the hard work that I am sure you will put into this bill.