

Elizabeth Collard
Bridgton
LD 1655

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

My name is Elizabeth Collard, I live in Bridgton Maine, I lived my whole life in Maine, and I am against LD 1665- An act to allow the keeping of chickens on private residential property.

(I wish I had heard about this proposal sooner, that I might have had time to pare down my testimony, please bear with me in my haste to get this in in time.)

I have a small "subsistence" farm with assorted poultry- approximately 30- 50 birds at any given time, not all chickens. I have raised poultry for many years. The last several years I have been giving lectures on poultry health and first aid at MOFGAs Common Ground Country Fair- twice a day, for all three fair days. My lectures are very well attended, usually drawing 60 to over 100 people each. Many also stay after to have questions answered, and I have been dubbed "the chicken lady". All to say: I know birds.

I understand and appreciate the purpose for which this bill was intended. I agree that, especially in these difficult economic times, municipalities should not be able to completely prohibit the ownership of hens- for eggs or meat. But my fear is that, given it's wording, it will do quite the opposite. I was happy to see the testimony from Maine Association of Realtors, and agreed with much of what they had to say, especially regarding concerns for painting law with such a broad brush when our communities are so varied. But I still have many questions, comments, and concerns.

Firstly I find it odd that we would limit this law to only chickens. Are ducks, for example, not a concern? There are many other types of birds for farm use, as such I would advise the use of the word "poultry" over "chickens".

That said, even chickens come in a wide variety of types and sizes. Setting exact limits on square footage will likely be inappropriate on either end of the spectrum: bantam breeds need much less space and can even easily be kept in an apartment like one might a parrot. The heavy breeds need much more room. I would like to point out that our own USDA sets NO square footage requirements for "free range" or "cage free" eggs, choosing instead wording that pertains to the hens quality of life and access to the out of doors. The wording of the current proposal also seems to completely prohibit free ranging of birds, which is a very healthy way to allow them to forage more naturally, especially if one possesses the land to do so. In fact, birds kept confined or in an outdoor pen are significantly MORE likely to contract Avian Flu due to poor health and low immunity than those leading a more natural life out moving around and eating fresh things. Ergo: requiring the confinement of the entire states chickens could lead to a steep uptick in Avian Flu cases.

Many businesses will also see revenue loss in the popular "ready made" chicken coops and runs, tailored for those dabbling their feet in the idea of homesteading. As current wording would mean they are only suitable for 1-2 birds at most. And while I personally think as a general rule birds should have MORE room than you recommend, I also think there are very important exceptions. In the cold Maine winters, birds would undoubtedly freeze to death overnight with a whopping 4 square feet apiece of interior space to try to warm with body heat alone. Less space is cozier, necessary even. Unless we are also proposing central heat in everybody's coops too? Also young chicks or convalescing birds recovering from injuries are better in small areas. And most importantly: will we be imposing square footage mandates on commercial poultry operations as well? It is inappropriate and unfair to expect everyday people to follow rules not imposed Big Ag also. Minimum 14 square feet of space for ALL birds!

As to design of pen: define "predator"? Weasels can fit through a space smaller than classic chicken wire. Large hawks can fly in over the highest fence. Bears have been known to break into homes and vehicles. All of these creatures find chickens tasty. Who is going to finance the building of this veritable fortress? I guess now chickens

won't be such an economical addition to the farm after all.... Perhaps we'll all be considering pigs...

Now we're on to smell. Who decides if there is a smell issue? Personally I cannot walk down the detergent aisle at my local Hannaford, but farm smells rarely are offensive to me. Others feel the opposite. As there is no device to measure smell this seems a ripe opportunity for civil disputes to pop up all over. I advise letting it well enough alone. Instead please just recommend proper and regular treatment/ disposal of manure.

For those hundreds if not thousands of us statewide who already possess over 36 birds- will we be grandfathered in this new law, or could we suddenly find the police at our door? Will I stop seeing farm fresh eggs at my local farmers market? And if we are allowing "up to" 36 birds anywhere, that's A LOT for a small in town lot.

I like the idea of your opening paragraph. I really think it's all you need. Let towns fine tune as needed for the specific locale.

Were I in your place, here would be my wording:

A County or Municipality may not adopt a regulation or ordinance that prohibits the keeping of chickens or other small poultry on private or residential land. Counties and Municipalities may set forth limitations regarding poultry, especially within more populated corridors and urban areas, BUT, only if these limitations are not so excessive as prohibit ownership by those of lesser means or smaller properties. These limitations may include:

- number of birds per lot/ acre
- a ban on roosters in densely populated areas
- appropriate containment of birds that may be a hazard or public nuisance
- proper sanitation practices and humane treatment of birds

Thank you for your time and consideration. Sincerely,
Elizabeth Collard