

animal
wellness
action

Committee on Agriculture, Conservation and Forestry

Re: In Opposition to LD #1823 "An Act to Respect and Protect the Right to Food "

May 9th, 2023

Sen. Ingwerson, Rep. Pluecker and distinguished members of the Committee on Agriculture, Conservation and Forestry;

My name is Gina Garey; I am a professional animal behaviorist at Animal Behavior and Healing in Portland and the Maine State Director for Animal Wellness Action and Center for a Humane Economy.

I write today in opposition to LD 1823, (An Act to Respect and Protect the Right to Food.), and respectfully ask the committee to VOTE NO on LD 1823.

While on the surface [LD 1823, "An Act to Respect and Protect the Right to Food,"](#) appears worthy, as written, the potential implications of the language in L.D. 1823 are far reaching and dangerous for Maine wildlife and the environment.

A review by general counsel at AWA/CHE offered the following assessment: "The biggest issue we see with this is where local municipalities can enact "traditional foodways" ordinances without any state interference or oversight. While we see that language in the bill itself, the bill summary seems to grant some ability to override local ordinances, stating:

'Prohibit the State from enforcing any law or rule, taking an enforcement action or interfering in any way with the activities authorized by a local food ordinance, **except those State laws or rules that involve the State's meat and poultry products inspection, registration and licensing program.**'

My biggest concern is that this bill, as badly and vaguely written as it is, will allow for local hunting and fishing ordinances that ignore statewide conversation and wildlife management plans to maintain healthy populations of many species. It potentially sets up a virtual hunting free-for-all where rural municipalities can declare open season, all year round with no kill limits on bears and other fragile species. Since "traditional pathways" also includes "uses of food

products other than for eating” that could mean, for example, open trade in bear bile with the state powerless to stop it. The idea that states should be precluded from managing wildlife at the state level is ludicrous and an inevitable ecological disaster. No wonder the state agencies are concerned.”

In summary, this proposal has the potential to strip away a wide array of Maine statutes that protect wildlife, landowners, and the environment. It would:

- **Prohibit the enforcement of Maine’s wildlife, marine life, animal welfare, and environmental protection statutes** that might interfere with “traditional foodways” (e.g., hunting, trapping, fishing, gathering & foraging) if towns and counties pass ordinances to protect such “foodways.”
- **Legalize activities such as Sunday-hunting** (long opposed by a vast majority of Mainers!), or open trade in bear bile **with the state powerless to stop it** because of language that includes “hunting” and “uses of food products other than for eating” in the definition of “traditional foodways.”
- Designate wild animals as objects to be owned and used because of the way **“harvest” is defined** in the bill; a definition that includes hunting, trapping, fishing, taking, killing for sport, wildlife management and population control. The proposed definition statutorily equates the act of killing wildlife (for any reason) with gathering berries or harvesting a field of corn.

Thank you for your time and consideration.

Gina Garey, MS CABAC Animal Behavior and Healing
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Helping animals helps us all.