

**TESTIMONY OF SUSANNA RICHER –
IN OPPOSITION TO L.D. 595
“L.D. 1823, An Act to Respect and Protect the Right to Food”
Committee On Agriculture, Conservation and Forestry
May 10, 2023**

Senator Ingwersen, Representative Pluecker, and distinguished members of the Committee:

Thank you for considering my testimony regarding L.D. 1823, An Act to Respect and Protect the Right to Food.”

I support self-reliance and the concept of food sovereignty, but not when it allows the potential to disregard or override state regulations in place to protect wildlife, landowners, animal welfare, and our environment.

There are some positive suggestions within L.D. 1823 including installation of edible landscaping in Capitol Park and the right for all citizens to have a vegetable garden. However, other sections of this bill contain language which threatens Maine statutes that offer critical protections to our wildlife, our environment, and Maine landowners while disrespecting the legislature’s authority and agencies that create and enforce these vital protections.

Authority to Adopt Ordinances & “Traditional Foodways”

The language in the “Authority” section of L.D. 1823, allows municipalities and counties to adopt ordinances specific to newly defined “traditional foodways” and requires that “the State shall recognize such ordinances.” By allowing municipalities and entire counties to pass ordinances that ensure access to “traditional foodways” (e.g., hunting, trapping, gathering, fishing, foraging) that can override state statutes, the language of L.D. 1823 presents significant threats to existing wildlife regulations, animal welfare and environmental protection statutes.

There is nothing in this bill to ensure that the ordinances considered in the pursuit of food sovereignty and preservation of “traditional foodways” abide by, or improve on, existing landowner, animal welfare, wildlife, and environmental protection statutes. As a result, a town or county could pass ordinances that allow citizens and businesses to ignore regulations this legislature has put in place to protect our state.

Enforcement & Interference Prohibited

Apart from meat and poultry products inspection, registration and licensing regulations under the Department of Agriculture, **this bill prohibits state agencies from enforcing statutes and rules that conflict with town and county ordinances** passed regarding "traditional foodways" (which include hunting, trapping, fishing, foraging, etc.)

For example, under the proposed language of this bill, a Maine town or county could pass ordinances that:

- **Legalize Sunday hunting** (already challenged in the Maine Supreme court under the Right to Food.)
- **Extend hunting/trapping seasons or eliminate closed seasons completely.**
- **Walk back humane standards for farm animals.**
- **Allow banned practices such as participation in the bear bile trade** under the definition of “traditional foodways” (“uses of food products other than for eating.”)
- **Enable fishing of species that are currently limited or banned.**

The language in the Enforcement Prohibited section, along with the proposed definition of the Right to Food (“Protect and respect, by not interfering with, the right to food”) leaves authorities, as well as individuals, powerless to take action when state statutes or property rights are violated.

The section identifying the principles of Food Sovereignty, while full of beautiful concepts of sharing knowledge and working with nature - is not a sufficient substitute for actual laws that protect farm animals, wildlife, environment and landowners.

Harvest Definition

L.D. 1823 Proposed "Harvest" definition:

"Harvest, the verb. The verb "harvest" means to gather, forage, catch, trap, hunt, fish, take or kill for human consumption, sport, wildlife management or population control."

While the word "harvest" is often used by government wildlife and fisheries as a more palatable term for killing or reporting number of animals killed, the proposed definition statutorily equates the act of killing wildlife (for any reason) with gathering berries or harvesting a field of corn. **This definition of "harvest" in conjunction with the "Right to Food" implies ownership of wild animals as well as a right to hunt and opens the door to violations of existing laws intended to protect wildlife and landowners.**

Hunting is a privilege not a right. We don't harvest animals; we kill them. We do not "own" wildlife; we hold wildlife in public trust. Wild animals are not ours to do with as we please.

Additionally, the word "harvest" should not statutorily define taking the life of an animal. Whether for sustenance, population "control" or for sport - killing is killing. **Killing an animal in the wild (or otherwise) should not be weighed equally under the law as reaping a field of wheat planted on owned or leased land for human consumption.**

We harvest fruits, vegetables, and grains. We slaughter livestock. We kill wildlife.

So much in this bill confirms and adds to [my original fears](#) regarding the potential consequences of the Right to Food constitutional amendment. I hope this committee will take the time necessary to fully analyze the implications that the current language of L.D. 1823 will have on the protection of Maine's landowners, wildlife, and environment.

Please vote "Ought not to pass" on L.D, 1823, as written.

Thank you for your time and consideration.

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