



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
OFFICE OF THE COMMISSIONER
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AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

TESTIMONY BEFORE THE JOINT COMMITTEE ON
AGRICULTURE, CONSERVATION, AND FORESTRY
Neither For Nor Against

LD 795 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food

At DACF, we recognize that hunger is a real issue for a significant percentage of Maine's people; our state currently ranks 9th in the nation for food insecurity, where 14.4% of Maine households are considered to be food insecure. Within those statistics, seniors and children bear an even higher percentage of risk of being food insecure.

The concept of the "right to food" is one that has been promoted and supported by the United Nations and others in recognition that worldwide, hunger is an important and pervasive issue that we must actively address. As stated by the United Nations, at the core of this concept of the "right to food" is, "...the realization of the right of everyone to adequate food and the fundamental right of everyone to be free from hunger." What this essentially means is that we acknowledge that access to food is essential to life, and that we are committed to ensuring that we address hunger and food insecurity in our society.

Should this constitutional amendment be adopted, we encourage that it be done in a way that does not impede the Department's ability to effectively license and regulate Maine food products as we do now. To that end, we would like more clarity around the intent of the language, "purchase from sources of their own choosing." Furthermore, as we work to balance our responsibilities to oversee use and management of various land-based, natural-resources through regulation, rules and statute for the people of Maine, while also supporting the development of a robust local food system and maintaining food safety, we would want to ensure this resolve language would reflect and not conflict with compliance with applicable state and federal laws, rules and regulations.

In closing, we support the "right to food" in concept, and whether this Resolution is adopted, we will continue our work to increase food security in Maine through hunger relief programs we administer, such as The Emergency Food Assistance Program (TEFAP), Commodity Supplemental Food Program (CSFP), Senior Farm Share, and other related programs and partnerships administered through the Bureau of Agriculture, Food and Rural Resources, and by supporting the ability to forage for wild edible plants on public lands and promoting opportunities for individuals to grow food for themselves and others in their communities.

After speaking with Inland Fisheries and Wildlife they have the following thoughts and concerns in relation to this Resolution:

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It is Inland Fisheries and Wildlife's responsibility to preserve, protect and enhance the inland fisheries & wildlife resources of the State and to encourage their wise use through coordinated planning and effective management.

Inland Fisheries and Wildlife works in conjunction with our agency on the Hunters for the Hungry Program which distributes thousands of pounds of wild game annually to food pantries, shelters and families in need. DIFW provides education and advertising to the outdoor recreationalists the department licenses as well as to their own staff, encouraging them to give back to the community through this program when possible. In Maine, we all owe a unique debt of gratitude and appreciation to generous landowners who afford us the privilege of public access to private property. Without them it would be far more challenging to manage Maine's fish and wildlife resources in a manner that maintains sustainability and ensures the support of all users.

Creating a new constitutional right could lead to many different outcomes, some intended and some that could never be anticipated. The exact contours of constitutional rights are often not completely known until these rights are tested in court and the Maine Law Court interprets these rights. How would these bills, and their resulting constitutional rights affect existing hunting laws or landowner's rights? The precise answer to these and many more unanticipated questions likely will not be supplied until these issues are tested in court. There is a distinct difference between a privilege and a right, particularly when it comes to fishing and hunting.

Both Departments will be available during the work session to answer any questions you may have.