



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 795

H.P. 583

House of Representatives, February 12, 2019

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

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "R B Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HICKMAN of Winthrop.  
Cosponsored by President JACKSON of Aroostook and  
Representatives: ACKLEY of Monmouth, ALLEY of Beals, AUSTIN of Skowhegan, BABBIDGE of Kennebunk, BABINE of Scarborough, BAILEY of Saco, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BROOKS of Lewiston, BRYANT of Windham, CARDONE of Bangor, CEBRA of Naples, COLLINGS of Portland, COOPER of Yarmouth, CRAVEN of Lewiston, CROCKETT of Portland, DAUGHTRY of Brunswick, DENK of Kennebunk, DODGE of Belfast, DOUDERA of Camden, DUNPHY of Old Town, EVANGELOS of Friendship, FARNSWORTH of Portland, FAULKINGHAM of Winter Harbor, FAY of Raymond, FECTEAU of Augusta, FECTEAU of Biddeford, FOLEY of Biddeford, GATTINE of Westbrook, GRAMLICH of Old Orchard Beach, HANDY of Lewiston, HARNETT of Gardiner, HEPLER of Woolwich, HOBBS of Wells, HUBBELL of Bar Harbor, INGWERSEN of Arundel, JORGENSEN of Portland, KESSLER of South Portland, LANDRY of Farmington, MADIGAN of Waterville, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MATLACK of St. George, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McDONALD of Stonington, MEYER of Eliot, MOONEN of Portland, MORALES of South Portland, NADEAU of Winslow, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, PEBWORTH of Blue Hill, PERRY of Calais, PIERCE of Falmouth, PLUECKER of Warren, RISEMAN of Harrison, SHARPE of Durham, SKOLFIELD of Weld, STANLEY of Medway, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, TIPPING of Orono, WADSWORTH of Hiram, WARREN of Hallowell, ZEIGLER of Montville, Senators: BELLOWS of Kennebec, BLACK of Franklin, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, CLAXTON of Androscoggin, GRATWICK of Penobscot, HERBIG of Waldo, LIBBY of Androscoggin, MIRAMANT of Knox, SANBORN, H. of Cumberland, VITELLI of Sagadahoc.

1           **Constitutional amendment. Resolved:** Two thirds of each branch of the  
2 Legislature concurring, that the following amendment to the Constitution of Maine be  
3 proposed:

4           **Constitution, Art. I, §25** is enacted to read:

5           **Section 25. Rights to food and food sovereignty and freedom from**  
6 **hunger.** All individuals have a natural, inherent and unalienable right to food, including  
7 the right to acquire, produce, process, prepare, preserve and consume the food of their  
8 own choosing by hunting, gathering, foraging, farming, fishing, gardening and saving and  
9 exchanging seeds or by barter, trade or purchase from sources of their own choosing, for  
10 their nourishment, sustenance, bodily health and well-being, as long as an individual does  
11 not commit trespassing, theft, poaching or other abuses of private property rights, public  
12 lands or natural resources in the acquisition of food; furthermore, all individuals have a  
13 fundamental right to be free from hunger, malnutrition, starvation and the endangerment  
14 of life from the scarcity of or lack of access to nourishing food.

15           **Constitutional referendum procedure; form of question; effective date.**

16 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their  
17 respective cities, towns and plantations to meet, in the manner prescribed by law for  
18 holding a statewide election, at a statewide election held in the month of November  
19 following the passage of this resolution, to vote upon the ratification of the amendment  
20 proposed in this resolution by voting upon the following question:

21           "Do you favor amending the Constitution of Maine to declare that all  
22 individuals have a natural, inherent and unalienable right to acquire,  
23 produce, process, prepare, preserve and consume and to barter, trade and  
24 purchase the food of their own choosing for their own nourishment,  
25 sustenance, bodily health and well-being?"

26           The legal voters of each city, town and plantation shall vote by ballot on this question  
27 and designate their choice by a cross or check mark placed within the corresponding  
28 square below the word "Yes" or "No." The ballots must be received, sorted, counted and  
29 declared in open ward, town and plantation meetings and returns made to the Secretary of  
30 State in the same manner as votes for members of the Legislature. The Governor shall  
31 review the returns. If it appears that a majority of the legal votes are cast in favor of the  
32 amendment, the Governor shall proclaim that fact without delay and the amendment  
33 becomes part of the Constitution of Maine on the date of the proclamation.

34           **Secretary of State shall prepare ballots. Resolved:** That the Secretary of State  
35 shall prepare and furnish to each city, town and plantation all ballots, returns and copies  
36 of this resolution necessary to carry out the purposes of this referendum.

## 37           SUMMARY

38           This constitutional resolution declares that all individuals have a natural, inherent and  
39 unalienable right to acquire, produce, process, prepare, preserve and consume and to

1 barter, trade and purchase the food of their own choosing for their own nourishment,  
2 sustenance, bodily health and well-being.