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Senator, District 14

THE MAINE SENATE
132nd Legislature

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Augusta, Maine 04333

Testimony of Senator Craig V. Hickman presenting
LD 124, An Act to Protect the Right to Food

Before the Joint Standing Committee on Agriculture, Conservation and Forestry

Senator Talbot Ross, Representative Pluecker and distinguished colleagues on the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Craig Hickman and I represent Senate District 14, twelve municipalities in southern Kennebec County, including my beloved hometown of Winthrop. Thank you for the opportunity to provide testimony and more information regarding LD 124, "An Act to Protect the Right to Food," to the Committee today.

Please see the just-released [short film](#) featuring Stockholm Sovereign Market, the nation's first food sovereign market in a small town of 250 people in Aroostook County, produced and filmed by documentarian Graham Meriwether of Vermont. This is the first of several short films he will produce featuring the Food Sovereignty and Right to Food movements in Maine. I met Mr. Meriwether when he invited me to speak at the inaugural [Liberty Food Fest](#) in Bellows Falls, Vermont, in 2023. The keynote remarks I offered were an attempt to answer the question, "How did Maine do it?"

I have attached those remarks at the end of this testimony. They include the story of Mrs. Meeks and Aunt Fannie that I shared at the public hearing last week and back in 2013 when I first introduced Food Sovereignty legislation to the Committee.

Maine did it. Food Sovereignty is doing exactly what proponents said it would do and, as you heard at the public hearing, inspiring states across the nation to codify similar efforts at state and local levels. Some of these initiatives are working with the [National Right to Food Community of Practice](#), of which I am a founding member. Penobscot farmer Heather Retberg, who testified remotely near the end of the public hearing and who co-authored the first-in-the-nation Maine Food Sovereignty Act and the first-in-the-nation Right to Food Constitutional Amendment, is also a founding member. For more background, context, history, and legal analysis, you may find her 2024 [Maine Law Review](#) article "[Constitutionalizing the Human Right to Food in Maine: A People's Tool to Advance Food Sovereignty in the United States](#)" quite helpful as you

deliberate this legislation and how it further protects and respects the Right to Food in Maine. She has offered to be available for the work session and answer any questions you may have if the Chairs see fit.

Strengthening the Maine Food Sovereignty Act through the provisions in LD 124 will strengthen community resilience, revitalize rural economies, promote personal responsibility, and advance the right of the people to consume the food of their own choosing, just as Article I, Section 25 of the Constitution of Maine declares. These provisions will also contribute to [Maine Won't Wait](#)'s ambitious goal of increasing the proportion of locally sourced food consumed in the state to 30% by 2030, decrease reliance on food imported from elsewhere, and become crucial stops on [Maine's Roadmap to End Hunger in Maine by 2030](#).

But more than all of that, and arguably more important, especially in these challenging times, food sovereignty simply makes people feel *good*. We can see it in the face of [Jerry Ferszt of Stockholm](#). We can hear it in his voice as he describes the spirituality and love that pervades the Stockholm Sovereign Market. We can see it in the patrons. As Mr. Meriwether proclaims on the Liberty Food Fest [website](#), "The local food movement is more important than politics. It is about health. It is about strength. It is about a bond stronger than any political affiliation."

I concur. I know that some of you have not supported this public policy in the past. Maine is literally leading the nation on food rights, food sovereignty, and food self-sufficiency. I don't express pride all that much, but for all of this, I am proud to have worked with so many of you to see this through. So much good has come of food sovereignty, right here in our beloved state and across our great country. I invite all my colleagues to be part of this first-in-the-nation history in unity. And so if you haven't supported this before, I humbly request that you consider changing your mind and supporting LD 124 in the 132nd Legislature. If you have supported this all along, please join us in doing so again.

Thank you for your consideration. I am happy to participate in the work session and answer any other questions you may have if the Chairs see fit.

RIGHT TO FOOD COMES TO AMERICA

Remarks of Senator Craig Hickman for the
LIBERTY FOOD FEST
Bellows Falls Opera House, Vermont
Saturday, December 16, 2023

I'm going to begin by taking us back to November 2009.

For two years, they didn't have garden-fresh collard greens.

For all of my childhood in Milwaukee, Wisconsin, my father grew a small garden in our back yard that yielded incredible produce. We didn't call it organic gardening back then. There was no need for such a description. It was what it was: gardening. No chemical fertilizers, no pesticides.

Well. *Almost*. One year—I can't remember how old I was but I was in elementary school—the insects were so bad, my father chose to shake garden dust over all his yet-to-fruit tomato plants, which were being devoured by hornworms. He cried. He was afraid he would poison his family. Afraid that we would starve if we didn't have any tomatoes to eat fresh or can for later so he chose drastic action. But he left alone the collards and other leafy greens. "I can't shake no dust on those. They go directly into our mouths, so we're going to have to pick the bugs off with our fingers."

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Summer 2009, I stood amidst my collards in one of the many gardens on our 25-acre organic farm in central Maine talking to my pregnant sister on the phone. I told Gina that my collards weren't growing as well as I'd like. That because of the unceasing rain the insects were winning.

That's when she told me.

In the last two years of our father's life, when pancreatic cancer made him too weak to tend his garden, she and my mother had no fresh collards. The rose chafers, Japanese beetles, cabbage worms and whatever else loves this bittersweet *brassica* had devoured the leaves down to skeletons.

"He simply had no energy, Craig. And we couldn't help because it would have been an admission that we knew he was sick, and since he never told us, we couldn't let him know that we knew."

I simply could not fathom my family back home in Milwaukee went two years without Daddy's collards. Could not fathom why my sister had never told me about it till just then. Could not fathom why my mother had never told me about it *at all*.

I stood amidst my insect-infested collards and wept.

Losing my father on March 14, 2007, a month to the day after he turned 87, began the most transformative right of passage in my life to date. The man who taught me about discipline, respect, honor, dignity; about how to rise up after being knocked down; how to dream great dreams; how to love; how to live had left this world and left a hole in my soul as big as the lake on which my farm sits.

Two years later, in early spring, when I finally came up from under, I saw my father walk from the side of the road right up the gravel driveway and into our house. I don't know if I was sleeping or awake, but I saw him nonetheless. Later that day, I stood before the unquilted stretch of land and told my beloved of my plans to become a *bona fide* farmer. He thought I was crazy. Said it was too much. That I'd never keep to it.

Love a challenge. If you tell me I can't do something, I'm determined to prove you wrong.

Five months later, I opened a farm stand on the side of the road right in front of our house and began selling the succulent vegetables our land offered up.

Now, I'm addicted to growing things. I've turned a mere half-acre of our farm into a sweep of organic gardens. Composted manure from around the barnyard, a small tiller for cultivation, a few farm hands, a garden rake, hoe and pitchfork, a mosquito net as necessary, and as many daylight hours as the sun above can muster is all we count on to produce our harvest.

Now, I can't stop opening a new patch of earth to plant some new variety of heirloom tomatoes to round out the cornucopia from Annabessacook Farm: arugula, beets, Belgian endive, collards, kale, mesclun, mustard greens, romaine, Swiss chard, spinach, turnips, corn (the sweetest in the area, say my customers), carrots, celery, fennel, golden beets, radish, basil, chives, cilantro, parsley, rosemary, sage, tarragon, thyme, leeks, onions, scallions, blackeye peas, okra, green beans, soybeans, sugar peas, several varieties of peppers, summer squash, winter squash, gourds, pumpkins, cucumbers, eggplant, asparagus, broccoli, cabbage, cauliflower, kohlrabi, Brussels sprouts, blackberries, blueberries, raspberries, strawberries, wild black raspberries, cantaloupe, honey dew, watermelon, and anything else I can trick to grow in this northern climate. Can't stop. As though all the energy my father didn't have at the end of his life has fueled me to work from sun up to sundown, planting, weeding, hauling, turning, picking, packaging, selling. *Eating.*

I'm even making fresh cheese and yogurt and ice cream from the goat milk my beloved massages out of our goat every evening after healing patients all day at MaineGeneral. Baking breads and quiches and pies and cakes and hearty cereals. Preparing meals for B&B guests, private dinner banquets for neighbors and friends.

And we've got two new greenhouses. Can't wait to see what they can produce in winter. Before long, we'll be growing our own wheat, making our own honey, slaughtering our own meat.

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I stand on my father's shoulders. He whispers music over mine as I open the earth, loving her—tenderly, deeply, desperately—and whisks mosquitoes away from my ears so I can hear his music more clearly.

He shows me the way.

I've never been more committed to anything in my life. Never been happier. There is simply nothing like living off the land and nothing simpler. Knowing exactly where your food comes from because you produce it yourself.

My customers appreciate every bag of spinach, jar of granola, or crown of broccoli they get from the farm. And I appreciate them. Their concerns and requests, their own gardening triumphs and failures. Our exchange of ideas and recipes and tricks. I never would have imagined I would become such an integral part of a local food chain. Never would have imagined I could sell thousands of dollars of organic produce and homemade foods in a single season directly to patrons without vending at a farmer's market or supplying a restaurant. Never would have imagined folks would stop by simply to thank me for doing what I do even though they buy their produce at another local farm. I think now of Michael Pollan's words from his must-read book *In Defense Of Food*, "In a short food chain... [f]ood reclaims its story, and some of its nobility, when the person who grew it hands it to you."

And so it was that when I told one of our regular customers the story of my father's collards, my sister's recent heartbreaking confession, we all shared a moment of spontaneous silence in his

memory. And I swear to God, within a week, my collards were on their way to the biggest, sweetest, greenest collards I'd ever grown.

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“Let’s go big,” I said to her late one winter evening in 2015. The chips were down. Way down. Despite disenchanting legislative losses, we were determined to get back up. “Let’s propose a resolution to the Constitution of Maine establishing a right to food.”

My declaration to Heather Retberg, organic farmer in Penobscot, caught her a bit off guard. We had joined forces to bring food sovereignty legislation to the Maine Legislature. I, the Central Maine organic farmer and, at the time, Democratic state representative, and she, the Blue Hill Peninsula farmer and leader of a grassroots movement that brought passage of the Local Food and Community Self-Governance Ordinance to several towns in Hancock County, had worked hard together for nearly two years to pass food sovereignty legislation in the 126th Maine Legislature. This was the testimony I submitted to the committee when presenting the bill.

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Her name was Mrs. Meeks. Well, that was the only name I ever heard her called. I was in her kitchen only once. She, like us, lived on the North Side of Milwaukee, Wisconsin, smack dab in the middle of factories that made big things and paid good wages. I couldn’t tell you if Mrs. Meeks worked in one of them or not, or even if she worked outside her home at all. All I knew is that she hailed from rural Alabama and she made a *mean* coconut cake. So mean it was the only cake my parents ever bought for a special occasion.

We didn’t have much. We were on food stamps, in fact.

But when we splurged, for a special occasion, we turned to our neighbor. And Mrs. Meeks made the best cakes you’d ever want to buy. She made them all in her kitchen, a place that felt like the hearth in her home that it was. Her reputation preceded her. So much so that when I began teaching myself how to bake a good cake, way back in the fourth grade, Mrs. Meeks was the cake maker I wanted to emulate. Why?

Because in every single bite of Mrs. Meeks cakes, you could taste the love.

Just as you could taste the love in Aunt Fannie’s famous seafood gumbo. Originally from rural Louisiana, Aunt Fannie migrated to Milwaukee after World War II, her expertise in creole cuisine in tow. Nobody we knew who wanted gumbo for Christmas ever made their own. They bought some of hers. Or, if they were really lucky, she invited them over to her house, sat them down right at her kitchen table, and served that spectacular ambrosia fresh out of that giant pot. We were among the lucky ones. Still, if we took any of her gumbo home with us, my father reached into his wallet and gave her a little something. She needed it to help her family make ends meet while caring for a son, challenged in so many ways.

Now what on earth do Mrs. Meeks and Aunt Fannie have to do with food sovereignty?

Well, everything—pretty much.

And even though they both lived in cities by the time I was able to partake of their culinary wizardry, their values were shaped in the rural communities from which they hailed. So were my parents’ values. Which is why my father shared some of his hunt with our neighbors whenever they needed it. Why my mother fed and bathed countless throwaway girls who knocked on our door, no questions asked.

Now, I live in a rural community. A community of people who share my values. After all, they sent me here.

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I believe locally produced food is national security. I believe that access to wholesome food is a right for every citizen. When one in four children among us goes to bed hungry every night, we can do better. *We must.* We cannot allow a single one of us to go hungry for a single day. Maine has all the natural resources and the hard-working, independent-spirited people to grow, catch, trap, forage, process, prepare, and distribute enough food to feed our people and strengthen our local economies. Let us stop importing more food per capita than any other state in the contiguous 48. I believe the best way to achieve more food self-sufficiency and security in Maine is to allow our neighbors—many of whom are small-scale farmers and/or small-scale food producers, like Aunt Fannie and Mrs. Meeks—to advertise, sell, and feed us the food *we* want to eat.

If you control the food, you control the people. We the people need *real* competition, not corporatist state control.

“People,” said Woodrow Wilson, “may now be dominated and governed only by their own consent. Self-determination is not a mere phrase; it is an imperative principle of action. . . .”

Food sovereignty equals self-determination. Let us act unanimously.

I humbly ask that you vote ought to pass to codify the principles of food sovereignty into law, affirming the right of local communities to govern their food systems as they see fit.

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That was about the size of it. But the size of the vote had been too small to see this through the finish line.

How could it be that members of the Legislature didn’t understand the fundamental power of food rights, food justice and democracy in a state like Maine?

Fueled by fire after falling short on our first effort, I wanted to take the conversation to the next level. I sought to amend the most fundamental form of law.

“No way we can win. That’s a tall order, brother,” Heather replied. “Are you really saying that we should try to amend the state constitution?”

“Why not? If you peel back the onion down to its core, isn’t that really what food sovereignty is all about, sister mother? Ensuring that the people of Maine have a right to the food of their own choosing from the sources of their own choosing?”

In unison, we said, “Yes.”

And so we did.

On November 2, 2021, after three tries and several versions, the people of the great State of Maine ratified the Right to Food into the Declaration of Rights of the Maine Constitution with nearly 61% of the vote, becoming the first state in the nation to enshrine food rights in a state constitution. This is a story of the grassroots, of friendship and collaboration. A story of bipartisanship, defiance, and reclamation. This is a story about the politics of food for Maine’s future. About people in rural

America protecting themselves from extinction.

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Food is water. Food is soil. Food is light. Food is nourishment. Food is medicine. Food is life.

You can imagine my surprise, then, some years ago when I discovered that state and federal agencies and courts in the United States have yet to recognize the right to food as a fundamental liberty right. In fact, [as recently as 2010](#), the Food and Drug Administration [argued in federal court](#) that we have no “right to consume or feed children any particular food,” that there is “no ‘deeply rooted’ historical tradition of unfettered access to foods of all kinds” and that people have “no right to their own bodily and physical health” and therefore cannot obtain any food they wish.

I begged to differ, offering up this testimony on the Right to Food amendment:

“Our ancestors ate wild turtle soup, steamed snails, fried grasshoppers, fire-roasted grubs, and raw fish eggs, and lived to tell about it. Our ancestors figured out how to make hog intestines, pig feet, beef tongue and brains, chicken hearts, thymus glands and pork belly taste good. And lived to tell about it.

“Fast forward several centuries, and the government agencies that are supposed to ensure food safety didn’t seem to care much about the quality of the meats available in the neighborhood grocery stores during my childhood in Milwaukee. For the exchange of our food stamps and our hard-earned money, the only chicken available would be so yellow with age and degradation, my mother would soak it overnight in vinegar and lemon water to kill whatever might live on it, then stew it for hours in a pressure cooker to kill anything else. Twenty minutes before dinner, she would drop dumplings in the savory pot liquor and build a part of heaven smack dab in the middle of our kitchen.

“We lived to tell about it.

“The only beef steaks and pork chops available at the same store were so gray we felt safe to eat them only after they were charred past well-done in the oven’s bottom broiler and then smothered in homemade gravy and sautéed wild mushrooms our neighbors harvested on weekend camping trips.

“We lived to tell about it.

“When yellow chicken and gray beef steaks were among the only animal protein choices available to us at the store, it was no surprise, then, that my father would go hunting, legally, with the other fathers in our neighborhood to score opossum, raccoon, squirrel and rabbit, all of which went into the pressure cooker with his garden-grown carrots, potatoes, celery and onions to create a wild game stew so good I could never eat enough. Or, he would fish, legally, for perch or trout in Wisconsin’s pristine lakes and slow cure the fish, sometimes whole, sometimes filleted, in his backyard, hand-built smoker for longer keeping.

“We lived to tell about it.”

Heather testified to it like this:

“When our bodily and physical health is not legally our own, when the agency that is increasingly controlling more and more of our food supply states that our right to our own health, our right to feed our children and ourselves food of our choosing is not a fundamental right, and...they prevail in court, the people are not served.

“[Right to Food] is an important step to serve the people, to protect our right to our bodily health, our right to access foods of our choosing and to feed our children what we deem is best.

“Our access to food, our right to life, our right to the founding of life, seed, is increasingly legally controlled by corporate food monopolies. And when they sue, the law is often on their side. People lose. We lose our access to food, to food integrity, to our own bodily and physical health.

“[Right to Food] gives the people legal standing in court. It gives us legal protection when there are aggressive lawsuits that inhibit our ability to access healthy food or to grow and exchange food of our choosing.

“The time has come when we need this articulated and protected under the constitution.

“An exciting way forward lies before this committee today.”

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Given the stark and sober numbers of Mainers who go hungry, the impetus was strong to build a bridge in policy and tangible laws that would beneficially impact us in Maine to address the growing chasm between food policy and agricultural policy. Why are we losing smallholder farms and farm acreage even as numbers of hungry people in Maine are increasing?

Our first attempt to pass Right to Food in the Maine Legislature was borne out of this mire. I had been appointed House Chair of the Committee on Agriculture, Conservation and Forestry, which gave me the power to schedule bills for public hearing. We advocated and mobilized and organized. Joel Salatin of Polyface Farms in Virginia, who caught our attention with his appearance in the seminal documentary Food, Inc., came to Maine and electrified the room. He told the Committee:

“More food choice, more food producers, and more community-embedded food options increase food production, food availability, food price competition, and ultimately benefits everyone, including the hungry.

“I can’t imagine a more basic human right, a more bipartisan issue, than protecting my right to choose my body’s food. Who could possibly think that such freedom of choice should be denied? We allow people to smoke, shoot, preach, home educate, spray their yards with chemicals, buy lottery tickets, and read about the Kardashians: wouldn’t you think we could let people choose their food?

“It’s time to give us back the food freedom our ancestors enjoyed. Freedom is not a focus group exercise. If we can’t taste freedom, we can only talk about it, and that leaves liberty hollow. It’s time for us to embrace the innovation and food security solutions that enshrining a fundamental right to food engenders.”

A modern-day version of an age-old truth told in the highest court in the land. No deeply rooted historical tradition of unfettered access to foods of all kinds? That's an argument in favor of a failed paternalistic food policy served up with a steaming pile of revisionist history. Back in 1888, Supreme Court Justice Stephen Field [argued](#):

"I have always supposed that the gift of life was accompanied with the right to seek and produce food, by which life can be preserved and enjoyed, in all ways not encroaching upon the equal rights of others ... [The] right to procure healthy and nutritious food and to manufacture it, is among those inalienable rights, which no state can give, and no state can take away ... It is involved in the right to pursue one's happiness."

And so, after all that inspiration and mobilization and compromise, the House of Representatives passed the measure with a two-thirds vote. But the Senate Chair of the Committee, Republican Senator Peter Edgecomb of Caribou believed Right to Food was the most dangerous concept he'd ever heard and convinced his colleagues in the upper chamber to reject it out of hand.

We lost. Heather was right. The force was not with us. No way could we win.

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And so we tried again to gain ground on food sovereignty in the next session, the 128th Maine Legislature. Democratic Senate President Troy Jackson of Allagash, an early opponent of food sovereignty who finally came to Jesus, agreed to sponsor the legislation. We linked food sovereignty with water sovereignty as a matter of local control and presented the bill to the Committee on State and Local Government. Poland Spring pushed back hard and we stripped water sovereignty from the bill. Under the leadership of Republican Senator Paul Davis of Sangerville, who chaired both the Committee on State and Local Government and the Committee on Agriculture, Conservation and Forestry, the Legislature put food sovereignty on the governor's desk.

Based on pressure from commodity agricultural trade associations and their members, Republican Governor Paul LePage threatened to veto it. But I executed some political jujitsu, capitalizing on the five-year relationship I had cultivated with the man in the Blaine House. At the last minute, and in a story only to be told in the book, I forced the governor's hand. LePage signed Legislative Document 725, An Act Regarding Local Control Regarding Food Systems, into law on June 16, 2017.

Almost immediately, the Commissioner of Agriculture, Conservation and Forestry, who vehemently opposed food sovereignty, called in the United States Department of Agriculture to help try to reverse the victory. Invoking the power of the federal meat and poultry inspection acts, the Secretary of Agriculture threatened to take over inspections of Maine's meat and poultry processing facilities if the legislation took effect as written.

We had ninety days to deal with this wrench. And so we worked with President Jackson, who agreed to sponsor the emergency bill, Democratic Speaker of the House Sara Gideon, Democratic Attorney General Janet Mills, and Governor LePage to get the language right.

LePage called an emergency session for October 31, 2023. Days earlier, the Agriculture, Conservation and Forestry Committee convened to deliberate the devil in the details. The people showed up *en masse* for the public hearing and work session. The Maine Dairy Industry Association introduced an amendment that would gut the statute from the inside out. But the table had been turned. Democratic Representative Danny Martin of Sinclair sidelined that amendment with a furrowed

brow and some pretty stern words amounting to “How dare they?” Still, the Committee remained at an impasse.

And so Committee member, Republican Senator Russell Black of Wilton, a maple syrup producer, ordered three strong-willed men to go away and hash out a way forward. Democratic Senator Jim Dill of Old Town, Republican Senator Jeff Timberlake of Turner and myself got together in a back room with two legislative analysts and forged a compromise that ultimately, hours later, earned a unanimous vote in the Committee and, days later, a unanimous vote in the entire Maine Legislature. Governor LePage signed the Maine Food Sovereignty Act into law on Halloween Day 2017.

As my mother was wont to say, “Go further. Do better.”

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In 2019, during the 129th Legislature, we tried Right to Food again. Billy Bob Faulkingham, a Down East lobsterman and lover of liberty, had shown up in the House of Representatives and vowed his support for Right to Food from the get-go. He had me at hello. We formed an unlikely bond based on mutual admiration and respect. Although we couldn’t be further apart on most matters of public policy, we were thick as thieves on food sovereignty, food rights, and even criminal justice reform.

Representative Faulkingham of Winter Harbor vowed to convince his Republican colleagues that no freedom could be so fundamentally vital to protect than our Right to Food. If the resolution failed once again, he vowed to introduce it in the House of Representatives a third time in the 130th Legislature because I would have termed out by then.

And so Heather and I included in the second version the language of human rights, food sovereignty, food freedom, and freedom from hunger. We elevated the language of natural resources protection into constitutional poetry. The resolution read as follows:

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

‘Twas the best expression of the Right to Food, then and now. But we heeded the advice of a legal analyst to broaden the amendment’s language, instead of keeping it so specific. And we couldn’t secure the votes if we kept the freedom from hunger clause.

And so we re-molded the language into this:

Right to food. All individuals have a natural, inherent and unalienable right to food,

including the right to save and exchange seeds and the right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being, as long as an individual does not commit trespassing, theft, poaching or other abuses of private property rights, public lands or natural resources in the harvesting, production or acquisition of food.

We forged compromises with naysayers and skeptics. On the precipice of back-to-back victories, the COVID-19 pandemic shocked the system, shut down the Legislature, and the resolution never received a final vote for passage in either chamber.

And so we tried once more. Faulkingham, true to his word, introduced the resolution to the 131st Legislature, same version as last. As Republican Representative Justin Fecteau of Augusta wrote in his testimony in favor of this resolution's version:

“While most bills are simple text written in statute in order to convey a message, this resolution, to establish a right to food, is pure poetry. Whether it is the theory of Evolution or of Creationism, the Right to Food is the Original Right of all living beings...

“This isn't a bill, it isn't a resolution, it's a manifesto of our Original Right. It's a public health statement, it's an affirmation of our relationship with Mother Earth, and it speaks to the spirit of Maine.”

As God would have it, and thanks to an unexpected special election victory, I showed up in the Maine Senate right on time. Right to Food would finally receive a final vote in the Senate.

It was by no means easy.

The people of Maine were asserting pressure – pressure that percolated from the ground up and from within the Statehouse. It would take the bare shelves of the grocery stores in the early months of the pandemic to lay bare the near-total dependence, the vulnerability of Maine's food system to external shocks. During the pandemic, Maine's Bureau of Agriculture, Food and Rural Resources virtually suspended all food licensing regulations, allowing food sovereignty principles to spread across the entire state, clearly understanding the need for farms and food producers to save their shirts while providing local food to people too afraid to go to the grocery store. People who wanted to support Maine's small businesses when they needed support the most. Ultimately, the need to make food and agriculture policy a priority became painfully palpable. Right to Food remains a necessary foundation to align those policies for the benefit of all of Maine's people.

And so we went into overdrive to compel colleagues to see the urgency of ensuring food as both a human right, universal in nature, and an individual liberty right. We worked relentlessly. We even had to walk the plank on an eleventh-hour attempt to kill the resolution on a partisan procedural vote in the budget committee before Right to Food could even get its day in the Senate. But partisanship did not prevail. Receiving word from the Secretary of State that funding had been secured to print the ballot, Billy Bob Faulkingham and Senate President Jackson got to work whipping votes on the budget committee. Representative Fecteau, in his final act before resigning from office to move out of state, broke ranks with Republican leadership, made the motion and voted with Democrats to send the resolution forward. I had to secure two necessary votes from two colleagues, a Republican and a Democrat, over dinner at a local restaurant while the Senate was in an extended recess.

When we reconvened, Right to Food was up first. “Is the Senate ready for the vote?” President Jackson asked, eyeing me to see if I would rise and give remarks before the vote. But, heart racing, sweat beads trickling down my face, I couldn’t rise to speak. It thought I was having a heart attack. It was nearly one o’clock in the morning. Faulkingham had already left the building. The President opened the vote. It felt like forever for the votes to light up the board. I voted last. Twenty-three green lights. Ten red.

Hell yeah.

We won the day, moving 75% of the entire Maine Legislature to recommend to the people the ratification of a constitutional Right to Food at the ballot box.

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During the summer and fall campaign leading up the referendum election, in the face of agribusiness fear-mongering and animal-welfare-fake-meat conspiracies, an unlikely alliance of Heather Spalding and Maine Organic Farmers and Gardeners Association (MOFGA), the back-to-the-land crowd, and David Trahan and Sportsmen’s Alliance of Maine (SAM), the into-the-woods crowd, moved heaven and earth.

Ballot Question 3 was trashed by all the major media in Maine. The two largest newspapers wrote scathing editorials in opposition to the amendment, featuring arguments that betrayed a painful misunderstanding of what a constitutional right does and does not do. A few reporters, however, took notice of the MOFGA-SAM alliance in support of the Question 3 and wrote more objective stories about its potentially positive impact on the voters.

Even though we could not secure the endorsement of the board of the directors of the Good Shepherd Food Bank, the state’s largest charitable feeding organization, we enjoyed the early and ongoing support of Alison Cohen and WhyHunger and Professor Denisse Cordova Montes and her amazing students at the University of Miami Law Human Rights Clinic. We invoked the words of Henry Kissinger who knew, “If you control the food, you control the people,” the words of Fannie Lou Hamer who told us, “If you can feed yourself, nobody can push you around or tell you what to do.” We moved left and right, rural and urban, coastal and mountain, young and old. We moved the masses to the ballot box to decide the ultimate question:

“ Do you favor amending the Constitution of Maine to declare that all individuals have a natural, inherent and unalienable right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being?

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So asked Question 3. On November 2, 2021, with a vote of 249,273 to 160,440, the people of Maine said YES.

The rest is American history.

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We celebrated. We watched the election returns come in at MOFGA’s headquarters in Unity and Annabessacook Farm, my slice of heaven, in Winthrop. We broke bread at SAM’s headquarters in Augusta and Halcyon Grange in Blue Hill. We ate Roast Chicken and Corn Chowder, Lobster Stew and Seafood Gumbo, Pickled Fiddleheads and Braised Collards, Apple Crisp and Coconut Cake. We

drank Maine beer and wine and cider. We laughed and cried and gave thanks. We got drunk on love. How sweet it was.

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In the meanwhile, and to this day, in towns and cities all across Maine, the Local Food and Community Self Governance Ordinance continues to spread. Heather Retberg and Bonnie Preston of Blue Hill, now deceased, may she rest in peace, traveled from town-to-town, to church fellowship halls, to granges and public hearings and Town Meetings. Food sovereignty has grown from five teeny-tiny towns in Hancock County in 2011 to more than one hundred and twenty in 2024, encompassing one-fifth of Maine's population, one-fifth of Maine's organized municipalities. In 2021, the Legislature authorized county commissioners to adopt local food ordinances on behalf of unorganized territories and plantations. The first Food Sovereignty Farmers' Market opened in Aroostook County. Now, the Maine Food Sovereignty Act can be a powerful implementation tool for Right to Food in every part of the great State of Maine.

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We never gave up and we never gave in. We defied the odds, a hostile press, a terrified industry, and persevered. The day after victory, we reflected on the blessing.

On the Right to Food for Maine social media page, Billy Bob wrote:

With more than 61% of the vote, I am overwhelmed with excitement to share that Maine will be the first in the nation to constitutionally protect food freedom!

Voting for a constitutional amendment that I sponsored was quite an amazing experience, but I give all my glory to our Lord and Savior.

I also want to share this glory with all of the grassroots supporters who gave up their nights and weekends to fight for food freedom, as well as the amazing multi-partisan support in the Legislature and at the ballot box.

Our country and our politics seem more divided than ever, but Right to Food brought Democrats and Republicans together. Maine People love their freedom and their self-sufficiency - and to them it's not political.

Once again, the Maine People shut the door on DC lobbyists from away, and chose Liberty. Maine's rural and independent families know what it's like to feed their families high-quality food. When they look at their children and grandchildren, they want them to have it the same way: The Way Life Should Be.

Dirigo.

Heather wrote:

We brought forward from the towns and cities of Maine to the Legislature to the ballot box an opportunity.

To secure in perpetuity a Right to Food, including the right to save and exchange seeds and to grow, raise, harvest, produce and consume the foods of our choosing for our own health and well-being.

We were cautious to steward our natural resources, public lands and private property, including animals, from abuse.

We entreated our friends and neighbors all across the 16 counties of Maine, "Let the people say YES."

The people of Maine said YES.

Mainers' aptitude for authenticity, sensibility, and integrity shone forth. We said Maine is at the end of a long supply chain, importing 90% of our food. We have a 14% rate of food insecurity and 1 in 5 of our children are hungry. We still have empty store shelves as the pandemic stretches on, but we also have the land and water resources to grow much more of our own food.

Let us be more resilient. Let us grow our food self-sufficiency instead of our vulnerable reliance on systems beyond our control. We said systemic problems need structural change. Let us erect a new foundation. From there we will build a better food system in Maine.

The people of Maine said YES.

We asked God to bless the grass that grows through the cracks.

"To bless the truth that fights toward the sun.
God bless the grass that's gentle and low,
Its roots they are deep and its will is to grow.
And God bless the truth, the friend of the poor,
And the wild grass growing at the poor man's door,
And God bless the grass." (Malvina Reynolds)

God blessed this effort. To a more resilient Maine.

Mainers put the foundation in place.

Now, let us build.

And I wrote:

The answer is YES, now what's your question? Voters proved why I have so much faith in the people of Maine. We are unbought and unbossed and nobody is going to get between Mainers and our food. You cannot buy our votes or trick us with lies, deceit and nonsense. Besides, it's always a good idea, but especially in times like these, to secure and protect an individual right in the world we live in. Food is life. I don't understand why anyone would be afraid to say so out loud and write it down in the most fundamental form of law.

Where I come from, you don't grow up dreaming that someday you'll be in a position to inscribe your own words on the pages of a constitution. But I am here to tell about it.

As the original sponsor of the Right to Food amendment in 2015 and again in 2019, and as a writer and a poet, I am most humbled that the Legislature and the people of Maine at the ballot box reflected back the independence and love for freedom and self-sufficiency that brought me 20 years ago to this place I call heaven. We have enshrined the Right to Food, the original right of all living beings, and reaffirmed that all power is inherent in the people.

Thank the Lord.

The Right to Food is about food self-sufficiency that engenders food security. Right to Food is about self-determination that uplifts human dignity. Right to food is about individual liberty that promotes personal responsibility and makes a resilient community.

Imagine being more afraid of freedom than subservience and dependency.

Right to Food is the way life should be.

Right to Food must now become one of the highest considerations for policymakers at all levels of government in crafting public policy that uplifts the dignity and worth of every human personality. I look forward to working with anybody from any party or ideology anywhere in the great State of Maine to build upon the firm foundation of a constitutional Right to Food.

Let us begin.

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And so it was that two legislators from the two major political parties and the mother of the food sovereignty movement, two farmers and a lobsterman — a *triumvirate*, if you will — successfully turned the tide.

At last.

Right to Food has come to America.