



March 26th, 2024

Senator Mike Tipping
Representative Amy Roeder
Members of the Committee on Labor and Housing

RE: Testifying in Support of LD 2273, An Act to Establish a State Minimum Hourly Wage for Agricultural Workers

My name is Eric Venturini, and I am the Executive Director of the Wild Blueberry Commission of Maine.

The Wild Blueberry Commission (the "Commission") works on behalf of Maine's 512¹ wild blueberry farmers and businesses who grow our iconic wild blueberries on 46,370¹ acres across the state and on Passamaquoddy tribal land. In 2023, Maine produced 74 million pounds of wild blueberries representing nearly 100% of all *wild blueberries* grown in the United States and contributes an estimated \$361 million dollars² in sales to the state's economy each year.

The Commission seeks to create an agricultural business environment that promotes a vibrant wild blueberry community and fosters profitability, innovation, and the social, economic, and environmental sustainability of Maine's wild blueberry farms and food processors across all scales of production.

The bill before you is the result of a long and arduous process. I would like to thank all of those that have participated in it, including Commissioner Fortman, Deputy Commissioner McBrady, labor organizations, agricultural organizations, farmers paying wages and workers receiving them. This is a compromise bill. It does not provide everything that the sponsors originally proposed, and it does not account for all the considerations that many in the agricultural community sought. I thank Governor Mills for putting forward a bill to deliver State minimum wage to farmworkers while also understanding and accounting for many of the concerns raised by members of the agricultural community.

LD 2273 includes no overtime provisions because mandatory overtime requirements would not support a functional and sustainable agricultural economy in Maine. Wild blueberry farming is highly seasonal, and week to week demand on workers' time is completely dependent on unpredictable weather

¹ USDA National Agricultural Statistics Service. 2022. Berries: 2022. Released February 13, 2024. <https://www.nass.usda.gov/>

² Camoine Associates. Unpublished Data. Economic and Fiscal Impacts of the Maine Wild Blueberry Industry. WBANA – US, October 2023.



patterns. Mandatory overtime would result in more workers working fewer hours, a decrease in farm viability, and increased challenges to getting the crop in during a short harvest season. I thank Governor Mills and the sponsors for their consideration and understanding as demonstrated by the decision not to include any overtime provisions.

LD 2273 places agricultural minimum wage in its own subchapter (2-B) separate from the wage and hour law carried in subchapter 3. This placement is of critical importance and allows future policy makers to consider the nuanced realities of farming in any future agricultural labor proposals.

A remaining challenge, not addressed by this bill, is the loss of workers previously employed seasonally in agriculture that are not yet, or are no longer highly productive workers. For example, a harvester, still in High School, may not rake enough wild blueberries per hour to justify a farm expense of \$14.15 / hour. Similarly, a community elder may no longer be able rake enough wild blueberries to justify minimum earnings of \$14.15 / hour. In cold business terms, it would be a mistake for a farm to hire either of these two examples. In the past, wild blueberry farmers hired them anyway because they could be paid based on what they earned, on piece rate with minimum earnings set to the Federal minimum wage. Under piece-rate set to the State minimum wage as the earning floor, the inexperienced youth will no longer be given the opportunity to learn responsibility, the value of hard work—unless they already have learned this lesson and are productive workers. The very old, the community elders, who are interested in participating in a tradition that they may have first come to 50 years before, will similarly, no longer have that opportunity. This change will pose a challenge to the Passamaquoddy and their harvest workforce, and they shared their concerns with the Governor’s Agricultural Minimum Wage Committee. This change poses the same challenge to small farmers that are able to hire limited local workers during the harvest season.

Considering the importance of piece rate the wild blueberry industry, I ask for confirmation from the Committee, and through rulemaking, that piece rate work will still be allowed, and that the minimum floor for piece rate (from Federal minimum to State) is what will change.

Farming is a public good, a public service, essential in our society – yet wild blueberries, like so many other farm products, are undervalued, treated as commodities, forcing farm businesses to run on increasingly tight, or nonexistent margins. The average price paid to wild blueberry growers, adjusted by the Producer Price Index, declined 45% between 2002 and 2022,³ even as the cost of doing business increased.⁴ Last year, most growers paid for the privilege of being a wild blueberry grower. A recent study found that on average, farmers pay themselves less per hour (\$14.23) than they pay their farm workers (\$15.57).⁵

The wild blueberry industry is struggling. I’d like to highlight one of the final recommendations made by the Governor’s Agricultural Workers’ Minimum Wage Committee, “continued investment and policy support of Maine’s agricultural community.”⁶

On behalf of Maine’s wild blueberry industry, I urge you to support this compromise bill, and encourage you, in your work in the broader legislature and in this committee, to facilitate and support investment

³ USDA NASS average published prices, adjusted by Producer Price to account for inflation. Analysis by Dr. Aaron Hoshide, University of Maine.

⁴ US Senate Committee on Agriculture, Nutrition, and Forestry. 2023. USDA Says High Farm Production Costs Not Easing in 2024. July 13th, 2023.

⁵ Camoline Associates. 2023. MTI Industry Sector Assessment. Prepared for the Maine Technology Institute. Funded by the Office of Business Development & Maine Jobs & Recovery Plan. October, 2023. <https://www.mainetechnology.org/docs/MTI-Industry-Assessment-Final-Report-DECD.pdf>

⁶ Commissioner Fortman and Dep. Commissioner McBrady. 2024. Committee to Develop and Implement a Minimum Wage Bill for Agricultural Workers, Co-Chairs’ Report. Released February 2024.



and policy decisions that support Maine's farmers.

Thank you for your time and consideration. I am happy to try and answer any questions that you may have.

Sincerely,



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