



Testimony of Keith Herrick
in Opposition to LD 2089

An Act to Amend the Law Governing Agricultural Labor Housing Standards

Good afternoon, Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor.

My name is Keith Herrick. I am a resident of West Gardiner and a partner at Dirigo Public Affairs, a public affairs firm based in Augusta. I am here today on behalf of my client, the Maine Farm Bureau, to testify in opposition to LD 2089.

Maine Farm Bureau members share the Department's goal of ensuring safe, clean, and dignified housing for agricultural workers. For many of our members, temporary and seasonal workers are essential to their operations, and housing is not treated as an afterthought—it is a responsibility they take seriously. Many employers already exceed statutory requirements by providing additional services such as regular housekeeping and amenities that are not mandated by law.

It is also important to note that employers participating in the H-2A program are already subject to extensive oversight. Housing for H-2A workers is inspected multiple times by federal authorities under the H-2A program, and by the State of Maine as well. Today, those inspections are based on the same underlying standards, which ensures that all employers are operating on a level playing field and that compliance expectations are clear and consistent.

Current Maine law aligns agricultural labor housing standards with federal requirements. This provides clarity, consistency, and predictability for employers who are already operating in a highly regulated environment. LD 2089 would remove that alignment and grant the Department authority to adopt standards that diverge from federal law.

While we understand the stated intent is not to create more restrictive standards, the bill does open the door to that outcome. Once the requirement for federal conformity is removed, nothing in statute prevents the creation of dual or conflicting standards. That creates uncertainty for employers who are investing significant resources to comply with housing rules and who are already subject to repeated inspections.

More importantly, allowing Maine to move in a different direction than the federal government risks placing Maine farmers at a competitive disadvantage relative to agricultural producers in



other states. Agriculture operates on thin margins, and even small deviations in regulatory requirements can have meaningful impacts across an entire sector.

If the Legislature chooses to move forward with this bill, we respectfully ask that clear guardrails be added to ensure that any state standards may be no more onerous than existing federal requirements. Without that assurance, LD 2089 risks creating unnecessary regulatory complexity that could ultimately harm Maine's agricultural economy.

For these reasons, Maine Farm Bureau respectfully urges the Committee to vote "ought not to pass" on LD 2089.

Thank you for the opportunity to testify. I would be happy to bring any follow-up questions back to our members ahead of work session.