



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

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

**TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON LABOR AND HOUSING**

**IN SUPPORT OF LD 2273**

*An Act to Establish a State Minimum Hourly Wage for Agricultural Workers*

**March 26, 2024**

Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor and Housing, my name is Nancy McBrady. I am the Deputy Commissioner of the Department of Agriculture, Conservation and Forestry. I am speaking on behalf of the Department in favor of LD 2273, *An Act to Establish a State Minimum Hourly Wage for Agricultural Workers*.

The 2022 USDA Agricultural Census reports that there are 7,063 farms in Maine. These farms produce an abundance of high-quality crops and products across the state. A 2020 Farm Credit East report estimated that Maine agriculture has a \$3.6 billion overall economic impact. In Maine, farming is an essential part of our cultural and economic fabric – providing jobs, protecting open space, nourishing our communities, and stewarding our environment.

Also essential to farms are their workers. Whether family members or paid employees, these individuals work hard to cultivate and harvest crops, care for livestock, tend the land, and repair equipment throughout the growing season (and beyond). According to USDA, as of 2022, 1,883 farms hired 11,122 farm workers.

During the four-month process of the Agricultural Workers Minimum Wage Committee, which I co-chaired, committee members took a deep dive into Maine agriculture and its labor force. It became clear by assessing relevant data and through agricultural community input that most, but not all, farm workers are at least being paid wages in line with the state minimum wage. It is time to reflect this reality and to ensure consistent receipt of the state minimum wage.

The Department also supports establishing a new subchapter within Title 26 governing agricultural minimum wage. A core concern of many farm employer Committee representatives was the location of statutory provisions regarding minimum wage and farm workers. To draw farmworkers into the already existing minimum wage laws could allow for future legislation to be proposed that does not explicitly appreciate the uniqueness of agriculture. This uniqueness includes its weather-dependent seasons, its perishable products and the welfare of its livestock, its importance to society, and its struggle to compete with other agricultural regions across the

HARLOW BUILDING  
18 ELKINS LANE  
AUGUSTA, MAINE



PHONE: (207) 287-3200  
FAX: (207) 287-2400  
WEB: [WWW.MAINE.GOV/DACF](http://WWW.MAINE.GOV/DACF)

country with larger populations and different climates (among many other reasons). By creating this new subchapter, future employment legislation would only apply to agriculture if the legislature explicitly acted to amend this subchapter. This creates important safeguards against unintended impacts on this vital Maine sector.

Lastly, the Department supports the recordkeeping requirement of this bill. Recordkeeping by employers of any type is an essential method of verifying compliance, and we do not believe this requirement is particularly burdensome. Recordkeeping is a good business practice, and employees likewise will benefit from their hours, wages, and other essential information being officially recorded.

Thank you for your time. I would be happy to answer any questions now or at the work session.