



Maine Potato Board

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**Testimony of Jeannie M. Tapley, Executive Director, Maine  
Potato Board to the Joint Standing Committee on Labor**

**April 2, 2025**

**LD 357– An Act to Establish a State Minimum Hourly Wage for Agricultural  
Workers**

Senator Tipping, Representative Roeder, and distinguished members of the Labor Committee; I am Jeannie Tapley, Executive Director for the Maine Potato Board (MPB) and am here to speak in opposition of LD 357– An Act to Establish a State Minimum Hourly Wage for Agricultural Workers.

The Maine Potato Industry takes great pride in providing healthy, quality food to Maine residents; as well taking care of our employees that are more like family than employees. The potato industry across the state creates a sense of community and in the County, the potato industry is home. It's what we all know and it brings people together. In looking at the wages our potato growers pay their employees, which is on average \$17.36 for part-time/seasonal and \$23.15 for full-time; we fully support paying farmworkers the state minimum wage. However, while this bill does allow for our farmworkers to receive that minimum wage, but it also adds other requirements that can cause unintended consequences and hardships for our family farms.

I had the pleasure last session to sit on a stakeholder group that Governor Mills created to further discuss an agricultural minimum wage. I would like to thank Governor Mills for creating that working group and allowing for great discussion and input from many parties. From the work of that group, Governor Mills put forward a bill (LD 2273); we feel that original language had the perfect balance between supporting the potato farmers and farmworkers alike and considering the unique nature of agricultural production. The Governor's bill was amended in this committee to be the same language as stated in LD 357 and with that amendment, we could no longer fully support the bill. Currently there is another bill with the same title in this 132<sup>nd</sup> Legislature; LD 655; that is the same language as the Governor's original bill and I wish that bill could have been heard today as well.

Our concern with LD 357 is not the minimum wage, it is instituting a "private right of action" clause which means that a worker who believes that he or she has been underpaid could take their own court action, but more commonly would seek legal counsel and sue the employer for the alleged lost wages. Typically, such lawsuits allow, when the decision is made in favor of the employee, in addition to the back wages are the attorney fees, court costs and equal amounts of liquidated damages to be paid by the employer. However, any litigation found in favor of the employer does not allow for any of those fees or damages to be recouped by the employer. We have concern with employers having no recourse to get their legal fees reimbursed if litigation is found in favor of the farmer. Most employees in the State of Maine can seek free legal counsel, but this is not a luxury of the employer and

this additional language could cause undue litigation.

Farms are a unique sector of the economy and have very different challenges that other employers do not, like short growing seasons and unpredictable variables like severe weather and plant pest and diseases that can make or break the sustainability of a farm.

We ask that you please vote ought not to pass on LD 357 and allow for discussion on LD 655 that could support the minimum wage for farmworkers as well as protections for the farmers as well.

Thank you for your time and I am available to answer any questions you have today and will also be available at the work session.