

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 655

H.P. 423

House of Representatives, February 25, 2025

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**An Act Establishing a State Minimum Hourly Wage for  
Agricultural Workers**

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Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BRENNAN of Portland.  
Cosponsored by Representatives: CLOUTIER of Lewiston, DHALAC of South Portland,  
DODGE of Belfast, Speaker FECTEAU of Biddeford, SALISBURY of Westbrook, SKOLD of  
Portland, STOVER of Boothbay, Senator: PIERCE of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA c. 7, sub-c. 2-B** is enacted to read:

3 **SUBCHAPTER 2-B**

4 **AGRICULTURAL EMPLOYEE MINIMUM HOURLY WAGE AND RELATED**  
5 **PROVISIONS**

6 **§651. Definitions**

7 As used in this subchapter, unless the context otherwise indicates, the following terms  
8 have the following meanings.

9 **1. Employ.** "Employ" means to suffer or permit to work.

10 **2. Employee.** "Employee" means an individual employed to perform agricultural labor  
11 as defined in the Employment Security Law and the Federal Unemployment Tax Act,  
12 except that members of the family of the employer who reside with and are dependent upon  
13 the employer are exempt from this subchapter.

14 **3. Employer.** "Employer" means a person or entity that directly or indirectly engages  
15 the services or permits the work of an individual employed to perform agricultural labor or  
16 an individual employed in certain activities related to agriculture.

17 **4. Wages.** "Wages" means compensation paid to an employee in the form of legal  
18 tender of the United States and checks on banks convertible into cash on demand and  
19 includes the reasonable cost to the employer that furnishes the employee board or lodging.  
20 "Wages" also includes compensation paid through a direct deposit system, automated teller  
21 machine card or other means of electronic transfer as long as the employee either can make  
22 an initial withdrawal of the entire net pay without additional cost to the employee or the  
23 employee can choose another means of payment that involves no additional cost to the  
24 employee.

25 **§652. Minimum hourly wage**

26 An employer may not employ an employee at a rate less than the rates required by this  
27 section.

28 Beginning January 1, 2026, the minimum hourly wage for an employee is \$14.65 per  
29 hour. On January 1, 2027 and each January 1st thereafter, the minimum hourly wage then  
30 in effect must be increased by the increase, if any, in the cost of living. The increase in the  
31 cost of living must be measured by the percentage increase, if any, as of August of the  
32 previous year over the level as of August of the year preceding that year in the Consumer  
33 Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast  
34 Region, or its successor index, as published by the United States Department of Labor,  
35 Bureau of Labor Statistics or its successor agency, with the amount of the minimum hourly  
36 wage increase rounded to the nearest multiple of 5¢. If the highest federal minimum hourly  
37 wage is increased in excess of the minimum hourly wage in effect under this section, the  
38 minimum hourly wage under this section is increased to the same amount, effective on the  
39 same date as the increase in the federal minimum hourly wage, and must be increased in  
40 accordance with this section thereafter.

1 **§653. Records; retention, examination, copies**

2 An employer subject to this subchapter shall keep a true and accurate record of the  
3 hours worked by each employee and of the wages paid, such records to be preserved by the  
4 employer for a period of at least 3 years, and shall furnish to each employee with each  
5 payment of wages a statement that clearly shows the date of the pay period, the hours, total  
6 earnings and itemized deductions. An employer making payment by direct deposit or other  
7 means of electronic transfer shall provide each employee with an accurate record of the  
8 transfer, including the date of the pay period, the hours, total earnings and itemized  
9 deductions, when the transfer is made. If the record is provided in an electronic format, the  
10 employer shall provide a method by which the employee may have ready access to the  
11 information and print it without cost to the employee. The Director of the Bureau of Labor  
12 Standards within the Department of Labor or the director's authorized representative may,  
13 and upon written complaint shall, enter the place of business or employment of an employer  
14 or employee for the purpose of examining and inspecting such records and copy any such  
15 records as the director or the director's authorized representative determines necessary or  
16 appropriate. All information received is considered confidential and may not be divulged  
17 to any other person or agency, except as may be necessary for the enforcement of this  
18 subchapter.

19 **§654. Employee remedies**

20 An employer is liable to an employee for the amount of any unpaid minimum hourly  
21 wages under this subchapter. Upon a judgment being rendered in favor of an employee in  
22 any action brought to recover unpaid minimum hourly wages under this subchapter, the  
23 judgment must include, in addition to the unpaid minimum hourly wages adjudged to be  
24 due, an additional amount equal to the unpaid minimum hourly wages as liquidated  
25 damages and costs of suit, including a reasonable attorney's fee.

26 The Department of Labor has exclusive authority to bring an action for unpaid wages  
27 on behalf of an employee or employees under this section.

28 **§655. Penalties**

29 An employer that violates this subchapter is subject to a fine of not less than \$50 and  
30 not more than \$200.

31 An employer that discharges or in any other manner discriminates against an employee  
32 because the employee makes a complaint to the Director of the Bureau of Labor Standards  
33 within the Department of Labor or to a district attorney concerning a violation of this  
34 subchapter is subject to a fine of not less than \$50 and not more than \$200.

35 In the event of a violation of this subchapter, the Attorney General may bring an action  
36 in the Superior Court to enjoin further violation of this subchapter.

37 **§656. Unfair contracts**

38 An employer may not be exempted from this subchapter by special contract with an  
39 employee or by any other means.

40 **SUMMARY**

41 This bill provides that individuals employed to perform agricultural labor may not be  
42 paid at a rate less than the state minimum hourly wage of \$14.65 per hour and that, on

1 January 1, 2027 and each January 1st thereafter, the minimum hourly wage then in effect  
2 must be increased by the increase in the cost of living. It also provides that employers that  
3 employ individuals to perform agricultural labor are required to keep a true and accurate  
4 record of the hours worked by each employee and the wages paid to each employee. The  
5 bill also provides remedies for employees and penalties for employers for unpaid minimum  
6 hourly wage violations.