

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1022

H.P. 760

House of Representatives, March 10, 2021

**An Act To Make Agricultural Workers and Other Workers
Employees under the Wage and Hour Laws**

Reference to the Committee on Labor and Housing suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: GERE of Kennebunkport, GRAMLICH of Old Orchard Beach, OSHER of
Orono, TALBOT ROSS of Portland, Senator: CARNEY of Cumberland.

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

2 **Sec. 1. 26 MRSA §603, sub-§3, ¶D**, as amended by PL 2007, c. 640, §1, is further
3 amended to read:

4 D. An individual exempt from the definition of employee in section 663, subsection
5 3, paragraph A, C, F, G, I or J;

6 **Sec. 2. 26 MRSA §603, sub-§3, ¶F**, as enacted by PL 1999, c. 750, §1, is repealed.

7 **Sec. 3. 26 MRSA §663, sub-§3, ¶A**, as amended by PL 1975, c. 717, §5, is
8 repealed.

9 **Sec. 4. 26 MRSA §664, sub-§3, ¶F**, as amended by PL 2019, c. 387, §1, is
10 repealed.

11 **SUMMARY**

12 This bill provides that agricultural employees and seasonal employees are subject to
13 the laws that place limits on mandatory overtime. It also provides that agricultural
14 employees are subject to the laws that set a minimum wage and overtime rate. It provides
15 that the laws that set an overtime rate apply to certain activities related to agricultural
16 produce, meat and fish products and perishable foods.