

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 688

H.P. 457

House of Representatives, February 16, 2023

An Act to Protect Access to Veterinary Care by Prohibiting Noncompete Agreements

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


ROBERT B. HUNT
Clerk

Presented by Representative FAY of Raymond.
Cosponsored by Senator BLACK of Franklin and
Representatives: ANDREWS of Paris, COLLINGS of Portland, HEPLER of Woolwich,
MALON of Biddeford, O'NEIL of Saco, ROEDER of Bangor, Senators: DAUGHTRY of
Cumberland, POULIOT of Kennebec.

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

2 **Sec. 1. 26 MRSA §599-A, sub-§3**, as enacted by PL 2019, c. 513, §1, is amended
3 to read:

4 **3. Prohibited for certain workers.** Notwithstanding subsection 2, an employer may
5 not require or permit an employee ~~earning wages at or below 400% of the federal poverty~~
6 ~~level~~ to enter into a noncompete agreement with the employer- if:

7 A. The employee is earning wages at or below 400% of the federal poverty level; or

8 B. The employee is a veterinarian licensed under Title 32, chapter 71-A and is
9 employed in a veterinary facility in which the employee does not have an ownership
10 interest.

11 A court may not enforce a noncompete agreement entered into or renewed with an
12 employee who is a veterinarian licensed under Title 32, chapter 71-A before the
13 effective date of this paragraph unless the employee is working in a veterinary facility
14 in which the employee has an ownership interest.

15 **SUMMARY**

16 This bill prohibits an employer from requiring or permitting an employee who is a
17 licensed veterinarian to enter into a noncompete agreement unless the employee has an
18 ownership interest in the business and provides that a court may not enforce such a
19 noncompete agreement entered into prior to the effective date of this legislation.