



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

---

Legislative Document

No. 1251

---

H.P. 912

House of Representatives, March 14, 2019

**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 President JACKSON of Aroostook and  
Representatives: BEEBE-CENTER of Rockland, BROOKS of Lewiston, CLOUTIER of  
Lewiston, DODGE of Belfast, MORALES of South Portland, PLUECKER of Warren,  
STOVER of Boothbay, SYLVESTER of Portland.

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  
3 further 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  
7 repealed.

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9 repealed.

10 **Sec. 4. 26 MRSA §664, sub-§3, ¶D**, as amended by PL 2003, c. 423, §1 and  
11 affected by §5, is further amended to read:

12 D. Public employees, except those employed by the executive or judicial branch of  
13 the State; and

14 **Sec. 5. 26 MRSA §664, sub-§3, ¶F**, as amended by PL 2017, c. 219, §15, is  
15 repealed.

16 **SUMMARY**

17 This bill provides that agricultural employees and seasonal employees are subject to  
18 the laws that place limits on mandatory overtime. It also provides that agricultural  
19 employees are subject to the laws that set a minimum wage and overtime rate. It provides  
20 that the laws that set an overtime rate apply to certain activities related to agricultural  
21 produce, meat and fish products and perishable foods.