

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 3-26-09

(Filing No. S- 18 )

LABOR

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE  
SENATE  
124TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 33, L.D. 84, Bill, "An Act To Ensure Fair Pay"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 26 MRSA §628, first ¶, as amended by PL 2001, c. 304, §2, is further amended to read:

An employer may not discriminate between employees in the same establishment on the basis of sex by paying wages to any employee in any occupation in this State at a rate less than the rate at which the employer pays any employee of the opposite sex for comparable work on jobs that have comparable requirements relating to skill, effort and responsibility. Differentials that are paid pursuant to established seniority systems or merit increase systems or difference in the shift or time of the day worked that do not discriminate on the basis of sex are not within this prohibition. An employer may not discharge or discriminate against any employee by reason of any action taken by such employee to invoke or assist in any manner the enforcement of this section. An employer may not prohibit an employee from disclosing the employee's own wages or from inquiring about another employee's wages if the purpose of the disclosure or inquiry is to enforce the rights granted by this section. Nothing in this section creates an obligation to disclose wages.

SUMMARY

This amendment clarifies that an employer may neither prohibit the inquiry nor the disclosure of an employee's wages for the purpose of enforcing the equal pay statute. It also states that there is no obligation to disclose wages.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



# 124th MAINE LEGISLATURE

LD 84

LR 620(02)

An Act To Ensure Fair Pay

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Labor

Fiscal Note Required: Yes

---

## Fiscal Note

Minor cost increase - Federal Expenditures Fund

### Fiscal Detail and Notes

Since the increase in the number of complaints that may occur as a result of this legislation is anticipated to be minimal, any additional costs to the Labor Standards Regulatory Board within the Department of Labor can be absorbed within existing budgeted resources