

# MAINE STATE LEGISLATURE

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Date 5/30/23 Majority (Filing No H-255) LD 936

LABOR AND HOUSING

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to HP 583, LD 936, "An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History"

Amend the bill by striking out the title and substituting the following  
'An Act to Require Employers to Disclose Pay Ranges and Maintain Records of Employees' Pay History'

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

'Sec. 1. 26 MRS A §622-A is enacted to read

§622-A. Pay transparency

This section governs disclosure and record keeping by employers of employee pay information.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A "Posting" means any solicitation intended to recruit employment applicants for a specific available position, including recruitment done directly by an employer or indirectly through a 3rd party, and includes any postings made electronically or with a printed hard copy, that includes qualifications for desired applicants.

B "Range of pay" means the range of pay that an employer anticipates relying on in setting wages for a position and may include reference to

- (1) Any applicable pay scale.
- (2) A previously determined range of wages for the position.
- (3) The actual range of wages for those currently holding equivalent positions, or
- (4) The budgeted amount for the position.

COMMITTEE AMENDMENT

1           **2. Employer with 10 or more employees.** An employer that has 10 or more  
2 **employees shall ensure that any posting includes a statement that lists the prospective range**  
3 **of pay the employer will offer to a successful applicant**

4           **3. Pay disclosure; records.** On the request of an employee, an employer shall disclose  
5 **the range of pay the employer offers for the position the employee holds** An employer  
6 **shall maintain a record of each position held by an employee and the pay history of the**  
7 **employee in each position for the duration of the employee's employment with the**  
8 **employer and for 3 years after the termination of the employee's employment**

9           **Sec. 2. Appropriations and allocations.** The following appropriations and  
10 allocations are made

11 **LABOR, DEPARTMENT OF**

12 **Regulation and Enforcement 0159**

13 Initiative Provides funds for one half-time Labor & Safety Inspector position and related  
14 All Other costs to ensure compliance with the new regulations regarding disclosure and  
15 record keeping by employers of employee pay information

16	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
17	POSITIONS - LEGISLATIVE COUNT	0 500	0 500
18	Personal Services	\$33,504	\$46,905
19	All Other	\$2,834	\$2,834
20			
21	GENERAL FUND TOTAL	<u>\$36,338</u>	<u>\$49,739</u>

22  
23           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
24 number to read consecutively

25 **SUMMARY**

26           This amendment, which is the majority report of the committee, changes the definition  
27 of "posting" and adds a definition for "range of pay " The amendment requires all  
28 employers with 10 or more employees to include a statement on the job posting that lists  
29 the prospective range of pay the employer will offer to a successful applicant The  
30 amendment also requires an employer to disclose the range of pay it offers for the position  
31 an employee holds upon request of the employee and requires the employer to maintain a  
32 record of each position held by an employee and the employee's pay history

33 **FISCAL NOTE REQUIRED**

34 **(See attached)**



# 131st MAINE LEGISLATURE

LD 936

LR 1069(02)

## An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History

Fiscal Note for Bill as Amended by Committee Amendment *A* (H-255)  
 Committee: Labor and Housing  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$36,338	\$49,739	\$51,428	\$53,177
<b>Appropriations/Allocations</b>				
General Fund	\$36,338	\$49,739	\$51,428	\$53,177

#### Fiscal Detail and Notes

This bill includes ongoing General Fund appropriations of \$36,338 in fiscal year 2023-24 and \$49,739 in fiscal year 2024-25 to the Regulation and Enforcement program within the Department of Labor for one half-time Labor & Safety Inspector position and related All Other costs to ensure compliance with the new regulations regarding disclosure and record keeping by employers of employee pay information. This fiscal note assumes the position will start on October 1, 2023.