

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 18 - L.D. 54

**An Act to Require Employers to Disclose Pay Ranges and Maintain Records
of Employees' Pay Histories**

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

Sec. 1. 26 MRSA §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 a solicitation that is intended to recruit employment applicants for a specific available position and that includes qualifications for desired applicants, including recruitment done directly by an employer or indirectly through a 3rd party. "Posting" includes postings made electronically or with a printed hard copy.

B. "Range of pay" means the range of pay that an employer anticipates relying on in setting wages for a position, including, but not limited to, 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.

"Range of pay" does not include compensation that is based solely on commission.

2. Employer with 10 or more employees. An employer that has 10 or more employees shall ensure that a posting includes a statement that lists the prospective range of pay the employer will offer to a successful applicant unless the position that is the subject of the posting is compensated solely on the basis of commission, in which case the required posted statement must indicate that the compensation for the position is based solely on commission.

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

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Regulation and Enforcement 0159

Initiative: Provides ongoing funds for one Labor and Safety Inspector position and provides funding for related All Other costs to enforce the requirement that employers disclose pay ranges and maintain records of employees' pay histories.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$75,336
All Other	\$0	\$6,065
GENERAL FUND TOTAL	\$0	\$81,401