
By: **Delegates Benson and Cane**
Introduced and read first time: February 12, 1999
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Agricultural Migrant Workers - Salaries - Overtime Pay**

3 FOR the purpose of repealing a requirement that certain agricultural workers work a
4 certain number of hours a week before earning overtime pay.

5 BY repealing and reenacting, without amendments,
6 Article - Labor and Employment
7 Section 3-415(a)
8 Annotated Code of Maryland
9 (1991 Volume and 1998 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article - Labor and Employment
12 Section 3-420
13 Annotated Code of Maryland
14 (1991 Volume and 1998 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Labor and Employment**

18 3-415.

19 (a) Except as otherwise provided in this section, each employer shall pay an
20 overtime wage of at least 1.5 times the usual hourly wage, computed in accordance
21 with § 3-420 of this subtitle.

22 3-420.

23 (a) Except as otherwise provided in this section, an employer shall compute
24 the wage for overtime under § 3-415 of this subtitle on the basis of each hour over 40
25 hours that an employee works during 1 workweek.

1 (b) Notwithstanding § 3-415(b)(8) of this subtitle, an employer that is not a
2 not for profit organization and is a concert promoter, legitimate theater, music
3 festival, music pavilion, or theatrical show shall pay overtime for a craft or trade
4 employee as required in subsection (a) of this section.

5 [(c) The wage for overtime may be computed on the basis of each hour over 60
6 hours that an employee works during 1 workweek for an employee who:

7 (1) is engaged in agriculture; and

8 (2) is exempt from the overtime provisions of the federal Act.]

9 [(d)] (C) The wage for overtime may be computed on the basis of each hour
10 over 48 hours that an employee works during 1 workweek:

11 (1) for an employee of a bowling establishment; and

12 (2) for an employee of an institution that:

13 (i) is not a hospital; but

14 (ii) is engaged primarily in the care of individuals who:

15 1. are aged, mentally retarded, or sick or have a mental
16 disorder; and

17 2. reside at the institution.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1999.