

BY: Senator Harris

AMENDMENTS TO HOUSE BILL NO. 391

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “employees;” insert “authorizing certain employers to reduce by a certain amount the minimum wage paid to employees under certain circumstances;”; in the same line, strike “a” and substitute “the”; in line 6, strike “delayed effective date” and substitute “effective dates of this Act”; and after line 11, insert:

“BY repealing and reenacting, with amendments,

Article - Labor and Employment

Section 3-413

Annotated Code of Maryland

(1999 Replacement Volume and 2004 Supplement)

(As enacted by Section 1 of this Act)”.”.

AMENDMENT NO. 2

On page 1, in line 16, before “Except” insert “(A)”; and in the same line, after “in” insert “SUBSECTION (B) OF THIS SECTION AND”.

On page 2, after line 8, insert:

“(B) AN EMPLOYER THAT PAYS FOR HEALTH INSURANCE COVERAGE FOR AN EMPLOYEE MAY:

(1) CERTIFY TO THE COMMISSIONER THAT THE EMPLOYER IS PROVIDING HEALTH INSURANCE TO THE EMPLOYEE; AND

(2) REDUCE THE WAGE PAID TO THE EMPLOYEE UNDER SUBSECTION (A) OF THIS SECTION BY ALL OR PART OF THE HOURLY COST OF THE EMPLOYER’S

(Over)

SHARE OF THE PREMIUM FOR THE EMPLOYEE.”;

after line 26, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Labor and Employment

3-413.

[(a)] Except as provided in [subsection (b) of this section and] § 3-414 of this subtitle, each employer shall pay:

(1) to each employee who is subject to both the federal Act and this subtitle, at least the greater of:

(i) the minimum wage for that employee under the federal Act; or

(ii) a wage that equals a rate of \$6.15 per hour; and

(2) each other employee who is subject to this subtitle, at least:

(i) the greater of:

1. the highest minimum wage under the federal Act; or

2. a wage that equals a rate of \$6.15 per hour; or

(ii) a training wage under regulations that the Commissioner adopts that include the conditions and limitations authorized under the federal Fair Labor Standards Amendments of 1989.

[(b)] An employer that pays for health insurance coverage for an employee may:

(1) certify to the Commissioner that the employer is providing health insurance to the employee; and

(2) reduce the wage paid to the employee under subsection (a) of this section by all or part of the hourly cost of the employer's share of the premium for the employee.]

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2008.”;

in line 27, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act,”.