

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 89

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, before “and” insert “authorizing certain employers to reduce by a certain amount the minimum wage paid to employees under certain circumstances; providing for the termination of certain provisions of this Act;”; and after 10, 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 15, before “Except” insert “(A)”; and in the same line, after “in” insert “SUBSECTION (B) OF THIS SECTION AND”.

On page 2, in line 3, after “1989.” insert:

“(B) AN EMPLOYER THAT PROVIDES HEALTH INSURANCE TO 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.

(Over)

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

Article - Labor and Employment”;

before line 4, insert:

“SECTION 3. 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 the greater of:

(i) the highest minimum wage under the federal Act;

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

(iii) 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 provides health insurance to 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 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2005. It shall remain effective for a period of 2 years and, at the end of September 30, 2007, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of the termination provision specified in Section 4 of this Act.”;

in line 4, strike “2.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Section 5 of this Act.”.