

In subsection (a)(1) of this section, the references to “ ‘administrative capacity’ ”, “ ‘executive capacity’ ”, and “ ‘professional capacity’ ” are added to state expressly that which only was implied by former Art. 100, § 82(e)(2), which excluded employees in any of those capacities “as such terms are defined and delimited by regulation of the Commissioner”. See § 3-403(a)(1) of this subtitle.

In subsection (b) of this section, the reference to information relevant “to adoption of regulations to carry out this subtitle” is substituted for the former, narrower reference to information that has “a bearing upon any of the consultations for subsection (a)(1)”, to conform to subsection (c) of this section. The referenced former Art. 100, § 85(a)(1) contained the list now revised in subsection (a) of this section and, by the word “include”, clearly did not encompass all of the regulations that the Commissioner may adopt with the approval of the Committee. See § 2-106(c)(1) of this article.

In subsection (c)(1) of this section, the reference to regulations “currently in effect to carry out this subtitle” is substituted for the former reference to “current regulations”, to clarify that the Committee’s duties relate to this subtitle.

In subsection (c)(2) of this section, the word “administrative”, which formerly modified “regulations”, is deleted as misleading since it suggested that the Committee is to be concerned only with procedural regulations. The Division suggests that “administrative” was intended to denote anything that relates to administration of this subtitle, whether substantive or procedural.

As to the termination of this section, see § 2-109 of this article.

Defined terms: “Commissioner” § 3-101

“Committee” § 3-401 “Wage” § 3-401

3-411. RESERVED.

3-412. RESERVED.

PART III. REQUIRED WAGES.

3-413. PAYMENT OF MINIMUM WAGE REQUIRED.

EXCEPT AS PROVIDED IN § 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 MINIMUM WAGE FOR THAT EMPLOYEE UNDER THE FEDERAL ACT; AND

(2) TO EACH OTHER EMPLOYEE WHO IS SUBJECT TO THIS SUBTITLE, AT LEAST:

(I) THE HIGHEST MINIMUM WAGE UNDER THE FEDERAL ACT; OR