

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

Article 100 - Work, Labor and Employment

82.

As used in this subtitle:

(e) "Employee" includes any individual employed by an employer but shall not include:

(9) Any individual employed in motion picture theatres[, including] AND drive-in theatres[, and legitimate theatres;].

83.

Every employer shall pay to each of his employees, except as may be provided pursuant to this subtitle, wages at the following rates:

(3) All employees as may be subject to the provisions of this subtitle shall receive a wage of one and one-half (1 1/2) times their usual hourly wage rate for any hours worked in excess of forty (40) hours during any workweek except that this subsection shall not apply to any of the following employees:

(a) Any employee employed by an establishment which is an amusement or recreational establishment including swimming pools, if (a) it does not operate for more than seven months in any calendar year, or (b) during the preceding calendar year, its average receipts for any six months of such year earn more than 33 1/3 per centum of its average receipt for the other six months of such year.

(K) (1) NOTWITHSTANDING PARAGRAPH (A) OF THIS SUBSECTION, THEATRE CRAFT OR TRADE EMPLOYEES OF A CONCERT PROMOTER, MUSIC PAVILION, LEGITIMATE THEATRE, MUSIC FESTIVAL, OR THEATRICAL SHOW SHALL RECEIVE A WAGE OF 1 1/2 TIMES THEIR USUAL HOURLY RATE FOR ANY HOURS WORKED IN EXCESS OF 40 HOURS PER EMPLOYER DURING ANY WORKWEEK.

(2) THIS PARAGRAPH DOES NOT APPLY TO ANY EMPLOYEE WHO IS EMPLOYED BY A NONPROFIT EMPLOYER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 21, 1985.

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