

In subsection (a)(2)(i) of this section, the phrase “before the farm labor contractor causes the migrant agricultural worker to enter the State” is substituted for the former phrase “[p]rior to entry into Maryland with migrant agricultural workers”, since it does not appear that the General Assembly intended to excuse a farm labor contractor from the disclosure requirement if the farm labor contractor recruited workers out-of-state for agricultural work in the State, but the workers provided their own transportation to Maryland. Similarly, in subsection (a)(2)(iii) of this section, the phrase “with a migrant agricultural worker and has recruited the migrant agricultural worker” is added for clarity, since former Art. 100, § 80C(g) appears to contemplate situations where the farm labor contractor satisfies the disclosure requirements and is performing agricultural work in the State or has completed the initial work, and additional work is available.

In subsection (a)(2)(iii) of this section, the word “rates” is deleted to conform to subsection (a)(1)(iii)3 of this section and to other similar references in this article. See, e.g., §§ 3-301(c) and 3-501(c) of this article.

Also in subsection (a)(2)(iii) of this section, the former exemption “[n]otwithstanding the requirements of §§ 80B(c)(1) and 80C(a)” is deleted as unnecessary and misleading. Since former Art. 100, § 80B(c)(1) — now § 7-302(c) of this title — did not preclude a farm labor contractor from performing a farm labor contracting service during the period allowed for reporting that service, the former exemption from § 80B(c)(1) could be read literally to excuse a farm labor contractor from reporting. This reading did not seem to be intended. Similarly, the exemption from § 80C(a) was meaningless in light of the further specific requirement for compliance with § 80C(a). Thus, former Art. 100, § 80C(g) seemed, in fact, to state an alternative time for disclosures in those instances when a farm labor contractor finds additional work after the times for the disclosures under subsection (a)(2)(i) and (ii) of this section.

In the introductory language of subsection (c) of this section, the word “section” is retained even though the word seemingly is narrower in the context of this revised section than in former Art. 100, § 80C(d). This revised section, in fact, contains all of the parts of former Art. 100, § 80C that required information to be disclosed by a farm labor contractor.

In subsection (d) of this section, the phrase “as required under this section” is substituted for the former repetition of the language requirements.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that former Art. 100, § 80C(a)(3) — now subsection (a)(1)(v) of this section — requires a farm labor contractor to disclose to each worker any costs charged to the migrant agricultural worker for “transportation, housing, and insurance”. Disclosure may be avoided, however, by the labeling of charges, e.g., charges for electricity. The General Assembly may wish to require disclosure of each cost charged to the migrant agricultural worker.