

34:11-56a-4

LEGISLATIVE HISTORY CHECKLIST

NJSA: 34:11-56a-4

(Religious or nonprofit organizations-conducting fair-exempt from minimum wage).

LAWS OF: 1985

CHAPTER: 132

Bill No: A5

Sponsor(s): Zimmer and others

Date Introduced: Pre-filed

Committee: Assembly: Labor

Senate: Labor, Industry and Professions

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: February 27, 1984

Senate: February 14, 1985

Date of Approval: April 12, 1985

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: Yes

Veto Message: No

Message on Signing: No *yes*

Following were printed:

Reports: No

Hearings: No

Sponsors' statement:

The purpose of this bill is to exempt religious or nonprofit organizations participating in or conducting county or other agricultural fairs from complying with minimum wage requirements.

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ASSEMBLY, No. 5

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Assemblymen ZIMMER, WEIDEL, HAYTAIAN and LITTELL

AN ACT concerning certain exemptions to minimum wage requirements and amending P. L. 1966, c. 113.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 5 of P. L. 1966, c. 113 (C. 34:11-56a4) is amended to
2 read as follows:

3 5. Every employer shall pay to each of his employees wages at
4 a rate of not less than \$3.35 per hour as of the effective date of this
5 amendatory and supplementary act for 40 hours of working time in
6 any week and 1½ times such employee's regular hourly wage for
7 each hour of working time in excess of 40 hours in any week,
8 except this overtime rate shall not include any individual employed
9 in a bona fide executive, administrative, or professional capacity
10 or, if an applicable wage order has been issued by the commissioner
11 under section 17 (C. 34:11-56a16) of this act, not less than the
12 wages prescribed in said order. The wage rates fixed in this
13 section shall not be applicable to part-time employees primarily
14 engaged in the care and tending of children in the home of the
15 employer, to persons under the age of 18 not possessing a special
16 vocational school graduate permit issued pursuant to section 15
17 of P. L. 1940, c. 153 (C. 34:2-21.15) or to persons employed as
18 salesmen of motor vehicles; or to persons employed as outside
19 salesmen as such terms shall be defined and delimited in regulations
20 adopted by the commissioner; *or to persons employed ** in a volun-*
21 *teer capacity and receiving only incidental benefits** at a county*
22 *or other agricultural fair by a nonprofit or religious corporation*

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted February 23, 1984.

**—Senate committee amendments adopted June 28, 1984.

23 or **a nonprofit or religious* association which conducts or partici-*
24 *pates in that fair.*

24A The provisions of this section for the payment to an employee
24B of not less than 1½ times such employee's regular hourly rate
25 for each hour of working time in excess of 40 hours in any week
26 shall not apply to employees engaged to labor on a farm, or em-
27 ployed in a hotel or to an employee of a common carrier of pas-
28 sengers by motor bus or employees engaged in labor relative to
29 the raising or care of livestock.

30 Employees engaged on a piece-rate or regular hourly rate basis
31 to labor on a farm shall be paid for each day worked not less than
32 the minimum hourly wage rate multiplied by the total number of
33 hours worked.

34 Full-time students may be employed by the college or university
35 at which they are enrolled at not less than 85% of the effective
36 minimum wage rate.

1 2. This act shall take effect immediately.

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36 minimum wage rate.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to exempt religious or nonprofit organizations participating in or conducting county or other agricultural fairs from complying with minimum wage requirements.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1984

This bill would exempt religious or nonprofit organizations participating in or conducting county or other agricultural fairs from complying with minimum wage requirements. The bill was amended in committee to exempt religious or nonprofit associations.

By its present terms, New Jersey's minimum wage law does not apply to: (1) part-time employees primarily engaged in child care in the home of the employer; (2) persons under age 18 who do not possess a special vocational school permit issued pursuant to N. J. S. A. 34:2-21.15; (3) persons employed as car salesmen; (4) or persons employed as outside salesmen under conditions prescribed by the Commissioner of Labor.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 5

[OFFICIAL COPY REPRINT]
with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 28, 1984

This bill provides that religious or nonprofit groups which conduct or participate in county or other agricultural fairs and which employ volunteers who receive only incidental benefits to work at these fairs do not have to comply with the minimum wage law in regard to those volunteers.

FISCAL NOTE TO
ASSEMBLY, No. 5

STATE OF NEW JERSEY

DATED: APRIL 12, 1984

Assembly Bill No. 5 of 1984 exempts religious or nonprofit organizations from complying with minimum wage requirements while participating in or conducting county or agricultural fairs.

The Department of Labor states that this bill would not affect the State's revenue or expenditures.

The Office of Legislative Services substantially concurs with the statement by the Department of Labor, but notes that any reduction in taxable wages resulting from this bill could reduce State income tax revenues to some extent. The Office of Legislative Services adds that local government finances would be unaffected by this bill.

This fiscal note has been prepared pursuant to P. L. 1980, c. 67.

A-3074, sponsored by Assemblyman Willie B. Brown, D-Essex, which amends the Urban Renewal Corporation and Association Law of 1961 to permit municipalities to grant tax abatements for certain new condominium construction in distressed urban areas.

A-1934, sponsored by Assemblyman John S. Penn, R-Somerset, which raises the salaries for members of the Real Estate Commission from the current level of \$4,000 per year to \$10,000 per year for members and \$15,000 for the Chairman of the Commission.

A-1648, sponsored by Assemblyman Joseph V. Doria, Jr., D-Hudson, which increases from \$40 million to \$80 million the amount of county college bonds for capital projects to which State support may be made available. State support is limited to half the amount of outstanding bonds.

A-901/S-1166, sponsored by Assemblyman Thomas J. Shusted, R-Camden, and State Senator John H. Dorsey, R-Morris, which clarifies the legal definitions of hashish and marijuana.

A-1103, sponsored by Assemblyman Joseph D. Patero, D-Somerset, which increases the ceiling for wage claims to be investigated by the Department of Labor from \$300 to \$2,000. The \$300 limit was established in 1964.

A-617, sponsored by Assemblyman Thomas J. Deverin, D-Middlesex, which establishes procedures for obtaining guardianship over mentally incompetent adults who, as minors, received services from the Division of Mental Retardation.

A-5, sponsored by Assemblyman Richard A. Zimmer, R-Hunterdon, which exempts religious and non-profit organizations participating in country or agricultural fairs from complying with the minimum wage requirements.