

34:2-21.7

LEGISLATIVE HISTORY CHECKLIST

RUSA 34:2-21.7

LAWS OF 1977

CHAPTER 163 (Child Labor Law -- no required under certain circumstances)

Bill No. A1985

Sponsor(s) Little, Jackman, Gallo and Perkins

Date Introduced May 24, 1976

Committee: Assembly Labor, Industry, Professions

Senate Labor, Industry, Professions

Amended during passage Yes XXX

Also amended according to Governor's recommendations

Date of Passage: Assembly June 16, 1976 Re'enacted June 30, 1977

Senate Feb. 17, 1977 Re'enacted July 11, 1977

Date of approval July 18, 1977

Following statements are attached if available:

Sponsor statement Yes XXX

Committee Statement: Assembly Yes XXX

Senate Yes XXX

Fiscal Note ~~Yes~~ No

Veto message Yes XXX

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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ASSEMBLY, No. 1985

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1976

By Assemblymen LITTELL, JACKMAN, T. GALLO and PERKINS

Referred to Committee on Labor, Industry and Professions

AN ACT to amend "An act to limit and regulate child labor in this State; to provide for examinations and inspections under the provisions of this act; to provide for the enforcement of this act and regulations made thereunder; to prescribe penalties for the violation thereof; and to repeal other acts," approved June 25, 1940 (P. L. 1940, c. 153).

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

1 1. Section 7 of P. L. 1940, c. 153 (C. 34:2-21.7) is amended to  
2 read as follows:

3 7. Except as permitted under section 15, no minor under 18 years  
4 of age shall be employed, permitted, or suffered to work in, about,  
5 or in connection with any gainful occupation, unless and until the  
6 person employing such minor shall procure and keep on file an  
7 employment certificate or special permit for such minor, issued by  
8 the issuing officer of the school district in which the child resides,  
9 or of the district in which the child has obtained a promise of  
10 employment if the child is a nonresident of the State; provided,  
11 that no certificate or special permit shall be required for any child  
12 16 years of age or over employed in agricultural pursuits or for  
13 any child 14 years of age or over employed at such times as the  
14 schools of his district are not in session at any agricultural fair,  
15 horse, dog, or farm show\*\*[, or any similar exhibition or exposi-  
16 tion]\*\* the duration of which does not exceed 10 days\*, upon condi-  
16A tion that such employment does not require or involve work in,  
16B about, or in connection with \*\*[power-driven machinery]\*\* \* \* \* em-  
16C ployments prohibited by P. L. 1970, c. 115 (C. 34:2-21.15) and P. L.  
16D 1973, c. 204 (C. 34:2-21.17) of the child labor laws\*\*. Such certificate

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

17 or special permit shall be issued in triplicate in such form and in  
18 accordance with such instructions as may be prescribed by the  
19 Commissioner of Education. The Commissioner of Education shall  
20 supply to the issuing officers all blank forms to be used in connec-  
21 tion with the issuance of such certificates, and special permits  
22 as provided for in section 15.

23 Employment certificates shall be of two kinds, regular certifi-  
24 cates permitting employment during school hours, and vacation  
25 certificates permitting employment during the school vacation and  
26 during the school term at such times as the public schools are not  
27 in session.

28 The original copy of the employment certificate shall be mailed  
29 by the issuing officer to the prospective employer of the minor for  
30 whom it is issued; a duplicate copy shall be mailed to the Depart-  
31 ment of Labor *and Industry* in Trenton as provided in section 12,  
32 and a triplicate copy shall be kept in the files of the issuing officer.  
33 The issuing officer may refuse to grant a certificate, if in his  
34 judgment, the best interests of the minor would be served by such  
35 refusal and he shall keep a record of such refusals, and the reasons  
36 therefor.

1 2. This act shall take effect immediately.

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34 judgment, the best interests of the minor would be served by such  
35 refusal and he shall keep a record of such refusals, and the reasons  
36 therefor.

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill exempts minors 14 years of age or older from the requirement of an employment certificate for work at agricultural fairs, horse, dog, or farm shows, or similar expositions that do not last longer than 10 days provided that such employment does not conflict with regular school attendance. The present requirement of such a permit for temporary employment discourages minors from seeking these productive and educational jobs.

REFERENCE USE ONLY

ASSEMBLY LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1985

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**STATE OF NEW JERSEY**

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DATED: JUNE 10, 1976

The statement appended to and printed with the bill adequately explains its provisions.

The committee adopted a sponsor-initiated amendment which would ensure that the requirement of an employment certificate could not be waived if any minor 14 years of age or over who worked in such short-term employment worked in, about, or in connection with power-driven machinery.

Any minor 16 years of age or older who desired such employment without first obtaining an employment certificate would be barred from working in connection with such machinery notwithstanding existing law that only prohibits such machinery-related employment for minors under 16 years of age.

REFERENCE USE ONLY

SENATE LABOR, INDUSTRY AND  
PROFESSIONS COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1985**

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**STATE OF NEW JERSEY**

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DATED: JANUARY 17, 1977

Assembly Bill No. 1985 exempts minors 14 years of age or older from the requirement of an employment certificate for work at agricultural fairs, horse, dog, or farm shows, or similar expositions that do not last longer than 10 days provided that such employment does not conflict with regular school attendance. The present requirement of such a permit for temporary employment discourages minors from seeking these productive and educational jobs.

The Assembly Labor, Industry and Professions Committee adopted a sponsor-initiated amendment which would ensure that the requirement of an employment certificate could not be waived if any minor 14 years of age or over who worked in such short-term employment worked in, about, or in connection with power-driven machinery.

Any minor 16 years of age or older who desired such employment without first obtaining an employment certificate would be barred from working in connection with such machinery notwithstanding existing law that only prohibits such machinery-related employment for minors under 16 years of age.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

June 20, 1977

ASSEMBLY BILL No. 1985 (OCR)

To the Senate:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1985 with my objections, for reconsideration.

The purpose of Assembly Bill No. 1985 is to amend the Child Labor Laws to exempt minors 14 years of age and older from the requirement of an employment certificate for work at agricultural fairs, horse, dog, or farm shows which last no longer than ten days and which do not conflict with regular school attendance. Employment certificates for school-age children are, by law, issued through the local public schools and enforced by the Department of Labor and Industry. Their purpose is two-fold: first, to ensure that the age and school status of a child seeking employment is verified by an authority which has the necessary records readily available, and second, to protect employers from inadvertent violations of the Child Labor Laws.

The bill which has been sent to me includes in its provisions an exemption for work in "similar exhibitions and expositions," a term which is not otherwise defined or delineated. I have been reluctant to sign this legislation into law because of the vagueness of that phrase.

In addition, the proposed legislation contains an unnecessary and conflicting condition disallowing work with power-driven machinery. Such employment for minors under 16 is already prohibited by P.L. 1973, c. 204 (C. 34:2-21.17). As to minors between the ages of 16 and 18, P.L. 1973, c. 204 (C. 34:2-17) indicates an intent to allow 16 to 18 year olds to work with certain power-driven machinery under specific conditions.

Therefore, I have decided to return Assembly Bill No. 1985 to you with the recommendation that certain amendments be adopted.

Accordingly, I herewith return Assembly Bill No. 1985 (OCR) for reconsideration and recommend that it be amended as follows:

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

- 2 -

Page 1, Section 7, Line 15: Delete ", or any similar exhibition or exposition"

Page 1, Section 7, Line 16B: Delete "power-driven machinery."

Page 1, Section 7, Line 16B: After the word "with" insert "employments prohibited by P.L. 1970, c. 115 (C. 34:2-21.15) and P.L. 1973, c. 204 (C.34:2-21.17) of the child labor laws."

Respectfully,

/s/ Brendan Byrne

GOVERNOR

(seal)

Attest:

/s/ Henry N. Luther, III

Executive Secretary to the Governor