

34:11-56a4  
AND 56a4.4

LEGISLATIVE HISTORY CHECKLIST

NJSA 34:11-56a4 and 34:11-56a4.4

Laws of 1976 Chapter 88

Bill No. S644

Sponsor(s) Merlino

Date Introduced Pre-filed

Committee: Assembly Labor, Industry & Professions

Senate Labor, Industry & Professions

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks.

Date of passage: Assembly August 5, 1976

Senate April 26, 1976

Date of approval Sept. 15, 1976

Following statements are attached if available:

Sponsor statement ~~Yes~~ No

Committee Statement: Assembly Yes ~~No~~

Senate Yes No

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing Yes No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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CHAPTER 88 LAWS OF N. J. 1976  
APPROVED 9-15-76  
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**SENATE, No. 644**

**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator MERLINO

AN ACT to amend and supplement the "New Jersey State Wage and Hour Law," approved June 17, 1966 (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 **[\$2.00]** \$2.40 per hour as of the effective  
5 date of this 1977 amendatory and supplementary act, and **[\$2.20]**  
6 \$2.50 per hour as of **[January 1, 1975]** *January 1, \***[1977,]**\** for 40  
7 hours of working time in any week and one and one-half times such  
8 employee's regular hourly wage for each hour of working time in  
9 excess of 40 hours in any week, except this overtime rate shall  
10 not include any individual employed in a bona fide executive,  
11 administrative, or professional capacity or, if an applicable wage  
12 order has been issued by the commissioner under section 17  
13 (C. 34:11-56a16) of this act, not less than the wages prescribed  
14 in said order. The wage rates fixed in this section shall not be  
15 applicable to part-time employees primarily engaged in the care  
16 and tending of children in the home of the employer, to persons  
17 under the age of 18 not possessing a special vocational school  
18 graduate permit issued pursuant to section 15 of P. L. 1940, c. 153  
19 (C. 34:2-21.15) or to persons employed as salesmen of motor  
20 vehicles; or to persons employed as outside salesmen as such  
21 terms shall be defined and delimited in regulations adopted by the  
22 commissioner.

23 The provisions of this section for the payment to an employee  
24 of not less than one and one-half times such employee's regular

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

25 hourly rate for each hour of working time in excess of 40 hours  
26 in any week shall not apply to employees engaged to labor on a  
27 farm, or employed in a hotel or to an employee of a common  
28 carrier of passengers by motor bus or employees engaged in labor  
29 relative to the raising or care of livestock.

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

1 2. The provisions of this act shall be applicable to wages covered  
2 by wage orders issued pursuant to section 17 of P. L. 1966, c. 113  
3 (C. 34:11-56a16).

1 3. This act shall take effect 60 days after its enactment.

ASSEMBLY LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO  
SENATE, No. 644

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STATE OF NEW JERSEY

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DATED: MAY 20, 1976

The statement appended to the bill by the Senate Labor, Industry and Professions Committee adequately explains its provisions.

In response to allegations presented to the committee by a manufacturers association concerning the employment effects of such legislation on teenagers, the committee took note of research indicating far from a unanimous conclusion by scholars on the alleged causal relationship between minimum wages and teenage unemployment. It would appear that available studies do not permit confident conclusions that the minimum wage has played an instrumental role in creating the problem in the past. It is, of course, impossible to establish a negative conclusion.

SENATE LABOR, INDUSTRY AND  
PROFESSIONS COMMITTEE

STATEMENT TO

**SENATE, No. 644**

**STATE OF NEW JERSEY**

DATED: MARCH 31, 1976

Senate Bill No. 644 would increase the minimum wage in New Jersey from its present level of \$2.20 per hour to \$2.40 per hour effective 60 days after enactment, and to \$2.50 per hour effective January 1, 1977. The purpose of the bill is to provide the State's lowest paid workers with a higher minimum standard of living.

The poverty level hourly wage rate for a full-time year-round worker in this State is \$2.42. The average rate for a factory worker, by way of comparison, is \$5.10.

The Federal minimum wage rate is \$2.30. Of 40 states having minimum wage provisions, 15 have rates exceeding New Jersey's.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 15, 1976

BOB COMSTOCK

Governor Byrne signed into law today S-644, sponsored by Senator Joseph P. Merlino, increasing the state minimum wage.

The minimum wage will increase to \$2.40 an hour on November 13, 1976, 60 days from today, and to \$2.50 an hour on January 1, 1977. That will make it 10 cents an hour higher than the federal minimum wage.

The new law makes no change in the exemptions under the present minimum wage law. Those exemptions include outside salesmen, automobile salesmen, baby sitters and certain part-time workers under the age of 18.

Byrne noted that, in addition to the necessary protection provided by the law to those in the workforce, the increase will increase personal purchasing power throughout the state by an estimated \$20 million a year.

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