

43:21-41

LEGISLATIVE HISTORY CHECKLIST

NJSA 43:21-41

Laws of 1975 Chapter 355

Bill No. S 3208

Sponsor(s) Feldman & Garramone

Date Introduced May 8, 1975

Committee: Assembly -----

Senate State Gov't. & Federal & Interstate Relations

Amended during passage Yes

Amendments during passage denoted by asterisks

Date of passage: Assembly Jan. 8, 1976

Senate Dec. 1, 1975

Date of approval March 3, 1976

Following statements are attached if available:

Sponsor statement No

Committee Statement: Assembly No

Senate Yes

Fiscal Note Yes

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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SENATE, No. 3208

STATE OF NEW JERSEY

INTRODUCED MAY 8, 1975

By Senators FELDMAN and GARRAMONE

Referred to Committee on State Government and Federal and
 Interstate Relations

AN ACT to amend the "Temporary Disability Benefits Law,"
 approved June 1, 1948 (P. L. 1948, c. 110).

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

1 1. Section 17 of P. L. 1948, c. 110 (C. 43:21-41) is amended to
 1A read as follows:

2 17. (a) ***[**With respect to periods of disability commencing prior
 3 to January 1, 1953, no individual shall be entitled to benefits under
 4 this article unless his wages in the first four of the last five com-
 5 pleted calendar quarters immediately preceding the commencement
 6 of the period of disability are at least 25 times his weekly benefit
 7 amount, nor unless he shall duly file notice and proof of claim, and
 8 submit to such reasonable examinations as are required by this
 9 act and the rules and regulations of the division.]* **(Deleted by*
 9A *amendment.)**

10 (b) With respect to periods of disability commencing on or after
 11 January 1, 1953, *and prior to January 1, 1976,* no individual shall
 12 be entitled to benefits under this article unless he has established at
 13 least 17 base weeks within the 52 calendar weeks preceding the week
 14 in which his period of disability commenced, nor unless he shall
 15 duly file notice and proof of claim, and submit to such reasonable
 16 examinations as are required by this act and the rules and regula-
 16A tions of the division.

17 (c) *With respect to periods of disability commencing on or after*
 18 *January 1, ***[1975]*** *1976*, no individual shall be entitled to bene-*
 19 *fits under this article unless he has established at least 17 base*

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

20 weeks within the 52 calendar weeks preceding the week in which
21 his period of disability commenced or, in the alternative has earned
22 *~~[\$3,200.00]~~* *\$2,200.00* or more within the 52 calendar weeks
23 preceding the week in which his period of disability commenced,
24 nor unless he shall duly file notice and proof of claim, and submit
25 to such reasonable examinations as are required by this act and the
26 rules and regulations of the division.

27 ***Notwithstanding any provisions of this section to the contrary,*
28 *the provision of section 17 (c) shall apply to any claim pending*
29 *before the division or the courts on the effective date of this act.***

1 2. This act shall take effect immediately *~~but shall have retroac-~~
2 tive effect to January 1, 1975]*.

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SENATE STATE GOVERNMENT AND FEDERAL
AND INTERSTATE RELATIONS COMMITTEE

STATEMENT TO

SENATE No. 3208

STATE OF NEW JERSEY

DATED: NOVEMBER 17, 1975

This bill amends the "Temporary Disability Benefits Law" approved June 1, 1948. Section 17 of the law (C. 43:21-41), which the bill would amend, now provides that an individual is entitled to disability benefits if he has established at least 17 base weeks of employment within the 52 calendar weeks prior to the week in which his disability commenced. Pursuant to C. 43:21-27 a "base week" is defined as "any calendar week during which an individual earned not less than \$15.00 from a covered employer."

The amendment of C. 43:21-41 would provide that, for disabilities commencing on or after January 1, 1975, another category of eligibility would be added, such eligibility to be based on minimum earnings of \$3,200.00 during the preceding 52-week period. In other words, pursuant to the proposed amendment, either an individual must have accrued 17 base weeks or, as an alternative, earned a total of at least \$3,200.00.

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FISCAL NOTE TO
SENATE, No. 3208

STATE OF NEW JERSEY

DATED: JUNE 11, 1975

Senate Bill No. 3208 liberalizes the qualifications for eligibility for temporary disability benefits for periods of disability commencing on or after January 1, 1975.

The Department of Labor and Industry estimates that if this legislation is enacted, additional benefits would be paid amounting to about \$2,000,000.00 the first year, \$2,200,000.00 the second and \$2,400,000.00 the third. These benefits would be paid from the Temporary Disability Trust Fund.

The Division of Budget and Accounting points out that the fund source is 100% Non-General State Funds from the tax on employers and employees for this trust fund. Since the anticipated increase in total payments is less than 1% of the total forecast for fiscal 1975-76, there should be no effect on the fund solvency.

The fiscal note is based on an estimate of costs rather than actual cost information.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.