

# LEGISLATIVE HISTORY CHECKLIST

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## *LAWS of 1999*

**CHAPTER:** 6

**NJSA:** 34:11-56a

(Minimum wage-est. automatic conformity with changes in Federal rate)

**BILL NO:** A2008

**SPONSOR(S):** Geist and Friscia

**DATE INTRODUCED:** May 4, 1998

**COMMITTEE:**

*ASSEMBLY:* Labor

*SENATE:* Commerce

**AMENDED DURING PASSAGE:** Yes

**DATES OF PASSAGE:**

*ASSEMBLY:* December 17, 1998

*SENATE:* December 17, 1998

**DATE OF APPROVAL:** January 21, 1999

**THE FOLLOWING ARE ATTACHED IF AVAILABLE:**

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**FINAL TEXT OF BILL:** 1st Reprint

(Amendments during passage denoted by superscript numbers)

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**A2008**

**SPONSORS STATEMENT:** *Yes* (begins on page 3 of original bill)

**COMMITTEE STATEMENT:**

**ASSEMBLY:** *Yes*

**SENATE:** *Yes*

**FLOOR AMENDMENT STATEMENTS:** *No*

**LEGISLATIVE FISCAL ESTIMATE:** *No*

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## GOVERNOR'S ACTIONS

**VETO MESSAGE:** *No*

**GOVERNOR'S PRESS RELEASE ON SIGNING:** *Yes*

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### THE FOLLOWING WERE PRINTED:

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**REPORTS:** *No*

**HEARINGS:** *No*

**NEWSPAPER ARTICLES:** *No*

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[First Reprint]

**ASSEMBLY, No. 2008**

**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

INTRODUCED MAY 4, 1998

**Sponsored by:**

**Assemblyman GEORGE F. GEIST**

**District 4 (Camden and Gloucester)**

**Assemblywoman ARLINE M. FRISCIA**

**District 19 (Middlesex)**

**Co-Sponsored by:**

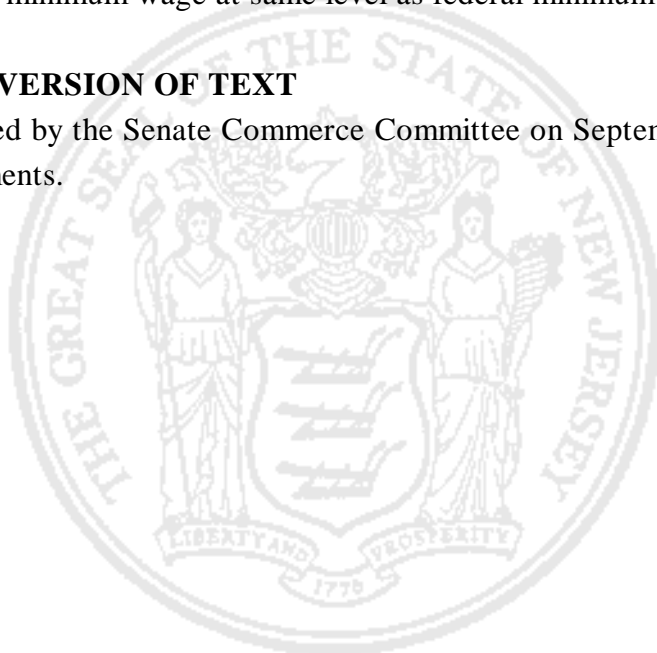
**Assemblyman Greenwald, Assemblywoman Previte and Assemblyman  
Thompson**

**SYNOPSIS**

Sets State minimum wage at same level as federal minimum wage.

**CURRENT VERSION OF TEXT**

As reported by the Senate Commerce Committee on September 24, 1998,  
with amendments.



**(Sponsorship Updated As Of: 6/19/1998)**

1 AN ACT concerning the minimum wage and amending P.L.1996,  
2 c.113.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

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

9 5. Every employer shall pay to each of his employees wages at a  
10 rate of not less than **[\$3.80 per hour as of the effective date of**  
11 **P.L.1990, c.18, \$4.25 per hour as of April 1, 1991 and]** \$5.05 per  
12 hour as of April 1, 1992 and, ~~after~~ <sup>1</sup>**July 1, 1998** ~~January 1, 1999~~<sup>1</sup>,  
13 the minimum hourly wage rate set by section 6(a)(1) of the federal  
14 "Fair Labor Standards Act of 1938" (29 U.S.C. s.206(a)(1)) for 40  
15 hours of working time in any week and 1 1/2 times such employee's  
16 regular hourly wage for each hour of working time in excess of 40  
17 hours in any week, except this overtime rate shall not include any  
18 individual employed in a bona fide executive, administrative, or  
19 professional capacity or, if an applicable wage order has been issued  
20 by the commissioner under section 17 (C.34:11-56a16) of this act, not  
21 less than the wages prescribed in said order. The wage rates fixed in  
22 this section shall not be applicable to part-time employees primarily  
23 engaged in the care and tending of children in the home of the  
24 employer, to persons under the age of 18 not possessing a special  
25 vocational school graduate permit issued pursuant to section 15 of  
26 P.L.1940, c.153 (C.34:2-21.15), or to persons employed as salesmen  
27 of motor vehicles, or to persons employed as outside salesmen as such  
28 terms shall be defined and delimited in regulations adopted by the  
29 commissioner, or to persons employed in a volunteer capacity and  
30 receiving only incidental benefits at a county or other agricultural fair  
31 by a nonprofit or religious corporation or a nonprofit or religious  
32 association which conducts or participates in that fair.

33 The provisions of this section for the payment to an employee of  
34 not less than 1 1/2 times such employee's regular hourly rate for each  
35 hour of working time in excess of 40 hours in any week shall not apply  
36 to employees engaged to labor on a farm or employed in a hotel or to  
37 an employee of a common carrier of passengers by motor bus or to a  
38 limousine driver who is an employee of an employer engaged in the  
39 business of operating limousines or to employees engaged in labor  
40 relative to the raising or care of livestock.

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> **Senate SCM committee amendments adopted September 24, 1998.**

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

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

8 (cf: P.L.1995, c.387, s.2)

9

10 2. This act shall take effect immediately.

# ASSEMBLY, No. 2008

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## STATE OF NEW JERSEY

### 208th LEGISLATURE

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INTRODUCED MAY 4, 1998

**Sponsored by:**

**Assemblyman GEORGE F. GEIST**

**District 4 (Camden and Gloucester)**

**Assemblywoman ARLINE M. FRISCIA**

**District 19 (Middlesex)**

**Co-Sponsored by:**

**Assemblyman Greenwald, Assemblywoman Previte and Assemblyman Thompson**

**SYNOPSIS**

Sets State minimum wage at same level as federal minimum wage.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/19/1998)**

1 AN ACT concerning the minimum wage and amending P.L. 1996,  
2 c.113.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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

9 5. Every employer shall pay to each of his employees wages at a  
10 rate of not less than **[\$3.80 per hour as of the effective date of**  
11 **P.L.1990, c.18, \$4.25 per hour as of April 1, 1991 and]** \$5.05 per  
12 hour as of April 1, 1992 and, after July 1, 1998, the minimum hourly  
13 wage rate set by section 6(a)(1) of the federal "Fair Labor Standards  
14 Act of 1938" (29 U.S.C. s.206(a)(1)) for 40 hours of working time in  
15 any week and 1 1/2 times such employee's regular hourly wage for  
16 each hour of working time in excess of 40 hours in any week, except  
17 this overtime rate shall not include any individual employed in a bona  
18 fide executive, administrative, or professional capacity or, if an  
19 applicable wage order has been issued by the commissioner under  
20 section 17 (C.34:11-56a16) of this act, not less than the wages  
21 prescribed in said order. The wage rates fixed in this section shall not  
22 be applicable to part-time employees primarily engaged in the care and  
23 tending of children in the home of the employer, to persons under the  
24 age of 18 not possessing a special vocational school graduate permit  
25 issued pursuant to section 15 of P.L.1940, c.153 (C.34:2-21.15), or  
26 to persons employed as salesmen of motor vehicles, or to persons  
27 employed as outside salesmen as such terms shall be defined and  
28 delimited in regulations adopted by the commissioner, or to persons  
29 employed in a volunteer capacity and receiving only incidental benefits  
30 at a county or other agricultural fair by a nonprofit or religious  
31 corporation or a nonprofit or religious association which conducts or  
32 participates in that fair.

33 The provisions of this section for the payment to an employee of  
34 not less than 1 1/2 times such employee's regular hourly rate for each  
35 hour of working time in excess of 40 hours in any week shall not apply  
36 to employees engaged to labor on a farm or employed in a hotel or to  
37 an employee of a common carrier of passengers by motor bus or to a  
38 limousine driver who is an employee of an employer engaged in the  
39 business of operating limousines or to employees engaged in labor  
40 relative to the raising or care of livestock.

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

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

**Matter underlined thus is new matter.**

1 worked.

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

5 (cf: P.L.1995, c.387, s.2)

6

7 2. This act shall take effect immediately.

8

9

10 STATEMENT

11

12 This bill, as of July 1, 1998, brings New Jersey's minimum wage  
13 rate into concurrence with the minimum wage rate set by section  
14 6(a)(1) of the federal "Fair Labor Standards Act of 1938" (29 U.S.C.  
15 s.206(a)(1)). Because the current federal minimum wage is \$5.15 per  
16 hour, this bill would result in an increase in the State's minimum wage,  
17 which is currently \$5.05 per hour. Under the bill, any future changes  
18 in the federal minimum wage would be automatically incorporated into  
19 State law.

20 Nine other states have tied their minimum wage level to the federal  
21 minimum wage, including Pennsylvania, Maryland, Virginia, Vermont  
22 and New Hampshire. In addition, every other Northeastern state  
23 except New York currently has a minimum wage of \$5.15 per hour or  
24 higher.



ASSEMBLY LABOR COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2008**

**STATE OF NEW JERSEY**

DATED: JUNE 4, 1998

The Assembly Labor Committee reports favorably Assembly Bill No. 2008.

This bill, as of July 1, 1998, brings New Jersey's minimum wage rate into concurrence with the minimum wage rate set by section 6(a)(1) of the federal "Fair Labor Standards Act of 1938" (29 U.S.C. s.206(a)(1)). Because the current federal minimum wage is \$5.15 per hour, this bill would result in an increase in the State's minimum wage, which is currently \$5.05 per hour. Under the bill, any future changes in the federal minimum wage would be automatically incorporated into State law.

SENATE COMMERCE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2008**

with committee amendments

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 24, 1998

The Senate Commerce Committee reports favorably and with committee amendments Assembly Bill No. 2008.

As amended, this bill, as of January 1, 1999, brings New Jersey's minimum wage rate into concurrence with the minimum wage rate set by section 6(a)(1) of the federal "Fair Labor Standards Act of 1938" (29 U.S.C. s.206(a)(1)). Because the current federal minimum wage is \$5.15 per hour, this bill would result in an increase in the State's minimum wage, which is currently \$5.05 per hour. Under the bill, any future changes in the federal minimum wage would be automatically incorporated into State law.

*Office of the Governor*  
**NEWS RELEASE**

PO BOX 004  
TRENTON, NJ 08625

CONTACT: Jayne O'Connor  
Gene Herman  
609-777-2600

RELEASE: January 21, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

**A-2008**, sponsored by Assembly Members George F. Geist (R- Camden/Gloucester) and Arline M. Friscia (D-Middlesex), raises the state minimum wage rate to bring it into concurrence with the federal minimum wage rate, which is currently \$5.15 per hour. Under the bill, any future changes in the federal minimum wage would be automatically incorporated into state minimum wage law.

**A-1697**, sponsored by Assembly Members John S. Wisniewski (D- Middlesex) and David W. Wolfe (R-Monmouth/Ocean) and Senators Joseph F. Vitale (D-Middlesex) and Jack Sinagra (R-Middlesex), creates the School Bus Enhanced Safety Act. The bill, which implements the recommendations of the Governor's School Bus Safety Task Force, authorizes the Director of the Division of Motor Vehicles (DMV) to establish a semi-annual or annual in-terminal school bus inspection program and establish standards and requirements pertaining to equipment, maintenance and repair of school buses; maintenance, repair and inspection records and driver employment records and any other records or credentials deemed necessary by the director. It also authorizes the DMV Director to implement a fee and fine schedule for such inspections. The bill will enhance the in-terminal semi-annual inspection program that the Director of DMV, through his administrative powers, implemented on July 6. This program includes both a safety and a vehicle emissions inspection.

**A-1427**, sponsored by Assembly Members Raul "Rudy" Garcia (D- Hudson) and George F. Geist (R-Camden/Gloucester) and Senator Bernard F. Kenny, Jr. (D-Hudson), increases penalties for violations of workplace standards in the apparel industry. The bill establishes a minimum penalty equal to the current maximum penalty and doubles the maximum penalties for violations of workplace laws. For instance, under the previous laws fines for first violations ranged up to \$1,000 while the new law provides that penalties for first violations will not be less than \$1,000 or more than \$2,000.

**A-192**, sponsored by Assembly Members George F. Geist (R- Camden/Gloucester) and Kevin J. O'Toole (R-Essex/Union), conforms New Jersey law regarding public sector labor organizations with federal law pertaining to penalties imposed in the private sector for individuals in labor organizations convicted of certain crimes. The bill provides that during the period in which an individual convicted under federal law of certain crimes is prohibited from serving in various private sector labor union capacities, the individual shall also be prohibited from serving in comparable capacities in connection with labor organizations, employers and employer organizations which are related to State and local government in New Jersey.

**S-1324**, sponsored by Senators Robert E. Littell (R- Sussex/Hunterdon/Morris) and Henry P. McNamara (R-Bergen/Passaic) and Assembly Members Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Sam Thompson (R-Middlesex/Monmouth), appropriates \$3,166,577 in funds from the Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration, and Delaware Bay Area Economic Development Bond Act of 1996 to the Department of Environmental Protection (DEP) for lake restoration projects in Northern New Jersey. Six local government entities in Monmouth, Morris, Passaic, and Sussex counties are eligible for funding totaling \$849,927 under the bill. Also, under the bill, the DEP's Division of Parks and Forestry will be eligible for funding totaling \$816,650 for projects in Morris, Sussex, Hunterdon, Middlesex and Warren counties and three private lake associations, as co-applicants with local governments, in Morris, Passaic and Sussex counties will be eligible for a total of \$1.5 million in loans.

**S-1419**, sponsored by Senators Diane B. Allen (R-Burlington/Camden) and Joseph A. Palaia (R-Monmouth), appropriates \$1,833,423 in funds from the Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration, and Delaware Bay Area Economic Development Bound Act of 1996 to the DEP for lake restoration projects in Southern New Jersey. Under the bill, grants totaling \$1,724,473 will be distributed by the DEP to eight local governments in Atlantic, Burlington, Gloucester, Monmouth and Ocean counties. DEP also will award grants to its Division of Parks and Forestry (\$75,000 for a project in Burlington County) and to its Division of Fish, Game and Wildlife (\$33,950 for a project that spans Gloucester and Salem Counties).

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