

COMMITTEE STATEMENT:

ASSEMBLY: Yes

Identical to Senate Statement to S2695

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

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SENATE, No. 2695

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED NOVEMBER 8, 2001

Sponsored by:

Senator PETER A. INVERSO
District 14 (Mercer and Middlesex)
Senator KEVIN J. O'TOOLE
District 21 (Essex and Union)

Co-Sponsored by:

Assemblymen DiGaetano and Impreveduto

SYNOPSIS

Exempts certain employing units from employee leasing company law.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/18/2001)

S2695 INVERSO, O'TOOLE

2

1 AN ACT concerning certain employee leasing companies and amending
2 P.L.2001, c.____ (now before the Legislature as Senate Bill No.1466
3 of 2000).

4

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

7

8 1. Section 9 of P.L.2001, c.__(C.____)(now before the Legislature
9 as Senate Bill, No.1466 of 2000) is amended to read as follows:

10 9. a. The provisions of this act shall not apply to temporary help
11 service firms, as defined in section 1 of P.L.1989, c.331 (C.34:8-43),
12 or farm labor crew leaders who are subject to P.L.1971, c.191
13 (C.34:8A-7, et seq.).

14 b. The provisions of this act shall not apply to an employing unit
15 operating as a cooperative subject to the provisions of Subchapter T
16 of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq.

17 c. Nothing in this act shall exempt either a client company or the
18 covered employees leased to a client company from any applicable
19 State, local, or federal licensing, registration or certification statutes
20 and regulations.

21 [c.] d. Any covered employee who must be licensed, registered or
22 certified, according to law, shall be treated as a covered employee of
23 the client company for the purposes of the license, registration or
24 certification.

25 [d.] e. The provisions of the "New Jersey Prevailing Wage Act,"
26 P.L.1963, c.150 (C.34:11-56.25 et seq.) shall remain applicable in all
27 respects to those client companies of the employee leasing company
28 who participate in public construction contracts as set forth in that
29 act.

30 (cf: P.L.2001, c.____, s.9)

31

32 2. This act shall take effect immediately.

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STATEMENT

36

37 This bill exempts any employing unit operating as a cooperative
38 subject to the provisions of Subchapter T of the federal Internal
39 Revenue Code of 1986, 26 U.S.C.s.1381 et seq. from the provisions
40 of P.L.2001, c.____ (now before the Legislature as Senate Bill No.1466
41 of 2000), regarding employee leasing companies.

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.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2695

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 2001

The Senate Commerce Committee reports favorably Senate Bill No. 2695.

This bill exempts any employing unit operating as a cooperative subject to the provisions of Subchapter T of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq. from the provisions of P.L.2001, c. (now before the Legislature as Senate, No.1466 of 2000) regarding employee leasing companies.

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

SENATE, No. 2695

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably Senate Bill No. 2695.

This bill exempts any employing unit operating as a cooperative subject to the provisions of Subchapter T of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq. from the provisions of P.L.2001, c.260 regarding employee leasing companies. P.L.2001, c.260 was enacted into law on December 6, 2001.

ASSEMBLY, No. 4006

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED DECEMBER 6, 2001

Sponsored by:

Assemblyman PAUL DIGAETANO

District 36 (Bergen, Essex and Passaic)

Assemblyman ANTHONY IMPREVEDUTO

District 32 (Bergen and Hudson)

SYNOPSIS

Exempts certain employing units from employee leasing company law.

CURRENT VERSION OF TEXT

As introduced.



A4006 DIGAETANO, IMPREVEDUTO

2

1 AN ACT concerning certain employee leasing companies and amending
2 P.L.2001, c.____ (now before the Legislature as Senate Bill No.1466
3 of 2000).

4

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

7

8 1. Section 9 of P.L.2001, c.__(C.____)(now before the Legislature
9 as Senate Bill, No.1466 of 2000) is amended to read as follows:

10 9. a. The provisions of this act shall not apply to temporary help
11 service firms, as defined in section 1 of P.L.1989, c.331 (C.34:8-43),
12 or farm labor crew leaders who are subject to P.L.1971, c.191
13 (C.34:8A-7, et seq.).

14 b. The provisions of this act shall not apply to an employing unit
15 operating as a cooperative subject to the provisions of Subchapter T
16 of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq.

17 c. Nothing in this act shall exempt either a client company or the
18 covered employees leased to a client company from any applicable
19 State, local, or federal licensing, registration or certification statutes
20 and regulations.

21 [c.] d. Any covered employee who must be licensed, registered or
22 certified, according to law, shall be treated as a covered employee of
23 the client company for the purposes of the license, registration or
24 certification.

25 [d.] e. The provisions of the "New Jersey Prevailing Wage Act,"
26 P.L.1963, c.150 (C.34:11-56.25 et seq.) shall remain applicable in all
27 respects to those client companies of the employee leasing company
28 who participate in public construction contracts as set forth in that
29 act.

30 (cf: P.L.2001, c.____, s.9)

31

32 2. This act shall take effect immediately.

33

34

35

STATEMENT

36

37 This bill exempts any employing unit operating as a cooperative
38 subject to the provisions of Subchapter T of the federal Internal
39 Revenue Code of 1986, 26 U.S.C.s.1381 et seq. from the provisions
40 of P.L.2001, c.____ (now before the Legislature as Senate Bill No.1466
41 of 2000), regarding employee leasing companies.

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

Matter underlined thus is new matter.

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4006

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2001

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably Assembly Bill No. 4006.

This bill exempts any employing unit operating as a cooperative subject to the provisions of Subchapter T of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq. from the provisions of P.L.2001, c.260, regarding employee leasing companies. P.L.2001, c.260 was enacted into law on December 6, 2001.

P.L. 2001, CHAPTER 282, *approved December 27, 2001*

Senate, No. 2695

1 AN ACT concerning certain employee leasing companies and amending
2 P.L.2001, c. __ (now before the Legislature as Senate Bill No.1466
3 of 2000).

4

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

7

8 1. Section 9 of P.L.2001, c. __ (C. ____)(now before the Legislature
9 as Senate Bill, No.1466 of 2000) is amended to read as follows:

10 9. a. The provisions of this act shall not apply to temporary help
11 service firms, as defined in section 1 of P.L.1989, c.331 (C.34:8-43),
12 or farm labor crew leaders who are subject to P.L.1971, c.191
13 (C.34:8A-7, et seq.).

14 b. The provisions of this act shall not apply to an employing unit
15 operating as a cooperative subject to the provisions of Subchapter T
16 of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq.

17 c. Nothing in this act shall exempt either a client company or the
18 covered employees leased to a client company from any applicable
19 State, local, or federal licensing, registration or certification statutes
20 and regulations.

21 [c.] d. Any covered employee who must be licensed, registered or
22 certified, according to law, shall be treated as a covered employee of
23 the client company for the purposes of the license, registration or
24 certification.

25 [d.] e. The provisions of the "New Jersey Prevailing Wage Act,"
26 P.L.1963, c.150 (C.34:11-56.25 et seq.) shall remain applicable in all
27 respects to those client companies of the employee leasing company
28 who participate in public construction contracts as set forth in that
29 act.

30 (cf: P.L.2001, c. __, s.9)

31

32 2. This act shall take effect immediately.

33

34

35

STATEMENT

36

37 This bill exempts any employing unit operating as a cooperative
38 subject to the provisions of Subchapter T of the federal Internal
39 Revenue Code of 1986, 26 U.S.C.s.1381 et seq. from the provisions
40 of P.L.2001, c. __ (now before the Legislature as Senate Bill No.1466
41 of 2000), regarding employee leasing companies.

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

2

3 Exempts certain employing units from employee leasing company law.

CHAPTER 282

AN ACT concerning certain employee leasing companies and amending P.L.2001, c.260.

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

1. Section 9 of P.L.2001, c.260 (C.34:8-75) is amended to read as follows:

C.34:8-75 Inapplicability to temporary help service firms, unit operating as cooperative.

9. a. The provisions of this act shall not apply to temporary help service firms, as defined in section 1 of P.L.1989, c.331 (C.34:8-43), or farm labor crew leaders who are subject to P.L.1971, c.191 (C.34:8A-7 et seq.).

b. The provisions of this act shall not apply to an employing unit operating as a cooperative subject to the provisions of Subchapter T of the federal Internal Revenue Code of 1986, 26 U.S.C.s.1381 et seq.

c. Nothing in this act shall exempt either a client company or the covered employees leased to a client company from any applicable State, local, or federal licensing, registration or certification statutes and regulations.

d. Any covered employee who must be licensed, registered or certified, according to law, shall be treated as a covered employee of the client company for the purposes of the license, registration or certification.

e. The provisions of the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.) shall remain applicable in all respects to those client companies of the employee leasing company who participate in public construction contracts as set forth in that act.

2. This act shall take effect immediately.

Approved December 27, 2001.