

26:4A-4

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2000 **CHAPTER:** 151
NJSA: 26:4A-4 (Lifeguard requirement – exempts marinas)
BILL NO: A1162 (Substituted for S1082)
SPONSOR(S): Arnone
DATE INTRODUCED: Pre-filed
COMMITTEE: **ASSEMBLY:** Law and Public Safety
 SENATE: Law and Public Safety
AMENDED DURING PASSAGE: No
DATE OF PASSAGE: **ASSEMBLY:** February 24, 2000
 SENATE: September 21, 2000
DATE OF APPROVAL: November 9, 2000
FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original version of bill enacted
A1162

SPONSORS STATEMENT: (Begins on page 4 of original bill)	Yes
COMMITTEE STATEMENT: ASSEMBLY:	Yes
SENATE:	Yes
FLOOR AMENDMENT STATEMENTS:	No
LEGISLATIVE FISCAL ESTIMATE:	No

S1082

SPONSORS STATEMENT: (Begins on page 4 of original bill)	Yes
COMMITTEE STATEMENT: ASSEMBLY:	No
SENATE:	Yes

Identical to Assembly Statement for A1162

FLOOR AMENDMENT STATEMENTS:	No
LEGISLATIVE FISCAL ESTIMATE:	No

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

ASSEMBLY, No. 1162

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman MICHAEL J. ARNONE

District 12 (Monmouth)

SYNOPSIS

Exempts private marinas from requirement to have first aid and lifeguard personnel on duty.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A1162 ARNONE

2

1 AN ACT concerning private marinas and amending P.L.1991, c.135.

2

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

5

6 1. Section 1 of P.L.1991, c.135 (C.26:4A-4) is amended to read as
7 follows:

8 1. As used in this act:

9 "Campground" means a plot of ground upon which two or more
10 campsites are located, established or maintained for occupancy by
11 camping units of the general public as temporary living quarters for
12 children or adults, or both, for a total of 15 days or more in any
13 calendar year, for recreation, education, or vacation purposes.

14 "Common interest community" means:

15 a. property subject to the "Condominium Act," P.L.1969, c.257
16 (C.46:8B-1 et seq.) or the "Horizontal Property Act," P.L.1963, c.168
17 (C.46:8A-1 et seq.);

18 b. a housing corporation or association, commonly known as a
19 cooperative, which entitles the holder of a share or membership
20 interest thereof to possess and occupy for dwelling purposes a house,
21 apartment, manufactured or mobile home or other unit of housing
22 owned or leased by the corporation or association, or to lease or
23 purchase a unit of housing constructed or to be constructed by the
24 corporation or association; or

25 c. real estate with respect to which a person, by virtue of his
26 ownership of a unit, is obligated to pay for real estate taxes, insurance
27 premiums, maintenance or improvement of other real estate described
28 in the instrument, however denominated, which creates the common
29 interest community. Ownership of a unit does not include holding a
30 leasehold interest of less than 20 years in a unit, including renewal
31 options;

32 "Hotel" or "motel" means a commercial establishment with a
33 building of four or more dwelling units or rooms used for rental and
34 lodging by guests.

35 "Mobile home park" means a parcel of land, or two or more
36 contiguous parcels of land, containing at least 10 sites equipped for
37 the installation of mobile or manufactured homes, where these sites are
38 under common ownership and control, other than as a cooperative, for
39 the purpose of leasing each site to the owner of a mobile or
40 manufactured home for the installation thereof, and where the owner
41 provides services, which are provided by the municipality in which the
42 park is located for property owners outside the park, which services
43 may include, but shall not be limited to:

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.

- 1 a. Construction and maintenance of streets;
- 2 b. Lighting of streets and other common areas;
- 3 c. Garbage removal;
- 4 d. Snow removal; and
- 5 e. Provision for the drainage of surface water from home sites and
- 6 common areas.

7 "Private lake, river or bay or private community lake, river or bay
8 association" means an organization of property owners within a fixed
9 or defined geographical area with deeded or other rights to utilize,
10 with similarly situated owners, various lakefront, riverfront or bayfront
11 properties, which properties are not open to the general public, other
12 than bona fide guests of a member of the private lake, river or bay or
13 private community lake, river or bay association.

14 "Private marina" means a privately-owned water dependent facility
15 for the docking, servicing or storage of private boats, at which
16 services are provided on an annual, seasonal or per diem basis, and
17 which facility is not open to the general public, other than bona fide
18 guests of boat owners eligible to use the marina and which has a
19 private swimming pool that is not open to the general public, other
20 than bona fide guests of boat owners eligible to use the marina.

21 "Retirement community" means a retirement community which is
22 registered with the Division of Housing and Development in the
23 Department of Community Affairs pursuant to "The Planned Real
24 Estate Development Full Disclosure Act," P.L.1977, c.419
25 (C.45:22A-21 et seq.).

26 "Specially exempt facility" means a private lake, river or bay or
27 private community lake, river or bay association, or private nonprofit
28 common interest community which restricts the use of its lake, river,
29 bay or pool, as appropriate, to the owners of units thereof and their
30 invited guests. Specially exempt facility also includes a campground,
31 hotel, motel, mobile home park, or retirement community which
32 restricts the use of its pool to renters of the lodging units or owners of
33 the dwelling units, as appropriate, and their invited guests , or a
34 private marina which restricts the use of its swimming pool to owners
35 of boats eligible to use the facilities and their invited guests.

36 (cf: P.L.1991, c.135, s.1)

37

38 2. Section 2 of P.L.1991, c.135 (C.26:4A-5) is amended to read as
39 follows:

40 2. Notwithstanding the provisions of section 7 of P.L.1947, c.177
41 (C.26:1A-7) or any rules or regulations promulgated pursuant thereto
42 to the contrary, a specially exempt facility shall be exempt from
43 mandatory compliance with the first aid personnel and lifeguard
44 requirements of N.J.A.C.8:26-5 et seq., except that a campground,
45 private marina with a swimming pool, hotel, motel, mobile home park
46 or retirement community which does not voluntarily comply with these

1 requirements shall have a manager or owner on the premises when its
2 swimming area or, in the case of a private marina, when its swimming
3 pool is open for use.

4 (cf: P.L.1991, c.135, s.2)

5

6 3. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill amends sections 1 and 2 of P.L.1991, c.135 (C.26:4A-4
12 and C.26:4A-5) to add private marinas to the list of those specially
13 exempt facilities which are not required to comply with the New Jersey
14 Administrative Code regulations that mandate on-site first aid
15 personnel and lifeguards for their swimming areas.

16 The New Jersey Administrative Code (N.J.A.C.8:26-5 et seq.)
17 requires certain facilities with swimming areas to provide on-site first
18 aid personnel and lifeguards. Certain private facilities currently are
19 statutorily exempted from this regulatory requirement. Those
20 exempted facilities include private campgrounds, hotels, motels,
21 mobile home parks, and retirement communities which restrict the use
22 of their swimming areas to those owning or renting units at the facility.
23 While these exempted facilities are not required to have on-site first
24 aid personnel or lifeguards, they are required to have a manager or
25 owner on the premises whenever their swimming area is open for use.

26 This bill also adds private marinas to that list of specially exempted
27 facilities. A "private marina" is defined as "a privately-owned water
28 dependent facility for the docking, serving or storage of private boats,
29 at which services are provided on an annual, seasonal or per diem
30 basis, and which facility is not open to the general public, other than
31 bonafide guests of boat owners eligible to use the marina."

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1162

STATE OF NEW JERSEY

DATED: JANUARY 27, 2000

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 1162.

Assembly Bill No. 1162 amends sections 1 and 2 of P.L.1991, c.135 (C.26:4A-4 and C.26:4A-5) to add private marinas to the list of those specially exempt facilities which are not required to comply with New Jersey Administrative Code regulations that mandate on-site first aid personnel and lifeguards for their swimming areas.

The New Jersey Administrative Code (N.J.A.C.8:26-5 et seq.) requires certain facilities with swimming areas to provide on-site first aid personnel and lifeguards. Certain private facilities currently are statutorily exempted from this regulatory requirement. Those exempted facilities include private campgrounds, hotels, motels, mobile home parks, and retirement communities which restrict the use of their swimming pool to those persons owning or renting units at the facility and their invited guests. While these exempted facilities are not required to have on-site first aid personnel or lifeguards, they are required to have a manager or owner on the premises whenever their swimming area is open for use.

This bill adds private marinas to this list of specially exempted facilities. A private marina is defined as "a privately-owned water dependent facility for the docking, servicing or storage of private boats, at which services are provided on an annual, seasonal or per diem basis, and which facility is not open to the general public, other than bonafide guests of boat owners eligible to use the marina and which has a private swimming pool that is not open to the general public, other than bona fide guests of boat owners eligible to use the marina."

This bill was pre-filed for introduction in the 2000 legislative session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1162

STATE OF NEW JERSEY

DATED: MAY 11, 2000

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 1162.

Assembly Bill No. 1162 amends sections 1 and 2 of P.L.1991, c.135 (C.26:4A-4 and C.26:4A-5) to add private marinas to the list of those specially exempt facilities which are not required to comply with New Jersey Administrative Code regulations that mandate on-site first aid personnel and lifeguards for their swimming areas.

The New Jersey Administrative Code (N.J.A.C.8:26-5 et seq.) requires certain facilities with swimming areas to provide on-site first aid personnel and lifeguards. Certain private facilities currently are statutorily exempted from this regulatory requirement. Those exempted facilities include private campgrounds, hotels, motels, mobile home parks, and retirement communities which restrict the use of their swimming pool to those persons owning or renting units at the facility and their invited guests. While these exempted facilities are not required to have on-site first aid personnel or lifeguards, they are required to have a manager or owner on the premises whenever their swimming area is open for use.

This bill adds private marinas to this list of specially exempted facilities. A private marina is defined as "a privately-owned water dependent facility for the docking, servicing or storage of private boats, at which services are provided on an annual, seasonal or per diem basis, and which facility is not open to the general public, other than bonafide guests of boat owners eligible to use the marina and which has a private swimming pool that is not open to the general public, other than bona fide guests of boat owners eligible to use the marina."

ASSEMBLY, No. 1162

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

**Assemblyman MICHAEL J. ARNONE
District 12 (Monmouth)**

Co-Sponsored by:

Senator Ciesla

SYNOPSIS

Exempts private marinas from requirement to have first aid and lifeguard personnel on duty.

CURRENT VERSION OF TEXT

As reported by the Assembly Law and Public Safety Committee with technical review.



(Sponsorship Updated As Of: 9/22/2000)

A1162 ARNONE

2

1 AN ACT concerning private marinas and amending P.L.1991, c.135.

2

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

5

6 1. Section 1 of P.L.1991, c.135 (C.26:4A-4) is amended to read as
7 follows:

8 1. As used in this act:

9 "Campground" means a plot of ground upon which two or more
10 campsites are located, established or maintained for occupancy by
11 camping units of the general public as temporary living quarters for
12 children or adults, or both, for a total of 15 days or more in any
13 calendar year, for recreation, education, or vacation purposes.

14 "Common interest community" means:

15 a. property subject to the "Condominium Act," P.L.1969, c.257
16 (C.46:8B-1 et seq.) or the "Horizontal Property Act," P.L.1963, c.168
17 (C.46:8A-1 et seq.);

18 b. a housing corporation or association, commonly known as a
19 cooperative, which entitles the holder of a share or membership
20 interest thereof to possess and occupy for dwelling purposes a house,
21 apartment, manufactured or mobile home or other unit of housing
22 owned or leased by the corporation or association, or to lease or
23 purchase a unit of housing constructed or to be constructed by the
24 corporation or association; or

25 c. real estate with respect to which a person, by virtue of his
26 ownership of a unit, is obligated to pay for real estate taxes, insurance
27 premiums, maintenance or improvement of other real estate described
28 in the instrument, however denominated, which creates the common
29 interest community. Ownership of a unit does not include holding a
30 leasehold interest of less than 20 years in a unit, including renewal
31 options;

32 "Hotel" or "motel" means a commercial establishment with a
33 building of four or more dwelling units or rooms used for rental and
34 lodging by guests.

35 "Mobile home park" means a parcel of land, or two or more
36 contiguous parcels of land, containing at least 10 sites equipped for
37 the installation of mobile or manufactured homes, where these sites are
38 under common ownership and control, other than as a cooperative, for
39 the purpose of leasing each site to the owner of a mobile or
40 manufactured home for the installation thereof, and where the owner
41 provides services, which are provided by the municipality in which the
42 park is located for property owners outside the park, which services
43 may include, but shall not be limited to:

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Matter underlined thus is new matter.

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- 2 b. Lighting of streets and other common areas;
- 3 c. Garbage removal;
- 4 d. Snow removal; and
- 5 e. Provision for the drainage of surface water from home sites and
- 6 common areas.

7 "Private lake, river or bay or private community lake, river or bay
8 association" means an organization of property owners within a fixed
9 or defined geographical area with deeded or other rights to utilize,
10 with similarly situated owners, various lakefront, riverfront or bayfront
11 properties, which properties are not open to the general public, other
12 than bona fide guests of a member of the private lake, river or bay or
13 private community lake, river or bay association.

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19 private swimming pool that is not open to the general public, other
20 than bona fide guests of boat owners eligible to use the marina.

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22 registered with the Division of Housing and Development in the
23 Department of Community Affairs pursuant to "The Planned Real
24 Estate Development Full Disclosure Act," P.L.1977, c.419
25 (C.45:22A-21 et seq.).

26 "Specially exempt facility" means a private lake, river or bay or
27 private community lake, river or bay association, or private nonprofit
28 common interest community which restricts the use of its lake, river,
29 bay or pool, as appropriate, to the owners of units thereof and their
30 invited guests. Specially exempt facility also includes a campground,
31 hotel, motel, mobile home park, or retirement community which
32 restricts the use of its pool to renters of the lodging units or owners of
33 the dwelling units, as appropriate, and their invited guests , or a
34 private marina which restricts the use of its swimming pool to owners
35 of boats eligible to use the facilities and their invited guests.

36 (cf: P.L.1991, c.135, s.1)

37

38 2. Section 2 of P.L.1991, c.135 (C.26:4A-5) is amended to read as
39 follows:

40 2. Notwithstanding the provisions of section 7 of P.L.1947, c.177
41 (C.26:1A-7) or any rules or regulations promulgated pursuant thereto
42 to the contrary, a specially exempt facility shall be exempt from
43 mandatory compliance with the first aid personnel and lifeguard
44 requirements of N.J.A.C.8:26-5 et seq., except that a campground,
45 private marina with a swimming pool, hotel, motel, mobile home park
46 or retirement community which does not voluntarily comply with these

A1162 ARNONE

4

1 requirements shall have a manager or owner on the premises when its
2 swimming area or, in the case of a private marina, when its swimming
3 pool is open for use.

4 (cf: P.L.1991, c.135, s.2)

5

6 3. This act shall take effect immediately.

P.L. 2000, CHAPTER 151, *approved November 9, 2000*
Assembly, No. 1162

1 **AN ACT** concerning private marinas and amending P.L.1991, c.135.

2

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

5

6 1. Section 1 of P.L.1991, c.135 (C.26:4A-4) is amended to read as
7 follows:

8 1. As used in this act:

9 "Campground" means a plot of ground upon which two or more
10 campsites are located, established or maintained for occupancy by
11 camping units of the general public as temporary living quarters for
12 children or adults, or both, for a total of 15 days or more in any
13 calendar year, for recreation, education, or vacation purposes.

14 "Common interest community" means:

15 a. property subject to the "Condominium Act," P.L.1969, c.257
16 (C.46:8B-1 et seq.) or the "Horizontal Property Act," P.L.1963, c.168
17 (C.46:8A-1 et seq.);

18 b. a housing corporation or association, commonly known as a
19 cooperative, which entitles the holder of a share or membership
20 interest thereof to possess and occupy for dwelling purposes a house,
21 apartment, manufactured or mobile home or other unit of housing
22 owned or leased by the corporation or association, or to lease or
23 purchase a unit of housing constructed or to be constructed by the
24 corporation or association; or

25 c. real estate with respect to which a person, by virtue of his
26 ownership of a unit, is obligated to pay for real estate taxes, insurance
27 premiums, maintenance or improvement of other real estate described
28 in the instrument, however denominated, which creates the common
29 interest community. Ownership of a unit does not include holding a
30 leasehold interest of less than 20 years in a unit, including renewal
31 options;

32 "Hotel" or "motel" means a commercial establishment with a
33 building of four or more dwelling units or rooms used for rental and
34 lodging by guests.

35 "Mobile home park" means a parcel of land, or two or more
36 contiguous parcels of land, containing at least 10 sites equipped for
37 the installation of mobile or manufactured homes, where these sites are
38 under common ownership and control, other than as a cooperative, for
39 the purpose of leasing each site to the owner of a mobile or
40 manufactured home for the installation thereof, and where the owner
41 provides services, which are provided by the municipality in which the

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.

1 park is located for property owners outside the park, which services
2 may include, but shall not be limited to:

- 3 a. Construction and maintenance of streets;
- 4 b. Lighting of streets and other common areas;
- 5 c. Garbage removal;
- 6 d. Snow removal; and
- 7 e. Provision for the drainage of surface water from home sites and
8 common areas.

9 "Private lake, river or bay or private community lake, river or bay
10 association" means an organization of property owners within a fixed
11 or defined geographical area with deeded or other rights to utilize,
12 with similarly situated owners, various lakefront, riverfront or bayfront
13 properties, which properties are not open to the general public, other
14 than bona fide guests of a member of the private lake, river or bay or
15 private community lake, river or bay association.

16 "Private marina" means a privately-owned water dependent facility
17 for the docking, servicing or storage of private boats, at which
18 services are provided on an annual, seasonal or per diem basis, and
19 which facility is not open to the general public, other than bona fide
20 guests of boat owners eligible to use the marina and which has a
21 private swimming pool that is not open to the general public, other
22 than bona fide guests of boat owners eligible to use the marina.

23 "Retirement community" means a retirement community which is
24 registered with the Division of Housing and Development in the
25 Department of Community Affairs pursuant to "The Planned Real
26 Estate Development Full Disclosure Act," P.L.1977, c.419
27 (C.45:22A-21 et seq.).

28 "Specially exempt facility" means a private lake, river or bay or
29 private community lake, river or bay association, or private nonprofit
30 common interest community which restricts the use of its lake, river,
31 bay or pool, as appropriate, to the owners of units thereof and their
32 invited guests. Specially exempt facility also includes a campground,
33 hotel, motel, mobile home park, or retirement community which
34 restricts the use of its pool to renters of the lodging units or owners of
35 the dwelling units, as appropriate, and their invited guests, or a
36 private marina which restricts the use of its swimming pool to owners
37 of boats eligible to use the facilities and their invited guests.

38 (cf: P.L.1991, c.135, s.1)

39

40 2. Section 2 of P.L.1991, c.135 (C.26:4A-5) is amended to read as
41 follows:

42 2. Notwithstanding the provisions of section 7 of P.L.1947, c.177
43 (C.26:1A-7) or any rules or regulations promulgated pursuant thereto
44 to the contrary, a specially exempt facility shall be exempt from
45 mandatory compliance with the first aid personnel and lifeguard
46 requirements of N.J.A.C.8:26-5 et seq., except that a campground,

1 private marina with a swimming pool, hotel, motel, mobile home park
2 or retirement community which does not voluntarily comply with these
3 requirements shall have a manager or owner on the premises when its
4 swimming area or, in the case of a private marina, when its swimming
5 pool is open for use.

6 (cf: P.L.1991, c.135, s.2)

7

8 3. This act shall take effect immediately.

9

10

11

12

13 Exempts private marinas from requirement to have first aid and
14 lifeguard personnel on duty.

CHAPTER 151

AN ACT concerning private marinas and amending P.L.1991, c.135.

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

1. Section 1 of P.L.1991, c.135 (C.26:4A-4) is amended to read as follows:

C.26:4A-4 Definitions relative to lifeguard and first aid personnel requirements at certain swimming areas.

1. As used in this act:

"Campground" means a plot of ground upon which two or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for children or adults, or both, for a total of 15 days or more in any calendar year, for recreation, education, or vacation purposes.

"Common interest community" means:

- a. property subject to the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.) or the "Horizontal Property Act," P.L.1963, c.168 (C.46:8A-1 et seq.);

- b. a housing corporation or association, commonly known as a cooperative, which entitles the holder of a share or membership interest thereof to possess and occupy for dwelling purposes a house, apartment, manufactured or mobile home or other unit of housing owned or leased by the corporation or association, or to lease or purchase a unit of housing constructed or to be constructed by the corporation or association; or

- c. real estate with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for real estate taxes, insurance premiums, maintenance or improvement of other real estate described in the instrument, however denominated, which creates the common interest community. Ownership of a unit does not include holding a leasehold interest of less than 20 years in a unit, including renewal options;

"Hotel" or "motel" means a commercial establishment with a building of four or more dwelling units or rooms used for rental and lodging by guests.

"Mobile home park" means a parcel of land, or two or more contiguous parcels of land, containing at least 10 sites equipped for the installation of mobile or manufactured homes, where these sites are under common ownership and control, other than as a cooperative, for the purpose of leasing each site to the owner of a mobile or manufactured home for the installation thereof, and where the owner provides services, which are provided by the municipality in which the park is located for property owners outside the park, which services may include, but shall not be limited to:

- a. Construction and maintenance of streets;
- b. Lighting of streets and other common areas;
- c. Garbage removal;
- d. Snow removal; and
- e. Provision for the drainage of surface water from home sites and common areas.

"Private lake, river or bay or private community lake, river or bay association" means an organization of property owners within a fixed or defined geographical area with deeded or other rights to utilize, with similarly situated owners, various lakefront, riverfront or bayfront properties, which properties are not open to the general public, other than bona fide guests of a member of the private lake, river or bay or private community lake, river or bay association.

"Private marina" means a privately-owned water dependent facility for the docking, servicing or storage of private boats, at which services are provided on an annual, seasonal or per diem basis, and which facility is not open to the general public, other than bona fide guests of boat owners eligible to use the marina and which has a private swimming pool that is not open to the general public, other than bona fide guests of boat owners eligible to use the marina.

"Retirement community" means a retirement community which is registered with the Division of Housing and Development in the Department of Community Affairs pursuant to "The Planned Real Estate Development Full Disclosure Act," P.L.1977, c.419 (C.45:22A-21 et seq.).

"Specially exempt facility" means a private lake, river or bay or private community lake, river or bay association, or private nonprofit common interest community which restricts the use of its lake, river, bay or pool, as appropriate, to the owners of units thereof and their invited guests. Specially exempt facility also includes a campground, hotel, motel, mobile home park, or

retirement community which restricts the use of its pool to renters of the lodging units or owners of the dwelling units, as appropriate, and their invited guests , or a private marina which restricts the use of its swimming pool to owners of boats eligible to use the facilities and their invited guests.

2. Section 2 of P.L.1991, c.135 (C.26:4A-5) is amended to read as follows:

C.26:4A-5 Exemptions from mandatory compliance.

2. Notwithstanding the provisions of section 7 of P.L.1947, c.177 (C.26:1A-7) or any rules or regulations promulgated pursuant thereto to the contrary, a specially exempt facility shall be exempt from mandatory compliance with the first aid personnel and lifeguard requirements of N.J.A.C.8:26-5 et seq., except that a campground, private marina with a swimming pool, hotel, motel, mobile home park or retirement community which does not voluntarily comply with these requirements shall have a manager or owner on the premises when its swimming area or, in the case of a private marina, when its swimming pool is open for use.

3. This act shall take effect immediately.

Approved November 9, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: November 9, 2000

Governor today signed the following legislation:

A-1162, sponsored by Assemblyman Arnone (R-Monmouth) and Senator Ciesla (R-Monmouth/Ocean), exempts private marinas from the requirement to have first aid and lifeguard personnel on duty.

A-343, sponsored by Assembly Members Barnes (D-Middlesex) and Buono (D-Middlesex) and Senators Inverso (R-Mercer/Middlesex) and Bark (R-Atlantic/Burlington/Camden), allows ratepayers to designate third parties to receive public utility service termination notices.

A-517, sponsored by Assemblyman Bodine (R-Atlantic/Burlington/Camden), updates the law governing the New Jersey Firemen's Home.

A-853, sponsored by Assembly Members Bagger (R-Middlesex/Morris/Somerset/Union) and Augustine (R-Middlesex/Morris/Somerset/Union), authorizes appointment of four alternates to combined planning and zoning boards.

S-838, sponsored by Senators Martin (R-Essex/Morris/Passaic) and Allen (R-Burlington/Camden) and Assembly Members Buono (D-Middlesex) and Barnes (D-Middlesex), establishes a minimum period of school district eligibility for early childhood and demonstrably effective program aids and provides a budget cap exclusion for such aids. The bill incorporates recommendations made by the Governor in a conditional veto.

S-676, sponsored by Senators Robertson (R-Essex/Passaic) and Connors (R-Atlantic/Burlington/Ocean) and Assembly Members Myers (R-Warren/Hunterdon/Mercer), extends the civil service veterans' preference to certain persons who served in Operation Uphold Democracy in Haiti. The bill incorporates recommendations made by the Governor in a conditional veto.