

# 26:4A-4

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001 **CHAPTER:** 151  
**NJSA:** 26:4A-4 (Exempts campgrounds from lifeguard requirements)  
**BILL NO:** S1736 (Substituted for A3097)  
**SPONSOR(S):** Cafiero  
**DATE INTRODUCED:** June 7, 2001  
**COMMITTEE:** **ASSEMBLY:** ---  
**SENATE:** Law and Public Safety

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** June 21, 2001  
**SENATE:** June 21, 2001

**DATE OF APPROVAL:** July 13, 2001

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (original version of bill enacted)

(Amendments during passage denoted by superscript numbers)

#### S1736

**SPONSORS STATEMENT:** (Begins on page 4 of original bill) Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

#### A3097

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

<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b>	Yes
	<b>SENATE:</b>	No
<b>FLOOR AMENDMENT STATEMENTS:</b>		No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>		No
<b>VETO MESSAGE:</b>		No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>		Yes

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<b>NEWSPAPER ARTICLES:</b>	No

**SENATE, No. 1736**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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INTRODUCED JUNE 7, 2001

**Sponsored by:**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Co-Sponsored by:**

**Assemblyman Garrett and Assemblywoman Myers**

**SYNOPSIS**

Exempts campgrounds with swimming areas from DOH first-aid personnel and lifeguard requirements.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/22/2001)**

**S1736 CAFIERO**

2

1 **AN ACT** concerning certain first-aid personnel and lifeguard  
2 requirements and amending P.L.1991, c.135.

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

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

9 1. As used in this act:

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

15 "Common interest community" means:

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

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

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

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

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

**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 may include, but shall not be limited to:

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

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

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

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

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

42 (cf: P.L.2000, c.151, s.1)

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44 2. This act shall take effect immediately.

STATEMENT

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This bill exempts privately-owned campgrounds with swimming areas other than pools from State regulations establishing first aid personnel and lifeguard requirements.

Section 2 of P.L.1991, c.135 (C.26:4A-5) exempts a "specially exempt facility" from mandatory compliance with Department of Health and Senior Services first-aid personnel and lifeguard requirements. Section 1 of P.L.1991, c.135 (C.26:4A-4) defines a "specially exempt facility" to include campgrounds, hotels, motels, mobile home parks and retirement communities that restrict the use of their pools to persons who rent the lodging units or own the dwelling units and their invited guests.

Under the bill, a privately-owned campground which restricts a swimming area, such as a lake, to renters of the lodging units, owners of the dwelling units, the guests of these renters or owners or day-use visitors also would be exempt from these first-aid and lifeguard requirements. A campground owned by the State, a county or a municipality would not be exempt under the bill.

The bill also clarifies that a campground, hotel, motel, mobile home park or retirement community which allows day-use visitors, in addition to renters, owners and guests, to access its pool qualifies as a specially exempt facility.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 1736

# STATE OF NEW JERSEY

DATED: JUNE 14, 2001

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 1736.

This bill exempts privately-owned campgrounds with swimming areas other than pools from State regulations establishing first aid personnel and lifeguard requirements.

Section 2 of P.L.1991, c.135 (C.26:4A-5) exempts a "specially exempt facility" from mandatory compliance with Department of Health and Senior Services first-aid personnel and lifeguard requirements. Section 1 of P.L.1991, c.135 (C.26:4A-4) defines a "specially exempt facility" to include campgrounds, hotels, motels, mobile home parks and retirement communities that restrict the use of their pools to persons who rent the lodging units or own the dwelling units and their invited guests.

Under the bill, a privately-owned campground which restricts a swimming area, such as a lake, to renters of the lodging units, owners of the dwelling units, the guests of these renters or owners or day-use visitors also would be exempt from these first-aid and lifeguard requirements. A campground owned by the State, a county or a municipality would not be exempt under the bill.

The bill also clarifies that a campground, hotel, motel, mobile home park or retirement community which allows day-use visitors, in addition to renters, owners and guests, to access its pool qualifies as a specially exempt facility.

# ASSEMBLY, No. 3097

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JANUARY 9, 2001

**Sponsored by:**

**Assemblyman E. SCOTT GARRETT**

**District 24 (Sussex, Hunterdon and Morris)**

**Assemblywoman CONNIE MYERS**

**District 23 (Warren, Hunterdon and Mercer)**

**SYNOPSIS**

Exempts campgrounds with swimming areas from DOH first-aid personnel and lifeguard requirements.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/10/2001)**



A3097 GARRETT, MYERS

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1 AN ACT concerning certain first-aid personnel and lifeguard  
2 requirements and amending P.L.1991, c.135.

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

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

9 1. As used in this act:

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

15 "Common interest community" means:

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

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

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

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

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

**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 may include, but shall not be limited to:

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

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

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

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

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

38 (cf: P.L.2000, c.151, s.1)

39

40 2. This act shall take effect immediately.

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STATEMENT

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45 This bill would exempt campgrounds, hotels, motels, mobile home  
46 parks and retirement communities with swimming areas from

**A3097 GARRETT, MYERS**

4

1 Department of Health regulations establishing first aid personnel and  
2 lifeguard requirements.

3 Section 2 of P.L.1991, c.135 (C.26:4A-5) exempts a "specially  
4 exempt facility" from mandatory compliance with these regulations.

5 Section 1 of the law (C.26:4A-4) defines a "specially exempt facility"  
6 to include campgrounds, hotels, motels, mobile home parks and  
7 retirement communities that restrict the use of their "pool" to persons  
8 who rent lodging units or own dwelling units. Under this bill, such  
9 campgrounds, hotels, motels, mobile home parks and retirement  
10 communities with any type of swimming area, such as a lake, would be  
11 exempt from the first-aid and lifeguard requirements.

12 The bill also would include in the definition of a specially exempt  
13 facility any campground, hotel, motel, mobile home park or retirement  
14 community that restricts the use of its swimming area to day-use  
15 visitors.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3097**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 3, 2001

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 3097.

As amended and reported by the committee, Assembly Bill No. 3097 exempts privately-owned campgrounds with swimming areas other than pools from State regulations establishing first aid personnel and lifeguard requirements.

Section 2 of P.L.1991, c.135 (C.26:4A-5) exempts a "specially exempt facility" from mandatory compliance with Department of Health and Senior Services first-aid personnel and lifeguard requirements. Section 1 of P.L.1991, c.135 (C.26:4A-4) defines a "specially exempt facility" to include campgrounds, hotels, motels, mobile home parks and retirement communities that restrict the use of their "pool" to persons who rent the lodging units or own the dwelling units and their invited guests. Under the original bill, a campground, hotel, motel, mobile home park or retirement community with a type of swimming area other than a pool, such as a lake, also would have been exempt from these first-aid and lifeguard requirements. As amended by the committee, only privately-owned campgrounds with a type of swimming area other than a pool, such as a lake, would be exempt. A campground owned by a State, county or municipality would not be exempt under the amended bill.

The amended bill also clarifies that a campground, hotel, motel, mobile home park or retirement community which allows day-use visitors, in addition to renters, owners and guests, to access its pool qualifies as a specially exempt facility. Under the bill as introduced, a privately-owned campground which allows day-use visitors to access its swimming areas also would qualify as specially exempt.

[First Reprint]

**ASSEMBLY, No. 3097**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

INTRODUCED JANUARY 9, 2001

**Sponsored by:**

**Assemblyman E. SCOTT GARRETT**

**District 24 (Sussex, Hunterdon and Morris)**

**Assemblywoman CONNIE MYERS**

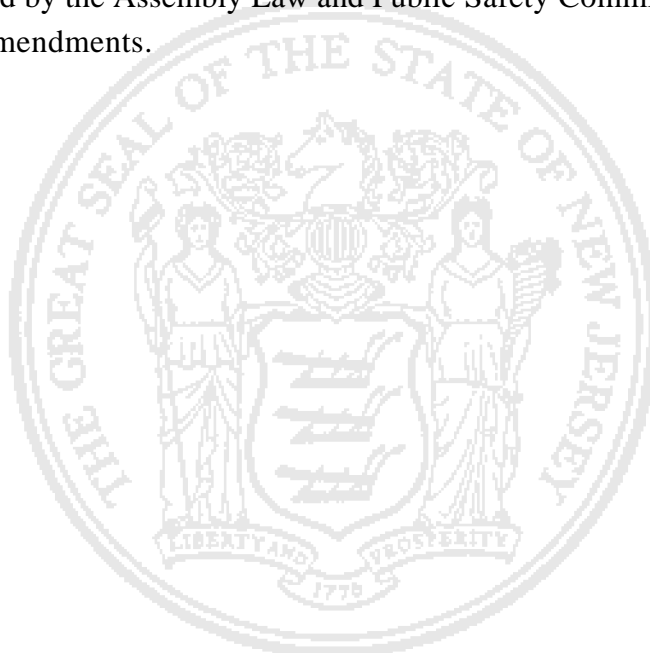
**District 23 (Warren, Hunterdon and Mercer)**

**SYNOPSIS**

Exempts campgrounds with swimming areas from DOH first-aid personnel and lifeguard requirements.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Law and Public Safety Committee on May 3, 2001, with amendments.



**(Sponsorship Updated As Of: 1/10/2001)**

1 AN ACT concerning certain first-aid personnel and lifeguard  
2 requirements and amending P.L.1991, c.135.

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

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

9 1. As used in this act:

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

15 "Common interest community" means:

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

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

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

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

36 "Mobile home park" means a parcel of land, or two or more  
37 contiguous parcels of land, containing at least 10 sites equipped for  
38 the installation of mobile or manufactured homes, where these sites are  
39 under common ownership and control, other than as a cooperative, for  
40 the purpose of leasing each site to the owner of a mobile or  
41 manufactured home for the installation thereof, and where the owner  
42 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 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> Assembly ALP committee amendments adopted May 3, 2001.

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] <sup>1</sup>[swimming area] pool<sup>1</sup> to renters of  
35 the lodging units [or] <sup>1</sup>[.] or<sup>1</sup> owners of the dwelling units, as  
36 appropriate, and their invited guests, or day-use visitors, or a private  
37 marina which restricts the use of its swimming pool to owners of boats  
38 eligible to use the facilities and their invited guests. <sup>1</sup>Specially exempt  
39 facility also includes a privately-owned campground which restricts the  
40 use of a swimming area other than its swimming pool to renters of the  
41 lodging units or owners of the dwelling units, as appropriate, and their  
42 invited guests, or day-use visitors.<sup>1</sup>

43 (cf: P.L.2000, c.151, s.1)

44

45 2. This act shall take effect immediately.

P.L. 2001, CHAPTER 151, *approved July 13, 2001*

Senate, No. 1736

1 **AN ACT** concerning certain first-aid personnel and lifeguard  
2 requirements and amending P.L.1991, c.135.

3

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

6

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

9 1. As used in this act:

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11 campsites are located, established or maintained for occupancy by  
12 camping units of the general public as temporary living quarters for  
13 children or adults, or both, for a total of 15 days or more in any  
14 calendar year, for recreation, education, or vacation purposes.

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17 (C.46:8B-1 et seq.) or the "Horizontal Property Act," P.L.1963, c.168  
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19 b. a housing corporation or association, commonly known as a  
20 cooperative, which entitles the holder of a share or membership  
21 interest thereof to possess and occupy for dwelling purposes a house,  
22 apartment, manufactured or mobile home or other unit of housing  
23 owned or leased by the corporation or association, or to lease or  
24 purchase a unit of housing constructed or to be constructed by the  
25 corporation or association; or

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

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

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

**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 provides services, which are provided by the municipality in which the  
2 park is located for property owners outside the park, which services  
3 may include, but shall not be limited to:

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

10 "Private lake, river or bay or private community lake, river or bay  
11 association" means an organization of property owners within a fixed  
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15 than bona fide guests of a member of the private lake, river or bay or  
16 private community lake, river or bay association.

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

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

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

44 (cf: P.L.2000, c.151, s.1)

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46 2. This act shall take effect immediately.

## STATEMENT

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This bill exempts privately-owned campgrounds with swimming areas other than pools from State regulations establishing first aid personnel and lifeguard requirements.

Section 2 of P.L.1991, c.135 (C.26:4A-5) exempts a "specially exempt facility" from mandatory compliance with Department of Health and Senior Services first-aid personnel and lifeguard requirements. Section 1 of P.L.1991, c.135 (C.26:4A-4) defines a "specially exempt facility" to include campgrounds, hotels, motels, mobile home parks and retirement communities that restrict the use of their pools to persons who rent the lodging units or own the dwelling units and their invited guests.

Under the bill, a privately-owned campground which restricts a swimming area, such as a lake, to renters of the lodging units, owners of the dwelling units, the guests of these renters or owners or day-use visitors also would be exempt from these first-aid and lifeguard requirements. A campground owned by the State, a county or a municipality would not be exempt under the bill.

The bill also clarifies that a campground, hotel, motel, mobile home park or retirement community which allows day-use visitors, in addition to renters, owners and guests, to access its pool qualifies as a specially exempt facility.

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Exempts campgrounds with swimming areas from DOH first-aid personnel and lifeguard requirements.

## CHAPTER 151

AN ACT concerning certain first-aid personnel and lifeguard requirements 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 day-use visitors, 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. Specially exempt facility also includes a privately-owned campground which restricts the use of a swimming area other than its swimming pool to renters of the lodging units or owners of the dwelling units, as appropriate, and their invited guests, or day-use visitors.

2. This act shall take effect immediately.

Approved July 13, 2001.

PO BOX 004  
TRENTON, NJ 08625

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

CONTACT: Rae Hutton  
609-777-2600

RELEASE: July 13 , 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

**A-3154**, sponsored by Senators Andrew Ciesla (R-Monmouth/Ocean), Joseph Palaia (R-Monmouth), Diane Allen (R-Burlington/Camden) and Assembly members Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Anthony Impreveduto (D-Bergen/Hudson), permits persons who are licensed professional engineers or architects in New Jersey to be licensed as home inspectors, provided they are deemed qualified to do home inspections by the New Jersey Board of Architects or the State Board of Professional Engineers and Land Surveyors.

**S-986**, sponsored by Senators Robert Martin (R-Essex/Morris/Passaic) and Kevin O'Toole (R-Essex/Union) and Assembly members Joel Weingarten (R-Essex/Union) and Rose Marie Heck (R-Bergen), permits jointure commissions to provide counseling, inclusionary and child study team service for, but not limited to disabled pupils.

**S-1736**, sponsored by Senator James Cafiero (R-Cape May/Atlantic/ Cumberland) and Assembly members Scott Garrett (R-Sussex/Hunterdon/ Morris) and Connie Myers (R-Warren/Hunterdon/Mercer), exempts certain privately owned campgrounds, hotels, motels, mobile home parks and retirement communities with swimming areas other than pools from certain Department of Health and Senior Services (DHSS) regulations establishing first aid personnel and lifeguard requirements.

**SCS-1783/S-1733**, sponsored by Senators Jack Sinagra (R-Middlesex), James Cafiero (R-Cape May/Atlantic/Cumberland), John Lynch (D-Middlesex/Somerset/ Union) and Louis Kosco (R-Bergen) and Assembly members George Geist (R-Camden/Gloucester) and Arline Friscia (D-Middlesex), establishes a Supplemental Workforce Administrative Fund for Basic Skills within the Workforce Development Partnership Fund by redirecting a portion of the employers and employee contributions from the unemployment compensation fund to the Supplemental Workforce Administrative Fund For Basic Skills.

**A-759**, sponsored by Senator Norman Robertson (R-Essex/Passaic) and Assemblyman Gerald Zecker (R-Essex/Passaic), provides that a delineated area in a municipality may be determined to be in need of rehabilitation if more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

**A-972**, sponsored by Senators Jack Sinagra (R-Middlesex) and John Adler (D-Camden) and Assemblymen Gary Stuhltrager (R-Salem/Cumberland/Gloucester) and John Wisniewski (D-Middlesex), the Athletic Training Licensure Act, requires athletic trainers

to be licensed by, rather than just registered with, the State Board of Medical Examiners (BME) in the Division of Consumer Affairs.

**A-3013**, sponsored by Senators Diane Allen (R-Burlington/Camden) and Peter Inverso (D-Mercer/Middlesex) and Assemblymen Michael Arnone (R-Monmouth) and Peter Biondi (R-Morris/Somerset), requires the Director of the Division of Local Government Services in the Department of Community Affairs to conduct a study of all municipalities, counties, school districts and regional authorities and districts to determine the number and type of all interlocal services agreements between such local units entered into between August 2, 1973, the effective date of the Interlocal Services Act, and January 1, 2001.

**S-1887**, sponsored by Senators Martha Bark (R-Atlantic/ Burlington/Camden) and Diane Allen (R-Burlington/Camden) and Assemblyman Leonard Lance (R-Warren/Hunterdon/Mercer), provides for the protection of the assets and distributions from creditors of "Roth" and "Education" individual retirement accounts (IRA) and higher education tuition savings accounts by including these trusts in the definition of "qualifying trust" under New Jersey law. This bill makes qualifying trusts non-exempt from punitive damages awarded in a civil action arising from manslaughter or murder.

**SCS-2345**, sponsored by Senators Henry McNamara (R-Bergen/Passaic) and John Adler (D-Camden) and Assemblyman Steve Corodemus (R-Monmouth), gives the state additional time to pursue legal actions against those who are responsible for contaminating sites around New Jersey. As a result of this act, responsible parties, not the taxpayers, will continue to be required to pay for the cleanup and the restoration of natural resources injured by that contamination. This bill continues the New Jersey Department of Environmental Protection's authority to require restoration of natural resources injured by a hazardous discharge as part of the remediation process.