

26:12-3

LEGISLATIVE HISTORY CHECKLIST

NJSA 26:12-3 (Youth Camp Safety Act--excludes non-profit religious organizations)

LAWS 1981 CHAPTER 536

Bill No. A2064

Sponsor(s) Hardwick

Date Introduced Sept. 29, 1980

Committee: Assembly Institutions, Health and Welfare
Senate Institutions, Health and Welfare

Amended during passage Yes ~~NO~~ Amendments denoted by asterisks
according to Governor's recommendations:

Date of Passage: Assembly Feb. 23, 1981 Re-enacted 1-11-82
Senate June 18, 1981 Re-enacted 1-12-82

Date of approval Jan. 12, 1982

Following statements are attached if available:

Sponsor statement	<u>Yes</u>	NO
Committee Statement: Assembly	<u>Yes</u>	NO
Senate	<u>Yes</u>	NO
Fiscal Note	Yes	No
Veto Message	<u>Yes</u>	NO
Message on signing	Yes	No

Following were printed:

Reports	Yes	No
Hearings	Yes	No

6/22/81

CHAPTER 536
APPROVED 1/25/82

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 2064

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 29, 1980

By Assemblymen HARDWICK, JANISZEWSKI
and COWAN

Referred to Committee on Institutions, Health and Welfare

AN ACT to amend the "New Jersey Youth Camp Safety Act,"
approved January 9, 1974 (P. L. 1973, c. 375).

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

1 1. Section 3 of P. L. 1973, c. 375 (C. 26:12-3) is amended to
2 read as follows:

3 3. As used in this act:

4 a. "Youth camp" means any parcel or parcels of land having
5 the general characteristics and features of a camp as the term is
6 generally understood, used wholly or in part for recreational or
7 educational purposes and accommodating five or more children
8 under 18 years of age for a period of, or portions of, 2 days or more,
9 and includes a site that is operated as a day camp or as a resident
10 camp, ****[but, except as to the application by the Department of**
11 **Health of water safety standards, does not include a religious and**
12 **recreational program, such as a "vacation bible school", operated**
13 **by a nonprofit religious organization where the children *[attending**
14 **are not provided transportation by the nonprofit religious organiza-**
14A **tion.]* *attend the program no more than 8 hours each day, re-**
14B **turn home each evening and are not provided transportation to and**
14C **from the program by the nonprofit religious organization.**]****
14D ****except that a day program which offers only a minimal recrea-**
14E **tional component shall not be considered a youth camp; however, no**
14F **such program shall include any hazardous recreational activity such**
14G **as but not limited to aquatics, archery, horseback riding and riflery**
14H **without first obtaining the prior written approval of the Depart-**
14I **ment of Health. Failure to obtain such approval or comply with**
14J **the regulations established for the activity involved shall subject**

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

14x the program to penalties in accordance with sections 10 and 11 of
14L P. L. 1973, c. 375 (C. 26:12-10 and 26:12-11)**.

15 b. "Youth camp safety standards" means criteria directed
16 toward safe operations of youth camps, in such areas as, but not
17 limited to, personnel qualifications for director and staff, ratio of
18 staff to campers, sanitation and public health, personal health, first
19 aid and medical services, food handling, mass feeding and cleanli-
20 ness, water supply and waste disposal, water safety including use
21 of lakes and rivers, swimming and boating equipment and practices,
22 vehicle condition and operation, building and site design, equip-
23 ment, condition and density of use, emergency evacuation pro-
24 cedures and fire safety.

25 c. "Youth camp operator" means any private agency, organiza-
26 tion, or person, and any individual, who operates, controls or
27 supervises a youth camp, whether such camp is operated for profit
28 or not for profit.

29 d. "Commissioner" means the Commissioner of Health or any
30 of his authorized deputies, representatives, agents or employees.

1 2. This act shall take effect immediately.

27 supervises a youth camp, whether such camp is operated for profit
28 or not for profit.

29 d. "Commissioner" means the Commissioner of Health or any
30 of his authorized deputies, representatives, agents or employees.

1 2. This act shall take effect immediately.

STATEMENT

This bill excludes from the definition of "youth camp" under the "New Jersey Youth Camp Safety Act" religious and recreational programs operated by a nonprofit religious organization.

The bill would, however, make water safety standards applicable to such programs.

The bill would make clear that these programs, which are often operated by religious organizations in urban areas, were never intended to be regulated by the act, not having the general characteristics and features of a camp as the term is generally understood.

ASSEMBLY INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2064

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 19, 1981

This bill excludes religious and recreational programs operated by a nonprofit religious organization from the definition of "youth camp" under the "New Jersey Youth Camp Safety Act," P. L. 1973, c. 375 (C. 26:12-1 et seq.). This applies to those nonprofit religious organizations operating such programs where the children attending are not provided transportation by the organization. However, water safety standards as enforced by the State Department of Health would apply to these programs.

The committee amended the bill to further define those organizations exempted from the definition of "youth camp" under this act. The amendment excludes religious and recreational programs operated by nonprofit religious organizations where children attend such programs no more than 8 hours each day, return home each evening and are not provided transportation to and from such programs by the organizations.

The committee agrees with the purpose of this legislation and released the bill.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2064

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STATE OF NEW JERSEY

DATED: JUNE 15, 1981

This bill amends the definition of "Youth Camp" in the "Youth Camp Safety Act" to exclude religious and recreational programs operated by nonprofit religious organizations, such as "vacation bible schools." The bill provides that water safety standards (developed by the Department of Health under the act) shall continue to be applicable to the vacation bible schools; however, other standards pertaining to staffing, facilities and equipment, for example, shall not be applicable to the vacation bible schools.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

January 7, 1982

ASSEMBLY BILL NO. 2064 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 2064 (OCR), with my objections and recommendations for amendment.

This bill would exempt 'vacation bible schools' from the New Jersey Youth Camp Safety Act except for the Department of Health's Water Safety Standards.

I basically agree with the purpose of this legislation. An organization or church that operates a summer program of religious instruction should not be burdened with building standards and inspections intended to regulate large recreation camps. On the other hand, if a summer program, whether primarily religious or recreational, engages in a hazardous recreational activity such as swimming, horseback riding or riflery, that activity should conform to State safety standards.

The language of A-2064 (OCR), as passed, creates an exemption for all day-time religious and recreation programs operated by a non-profit religious organization. They would, however, be subject to State water safety standards. I believe that this language does not distinguish between recreation programs run by a church and religious programs with an incidental recreation component. Furthermore, I believe that all hazardous recreational activities, not simply swimming, should be regulated.

I have therefore recommended that programs with a 'minimal recreation component' not be considered youth camps. However, any time one of these programs engages in a hazardous activity it would be required to obtain the prior approval of the Department of Health. Only when a religious school operates as a youth camp will it be regulated as one.

Therefore, I herewith return Assembly Bill No. 2064 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, Section 1, Line 10-14c: After 'camp,' Delete in entirety and insert

'except that a day program which offers only a minimal recreational component shall not be considered a youth camp; however, no such program shall include

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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any hazardous recreational activity such as but not limited to aquatics, archery, horseback riding and riflery without first obtaining the prior written approval of the Department of Health. Failure to obtain such approval or comply with the regulations established for the activity involved shall subject the program to penalties in accordance with sections 10 and 11 of P.L. 1973, c. 375 (C. 26:12-10 and 26:12-11).'

Respectfully,

/s/ Brendan Byrne

GOVERNOR

(seal)

Attest:

/s/ Harold L. Hodes

CHIEF OF STAFF, SECRETARY