November 2017 Legislative Update

Our Legislative Committee is made up of representatives from each state that we have member camps in. The committee meets twice a year to discuss important legislative issues happening in each state. Being involved with your local legislative groups is an important part of being a part of the camp industry. For more information on getting involved, please respond to this email. Outlined here is a brief summary of the major issues that you should be aware of that were discussed in our most recent meeting.
Maine

Reported by Peter Hirsch

Sales Tax
Another proposal to expand the sales tax base to include recreational services didn't get much traction at all this time around and, more importantly, summer camp tuition was specifically excluded from the language in the Governors' budget proposal. A second proposal to charge service fees on non-profits didn't go anywhere either.

As for meals and lodging, while Maine camps are exempted for their summer programs, this does not cover off-season groups.

Requirements for Staff Training
This was the first summer of additional requirements for staff training re: child abuse - a 2 hour course led by a person certified by the State. Rather than relying on a person from a state list of certified volunteers, most camps had a member of their staff take the certification course. Each staff member has to taking the new training once every 4 years.

Massachusetts

Reported by Billy Hoch

Life Jackets and Swimming Pool Regulations
Christian's Law, which regulates swim testing and the proper fitting and use of life jackets went into effect last spring. Most camps reported no issues with compliance.

A revised version of the Camp regulations is still under consideration by the Department of Health - no clear sense yet of whether these will be enacted in time for summer 2018.

A draft of new Swimming Pool regulations was just released, and MCA has submitted comments for suggested revisions.

Septic Systems
Conversations with the DEP are ongoing regarding seasonal septic systems.

Minimum Wage
A "technical fix" was made to the minimum wage exemption last summer so that there is no ambiguity that camp counselors are fully exempt from minimum wage. Camps will no longer have to apply for the special wage exemption, but will still have to apply for seasonal exemption from overtime.
New Hampshire

Reported by Greg Pierce

Currently there is no legislation pending that would be impactful to NH camps. This is the time of year when bills are introduced and our lobbyist will forward any and all bills that "may" have an impact on camps to the New Hampshire Camp Directors Association. From there we will track the bills as their specifics are fleshed out in committee.

Labor Laws
State wide the Dept. of Labor was more proactive in visiting camps and inspecting I-9’s, payroll records, youth employment certificates for children under 16, bank statements, cancelled payroll checks, boiler & unified pressure vessel certification, time record reports (for hourly employees), safety summary forms, proof of active joint loss management committee and proof of workers compensation policies.

Pennsylvania

Reported by Mark Zides

Epinephrine Auto-Injector
HB 126 Epinephrine Auto-Injector Entity Act

- Dialogue began in 2016.....calling for an authorized entity to provide training to administer Epi Pen’s at camp for anyone not having a prescription...(those stocked by the camp used for emergency use by anyone experiencing anaphylaxis).
- The authorized training was originally to be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment...as a health care practitioner employed or contracted by the department....or by an individual associated by the entity who has completed an anaphylaxis training program as required by the department.
- With the aid of our lobbyist, Triad Strategies, and sponsors of the bill in the PA House and Senate, PACA was able to get the wording of the bill changed to cover all HEALTH CARE PRACTITIONERS of the camp....so a licensed PA LPN, RN or EMT can do the training.
- The bill with changes unanimously came out of committee this summer.....and a vote will most likely occur in this session.

PA Budget and Sales Tax
PA is operating without a budget...the Democrat Governor and Republican majority House and Senate are at odds to create a workable budget.

- Gov. Tom Wolf and the Legislature have been struggling for months to agree on a revenue package to fund the state’s $32 billion budget and close a more than $2 billion deficit.
- In session last week the Governor tried to impose an additional statewide Hotel Room tax of 5%...
- Camps pay NO Room Tax and have an existing sales tax exemption.
- Our local legislators and statewide tourism folks put a stop to the notion....
- There has been talk in recent years to eliminate the sales tax exemption from over 70 industries ...camps being one of them.
- Our Wayne, Monroe and Pike County PA legislators have assured us they will work diligently to preserve the exemption should it come up again.
New Jersey

Reported by Jonathan Gold and Andy Pritikin

Your NJCGAP advocacy agenda was set by NJCGAP/ACA member camps and while priorities have been adjusted NJCGAP’s main issues continue to be:

- Minimum wage/Overtime exemption legislation,
- NJ Department of Health’s ACA exemption from youth camp safety act inspections.
- Maintaining our amusement ride regulation exemptions for gravity propelled activities and certain ACA specific exemptions.
- Dealing with ad hoc/daily NJDOH, NJDCA and NJDOL issues impacting the entire camp community.
- Tracking legislative of interest to the youth camp community

Minimum Wage and Over Time

The overwhelming majority of NJCGAP advocacy efforts in 2017 have been spent on Minimum Wage and Overtime. This has been both an offensive (get our own bill) and defensive advocacy (deal with efforts to increase MW to $15). With that said, our lobbyists are presenting NJCGAP every day and developing strategy and building support with legislators, administration (NJDOL/Governor’s office) and special interest groups (NJBIA, ACLU, unions/labor, seasonal employment industry . . .etc), to determine how we can get this done.

The Democratic legislature continues to support a $15 minimum wage, but knows it will be vetoed by Governor Christie - so it is on the back-burner until January 2018. The legislature is relying on a democrat Governor to be elected this fall, who supports a $15 minimum wage. So, NJCAGP’s interest to get an exemption from the minimum wage is caught up in this debate/election. As a result of the legislature waiting until the new session, we have not been able to push our youth camp-specific minimum wage exemption bill since they don’t want to deal with it unless they can do the whole push for $15.

In anticipation of the 2018 legislative sessions, over the summer we have been preliminary discussions with both candidates for Governor, Guadagno (R) and Murphy (D) on the issue of a youth camp exemption for MW/OT. Murphy is supportive of a $15 MW and we expect it to be one of the first policy pushes if he is elected. That will put us in a defensive posture to seek an exemption in that effort. Guadago, if elected, is opposed to the increase in MW and then we will have an opportunity to go on the offensive and push our camp-specific exemption bill.

There are also significant changes in legislative leadership anticipated after the November election and this also can have an impact on how an exemption is viewed by democratic leadership in the legislature, particularly in the Assembly, which is where we have been held up.

More to come after elections.
Insect Repellent
The New York State Camp Director's Association (NYSCDA) has been hard at work protecting the interests of all camps in New York. In June, it successfully prevented a last minute health department policy that would have prohibited campers from possessing insect repellent. Legislation was passed that would permit campers to possess and use insect repellent on their own. Please note that parental permission is still required. The bill also permits staff to apply bug spray on a camper. NYSCDA is now working with DOH to prevent the last minute introduction of policies without adequate time to implement them.

Unregulated Camps
Sadly, there were two deaths at unregulated single purpose camps this summer. NYSCDA will continue to work on legislation that will either have these camps regulated by the state or require disclosure to prospective campers that these single purpose camps are not regulated by the Department of Health (DOH) nor do they have to comply with the many safety precautions required of DOH permitted camps.