

Senate Executive Departments and Administration Committee

Kevin Condict 271-7875

SB 95, relative to summer camp cabins and the state building code.

Hearing Date: January 29, 2025

Time Opened: 10:07 a.m.

Time Closed: 10:35 a.m.

Members of the Committee Present: Senators Pearl, McGough, Altschiller and Reardon

Members of the Committee Absent : Senator Gannon

Bill Analysis: This bill establishes specific requirements for summer camp cabins, including definitions, exemptions from stringent codes, and safety measures.

Sponsors:

Sen. McConkey

Sen. Lang

Sen. Murphy

Who supports the bill: Sen. Mark McConkey (SD 3), Scott Brody (NH Camp Association) and Sen. Keith Murphy (SD 16).

Who opposes the bill: Curtis Register.

Who is neutral on the bill: Sean Toomey (SFMO).

Summary of testimony presented:

Senator Mark McConkey, Senate District 3

- Senator McConkey introduced Senate Bill 95.
- Senator McConkey explained that within a mile vicinity of his family home, there is the YMCA girls camp Hawkins and Camp Robin Hood. He said he also worked as a camp counselor for the YMCA while in college.
- Senator McConkey said that this issue had been brought to him by various small towns due to changes in fire chiefs, selectmen, and interpretations of building codes. He said camps that have operated safely for years are now being told to add sprinkler systems to an archaic infrastructure system. He explained these additions would make life difficult for the camp management.

- Senator McConkey said that commonly used camp cabins are built with pine boards, lack heating, and have screen windows. He said camps are about children getting to know one another and learning to cooperate with one another.
- Senator McConkey said that when there are forty or fifty campers lodged in a cabin, there is oftentimes a camp counselor within the cabin to maintain safety requirements. He said that safety is not an issue with the current system that is in place.
- Senator McConkey said that since this bill was drafted, there are several amendments he wished to bring forward.
- Senator Pearl said that if he was ready, he may present them.
 - o Senator McConkey said that line 11 of the bill says that campgrounds should be occupied no longer than one hundred and fifty days. He suggests that this should be adjusted to two hundred and ten days. He also said that number 3 on line 12, which says that camps can accommodate sixty or fewer people, should be adjusted to eighty people.
- Senator McConkey said that the Fire Marshal and camp association groups agree with this amendment.
- Senator McConkey said there's a possible amendment to add between lines 12 and 13, which would state that the following is part of the camp facility of a youth recreational camp as defined in He:C 4003. He said that is the consensus of the campground owners.
- Senator Altschiller asked if there was any documentation of support from the New Hampshire Camps Association. She was informed that they were testifying later.

Scott Brody, New Hampshire Camp Association

- Mr. Brody said that in addition to his ownership of two summer camps, in his volunteer time he represents summer camps in a variety of forums, including leading their representation within the federal government.
- Mr. Brody expressed strong support for SB 95.
- Mr. Brody said that the aim is to establish specific requirements for summer camp cabins under New Hampshire's building and fire codes. He said this is because there is a significant gap in the current framework.
- Mr. Brody said that this bill would provide clarity for state and local code enforcement officials and ensure the safety of children and counselors in summer camps across the state.

- Mr. Brody said that there are currently no international building code or fire code NFPA 101 provisions tailored to the unique nature of children's seasonal summer camp cabins. He said that this lack of specific guidance leads to inconsistent and overly stringent interpretations by local code enforcement officials.
- Mr. Brody said he experienced this at his camp when there was a change of leadership within the local volunteer fire department. He said that during the department's annual inspections of the camp, they did not have a framework to reference.
- Mr. Brody said that without a clear framework, camp cabins are classified under categories such as college dormitories or rooming houses. He said these classifications differ significantly in design, usage, and safety risk profiles. He said these classifications result in inappropriate requirements which create confusion for camp operators.
- Mr. Brody says that this bill is not looking to sidestep safety protocols but rather to produce a framework that is appropriate for children's summer camps.
- Mr. Brody says that many New Hampshire camps are accredited by the New Hampshire Camps Association, which has another three hundred health and safety standards. He also said that since counselors reside with campers, they can provide consistent supervision as well as facilitate rapid evacuation in emergency events.
- Mr. Brody said that there are mandated child-to-counselor ratios. He explained that his camps have a one counselor to four children ratio. He said that this ensures the camps operate more as a family or residential home.
- Mr. Brody said that because of the practice of emergency procedures, the track record of camp safety in New Hampshire is exceptional.
- Mr. Brody said that unlike occupants of rooming houses, who are often transient, or college dorms, where higher risk behavior is more likely, camp counselors operate in a structured environment that minimizes risk.
- Mr. Brody said the bill incorporates sensible and safety focused measures, including defining what a camp cabin is and seasonal and accommodation limitation provisions.
- Mr. Brody said the bill also exempts cabins from required sprinkler systems, while mandating safety features such as smoke detectors, handheld fire extinguishers and emergency exits.
- Mr. Brody said that this bill aligns with the precedent set by other states, such as New York, Minnesota, and Wisconsin. He said that in recent years these states have adopted similar frameworks to what is proposed within this bill.

- Mr. Brody said that for these reasons he is in support of SB 95, and that his organization has been partnering with the State Fire Marshal's Office from the beginning to ensure safety.
- Senator Reardon asked what the insurance companies require for camp safety standards.
 - o Mr. Brody explained that the insurance companies generally require buildings to be properly maintained, inspected annually for electrical and plumbing issues, and that they meet the requirements of state licensure.
- Mr. Brody said the fire department is working with the camp continuously to ensure fire pits and burning spots are properly located, and that the season is not too dry.
- Senator Altschiller asked for clarification as to if the change of one hundred and fifty days of operation to two hundred and ten days is due to camps' conversion into event space during the off season, and as to whether this extension changes the risk factor.
 - o Mr. Brody said that this specific request did not come from his group. He also explained that many non-profit and religiously affiliated camps continue to host youth groups into late summer.

Sean Toomey, State Fire Marshal

- Marshal Toomey said that he has been working with the camp groups for over a year to find a solution.
- Marshal Toomey said that the biggest issue heard during the hearing was inconsistency with enforcement of codes, and that the goal is to produce specific guidelines to provide relief.
- Marshal Toomey referenced the RSA 170-E, which provides rules that define youth programs and their parameters.
- Marshal Toomey said that after seeing the finalized language of the bill, he is mostly in agreement with the amendments. He said it would be great to finalize the amendments for the committee.
- Marshal Toomey said that he agrees to the adoption of at least two means of egress due to the challenges presented with full capacity two story buildings.
- Marshal Toomey said that the fire department likes to codify structures, and they typically codify such buildings as lodgings or dorms, but he admitted that summer camp lodging is different.
- Marshal Toomey explained that from a code perspective, when rebuilding something as small as a twelve-room bunk, it must be updated with sprinkler,

- electrical, and plumbing systems. He said that asking camps to comply with these requirements as if they were full dorms is not what should be done.
- Senator McGough asked if it is safe to house forty kids in the second story of a pine board building.
 - o Marshal Toomey said that it can be if there is proper smoke detection and fire exits.
 - Marshal Toomey said that if these buildings were looked at under the current fire code, they would be required to have a sprinkler system.
 - Senator McGough asked how campers on the second floor of a building exit if a fire starts on the first floor.
 - o Marshal Toomey said that a minimum of two exit stairwells or exterior exits would be required.
 - Marshal Toomey said that he approves of sprinkler systems, but that many camp lodgings do not have the infrastructure to support their installation.
 - Senator Altschiller said that she was concerned about capacity. She said that sixty children is a large group, even with two points of egress.
 - o Marshal Toomey stated that he was slightly concerned about the numbers. However, he recognized that it depends on certain layouts.
 - o Marshal Toomey said that having been to many of these camps, a balance is needed between safety and feasibility.
 - Senator Pearl asked if this bill would provide Marshal Toomey's staff with enough oversight to maintain camp safety.
 - o Marshal Toomey answered that it would but added that he was a bit confused at the stipulation that extended the days of the camps operations.
 - Senator Pearl said that he is happy to be involved in work on the bill and would like to see some language finalized.