

1 H.795  
2 Introduced by Representatives Greer of Bennington and Hango of Berkshire  
3 Referred to Committee on  
4 Date:  
5 Subject: Health; food and lodging establishments; children's camps; health and  
6 safety  
7 Statement of purpose of bill as introduced: This bill proposes to create  
8 additional health and safety requirements for the licensure of children's camps  
9 and extend licensure requirements to day camps.

10 An act relating to children's camps  
11 It is hereby enacted by the General Assembly of the State of Vermont:  
12 Sec. 1. 18 V.S.A. chapter 85 is amended to read:

13 CHAPTER 85. FOOD AND LODGING ESTABLISHMENTS  
14 Subchapter 1. Food and Lodging Establishments Generally  
15 § 4301. DEFINITIONS

16 (a) As used in this chapter:

17 \* \* \*

18 (2) "Children's camp" means any day or residential camp for children  
19 that:

6 \* \* \*

### Subchapter 3. Children's Camps

## § 4371. DEFINITIONS

**9 As used in this subchapter:**

10 (1) “Cabin” means a structure used to provide temporary sleeping  
11 quarters for campers.

## 20 Base Map Layer in accordance with the Flood Hazard Area and River Corridor

1       Protection Procedure for rivers and streams with a watershed area greater than  
2       two square miles.

3       (6) “Regional emergency management committee” means a local  
4       organization for emergency management in accordance with the State  
5       emergency management plan and program as described in 20 V.S.A. § 6.

6       § 4372. CHILDREN’S CAMP HEALTH AND SAFETY TEAM

7       (a) Creation. There is established the Children’s Camp Health and Safety  
8       Team within the Department of Health for the purposes of recommending  
9       minimum health and safety standards for children’s camps to the  
10       Commissioner of Health and the General Assembly and reviewing and  
11       approving children’s camps’ emergency plans.

12       (b) Membership. The Health and Safety Team shall be composed of:

13       (1) a representative of the Department of Health, appointed by the  
14       Commissioner;

15       (2) the Commissioner of Public Safety or designee;  
16       (3) the Commissioner of Financial Regulation or designee; and  
17       (4) the Commissioner of Forests, Parks and Recreation or designee.

18       (c) Powers and duties. The Health and Safety Team shall convene not less  
19       than quarterly to:

1                   (1) develop and recommend health and safety policies for children's  
2                   camps, including recommendations that may require amendment to State law  
3                   or rule; and

4                   (2) review and approve emergency plans submitted by children's camps  
5                   in the State.

6                   (d) Assistance. The Health and Safety Team shall have the administrative,  
7                   technical, and legal assistance of the Department of Health.

8                   (e) Meetings.

9                   (1) The member appointed by the Commissioner of Health shall serve as  
10                   chair.

11                   (2) A majority of the membership shall constitute a quorum.

12                   § 4373. ADDITIONAL LICENSURE REQUIREMENTS

13                   (a) In addition to the requirements in subchapters 1 and 2 of this chapter, a  
14                   children's camp shall meet the following health and safety requirements to  
15                   obtain a license to operate under this chapter:

16                   (1) develop and adopt an approved emergency plan pursuant to section  
17                   4374 of this chapter;

18                   (2) maintain an operable radio capable of providing real-time weather  
19                   alerts issued by the National Weather Service or a similar professional weather  
20                   service at the children's camp;

1                   (3) install and maintain at the children's camp an emergency warning

2                   system that:

3                   (A) is capable of alerting all campers and camp occupants of an  
4                   emergency; and

5                   (B) includes a public address system that is operable without reliance  
6                   on an internet connection;

7                   (4) monitor safety alerts issued by:

8                   (A) the National Weather Service or a similar professional weather  
9                   service; and

10                   (B) if applicable to the children's camp, local river authorities or  
11                   through other local emergency notification systems;

12                   (5) conspicuously post the proper evacuation route, as described in the  
13                   approved emergency plan required pursuant to section 4374 of this chapter, in  
14                   each cabin on the premises of the children's camp;

15                   (6) ensure each evacuation route on the premises of the children's camp  
16                   is illuminated at night; and

17                   (7) provide and maintain on the premises of the children's camp:

18                   (A) fiber-optic internet service; and

19                   (B) a secondary broadband internet service that is distinct from the  
20                   fiber-optic internet service required under subdivision (A) of this subdivision  
21                   (7).

1        (b) The Department may suspend any children's camp license if it finds  
2        that the children's camp is not in compliance with this chapter. It may  
3        reinstate a suspended license only after the Department determines the  
4        children's camp has come into compliance with the chapter.

5        § 4374. EMERGENCY PLAN

6        (a) A children's camp shall develop and implement an emergency plan  
7        that:

8            (1) specifies muster zones for campers and camp staff to gather during  
9            an emergency event that requires evacuation from any location within the  
10          children's camp premises;

11           (2) establishes procedures for responding to an emergency event,  
12          including:

13              (A) a lost camper;  
14              (B) a fire on the children's camp premises;  
15              (C) a severe injury, severe illness, serious accident, or death of one or  
16          more campers, visitors, camp staff, or camp volunteers that occurs on the  
17          children's camp premises or while under the supervision of camp staff;  
18              (D) an aquatic emergency if the children's camp borders a  
19          watercourse, lake, pond, or any other body of water;



1        (c)(1) Annually, at least four months prior to the children's camp opening  
2        for the season, the children's camp shall submit a copy of its proposed  
3        emergency plan developed pursuant to this section to the Health and Safety  
4        Team for review and approval. The proposed emergency plan shall be  
5        submitted in a form and manner prescribed by the Health and Safety Team.

6        (2)(A) If the Health and Safety Team determines that a children's  
7        camp's proposed emergency plan does meet the minimum standards prescribed  
8        in this chapter and in rule, the Health and Safety Team shall approve the  
9        emergency plan. A children's camp shall include its approved emergency plan  
10        as an addendum to each application for licensure or licensure renewal.

11        (B) If the Health and Safety Team determines that the children's  
12        camp's proposed emergency plan does not meet the minimum standards  
13        prescribed in this chapter and in rule, the Health and Safety Team shall advise  
14        the children's camp to revise and resubmit the proposed emergency plan within  
15        30 days after receiving notice from the Health and Safety Team of the  
16        proposed emergency plan's deficiencies.

17        (d) Annually, a children's camp shall provide a copy of its most recently  
18        approved emergency plan to:

19               (1) the regional emergency management committee operating in the  
20        region in which the children's camp is located;

1                   (2) the parent or legal guardian of each camper; and

2                   (3) camp staff and any volunteers.

3                   (e)(1) The Department shall store in a digital database each approved  
4                   emergency plan submitted by a licensed children's camp and shall provide  
5                   access to the database to the Department of Public Safety's Division of  
6                   Emergency Management and members of the Health and Safety Team.

7                   (2) Notwithstanding subdivision (1) of this subsection, any approved  
8                   emergency plan stored in the Department's digital database shall be exempt  
9                   from public inspection and copying under the Public Records Act and shall be  
10                   kept confidential, provided that an approved emergency plan that is no longer  
11                   current shall be available for public inspection and copying 10 years after the  
12                   date on which the plan was adopted.

13                   (f)(1) A children's camp shall notify the Health and Safety Team in the  
14                   form and manner prescribed by the Team if the children's camp modifies a  
15                   structure intended to facilitate children's camp activities or the location of a  
16                   camp activity on the premises of the children's camp.

17                   (2) Upon receiving the notification, the Health and Safety Team may  
18                   require the children's camp to update its emergency plan and resubmit it to the  
19                   Health and Safety Team for approval.

1       § 4375. FLOOD HAZARD AREAS; PARENTAL NOTIFICATION

2       If any area of a children's camp is located within a flood hazard area or  
3       mapped river corridor, the children's camp shall notify the parent or legal  
4       guardian of each current and prospective camper in writing. The children's  
5       camp shall obtain a written statement acknowledging receipt of this notice  
6       from each camper's parent or guardian prior to the start of the camper's  
7       attendance at the children's camp.

8       § 4376. TRAINING AND SAFETY ORIENTATION

9       (a) Each year prior to the arrival of campers, a children's camp shall:

10       (1) ensure each staff member and volunteer successfully completes a  
11       training on the children's camp's approved emergency plan in compliance with  
12       any minimum standards required by the Department by rule;

13       (2) instruct each staff member and volunteer on the proper procedures to  
14       follow in an emergency event under the approved emergency plan; and

15       (3) maintain written records documenting each staff member's and  
16       volunteer's participation in and successful completion of the training required  
17       pursuant to this subsection.

18       (b) Within the first 48 hours of the start of any children's camp session, a  
19       camp staff member shall conduct a mandatory health and safety orientation  
20       that:

1                   (1) notifies each camper of the children's camp's boundaries and any  
2                   hazards present on the camp premises;

3                   (2) instructs each camper on behavioral expectations in an emergency  
4                   event; and

5                   (3) provides each camper with developmentally appropriate instruction  
6                   on the procedures to follow in an emergency event in accordance with the  
7                   children's camp approved emergency plan required under section 4374 of this  
8                   chapter.

9                   § 4377. COMPLAINT AND INSPECTION PROCESS

10                  (a)(1) The Department shall maintain on its website a publicly accessible  
11                  complaint page for use by any individual, including a camper, parent or legal  
12                  guardian, camp staff member, or volunteer, who wishes to report that a  
13                  children's camp is noncompliant with this chapter.

14                  (2) Each licensed children's camp shall maintain a link to the  
15                  Department's complaint page in a prominent location on its website.

16                  (b) The Department shall investigate each complaint filed with the  
17                  Department using the publicly accessible web page or by other means to  
18                  ensure a children's camp is properly implementing its approved emergency  
19                  plan and other obligations under this chapter. Each investigation shall include  
20                  an in-person inspection of the children's camp in question.

## 1        § 4378. RULEMAKING

2        The Department shall adopt rules pursuant to 3 V.S.A. chapter 25 to  
3        implement the provisions of this subchapter. The rules shall also include  
4        minimum camper-to-counselor ratios for overnight stays at children's camps.

5 Subchapter 34. Serving Milk to Public

6 \* \* \*

7 Subchapter 45. Bakeries

8 \* \* \*

## 9 Subchapter 56. Salvage Food Facilities

10 \* \* \*

## 11 Subchapter 67. Temporary Outdoor Seating

12 \* \* \*

13 Subchapter 78. Short-Term Rentals

14 \* \* \*

## 15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.