

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 230

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 1996

The Senate Community Affairs Committee reports favorably Senate Bill No. 230 with committee amendments.

As amended by the committee, this bill would establish a basic level of electrical standards for swimming pools. It would supplement the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), to require the issuance of two documents, a bonding and grounding certificate and an electrical certificate of approval, before a pool could be opened for use or occupied by any person. The bill's provisions would apply to pools, hot tubs and spas located on any property other than one or two family residential property.

The bonding and grounding certificate would verify the electrical continuity of the bonding and grounding system of the pool. It would be issued by a certified electrical testing agency and would be valid for five years from the date of issuance.

The electrical certificate of approval would verify that all wiring located in or about the pool pump and associated electrical equipment complies with the National Electrical Code. It would be issued annually by the construction code enforcing agency upon completion of a satisfactory inspection and payment of a fee that would cover the enforcing agency's administrative costs. The bill provides that any defective electrical condition on the pool premises revealed by the inspection must be repaired by a licensed electrical contractor before the enforcing agency may issue the electrical certificate of approval.

The bill would take effect 60 days after enactment.

The bill is designed to improve the life safety conditions of workers and the public at large. It is intended to prevent electrocutions associated with swimming pool use such as occurred at an apartment complex in North Brunswick in the summer of 1994 when a lifeguard touched a pump with faulty wiring. During the summer of 1995, the Department of Health issued a Health Alert Bulletin which contained a warning to the employees and owners of public swimming pools concerning the potential life safety dangers of electrical systems associated with pools.

The committee amended the bill in order to make various technical and substantive changes to the bill. At the request of the Department of Community Affairs (DCA), the authority to issue a bonding and grounding certificate would be limited to certified electrical testing agencies. The committee also amended the bill, at DCA's request, in order to utilize the term "enforcing agency" rather than the term "municipality's electrical subcode official." Finally, at DCA's request, the \$50 "cap" on inspection fees has been removed from the bill.

The committee amendments replace the defined term "commercial swimming pool" with the term "swimming pool" in order to remove any confusion as to whether the bill's provisions apply to public pools, which they most assuredly do. Furthermore, that definition has been changed in order to address concerns raised by the Department of Health which asked that the bill's scope also include hot tubs and spas and that two family homes be excluded from the bill's provisions, as are single family homes. The committee amendments also modify this definition by replacing "tenants" with "members and residents" in order to underscore the sponsor's intention that the bill's scope include pools located on all forms of residential property except one and two family homes as well as those located on public property and at private clubs.

The amendments provide that metal fences within five, rather than 10, feet of the water line of the pool would be required to be connected to the bonding system in order to make this provision consistent with the national code.

Finally, the committee amended the bill in order to clarify that the bill's provisions apply to outdoor seasonal pools as well as indoor year-round pools. As originally drafted, the bill assumed that all pools are seasonal.

This bill was prefiled for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.