

SENATE No. 2490

The Commonwealth of Massachusetts



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July 1, 2021

To the Honorable Senate and House of Representatives,

Massachusetts is blessed with exceptional natural landscapes offering tremendous opportunities for outdoor recreation. Too often, these places of beauty have become sites of sorrow for families and communities as a result of accidental drownings. Over the past two months, the number of deaths at our lakes, ponds and beaches has risen dramatically. Each life lost is a unique tragedy. Collectively, they call out for action.

Today, our administration is announcing a multi-pronged effort to increase water safety at our state parks and beaches. The core of that effort will be educational outreach and expanded signage, with new signage, in multiple languages, going up at 35 DCR properties where waterfronts are either unguarded or swimming is prohibited entirely. The effort should also include enhanced enforcement to ensure that members of the public swim only in designated areas on Department of Conservation and Recreation (DCR) property. Water areas that have not been designated for swimming can present a number of dangers, including hidden rocks, sudden and steep drop offs, and murky waters. To provide an appropriate deterrent and penalty for swimming in unsafe areas, I submit for your consideration “An Act Relative to Enhanced Enforcement of Swimming Limitations.”

Under current law, penalties for violating DCR’s rules and regulations vary depending on whether a property was once part of the Metropolitan District Commission or the Department of Environmental Management, with fines ranging from \$20 to \$200. This legislation increases and makes uniform the penalty for entering or swimming in waters other than those designated for

swimming by DCR to a maximum fine of \$500, and preserves all other DCR authorities with respect to rules and regulations for its properties as they exist today.

I urge your prompt enactment of this legislation.

Respectfully submitted,

Charles D. Baker,
Governor

SENATE No. 2490

Senate, July 6, 2021 -- Message from His Excellency the Governor recommending legislation relative to enhanced enforcement of swimming limitations

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In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to enhanced enforcement of swimming limitations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 21 of the General Laws is hereby amended by inserting after section 3G the
2 following new section:-

3 Section 3H. Whoever enters or swims in water under the care and control of the
4 department of conservation and recreation that is not posted by the department as a designated
5 swimming area shall be punished by a fine of not more than \$500.