

HOUSE No. 3880

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill improving water safety for children in the Commonwealth (Senate, No. 2075).

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

The Committee on Ways and Means recommends that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following:

- 1 SECTION 1. Section 1 of chapter 90B of the of the General Laws, as appearing in the 2010
- 2 Official Edition, is hereby amended by inserting the following definition:-
- 3 "Amphibious landing vehicle", a motor vehicle that can travel on land and water.
- 4 SECTION 2. Section 5A of said chapter 90B, as so appearing, is hereby amended by inserting
- 5 after the first sentence the following sentence:- Each amphibious landing vehicle shall have 1
- 6 Coast Guard approved personal flotation device of Type I, II or III that shall be in a readily
- 7 accessible location for each passenger under 10 years of age.
- 8 SECTION 3. Said chapter 111 is hereby further amended by inserting after section 127A the
- 9 following section:-
- 10 Section 127A½. (a) A board of health shall adopt rules or regulations requiring recreational
- 11 camps for minor children under its jurisdiction to have a system in place to have Coast Guard
- 12 approved personal flotation devices of Type I, II or III available to non-swimmers and at-risk
- 13 swimmers who will be present in a swimming or diving area, excluding swimming pools, wading
- 14 pools and other artificial bodies of water.

15 (b) A determination shall be made of each minor's swimming ability at the first swimming
16 session at a recreational camp in order to identify and classify non-swimmers and at-risk
17 swimmers. Minors attending a recreational camp shall then be confined to swimming areas
18 consistent with the limits of their swimming skills or to swimming areas requiring lesser skills
19 than those for which they have been classified.

20 (c) No recreational camp for minor children shall refuse, decline or otherwise prohibit a parent,
21 guardian or person with custody of a minor from providing a Coast Guard approved personal
22 flotation device of Type I, II or III to such recreational camp to be used by the minor for the
23 duration of the minor's attendance at such camp.