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HOUSE . . . . . No. 4051

The Commonwealth of Massachusetts

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CHARLES D. BAKER
GOVERNOR

KARYN POLITO
LIEUTENANT GOVERNOR

August 3, 2021

To the Honorable Senate and House of Representatives,

I am returning unsigned House Bill No. 4010, "An Act Relative to Parking Fees on Department of Conservation and Recreation Roads."

This bill was originally included as an outside section in the Fiscal Year 2022 budget. That section proposed to limit the Department of Conservation and Recreation's (DCR) statutory authority to make rules and regulations for the use of the reservations, roads, driveways, boulevards and bridges under the Department's care by prohibiting the collection of any charge or fee for parking on any portion of a DCR boulevard, roadway, parkway, or way unless DCR has received prior approval from the local appropriating authority of the municipality in whose boundaries the fee is collected. The section further required that the approval be received after January 1, 2021.

While partnership with municipalities on parking plans for DCR roadways is critical, the changes proposed by the section went much further than necessary, proposing to invalidate municipal approvals that occurred prior to January 1, 2021. That would establish a dangerous precedent by retroactively revoking the valid action of a municipal government months or years after the fact. For this reason, I returned the outside section with a proposed amendment to correct this.

Unfortunately, my proposed amendment was rejected and the original text of the section was enacted again as part of this bill. My objections to this language remain, and for this reason I am returning House Bill No. 4010 unsigned.

Respectfully submitted,

Charles D. Baker,
Governor