

SENATE No. 1482

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth J. Donnelly

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the failure to remove existing poles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Donnelly, Kenneth (SEN)	Fourth Middlesex
Cynthia Stone Creem	First Middlesex and Norfolk
Karen E. Spilka	Second Middlesex and Norfolk
Susan C. Fargo	Third Middlesex
Jay R. Kaufman	15th Middlesex
William N. Brownsberger	24th Middlesex
William G. Greene, Jr.	22nd Middlesex
Charles A. Murphy	21st Middlesex
James Dwyer	30th Middlesex
Sean Garballey	23rd Middlesex
William C. Galvin	6th Norfolk
John D. Keenan	7th Essex
Bruce J. Ayers	1st Norfolk
Richard J. Ross	9th Norfolk
Robert L. Rice, Jr.	2nd Worcester
Jennifer M. Callahan	18th Worcester
Kathi-Anne Reinstein	16th Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE FAILURE TO REMOVE EXISTING POLES.

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

1 SECTION 1. Chapter 164 of the General Laws is hereby amended by inserting after
2 section 34B the following section:-
3 Section 34C. A distribution company or a telephone company engaging in the removal of an
4 existing pole and the installation of a new pole in place thereof that does not complete the
5 transfer of wires, all repairs and the removal of the existing pole from the site within 90 days
6 from the date of installation of the new pole shall pay a fine of \$200 to the municipality where
7 the existing pole is located for every day after 90 days from the date of installation of the new
8 pole; provided, however, that for any approved commercial or industrial construction project, the
9 completion of which is expected to take longer than one year, said company shall pay a fine of
10 \$200 to the municipality where the existing pole is located for every day after 6 months from the
11 date of installation of the new pole that the transfer of wires, all repairs and the removal of the
12 existing pole from the site are not completed.