

SENATE No. 1576

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:
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>

SENATE No. 1576

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1576) of Kenneth J. Donnelly, Michael F. Rush, Tackey Chan, Mark J. Cusack and other members of the General Court for legislation relative to the failure to remove existing poles. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ □ SENATE
□ , NO. 1654 OF 2011-2012.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
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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
4 an 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.