SENATE DOCKET, NO. 29 FILED ON: 1/7/2011

SENATE . . . . . No. 1654

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:

An Act relative to the failure to remove existing poles..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kenneth J. Donnelly	☐ *[District]* ☐
Sean Garballey	*23rd Middlesex*
Katherine M. Clark	*Middlesex and Essex*
George T. Ross	*2nd Bristol*
James B. Eldridge	☐ *[District]* ☐
James E. Timilty	☐ *[District]* ☐
John F. Keenan	☐ *[District]* ☐
Brian A. Joyce	*Norfolk, Bristol, and Plymouth*
Cynthia S. Creem	☐ *[District]*

	☐
Gale D. Candaras	☐ *[District]* ☐
Karen E. Spilka	☐ *[District]* ☐
Sal N. DiDomenico	*Middlesex, Suffolk, and Essex*
Richard T. Moore	☐ *[District]* ☐
Susan C. Fargo	☐ *[District]* ☐
Jay R. Kaufman	*15th Middlesex*
Thomas M. Stanley	*9th Middlesex*
James J. Dwyer	*30th Middlesex*
Marc T. Lombardo	*22nd Middlesex*
William N. Brownsberger	☐ *[District]* ☐

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SENATE . . . . . No. 1654

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1654) of Kenneth J. Donnelly, Sean Garballey, Katherine M. Clark, George T. Ross 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. *1482* OF 2009-2010.]

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 164 of the General Laws is hereby amended by inserting after section 34B the following section:-

Section 34C. A distribution company or a telephone company engaging in the removal of an existing pole and the installation of a new pole in place thereof that does not complete the transfer of wires, all repairs and the removal of the existing pole from the site within 90 days from the date of installation of the new pole shall pay a fine of $200 to the municipality where the existing pole is located for every day after 90 days from the date of installation of the new pole; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, said company shall pay a fine of $200 to the municipality where the existing pole is located for every day after 6 months from the date of installation of the new pole that the transfer of wires, all repairs and the removal of the existing pole from the site are not completed.