

HOUSE No. 2959

The Commonwealth of Massachusetts

PRESENTED BY:

Brian R. Mannel

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 adoption of the accompanying bill:

An Act to protect the broadcasting industry and promote renewable energy.

PETITION OF:

NAME:

Brian R. Mannel

DISTRICT/ADDRESS:

2nd Barnstable

HOUSE No. 2959

By Mr. Mannal of Barnstable, a petition (accompanied by bill, House, No. 2959) of Brian R. Mannal for legislation to prohibit the development of wind electric generation facilities detrimental to the operation of structures used for the transmission of radio or telecommunications. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3678 OF 2011-2012.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
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An Act to protect the broadcasting industry and promote renewable energy.

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. This Act shall be entitled the “The Broadcasting Industry Protection Act”,
2 and shall be construed in a manner to achieve its public purpose, which is to ensure that
3 renewable energy generation facilities do not interfere with transmissions from a
4 telecommunications or radio structure.

5 SECTION 2. Notwithstanding any general or special law, rule, or regulation to the
6 contrary, by December 31, 2013, the department of public utilities shall conduct a public hearing
7 and perform a study to evaluate the economic consequences to the broadcasting industry of the
8 transmission obstruction and interference created by the development of a wind turbine within
9 2000 feet of a radio or telecommunications structure. The department of public utilities shall
10 develop and issue, by March first of 2014, a report which shall detail the level of interference
11 caused by a wind turbine within 2000 feet of a radio or telecommunications structure. The
12 department may include in such report recommendations to address any identified electronic
13 interfere issues caused by a wind turbine. The department is hereby authorized and directed to
14 promulgate rules and regulations necessary to carry out the provisions of this section. The
15 department is hereby further authorized and directed to determine whether any rules and

16 regulations shall be promulgated with regard energy facility siting board approvals in order to
17 carry out the provisions of this section

18 SECTION 3. Notwithstanding any general or special law, rule or regulation to the
19 contrary, beginning January 1, 2014, local permits for the development of a wind electric
20 generation facility shall not be issued in the Commonwealth without an affirmation of the permit
21 applicant that said wind electric generation facility does not interfere or cause electric
22 interference upon a radio or telecommunications structure.