

# HOUSE . . . . . No. 3104

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act to Establish the Utility Safety Fund ..

*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. There shall be established a Fund, to be paid for by utility companies doing  
2 business in the Commonwealth, to provide for the immediate relief of municipalities impacted by  
3 utility outages. Said funds shall be utilized by municipalities for emergency response, public  
4 works and other municipal services impacted by such outages as well as other functions deemed  
5 necessary by said municipality. Said utilities are hereby expressly prohibited from in any way  
6 passing along the costs associated with this Act to consumers in the Commonwealth and the  
7 Attorney General of the Commonwealth is hereby authorized to investigate and prosecute any  
8 violation of this provision.

9           Section 2. Said utilities shall, on an annual basis, each contribute no less than an amount  
10 equal to five times the combined total compensation of the five most highly compensated  
11 individuals in each of said utilities. Said funds shall be paid annually to a fund to be established  
12 and administered for this purpose by the Executive office of Administration and Finance or its  
13 designee. The Executive Office of Administration and Finance shall, on or before December 31

14 of each year, file a detailed report with the Clerk of the House and Senate detailing the funds  
15 collected from each utility, the amount available in the Fund, and the funds disbursed hereunder.

16 Section 3. On an annual basis, the five most highly compensated individuals in each  
17 utility covered by the Act shall personally certify to the Office of the Attorney General, under the  
18 pains and penalties of perjury, that they have complied with the provisions of this Act.

19 Section 4. Failure to comply with the provision of this Act shall result in the suspension  
20 of any said utilities right to conduct business in the commonwealth.