

HOUSE No. 4076

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
· , MA

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

July 23, 2009

[Governors Message Body Text]

Sincerely,

Deval L. Patrick,
Governor

HOUSE No. 4076

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Message from His Excellency the Governor recommending legislation Relating To
Economic Recovery Through Broadband Initiatives In Massachusetts.

*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. Section 6B of chapter 40J of the General Laws, as appearing in section 6 of
2 chapter 231 of the acts of 2008, is hereby amended by inserting in subsection (d) after the words
3 “private-sector entities”, the following words:- ; provided, that for purposes of this section,
4 acquisition of either of the following shall be considered to be acquisition of an ownership
5 interest in broadband infrastructure: (i) an indefeasible right of use of facilities used for the
6 transmission of intelligence by electricity for a period of no less than 20 years, or for such lesser
7 term and subject to such other conditions as the secretary of the executive office of
8 administration and finance may determine to be appropriate to protect the public interest; or (ii) a
9 license or other agreement to use electromagnetic spectrum licensed by the federal government.

10 DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY PUBLIC SERVICE
11 CORPORATIONS

12 SECTION 2. Section 3 of Chapter 40A of the General Laws, as appearing in the 2006
13 edition, is hereby amended by striking out the second paragraph, and inserting in place thereof
14 the following paragraph:-