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 adoption of the accompanying bill:

An Act relative to the failure to remove existing poles.

PETITION OF:

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

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

In the Year Two Thousand Thirteen

An Act relative to the failure to remove existing poles.

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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.