

HOUSE No. 3820

By Mr. Murphy of Weymouth, petition of James M. Murphy relative to increasing the fines for violations of orders imposed by the Energy Facilities Siting Board. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO CERTAIN UTILITY REGULATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The fifth paragraph of Section 69H of Chapter 164 of the General
2 Laws, as appearing in the 2000 Official Edition, is hereby amended
3 by striking out paragraph (4) and inserting in place thereof the
4 following 2 subparagraphs:—

5 (4) The board shall have the opportunity to issue orders with
6 respect to any matter over which it has jurisdiction. Anyone who
7 violates any such order may be subject to a civil penalty not to
8 exceed \$25,000 for each violation for each day of the violation; but
9 the maximum civil penalty shall not exceed \$5,000,000 in the aggre-
10 gate. In the case of plants under construction, the board shall have
11 the authority to revoke all related permits should there be repeated
12 violations. Additionally, the board shall in cases for plants under
13 construction, have the authority to deny the opening of such plant
14 should there be related violations

15 (5) In the event that the board finds a violation, the board shall
16 have the authority to assemble a citizen advisory group, consist of 5
17 persons, 3 of whom to be appointed by the mayor or board of
18 selectman or governing body of the municipality in which the
19 energy facility is located, 1 of whom to be appointed by the energy
20 company which is the subject of the potential violations, and 1 of
21 whom to be appointed by the department of telecommunications and
22 energy. Such board will serve as an advisory authority to assist the
23 department of telecommunication and energy and or the energy
24 facilities siting board with review of violations, or potential

25 violations, and such board will assist with and make recommenda-
26 tions for penalties to the energy facilities siting board and the depart-
27 ment of telecommunications and energy.