

STATEMENT TO
[Second Reprint]
SENATE, No. 995

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: DECEMBER 21, 2023

These Senate floor amendments provide the following changes to the bill:

(1) revise the definition of the term “line” to include a copper telephone line, thereby providing that all provisions of the bill concerning the removal and marking of lines also apply to copper telephone lines;

(2) remove the requirement for the owners of certain copper telephone lines, which have not been used for 24 consecutive months, to remove all such copper telephone lines over a 10-year period based on a written plan submitted to the Board of Public Utilities (board);

(3) require any forms submitted by the owner of a pole, building, or structure for the removal of a suspected abandoned line to include a requirement that the requestor provide the pole number, address, or latitude and longitude of the associated pole, and a photograph of the abandoned line;

(4) require any forms submitted by a person, municipality, utility, or corporation for the removal of a suspected abandoned line include a requirement that the requestor provide the pole number, address, or latitude and longitude of the associated pole, and a photograph of the abandoned line, if available;

(5) clarify that the regular written reports submitted by an entity to the board concerning the notifications, complaints, and requests for a suspected abandoned line are required to include a description of all reports and notifications received from an employee of the entity or an employee of the subcontractor of the entity;

(6) provide that an entity that violates the requirements of the bill concerning the removal of abandoned lines and the marking lines are subject to a maximum aggregate fine of \$500 for each day in which the violation exists, instead of \$1,000 per day as previously provided in the bill;

(7) revise the requirement for certain employees to report certain suspected abandoned lines, including (1) providing that the employee of the subcontractor of an entity also has an affirmative duty to report such lines; and (2) limiting the scope of this duty to those lines that the employee reasonably believes to be under the ownership of the employer, or in the case of the employee of a subcontractor, those lines under the ownership of the entity for whom the subcontractor is engaged in work;

(8) remove the requirement for an entity to transmit to the board a copy of an employee's report that a line is abandoned, within 90 calendar days of receipt, separately from the regular written report updating the board on all notifications, complaints, and requests received by the entity; and

(9) provide technical changes to the bill, including the renumbering of sections and revising the synopsis of the bill.