

SENATE No. 1272

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, Jr., (BY REQUEST)

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 registering wireless facilities to allow for monitoring and to ease access to contact information.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Kirstin Beatty</i>	<i>149 Central Park Drive, Holyoke, MA 01040</i>	
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/31/2019</i>

SENATE No. 1272

By Mr. Humason (by request), a petition (accompanied by bill, Senate, No. 1272) of Kirstin Beatty and Carlos Gonzalez for legislation to register wireless facilities to allow for monitoring and to ease access to contact information . Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act registering wireless facilities to allow for monitoring and to ease access to contact information.

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. Chapter 111 of the General Laws is hereby amended, in Section 5N, as
2 appearing in the 2016 Official Edition, by adding after the third sentence the following new
3 paragraphs:-

4 The department shall require registration of wireless facilities in the commonwealth
5 beginning first with registration of all small cell facilities as well as all wireless facilities using
6 5G frequency bands so long as these facilities exist in the commonwealth. Costs for registration
7 shall be set by the department to cover costs of managing registration, and registration shall be
8 required yearly.

9 The department shall require with registration information contact information for a
10 plaintiff to file service against the owner of the wireless facility, including the name and address
11 of the owner or owners. For business entities, names and addresses of the business entity must be

12 provided along with an agent for service. For partnerships, names and addresses of partners must
13 be included. For business entities, executive offices must also provide names and addresses for
14 service to allow for “piercing the corporate veil” if necessary.

15 The department shall keep this registration information available for public record, and
16 shall work with the Massachusetts Broadband Institute to create for public availability an online
17 map of these facilities with attached registration information.

18 Subject to appropriation, the department may employ a nonionizing radiation specialist to
19 monitor and advise on wireless radiation levels in the commonwealth and the department may
20 charge a fee for this specialist to assist municipalities in evaluating applications for cellular
21 services. This nonionizing radiation consultant must acquire an electromagnetic radiation
22 specialist certification in Building Biology and may not have served as a product defense
23 specialist regarding nonionizing or ionizing radiation.

24 Subject to appropriation, the department may also employ other nonionizing radiation
25 specialists to assist regarding wireless rules, regulations, restrictions, and bans, provided
26 however that the nonionizing radiation specialist may not have served as a product defense
27 specialist for nonionizing or ionizing radiation either directly or as an employee of a product
28 defense company.

29 In establishing rules and regulations of the commonwealth regarding ionizing and
30 nonionizing radiation and protections necessary for public health, the department shall rely on
31 the precautionary principle. The precautionary principle ordains that serious risks to the people’s
32 lives, environmental health, and ensuing generations shall be forbidden. In some cases, risks
33 must be carefully weighed and sifted when risks exist on both sides of the equation.

34 SECTION 2. Chapter 111 of the General Laws is hereby amended, in Section 5, as
35 appearing in the 2016 Official Edition, by inserting after the first sentence the following
36 sentence:- The department shall recognize artificially-generated and random nonionizing
37 radiation as a cause of disease, including wireless communications, electricity, and modulation,
38 harmonics, and transients, and