

SENATE No. 1273

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 banning especially dangerous wireless facilities, emissions, and products.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Kirstin Beatty

SENATE No. 1273

By Mr. Humason (by request), a petition (accompanied by bill, Senate, No. 1273) of Kirstin Beatty for legislation to ban especially dangerous wireless facilities, emissions, and products. Public Health.

The Commonwealth of Massachusetts

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

An Act banning especially dangerous wireless facilities, emissions, and products.

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 last paragraph the following
3 paragraphs:-

4 The department shall prepare a timeline for the removal of wireless facilities and
5 products deemed to be especially dangerous based on factors such as frequency band, power
6 level exposures, modulation, population exposed, and any other factors which the department
7 deems relevant to making a determination.

8 The department shall begin by banning wireless emissions, facilities, and products
9 considered to be especially dangerous and lacking sufficient proof of safety, starting with a ban
10 upon wireless baby monitors, small cell facilities, and frequencies at the higher end of the 5G
11 band.

12 The department may proceed with banning other types of nonionizing radiation and
13 equipment or products generating nonionizing radiation. If necessary the timeline shall allow for
14 the replacement with landline or hard-wired broadband connections with significantly reduced
15 emissions of non-ionizing radiation.

16 In setting bans, the department shall use common sense in recognizing that bans may not
17 effectively address removal of wireless products already existing in homes, and public education
18 and other systems may be necessary to remove products such as wireless baby monitors.

19 The department shall work with the attorney general's office as necessary to insure bans
20 and accompanying procedures are legal under state law. The department may work with the
21 department of public utilities, the department of telecommunications and cable; the department
22 of housing and economic development; the Massachusetts Broadband Institute; and any other
23 departments or public entities to smooth the transition or to assist with determining reasonable
24 timelines.

25 When questions arise regarding which products, frequency bands, and facilities to ban,
26 the department shall adhere to the principle of reverse onus, under which it is the responsibility
27 of those supporting an exposure to show that the exposure is not seriously harmful and to do so
28 with credibility. Further, the department shall adhere to the principle of alternative assessment
29 that requires that no risky action will be taken if there are alternative actions available that safely
30 achieve the same purpose.

31 The department may refer to the precautionary principle and the most stringent rules and
32 regulations set in other countries in shaping rules and regulations for the commonwealth, and
33 may further take the advice of medical and scientific experts actively engaged in the field as

- 34 researchers or for the purpose of consumer protection, provided that these experts are not product
- 35 defense experts or employed by product defense companies or the industry.