

# SENATE . . . . . No. 1272

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## 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

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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.

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## The Commonwealth of Massachusetts

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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

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

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

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

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

In establishing rules and regulations of the commonwealth regarding ionizing and nonionizing radiation and protections necessary for public health, the department shall rely on the precautionary principle. The precautionary principle ordains that serious risks to the people’s lives, environmental health, and ensuing generations shall be forbidden. In some cases, risks 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