

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3484

TITLE: An Act limiting tech radiation in anchor institutions

SPONSOR: Representative Patricia A. Duffy (by request)

COMMITTEE: Telecommunications, Utilities, and Energy

HEARING DATE: May 6, 2025

PRIOR HISTORY: *New file*

CURRENT LAW:

Chapter 93 of the General Laws pertains to regulation of trade through certain enterprises.

Chapter 25C of the General Laws, and Section 1 thereof, pertains to the Department of Telecommunications and Cable.

Chapter 71 of the General Laws pertains to school funds and state aid for public schools.

SUMMARY:

SECTION 1

Preamble and statement of the goals of this legislation, which directs the Commonwealth to limit non-ionizing radiation from technology in anchor institutions under its jurisdiction, or the jurisdiction of its municipalities. “Anchor institutions” include schools, institutions of higher education, government entities, public safety entities, medical centers, libraries, and public housing.

SECTION 2

Public Agencies and Anchor Institutions

All state and municipal agencies, boards, and quasi-public agencies with jurisdiction over such public anchor institutions shall do the following:

- Recommend limiting non-ionizing radiation exposures from technology.
- Provide easily accessible guidance, training, education, and information on how best to reduce and monitor exposures.
- Set quality control requirements for a graduated program to reduce and monitor existing non-ionizing radiation exposures, while still ensuring continued access to necessary telecommunications and broadband services.
- Require migration from wireless to wired services, where feasible.
- Adopt a preference for bids, products, and processes that minimize non-ionizing radiation from wireless. Such preference will be specified in contractual negotiations.
- Create new systems, regulations, evaluations, standards, and procedures that rely less on technology, minimize trivial use of technology, and minimize trivial data collection, where feasible.
- Set requirements for clear, visible notification of hotspots and other indoor and outdoor wireless antennas which lack fencing.
- Choose practices that most quickly provide wired access that minimizes non-ionizing radiation and choose connectors and equipment that minimize leakage and disruption of power quality.

- When migrating to wired services or minimizing wireless non-ionizing radiation, state public bodies are to adopt the ALARA principle as low as reasonably achievable, and the ASARA principle as safe as reasonably achievable, with regard to non-ionizing radiation exposures.

To assist state public bodies with jurisdiction over anchor institutions in carrying out the actions listed above, this legislation directs the Governor to form a small team of knowledgeable and qualified experts to provide support and training.

Public Education

This legislation also directs the Commonwealth to require the following prompt actions:

- Public institutions of higher education must substitute wireless connectivity in dormitories with wireless alternatives that best minimize non-ionizing radiation exposures. Once substitutions have been made in dormitories, public institutions of higher education are directed to provide similar wired service across the rest of the campus.
- Public pre-K-12 schools:
 - Such school using Wifi must only allow it to transmit when in use. In elementary schools, Wifi must only be transmitted when in use within administrative areas.
 - Such public pre-K-12 schools are also required to give preference to paper-based testing over computer testing, including for state-mandated tests, except in cases where a disability requires use of a computer.
 - Student technology use must be limited to an opt-in basis and can only be mandated for extracurricular courses in secondary education, such as computer programming or workforce software training.

The Commonwealth's Secretary of Education is directed to work with the Legislature to prepare a plan to cost-effectively provide needed wired services in public schools and institutions of higher education in a manner that best minimizes non-ionizing radiation.

Enforcement

The Attorney General is directed to enforce good-faith compliance with the provisions of Section 1 of this legislation through adjudication of complaints alleging violations in accordance with Chapter 93 of the General Laws, as well as via other remedies and penalties outlined in the statute.

SECTION 3

Amends the definition of "advanced telecommunications capability" in the Department of Telecommunications (DTC)'s enabling statute by limiting the scope of applicable telecommunications media and technology to those that best reduce electromagnetic radiation exposures from 0 to at least 300 GHz. This specification of terminology will be reflected in the statewide policy regarding advanced telecommunications capability in the Commonwealth that the DTC is directed to develop with the Massachusetts Broadband Institute.

SECTION 4

Directs the Department of Elementary and Secondary Education to require a science and technology educational standard for grades k-12. This age-appropriate standard will ensure that k-12 students learn about the biological impacts of electromagnetic radiation (ranging from 0-300 gigahertz) that is emitted by both natural radiation and modern technologies, including digital and electronic products and antennas. From grades 6-12, this educational standard will focus on the scientific grounds for the biological effects of non-thermal and thermal exposures.

Also directs the Department of Elementary and Secondary Education to require that within the science and technology standard and within standards for health education, there be age-appropriate information

on reducing electromagnetic exposures from wireless and electrical technologies. Such standards are to begin in grade 2 and continue through grade 12.

SECTION 5

Establishes a special commission that is tasked with examining the Massachusetts General Laws (MGL) in order to recommend changes that foster hard-wired communication and reduce exposure to electromagnetic radiation from 0 hertz through 300 gigahertz, in alignment with Section 1 of this legislation. By December 31, 2026, the special commission must file an initial report of its recommendations – along with any drafts of proposed legislation or regulations – with the House and Senate Clerks, the Speaker of the House of Representatives, the Senate President, the Governor, HWM Chair and SWM Chair. The special commission must file a full final report no later than March 1, 2027.

The special commission will be comprised of the following members (or their designees):

- Commissioner of the Department of Telecommunications and Cable
- House Chair of the Joint Committee on Telecommunications, Utilities and Energy (serving as an additional co-chair of the special commission)
- Senate Chair of the Joint Committee on Telecommunications, Utilities and Energy (serving as an additional co-chair of the special commission)
- A member appointed by the Governor with expertise in reducing exposures to electromagnetic radiation
- A member appointed by the Senate President
- A member appointed by the Speaker of the House of Representatives