

## 2021-2022 MA Legislature Bills – Last Tree Laws (LastTreeLaws.com)

SUBMITTING TESTIMONY - Unless attending a public hearing, testimony should be submitted by mail or email to **your legislators** & *the committee currently assigned* to study and report on the bills. **Please mail a copy** to us as well for the **starred bills**, since last session not all testimony sent was counted towards our bills. Committee email addresses & numbers will be posted online at LastTreeLaws.com in June, & possible templates. **Mail your testimony copy to:** LTL, c/o Kirstin Beatty, 149 Central Pk Dr, Holyoke, MA 01040.

**Wireless & electricity regulation bills** – All but 3 bills are before the joint committee on **Advanced Information Technology, the Internet and Cybersecurity**. The 3 utility bills are before the **Joint Committee on Telecommunications, Utilities and Energy**.

### Good bills

#### \*Police, firefighters, etc., and technology risks (H.114)

**H. 114** An Act studying technology impacts on police, firefighters, and emergency and security personnel

Sponsor: Citizen Kirstin Beatty

**Summary:** Invites police and firefighters to examine how to address health impacts of technology with a few experts and 1 black lives matter representative.

**History:** The **IAFF**, which represents many MA firefighter unions, is officially against antennas on fire stations. Emergency personnel use great deal of wireless & electric equipment, more so than your average person. There are health concerns, so the people using or exposed to the equipment should have a say in those exposures.

#### \*Medically address modern pollutants (H.108)

**H.108** An Act supporting patients and residents suffering from environmental pollutants and modern technologies, e.g. wireless.

Sponsor: Rep. Patricia Duffy and citizen Kirstin Beatty

**Summary:** Doctors, nurses, and practical nurses are trained regarding health impacts of wireless & certain kinds of electricity, and insurance covers patient education on the same. Patients with leukemia & lymphoma are given extra help. Nursing homes and medical providers are to work towards reducing such exposures. Nutritional therapy is to adopted.

**History:** Kirstin put forward several bills to request attention from medical providers to electromagnetic health in previous sessions.

#### \* Reduce wireless & electricity in education (H.105)

**H. 105 An Act reducing non-ionizing radiation such as wireless from early to higher education.**

Sponsor: Rep. Pat Duffy & citizen Kirstin Beatty

**Summary:** The bill requires hard-wiring broadband services and reducing non-ionizing radiation in higher education and public schools. Departments or boards from early to higher education are to create guidelines and require those easy and cheap to do, setting reasonable deadlines for all other recommendations.

**History:** Previous iterations of a bill to restrict school exposures have been put forward by resident and co-chair Kirstin Beatty and by Rep. Carolyn Dykema. Rep. Dykema's bills have proposed the education departments to examine how to best use wireless, while Kirstin's have sought to eliminate wireless. Questions remain as to whether wireless can be used safely, and it would be difficult or impractical for schools to enact a variety of practices to reduce existing wireless exposure rather than simply hard-wiring the internet, so we are not supporting Rep. Dykema's bill.

**\*Invest in wires & audit telcos/utilities (H.112)**

**H.112** An Act hard-wiring state offices and investing in hard-wired communications

Sponsor: Citizen Kirstin Beatty

**Summary:** Massworks, Massachusetts Broadband Institute, the executive office of info tech, the director of wireless & telecommunications -- all are to use or invest in wired, not wireless tech. The MBI board constitution is slightly changed to bring in public health and privacy advocates. The Ed. commissioner is to develop a plan to hard-wire public educational institutions. **Also**, requires an annual, public audit report from telecommunication companies and utilities, and sets penalties for lack of compliance, changing from an optional audit.

**Background:** (1) Wireless is harmful. (2) Telecommunications monopolies have allowed deterioration of underground phone lines and service and have concealed cross subsidies to avoid taxes -- auditing is necessary.

**\*Wireless insurance requirements (H.113)**

H. 113 **An Act requiring wireless insurance.** *Why?* Insurance companies will provide oversight and incentive to limit the most dangerous exposures, and the insurance provides protections.

Personal devices and appliances are exempted. *Sponsor:* Kirstin Beatty

**\*Radiation monitoring & regulation (H.109)**

**H. 109** An Act improving non-ionizing radiation regulation and monitoring.

Sponsor: Citizen Kirstin Beatty

**Summary:** Supports reporting to the state of all cellular infrastructure with names of owners, etc., public mapping of sites, qui tam exposure monitoring, state exposure monitoring, a public listing of consultants, dedicated monitoring employees, and allows for state fines -- adaptation of original statutes.

**\*Halt 5G frequencies & small cells (H.110)**

**H.110** An Act halting 5G high frequencies and close proximity antennas

Sponsor: Citizen Kirstin Beatty

**Why?** Hard-wiring alone will not stop residential 5G or more cell towers. Because the FCC makes saying no tough and for some new technologies it bypasses local permitting, the state must act.

**Summary:** This bill requires a timeline for removal of wireless facilities with a focus on 6 GHz frequencies and higher as well as for microcell removal. A typo needs fixing for the requirement for identification of detailed information on ownership of facilities, with fines required if not shared.

Certification may be provided for non-wireless products, etc., and education shall be provided. The last section allows a lessee renting property and a mobile services customer to cancel the contract with service providers.

**History:** Please see current lawsuits on this topic. Also, the bill includes some background as follows.

SECTION 1. The legislature finds and confirms all of the following:-

Whereas, federal telecommunications law recognizes the right of states to “impose, on a competitively neutral basis” requirements to protect public safety and welfare (47 U.S. Code § 253). Whereas, “promoting safety of life and property” is one purpose of the Federal Communications Commission (FCC) in supporting wire and radio communication service, the other being national defense (47 U.S. Code § 151).

Whereas, the FCC is not a medical agency and has failed to consult with proper authorities on the safety of wire and radio communication services.

Whereas, based on responses of the ruling judges, the FCC is likely to lose a procedural case highlighting its failures in pronouncing current wire and radio communication service safe despite substantive research and docket commentary to the contrary (Environmental Health Trust, et al. v. Federal Communications Commission, Nos. 20-1025 and 20-1138).

Whereas, non-ionizing radiation exposures have exponentially increased since 2010 from FCC new frequency band auctions, fast-track approval of tens of thousands of 5G satellites, regulations designed to bypass municipal zoning, outdated exposure guidelines, and allowances for cell tower antennas on street lights and other nearby installations.

Whereas, NASA, the Department of Defense, scientists, and other stakeholders have warned that the use of new frequency bands risks destroying functionality of weather forecasting, GPS, railroads scheduling, critical astronomy, aviation, cybersecurity, and utility infrastructure communications.

Whereas, scientific experts warn and some have confirmed that extremely high exposures, potentially exceeding outdated FCC guidelines, result from either or both (a) the use of new millimeter wave frequencies and (b) the density and proximity of cell tower transmitters for 5G, 6G, and the Internet of Things.

Whereas, heating of bees and other insects rises alongside higher frequencies from 6 GHz – hence, the use of millimeter waves and other high frequencies for 5G is harmful to pollination, soil, and life (Thielens et al., Exposure of Insects to Radio-Frequency Electromagnetic Fields from 2 to 120 GHz, Scientific Reports, 2018).

Whereas, scientists have confirmed millimeter waves and other high frequencies can heat and damage skin even at levels within FCC guidelines (Neufeld and Kuster, 2018; Betzalel et al., 2017, 2018).

Whereas, the U.S. and other countries have used millimeter waves at high power to painfully disable opposition – hacking software systems could turn residential 5G antennas into weapons targeted at individuals or groups.

Even without the concerns of 5G and 6G, our exposures from personal devices and ambient radiation are problematic as peer-reviewed research indicates effects of increased cancer, dementia, learning disability, depression, infertility, autoimmune disease, pain, et cetera, that is most harmful to vulnerable populations such as youth, the elderly, and infants.

Whereas, all have certain inalienable rights, among them life and the pursuit of happiness, and the Commonwealth is charged with securing these rights even if the United States fails.

Resolved, that the policy goals of this act shall be to halt especially dangerous non-ionizing radiation exposures, in particular new exposures approved by the FCC in the last decade.

### **\*Regulate utility radiation (H.111)**

**H.111** An Act requiring better power quality and reduced radiation from utility infrastructure.

Sponsor: Citizen Kirstin Beatty

**Summary:** Requires utilities protect privacy and insure electromagnetic public exposures fall within ranges of 'slight concern' based on Building Biology guidelines.

### **Remove smart meters (S.2204)**

**S. 2204** An Act relative to smart meters

**Sponsor:** Senator Michael Moore

**Summary:** This bill is meant to allow individuals to opt out of a wireless smart meter at no cost. This is a very good bill, although it does not address apartment dwellers who may have 20 or more smart meters on one wall.

**History:** This bill was written by concerned Worcester residents together with Senator Michael Moore - this bill has been presented in several sessions, each time gathering more support and cosponsors.

### **Wireless infrastructure along rail lines (S.2195)**

S. 2195 - Senator John Keenan is putting forward a bill to require railroad antennas have local zoning approval BUT ONLY for Quincy, Braintree, Abington, and Rockland.

Before telecommunications & utilities joint committee.

**History** - it did not pass last year, a sign of an intractable legislature.

### **Problem bills**

OPPOSE: Internet access on private ways (H.143)

H. 143 **An Act internet access on private ways**

Requires internet service in public rights of way – **problematic due to internet service equating to powerful antennas** potentially just a block or two apart in residential areas.

**Sponsors:** Representatives David T. Vieira , Dylan A. Fernandes

OPPOSE: 5G technology task force (H.124)

HD.2898 **An Act relative to a 5G technology task forces**

Bill **problematic due to 5G equating to powerful antennas** likely just a block or two apart in residential areas. This bill allows industry to work with legislators on crafting 5G laws under the auspices of 'equity' for providers in rolling out 5G. **Main Sponsor:** Rep. Bradley Jones **Other**

**Sponsors:** Rep. Susan Williams Gifford, Maria Duaine Robinson

OPPOSE/CHANGE: **Disclosure of Radiofrequency (S.186)**

## **S. 186 Resolve relative to disclosure of radio frequency notifications**

Last session we worked to oppose this bill – we tried to get in contact with the sponsor without real success. The biggest issue is all these nominations are by the governor directly or indirectly and his conduct so far has not been supportive. Another issue is that the first objective is to look at how this impacts industry, when the first objective should be to look at how to rescue public health. **Sponsor:** Senator Julian Cyr

## **OPPOSE/CHANGE: Commission to study electric & magnetic fields (H.2351)**

### **H. 2351 An Act relative to a special commission to study electric and magnetic fields**

This utility infrastructure investigation lacks full independence. The American Cancer Society has licensing agreements and donations from utilities and the Environmental League of Massachusetts may also be questionable as it works closely with a corporate council, at one time included a smart meter expert in its administration, and has industries like electric cars as top priorities, rather than environmental health. The board also includes a lawyer who has provided big wins for utilities.

Sponsor: Rep. David Paul Linsky

OPPOSE/CHANGE: Best management practices for wireless in schools & public institutions of higher educ. (H.115)

### **HD 115 An Act relative to best management practices for wireless in schools and public institutions of higher education**

This bill mistakenly suggests wireless is safe because it is to continue wireless with modifications for safety. Supporting this bill gives an illusion wireless is fine. Rep. Dykema was not interested in doing more, and does not seem to understand how terrible wireless exposures can be. Supporting the bills above to hard wire schools is more useful. *Sponsor:* Rep. Carolyn Dykema

## **Privacy & tech regulation bills (Good bills)**

### **SUBMITTING TESTIMONY**

Contact information for your legislator can be found **online here**. The **Joint Committee on Consumer Protection and Professional Licensure** is currently assigned S. 220 & H. 341, and the **Joint Committee on Advanced Information Technology, the Internet and Cybersecurity** currently assigned H. 136 & H. 130.

All testimony can be submitted to the current committee up until and during the public hearing. Unless attending a public hearing, testimony should be submitted by mail or email to your legislators and the committee currently assigned to study and report on the bills.

Contact information and upcoming hearings are listed at the links in bold above, as well as links for the individual members of each committee. When or if we have more time we will post email addresses at LastTreeLaws.com, even if email isn't foolproof or always read, so please call as well!

## **Tax on streaming use of the public rights of way (S.2200, H.130)**

### **H.130 An Act relative to a streaming entertainment operator's use of the public rights-of-way**

Sponsors: Joan Meschino , Paul F. Tucker

**Summary:** Taxes at 5% use of public rights-of-way by streaming providers. Gives state right to audit profits.

S.2200 - **Summary:** Similar, but in senate. **Sponsors:** Jason Lewis, Kenneth L. Gordon

### **Protect biometric data (S.220)**

**S. 220** An Act to protect personal biometric data

Sponsor: Sen. Mark C. Montigny

**Summary:** As title states, sets some limits.

### **Create data privacy agency (H.136)**

**H. 136** An Act relative to data privacy

Sponsors: Representatives David M. Rogers , Andres X. Vargas

**Summary:** Creates executive agency of privacy with head approved by multiple parties.

### **Digital right to repair (H.341)**

**HD. 260** Digital Right to Repair

Sponsor: Rep. Claire D. Cronin & numerous cosponsors

**Summary:** Allows independent repair of digital devices. This helps by (1) providing competition for price and quality of doing job well, (2) increases number of people able to fix and provides local jobs, and (3) reduces enormous amounts of electronic waste pollution.

### **Eco-health bills (Good bills)**

For the starred bills, please mail a copy of your testimony to us as well, as evidence. Mail to: LTL, c/o K. Beatty, 149 Central Pk Dr, Holyoke, MA 01040.

### **SUBMITTING TESTIMONY**

All of these bills are currently assigned to the **Joint Committee on Environment, Natural Resources and Agriculture**. Contact information for your legislator can be found **online here**.

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### **\*Stop water fluoridation (H.895)**

**H. 895** An Act ending water fluoridation

Sponsor: Citizen Kirstin Beatty

**Summary:** Ends water fluoridation, advises to restrict such exposures to infants and pregnant women.

**Why?** There is a current federal court case where the EPA appears to be losing because of the judicial statements and EPA's acknowledgements, yet ending water fluoridation is hard under the current statute. More information on the trial is available at Food & Water Watch or at **Fluoride Action**. Note fluoridated water also has detrimental effects on fish.

### **Reserve old growth forests (H.856)**

An Act Authorizing the Establishment of Old Growth Forest Reserves

Sponsor: Rep. Natalie Blais (H.856)

This protects old-growth forests in Massachusetts from timber cutting.

**Why?** Old-growth forests are rare and can't be replaced, providing vital biodiversity, forest genetics, carbon sinks, and more.

### **Update the public shade tree law (H. 2195, S.1323)**

An Act to update the public shade tree law

**Sponsors:** Cindy Creem (S. 1323) Rep. Steven Owens (H.895)

**Summary:** No one may trim or cut down a municipal tree without municipal tree warden permission. Tree wardens may make regulations to be approved by town authorities. **Why?** Well, trees along sidewalks are being cut down to allow better 5G transmissions or to install close proximity antennas or for other construction.

### **Municipal reforestation (H.905, S.504)**

#### **An Act Establishing the Municipal Reforestation Program**

**Sponsors:** Senator Creem (S.504) and Representatives Lewis, Ehrlich, and Owens (H. 905)

**Summary:** Each municipality creates a reforestation plan the state financially & technically supports, prioritizing needy.

### **Toxic-free toy bill (H.939)**

#### **H.939 An Act for Massachusetts Toxic Free Kids**

*Sponsors:* Representatives James Hawkins and Tami Gouveia

**Summary:** Requires Department of Environmental Protection, working with Toxics Use Institute, to publish a list of toxics in children's toys, update every 4 years, and begin to set limits on sale.

### **School privacy & education bills (Good bills)**

For the starred bills, please mail a copy of your testimony to us as well, as evidence. Mail to: LTL, c/o K. Beatty, 149 Central Pk Dr, Holyoke, MA 01040.

SUBMITTING TESTIMONY

Contact information for your legislator can be found **online here**. The privacy and screen time bills currently assigned to the **Joint Committee on Advanced Information Technology, the**

**Internet and Cybersecurity.** The school recess bill is currently assigned the **Joint Committee of Education**.

Unless attending a public hearing, testimony should be submitted by mail or email to your legislators and the committee currently assigned to study and report on the bills. All testimony can be submitted to the committee up until and during the public hearing.

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**\*Cut screen time in public schools (H.106)**

**H. 106** An Act regulating screen time in early and K-12 education.

Sponsor: Citizen Kirstin Beatty

**Summary:** This bill allows school communities to set screen time limits, and sets limits on screen time in early education. The bill requires that Massachusetts state standards remove mandates for screen time from PreK on up, unless specific to the subject.

**\*For privacy and technology in education (H.107)**

H. 107 An Act regulating privacy and technology in education

Sponsor: Rep. Patricia Duffy and citizen Kirstin Beatty

**Summary:** This bill focuses on privacy protections in PreK-12 and higher education. Institutions are take steps to protect privacy, such as by setting data processing agreements with providers and using less tech when not necessary.

**History:** Many legislators have put forward various bills to protect privacy. This particular bill is written by resident and co-chair Kirstin Beatty. There was no template for the bill, but suggestions were included from a report by the Dutch Data Protection Authority regarding online voice and video calls and proctoring.

**Allow suits for school data violations (H.127)**

**H. 127** An Act relative to student and educator data privacy

Joint Committee on Advanced Information Technology, the Internet and

Cybersecurity **Sponsors:** Representatives Kate Lipper-Garabedian & Jeffrey N. Roy

**Summary:** Requires that K-12 educational data processors do not use data for ads or sales, secure data, and allows suits for violations. Could accompany school privacy bill H. 107 as well. Lawsuits were not included in H.107, since that could be a deal breaker preventing passage of the bill and since last session a privacy bill including lawsuits failed. Both bills have different elements for privacy, and if both passed that would be terrific.

**School recess protection (H.566, S.383)**

**An Act relative to recess for elementary school children**

**Numerous Sponsors:** Rep. Decker, etc. (H.566)Sen. Rush, etc. (S.383)

**Summary:** Provide at least 20 minutes of recess a day to grade 5, no reduction in recess time.