

Initiative Petition for a Law Relative to Safer Technology per Non-Ionizing Radiation

Be it enacted by the People, and by their authority:

SECTION 1. *The following legislative summary may be removed upon passage of the law.*

(a) **Agency Structure and Independence.** This proposed law creates a new, independent state agency in Massachusetts called the Office of Research and Technology Optimization (ORTO). The main goal of the agency is to study impacts of and track non-ionizing radiation, which is the invisible energy emitted by everyday equipment and infrastructure, including power lines, cell towers, wireless networks, and digital devices.

The law sets up a team of co-leaders to run the agency. This team includes an administrative head, a legal chief, a head scientist, and a financial manager. To help the agency remain independent, they are appointed by different state officials and vetted by a special panel of non-profit experts. People who have worked for or received money from telecommunications or utility companies in the past five years are banned from running the agency.

(b) **Core Programs and Technical Services.** Operating under a remote-first, low-overhead model, the agency is tasked with providing transparency and data across several main areas:

- (1) **Independent Science on Impacts:** Researching how non-ionizing radiation may affect public health, safety, environmental integrity, personal property, and civil liberties.
- (2) **Public Education and Policy:** Developing technology specifications and best practices to simply help families and public entities lower exposures and address any other non-ionizing radiation impacts, while sharing recommendations with state leaders and our legislature.
- (3) **Transparent Mapping:** Collecting field data to build an open-access public digital map showing environmental radiation levels across the state alongside anonymous health statistics.
- (4) **Open-Access Publishing:** Managing an open-access, independent journal that publishes legal scholarship, policy analysis, and peer-reviewed research on non-ionizing radiation free to the public.
- (5) **Voluntary Field Assessments:** Offering fee-based non-ionizing radiation testing to towns, organizations, and residents wishing to evaluate radiation emissions from local cell towers, power lines, and buildings.
- (6) **Local Legal Choice:** Providing free model ordinances to communities, while offering a separate, paid custom service to assist towns with site-specific drafting recommendations.

(c) **Local Autonomy and Fiscal Protections.** This law does not ban any technology, restrict consumer choices, or force municipalities and public schools to spend local taxpayer funds. Instead, it establishes

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a uniform state baseline of empirical data, information, policy, and practical advice. This framework preserves personal choice and expands local autonomy, giving families, schools, and town boards the independent scientific facts they need to make their own technology procurement decisions. The agency's operations will be funded by standard state appropriations, federal research grants, commercial patent licensing fees, and court costs recovered from providing evidence in successful technology lawsuits.

SECTION 2.

Section 1. Definitions

As used in this Act, the following terms shall have the following meanings:

"As Safe As Reasonable and Achievable" or "ASARAA" means a standard of policy evaluation, governance analysis, technological design, deployment, and operation requiring that risks to public health, safety, environmental integrity, personal property, and civil liberties be transparently disclosed in consideration of applicable rigorous research and research criteria; that technologies presenting unmitigated harms be identified and mitigated; that access to safer technology be ensured and simplified; and that viable alternatives be developed and supported where existing technologies fail to provide adequate protection against deceptive, coercive, or harmful impacts.

"Research criteria" means, for the purposes of non-ionizing radiation research under this Act, the systematic evaluation of critical exposure dependencies, sociological impacts, systemic and institutional factors including, but not limited to: (a) biological and physical factors including, but not limited to, carrier frequency, signal modulation, wave polarization, intermittence, coherence, time of exposure, static magnetic fields, electromagnetic stray fields, resonance, power density, cellular density, genotype, physiological traits, biological sex, age, presence of radical scavengers or antioxidants, and any observable synergism between varying non-ionizing frequencies or environmental toxins; , accounting for potential experimental, selection, and statistical biases where applicable; (b) the systematic evaluation of institutional, societal, and technological metrics, including but not limited to: the procedural evaluation of public notice and community consent processes; the economic modeling of impacts on personal property integrity, functionality, and valuation; examination of demographic disparities, including the explicit identification and mitigation of systemic, historical, cognitive, or methodological biases, procedural inequities, and potential discriminatory or disparate impacts; mapping of relevant technological capabilities, effects, access, and control; legal and institutional audit of regulatory, statutory, and governance systems; the systematic assessment of fundamental human rights, constitutional rights, civil liberties, and applicable legal frameworks; the epidemiological,

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ecological, toxicological, and related physical, geographical, and landscape-level scientific assessments of long-term impacts on public health and environmental integrity; the engineering and software design evaluation; and relevant trend analysis of dockets and consumer and public complaint registries, such as, but not limited to, those of the Federal Communications Commission and the Consumer Product Safety Commission; and (c) the rigorous cross-examination of research methodologies, data gaps, or the systemic omission of research regarding potential harmful impacts, including, but not limited to: the identification of publication bias, funding-source bias, and institutional capture; and the critical evaluation of studies or research voids that omit justifiable but novel, sub-clinical, non-linear, or historically unrecognized pathways of action, or fail to account for cumulative, long-term, low-intensity, or multi-source impacts.

“Hardware modification” shall mean any physical alteration, retrofitting, or adjustment made to technological or electrical equipment to reduce non-ionizing radiation. This may include, but is not limited to, the manual disconnection or physical removal of transmitting antennas, the installation of high-frequency suppression ferrite beads or cores onto power and data lines, and the implementation of supplemental localized electromagnetic shielding or braided cable wrap.

"Non-ionizing electromagnetic spectrum" or **"NIR"** or **"radiation"** or **"electromagnetic radiation"** or **"EMR"** or **"electromagnetic fields"** or **"EMF"** or **"Radiofrequency Radiation"** or **"RF"** or **"RFR"** means all electromagnetic radiation and fields emitted by technology, whether intentionally or unintentionally generated, whether thermal or non-thermal in nature, ranging from zero hertz to 300 gigahertz. This definition includes, but shall be not be limited to, radiative fields emitted by electrical infrastructure, power-quality transients known as conducted electromagnetic interference or dirty electricity, and the radiating frequencies utilized by wireless communication technologies and infrastructure.

"Non-thermal health impacts" mean biological, cellular, metabolic, or neurological changes and responses from NIR occurring at exposure levels below those required to produce measurable tissue heating.

"Office", "Agency", "ORTO", "office", or "agency" shall, unless the context clearly requires otherwise, mean the Office of Radiation Technology Oversight established under Section 3 of this Act.

"Power quality" means environmental electromagnetic characteristics and waveform purity within electrical systems, where poor power quality includes the presence of transients, harmonics, phase imbalances, voltage fluctuations, and high-frequency electrical noise often characterized as "dirty electricity."

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"Practicable" means, as used within this Act, a technical design constraint, regulatory implementation timeline, or hardware optimization requirement that is capable of being successfully executed and maintained within the real world; provided, however, that to ensure operational viability and prevent systemic disruption, any technical optimization, recommended equipment, or hardware modification must simultaneously be appropriate for the deployment environment, such as distinguishing between critical utility infrastructure, municipal systems, and private residential or offline configurations, and accounting for engineering safety, interoperability, structural integrity, and robust data cybersecurity parameters.

"Proactive avoidance" means acting in advance to prevent harm by advising against or choosing not to utilize technologies for which insufficient empirical data exists to ensure they meet the ASARAA standard or which pose unmitigated risks to public health, safety, environmental integrity, personal property, and civil liberties, as indicated by expert warnings, public comment, or science.

"Reasonable" means, as used within the term ASARAA, a standard wherein the protection of public health, safety, civil liberties, and environmental integrity is prioritized and dangers are transparent, taking into account long-term benefits over short-term profits, even while acknowledging that adopting beneficial changes may sometimes be restricted by financial realities. Even if not applicable to all entities due to statutory, constitutional, or federal jurisdictional barriers, a technical design, regulatory constraint, protective safety factor, or the establishment of localized non-use protocols or opt-outs of a given technology is deemed reasonable when the deployment presents a foreseeable risk or unmitigated danger to the public or the environment, as indicated by expert warnings, public comments, statistical data, or science.

"Rigorous research" means a comprehensive multidisciplinary scientific and institutional methodology that evaluates cumulative, localized, or emerging data, including single instances, trends, or patterns of technical, empirical, engineering, software, and socio-economic data and other research criteria, utilizing established standards of safety, equity, and accountability where applicable; provided, however, that exact experimental replication may be limited by complex real-world variables, evolving technologies, and historical differences in study design. Nevertheless, a cumulative pattern of similar findings from multiple independent researchers, or a single well-documented study demonstrating a significant, concrete, and verifiable physical, institutional, or societal effect, shall establish a valid metric of effect and useful comparison. Research and data evaluations conducted or relied upon shall prioritize raw dataset transparency and independence from industry funding. The selection criteria for evaluating biological and physical data shall account for experimental design, methodological quality, statistical analysis, and potential bias, utilizing the established Bradford Hill criteria for safety and

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biological causation where applicable; whereas the criteria for evaluating policy, legal, and institutional data shall account for structural alignment, statutory intent, procedural equity, and systemic impact, utilizing recognized civil rights, legal, and socio-economic auditing standards.

Section 2. Statement of Purpose and Framework Mandate

(a) **Purpose:** It is the purpose of this Act to protect the residents and environment of the Commonwealth by establishing a comprehensive ASARAA framework and policy to evaluate, advise upon, and address technological risks to public health, safety, civil liberties, property, and the environment arising from non-ionizing radiation exposures.

(b) **Policy and Scope of Act:** To ensure a protective application of the ASARAA framework regarding non-ionizing radiation, the public policy of the Commonwealth shall be guided by the following principles and incremental applications:

(1) Research, Education, and Advisory Principles:

Public policy shall initially focus on public education, technical assistance and guidance, legal guidance, gathering data, mapping emissions, and issuing advisory guidelines and risk disclosures regarding non-ionizing radiation. All such activities, including data collection, mapping, and the formulation of guidance or disclosures, shall be explicitly governed by the established research criteria and executed in accordance with the standards of rigorous research defined under this Act.

(2) Incremental Public Sector Application:

To the maximum extent permitted by federal and state law, participating public entities, municipalities, and Municipal Light Plants (MLPs) are authorized to incrementally integrate ASARAA guidelines into publicly owned or operated technological systems, digital communication networks, electrical infrastructure, and telecommunications installations. Such integration shall occur flexibly during standard maintenance, system upgrades, and pre-budgeted procurement cycles to ensure strict compliance with section 27C of chapter 29 of the General Laws, or as otherwise funded upon explicit appropriation by the General Court.

Section 3. Establishment of the Office of Research and Technology Optimization

(a) Constitution and Independence:

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(1) There is hereby established an independent state agency to be known as the **Office of Research and Technology Optimization (ORTO)** with a mandate to protect the people of the Commonwealth by researching and monitoring technology per ASARAA; establishing an ASARAA framework; identifying and recommending ASARAA practices or technologies; stating where proactive avoidance or alternatives should be adopted; serving as the Commonwealth's scientific authority through the specialized expertise of its personnel across respective fields; and providing technical and legal guidance. ORTO shall be headed by a multi-tiered leadership structure reflecting both administrative, legal, and field expertise.

(2) **Effective Date:** This Act shall take effect in accordance with Article 48 of the Amendments to the Massachusetts Constitution. Subject to appropriation and to allow adequate time for selecting leadership, the official initial appointment of ORTO leadership, along with the formal establishment and operations of the agency, shall occur on November 15, 2029, or as adjusted pursuant to subsection (a)(3) of section (7) of this Act.

(3) **Appointment and Process:** ORTO shall be administered under a multi-tiered leadership structure comprising an Executive Director, a Head Counsel, a Fiscal Officer, and a Non-Ionizing Radiation (NIR) Director. To ensure strict independence from political influence, the Executive Director, the Head Counsel, Fiscal Officer, and the NIR Director shall be appointed respectively by the Governor, the Attorney General, State Treasurer, and the Secretary of the Commonwealth, following a review of recommendations submitted by the Advisory Commission as detailed in paragraph (4) of this subsection.

(i) **Executive Director:** The Executive Director shall serve as the administrative head of the agency and shall be responsible for general operational management.

(A) **Qualifications.** The Executive Director shall possess at least five years of senior administrative experience in public agency management, public administration, or organizational leadership, hold an advanced degree in public administration or a relevant discipline, and shall possess documented expertise in safer technology policy.

(B) **Duties and Cross-Functional Assistance.** The Executive Director shall manage the agency's budget, procurement, state ethics compliance, public reporting portals, and legislative liaison operations. Recognizing the specialized nature of ORTO, the Executive Director is explicitly commanded, during intervals when primary administrative or managerial duties are light, to actively assist the scientific or legal divisions with drafting, publications, and administrative workflows under their respective purviews, within the limits of their physical means and technical ability.

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(ii) **Non-Ionizing Radiation Director (NIR Director):** The NIR Director shall serve as the primary scientific authority of the agency regarding non-ionizing radiation, and shall direct and control the content of all NIR research and advisory publications. The NIR Director shall possess a doctoral degree in medicine, biology, toxicology, epidemiology, or biophysics.

The individual must possess a minimum of ten years of documented professional experience in independent academic research or public health evaluations, including a substantial record of publishing principal, peer-reviewed scientific literature specifically investigating the biophysical mechanisms, cellular or environmental exposures, and non-thermal physiological health impacts of non-ionizing radiation.

To ensure the agency's focus remains on physical and cellular biology, qualifying research background and literature must be rooted in the hard sciences of toxicology, molecular biology, physiology, or clinical medicine; behavioral, psychological, or sociological studies shall not satisfy this requirement.

(A) **Content Control.** The NIR Director shall author, direct, and retain absolute final veto and approval power over the scientific content, laboratory data, biological findings, and physiological risk assessments of all agency publications, including peer-reviewed papers, mandatory government reports, and public educational materials regarding non-ionizing radiation, provided that such determinations are rooted in rigorous research, data synthesis, and peer-reviewed hard sciences. The Head Counsel shall retain distinct, exclusive final approval over the legal content, statutory interpretations, regulatory compliance reviews, and constitutional analyses within all ORTO publications.

(B) **Mandatory Reporting.** The NIR Director, in coordination with the Head Counsel, shall prepare and submit annual formal reports to the General Court and the Governor detailing localized non-ionizing radiation emission data, verified technological risks, and recommended public safety frameworks.

(iii) **ORTO Head Counsel:** The Head Counsel shall direct ORTO's legal and policy division. The Head Counsel shall be an attorney admitted to practice law in the Commonwealth of Massachusetts, or admitted to practice law in another United States jurisdiction and eligible for admission to the Massachusetts bar on motion pursuant to Rule 3:01 of the Supreme Judicial Court; provided, however, that an out-of-state appointee shall secure formal admission to the Massachusetts bar within twelve months of their appointment. The Head Counsel shall possess at least five years of professional legal experience specializing in federal regulatory compliance, administrative law, and constitutional

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jurisprudence regarding federal preemption, with documented expertise navigating statutes enforced by the Federal Communications Commission.

(A) **Primary Mandate: Agency Legal Counsel and Defense.** The legal division shall foremost serve to guide and protect ORTO by ensuring the legality of ORTO communications, publications, and recommendations within federal and state jurisdictional boundaries. The Head Counsel shall proactively defend the statutory authority and legal integrity of the agency to prevent litigation or jurisdictional overreach from halting agency operations.

(B) **Secondary Mandate: ASARAA Policy and Legal Auditing.** The legal division shall concurrently execute the policy and legal auditing components of the ASARAA framework and rigorous research criteria. The Head Counsel shall systematically examine state and federal laws to identify statutes, regulations, and public policies that are at odds with the ASARAA standard, and shall assist with the public identification of these conflicting legal frameworks. The Head Counsel shall actively execute, or delegate to the legal division, the systematic evaluation of procedural equity, statutory intent, systemic impacts, and compliance with civil rights and constitutional frameworks regarding technology deployment, and shall ensure these audits are published in ORTO's publications for state leaders and the public.

(iv) **Fiscal Officer.** The Fiscal Officer shall serve as the chief financial, compliance, and fiduciary officer of the agency, and shall be appointed by the State Treasurer and Receiver-General, following a review of recommendations submitted by the Advisory Commission. The Fiscal Officer shall possess at least five years of professional experience in public finance, state governmental accounting, or municipal treasury management, and shall hold a degree in accounting, finance, or public administration.

(A) **Primary Mandate.** The Fiscal Officer shall have exclusive statutory authority within the agency to process, accept, and manage all incoming federal or state grants, fee revenues, penalties, and private donations. The Fiscal Officer shall report directly to the Executive Director for day-to-day administrative coordination but shall maintain independent fiduciary reporting obligations to the State Treasurer.

(B) **Transparency and MMARS Compliance.** The Fiscal Officer shall be legally required to log every financial transaction, receipt, and expenditure directly into the Massachusetts Management Accounting and Reporting System (MMARS). All trust revenues, grant awards, and operational expenses shall be maintained as matters of public record, completely transparent and viewable by the public in accordance with the rules established by the Comptroller of the Commonwealth.

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(v) **Scientific Editor.** The Scientific Editor shall serve as the primary communications, publication, and peer-review officer for the hard sciences, focusing strictly on hard sciences and biological risk content. The Scientific Editor shall be appointed by the NIR Director. The individual must hold a doctoral or post-graduate degree in a hard scientific discipline—such as biophysics, toxicology, biology, or clinical medicine—and possess a documented track record of scientific research, technical writing, or editorial management within peer-reviewed scientific journals. The Scientific Editor shall share equal administrative and publishing authority over the master journal with the Law and Policy Editor.

(A) **Editorial Management.** The Scientific Editor shall manage the peer-review logistics, ensure strict academic integrity, coordinate data-sharing agreements with independent external scientists, and oversee the production, formatting, and distribution of ORTO's peer-reviewed scientific journal track, collaborating with the Law and Policy Editor where applicable.

(B) **Writing Mandate.** The Scientific Editor shall coordinate, draft, and format the agency's public educational materials, risk disclosures, and model guidelines concerning hard sciences, biological findings, and environmental testing data. The content of these publications shall be subject to the scientific oversight and final approval of the NIR Director. The Scientific Editor may include any independently submitted scientific paper in the agency journal, provided it has successfully cleared the established peer-review process and has not been formally vetoed by the NIR Director for scientific inaccuracy within the hard sciences track.

(vi) **Chief Testing Engineer.** The Chief Testing Engineer shall serve as the operations manager for the field tracking and technical evaluation division.

(A) **Qualifications and Appointment.** The Chief Testing Engineer shall be appointed internally by, and report directly to, the Non-Ionizing Radiation (NIR) Director. The Chief Testing Engineer shall hold an advanced degree in electrical engineering, physics, telecommunications engineering, or a closely related scientific field, and shall possess a minimum of five years of documented, professional field experience in complex radiofrequency (RF) spectrum analysis, low-frequency electromagnetic field mapping, or power quality metering.

(B) **Duties and Cross-Functional Assistance.** The Chief Testing Engineer shall oversee all technical field personnel, manage the deployment of specialized spectrum monitoring instruments, direct the independent testing operations authorized under Section 6, and formally sign off on the data reports and technical audits generated by the Office. During intervals when technical field measurements or infrastructure audits are not actively occurring, the Chief Testing Engineer shall assist the Non-Ionizing

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Radiation (NIR) Director with primary laboratory research, global data synthesis, and technical literature reviews to support the ongoing development and optimization of the ASARAA standard.

(vii) **Law and Policy Editor.** The Law and Policy Editor shall serve as the primary communications, publication, and peer-review officer for legal and policy sciences, focusing strictly on constitutional, civil rights, legal, and socio-economic auditing content. The Law and Policy Editor shall be appointed by the Head Counsel. The individual must hold a Juris Doctor (J.D.) degree or an advanced degree in public policy, and possess a documented track record of legal analysis, statutory auditing, or editorial management within peer-reviewed legal journals or law reviews. The Law and Policy Editor shall share equal administrative and publishing authority over the master journal with the Scientific Editor.

(A) **Editorial Management.** The Law and Policy Editor shall manage the peer-review logistics, ensure strict academic integrity, coordinate data-sharing agreements with independent external legal scholars, and oversee the production, formatting, and distribution of ORTO's peer-reviewed law and policy journal track, collaborating with the Scientific Editor where applicable.

(B) **Writing Mandate.** The Law and Policy Editor shall coordinate, draft, and format the agency's public educational materials, risk disclosures, and model guidelines concerning law, public policy, civil rights, or model municipal ordinances. The content of these publications shall be subject to the legal oversight and final approval of the Head Counsel. The Law and Policy Editor may include any independently submitted law or policy paper in the agency journal, provided it has successfully cleared the established peer-review process and has not been formally vetoed by the Head Counsel for legal or jurisdictional inaccuracy within the Law and Policy track.

(4) **Leadership & Appointments.**

(i) **Advisory Commission.** There is hereby established a temporary Advisory Commission to assist the Governor, the Attorney General, the Secretary of the Commonwealth, and the State Treasurer in vetting candidates. The members of said Advisory Commission shall be selected by the Selection Panel pursuant to clause (ii) of this paragraph. Upon being fully seated, the members of the Advisory Commission shall immediately elect a chairperson from among its membership by a majority vote. Upon the election of said chairperson, the Advisory Commission shall have a separate, subsequent period to execute its candidate evaluation duties under clause (vi), and shall dissolve upon the final appointment of all authorized leadership positions.

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(ii) **Selection Panel.** There is hereby established a Selection Panel whose sole purpose shall be to appoint the five (5) members of the Advisory Commission established under clause (i). The Selection Panel shall consist of:

(A) one (1) member appointed by the Executive Director of an independent, non-profit public interest organization possessing specialized legal expertise in telecommunications jurisprudence, consumer protection, federal preemption defense, the expansion of municipal wired broadband infrastructure, and the formal submission of scientific and legal critiques regarding Federal Communications Commission exposure parameters, operating within the United States;

(B) one (1) member appointed by the Executive Director of an independent, non-profit scientific research organization operating within the United States that is dedicated to investigating the biological effects, environmental health impacts, and non-thermal cellular mechanisms of non-ionizing radiation;

(C) one (1) member appointed by the Executive Director of an independent, non-profit scientific research institute specialized in laboratory and epidemiological research regarding breast cancer and environmental toxins operating within the Commonwealth;

(D) one (1) member appointed by the Executive Director of an independent, non-profit public interest center specialized in government whistleblower protection, scientific integrity advocacy, and legal defense for public employees over environmental or technological safety mandates, operating within the United States; and

(E) one (1) member designated by the Dean of the Zuckerberg College of Health Sciences at the University of Massachusetts Lowell.

(iii) **Advisory Commission Qualifications.** All Advisory Commission members must be independent public health researchers, technical specialists, or administrative experts with no historical financial, commercial, or lobbying ties within the past five (5) years.

To qualify as independent, Advisory Commission members, alongside their respective spouses, domestic partners, and minor children, shall not, within the preceding five (5) years: have served as a paid consultant, executive, lobbyist, or board member for any Prohibited Industry designated under Section 5 of this Act; hold direct, proprietary financial investments or stock options in such industries, excluding diversified mutual funds or blind trusts; or have received direct research funding, grants, or compensation from any such Prohibited Industry. General institutional donations, general endowment funds, or unrelated corporate research grants awarded to a panel member's university or broader academic department—which are not directed to, managed by, or result in funding for the individual panel member—shall not disqualify a panel member, nor shall they require disclosure under this section.

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(iv) **Advisory Commission Replacements.** All Advisory Commission appointments made under this paragraph shall take effect immediately upon submission of the appointee's credentials to the Secretary of the Commonwealth. However, a member of the Advisory Commission may be removed prior to the final establishment of the Advisory Commission by the original appointing entity; provided, however, that no such removal by an appointing entity shall take legal effect unless it is ratified and confirmed by a majority vote of all seated appointing entities of the Selection Panel. The decisions of the Selection Panel under this clause shall be final and binding, with no statutory right to administrative or judicial appeal.

To fill any vacancy, the original selecting authority shall have the opportunity following the initial vacancy to execute a qualified replacement appointment. If said original selecting authority formally declines to replace the member in writing per clause (v) of this paragraph, the sequential backup schedule described under clause (v) of this paragraph shall apply to fill the vacancy; provided, however, that the full 5-member Advisory Commission must be finalized and established no later than the deadline set in clause (vii) of this paragraph.

(v) **Notification Windows and Backup Selection Panel.** Following formal notice or operation of a vacancy within an appointing seat, each Selection Panel authority designated under clause (ii) of this paragraph shall ensure delivery of a written statement declaring whether it intends to accept the authority to select a member of the Advisory Commission, decline the role, or delegate its selection authority to an alternate organization. Within said statement, an authority accepting the role may also declare its willingness to assume additional selection authority for any seat left unfilled or declined by another primary authority.

(A) **Primary Notification and Notice Windows.** The designated notice window for delivering the statement of intent under this paragraph shall encompass a maximum limit of fifteen (15) days for the initial establishment of the agency, and thirty-five (35) days for any subsequent standard vacancy occurring thereafter.

(B) **Standard Delegation Window Framework.** An appointing authority shall be provided a distinct delegation window—which shall encompass days sixteen (16) to thirty (30) for the initial establishment, and days thirty-six (36) to fifty (50) for any subsequent standard vacancy—if it explicitly states its intent to delegate within the primary notification period. If said intent to delegate is delivered, the primary authority shall have until the thirtieth (30th) day for the initial establishment, or the fiftieth (50th) day for a subsequent standard vacancy, following the vacancy occurrence to finalize and deliver the delegation; provided, that the primary authority ensures delivery of a written notice of

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delegation accompanied by a written statement from the designated alternate organization accepting said selection authority.

(C) Termination and Backup Preferences. If a primary Selection Panel authority fails to deliver a statement of intent within the primary notification window, fails to successfully complete and deliver a declared delegation to an alternate organization by the thirtieth (30th) day for initial establishment or fiftieth (50th) day for standard vacancies, or explicitly declines the role, its authority to select a member terminates immediately for that vacancy. To fill said vacancy, selection authority shall be granted to a primary Selection Panel authority that previously declared a willingness to assume additional authority under this paragraph; provided, that if multiple authorities volunteered, or if no authority volunteered for additional selection authority, the authority shall be granted, one each, in preferential order to the appointing authorities described in items (A), (B), (C), (D), and lastly, (E) of clause (ii) of this paragraph. Whichever entity successfully retains or accepts the selection authority under the timelines of this paragraph shall have the remainder of the Selection Panel evaluation window before the deadline as set in clause (vii) of this paragraph to complete vetting and execute the final appointment to the Advisory Commission.

(D) Emergency Replacement Timeline for Removals. Notwithstanding any standard vacancy calendars or multi-step notification windows detailed elsewhere under this paragraph, if a vacancy within the Advisory Commission occurs as a direct result of the formal removal of a seated member, the right to execute an emergency replacement appointment shall rest with the original appointing authority only if that specific authority formally declared a willingness to assume additional selection capacity within its initial statement under this paragraph. If qualified under this parameter, the original authority shall possess a maximum limit of exactly twenty-one (21) days from the formal occurrence of the removal vacancy to completely execute a qualified replacement appointment to the active Advisory Commission, ensuring zero procedural delay.

(E) Automatic Backup Trigger for Non-Volunteering Authorities. If a vacancy occurs due to a formal removal and the original appointing authority failed to declare a willingness to assume additional selection capacity within its initial statement, or if a qualified authority fails to complete the appointment within the absolute twenty-one (21) day limit established under subclause (D), its authority over that seat terminates immediately. To preserve the screening clock, the selection authority for said vacancy shall bypass the primary entity entirely and be granted immediately to a primary Selection Panel authority that previously declared a willingness to assume additional authority under this paragraph; provided, that if multiple authorities volunteered, or if no authority volunteered for additional selection authority, the authority shall be granted, one each, in the preferential order described in subclauses (A), (B), (C), (D), and lastly, (E) of clause (ii) of this paragraph. The newly

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activated backup authority shall possess a maximum limit of exactly twenty-one (21) days from the formal date of the transfer to completely execute a qualified replacement appointment.

(vi) **The Candidate Recommendation Process:** During its designated window as set in clause (vii) of this paragraph, the Advisory Commission shall actively review all applicants and execute its vetting duties pursuant to the following schedule:

(A) The Commission shall actively vet all applicants and compile a preliminary list of qualified candidates.

(B) The Commission shall publish the preliminary list of qualified candidates on a publicly accessible digital platform and open a mandatory sixty (60) day public comment period to gather feedback regarding said candidates; provided, however, that prior to any public publication under this clause, the Commission shall redact all statutorily protected personal identifying information, including residential addresses, personal telephone numbers, and private financial account details, while ensuring that the names of applicants and the general nature of any declared financial or professional interests remain fully transparent to the public record.

(C) During and concurrent with said sixty (60) day public comment period, the Commission shall host at least one (1) public forum, which may be conducted virtually, to receive additional oral testimony and input from the public regarding the published candidates.

(D) Following the close of the public comment period, the Commission shall review all received written and oral feedback, finalize its evaluations, and prepare an initial ranking of qualified candidates.

(E) The Commission shall determine its recommendations by individual, sequential majority votes of its seated members to establish the final recommended rankings, and shall issue formal reports containing a certified list of vetted, qualified candidates with their respective rankings clearly designated. Said reports shall include a written summary detailing the positive scientific, technical, and administrative qualifications supporting the Commission's highest-ranked recommendations, but shall omit any individual negative justifications or subjective reasons for non-selection. Upon the final deadline for recommendations set in clause (vii) of this paragraph, the Advisory Commission shall transmit final certified candidate reports directly to the Secretary of the Commonwealth for immediate tracking, publication, and delivery to each respective constitutional appointing authority designated under subsection (a)(3) in Section 3 of this Act. If no applicants satisfy the qualifications or conflict-of-

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interest parameters required under this Act, the Commission shall immediately declare a vacancy and reopen the application window for an emergency period of thirty (30) days. Upon the final deadline for recommendations set in clause (vii) of this paragraph, the Advisory Commission shall transmit final certified candidate reports directly to the Secretary of the Commonwealth for immediate tracking, publication, and delivery to each respective constitutional appointing authority designated under paragraph (3) of subsection (a) of this section.

(F) Concurrent with the transmission of the final reports, the Commission shall deliver a confidential executive appendix to the Secretary of the Commonwealth. Said appendix shall contain a complete, non-public list of all applicants for that specific position who were disqualified under the conflict-of-interest criteria detailed in subsection (c) of this Section 3, alongside an objective statement of the specific financial, commercial, or lobbying ties that triggered the disqualification. Upon the final deadline for recommendations set in clause (vii) of this paragraph, the Secretary of the Commonwealth shall ensure immediate, confidential delivery of the respective appendix to the specific constitutional appointing authority as designated under Section 3, subsection (a), paragraph (3) of this Act.

(vii) Notification & Appointment Deadlines.

(A) **Initial Establishment.** For the initial appointment preceding the agency's operational launch, the operational timelines shall be calculated from a universal notification date, the effective date of this Act, on which date the formal initial notice of vacancy shall be delivered to the Selection Panel. To ensure a fair administrative window during winter holiday closures, all statutory periods under clause (v) shall be paused and shall not accumulate between December 20 and January 2, inclusive.

Irrespective of any post-election certification delays or fluctuations in the effective date of this Act, the dates for the initial establishment windows for the ORTO's launch shall be fixed and executed pursuant to an absolute schedule. The Selection Panel shall finalize its appointments to ensure that the Advisory Commission is fully seated and holds its initial meeting no later than March 24, 2029. Following its vetting, investigation, and public review process, the Advisory Commission shall transmit its certified ranked lists of candidates for all four authorized leadership positions to their respective constitutional appointing authorities designated under Section 3 on August 27, 2029; ; provided, however, that if the emergency thirty (30) day application reopening window under clause (vi)(E) of this paragraph is triggered due to a lack of qualified or unconflicted applicants, the August 27, 2029, transmittal deadline and all subsequent appointment deadlines under this subclause shall automatically be extended by exactly forty-five (45) calendar days.

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If a respective constitutional appointing authority has not executed the final appointment for their designated leadership seat by October 11, 2029, or by the respective forty-five (45) day extended deadlines if serial emergency reopenings were triggered, the candidate ranked highest for that respective position on the Advisory Commission's certified list shall automatically be selected, notified, and seated to assume office.

(viii) Transitions and Subsequent Vacancies:

To preserve the right to unlimited consecutive re-appointments under this Act, the respective constitutional appointing authority and the sitting leadership official shall declare in writing whether they intend to execute a term renewal at least three hundred and sixty-five (365) days preceding the scheduled term expiration date. If a written notice of intent to renew is executed by both parties and filed with the Secretary of the Commonwealth by said date, the official's re-appointment shall be confirmed for a subsequent statutory term upon the natural expiration of the current term, and no vacancy shall be deemed to exist.

If no formal notice of intent to renew is filed by the three hundred and sixty-five (365) day mark, or if the appointing authority declares an intent not to renew, a formal notice of future vacancy shall be deemed legally delivered by operation of law on the three hundred and thirty-fifth (335) day preceding the scheduled term expiration date. Upon said day, the Secretary of the Commonwealth shall immediately, and in no event later than forty-eight (48) hours, transmit a certified declaration of future vacancy to the default institutional entities comprising the Selection Panel under clause (ii) of this paragraph to officially commence the statutory recruitment timelines.

For any sudden leadership vacancy occurring prior to the natural conclusion of a statutory term—including a vacancy caused by death, immediate resignation, retirement, or removal for cause under this Act—a personnel member as designated by the respective official's succession list as defined in clause (ix) of this paragraph, or by the most senior remaining and relevant administrative official, relevant field expert, or counsel if such a designation does not exist within the agency for the vacant position, shall immediately assume the duties of the vacant position as an interim officer to ensure continuous agency operations.

Formal written notice of any such sudden leadership vacancy shall be compiled and delivered to the Office of the Secretary of the Commonwealth within thirty-five (35) days of the sudden vacancy occurring. The statutory obligation to execute and file this sudden vacancy notice shall rest co-equally upon the active interim officer of the agency and the respective constitutional appointing authority responsible for filling that specific vacancy under Section 3.

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If the respective authorities fail to deliver a sudden vacancy notice within thirty-five (35) days of its occurrence, a formal notice of vacancy shall be deemed legally delivered by operation of law on the thirty-sixth (36th) day following the sudden vacancy. Upon said thirty-sixth (36th) day, the Secretary of the Commonwealth shall immediately, and in no event later than forty-eight (48) hours, transmit a certified declaration of vacancy to the default institutional entities comprising the Selection Panel under clause (ii) of this paragraph to officially commence the statutory recruitment timelines.

The Secretary of the Commonwealth shall, within forty-eight (48) hours of the receipt or operation of any notice, publish on the official digital platform of the Commonwealth, via a prominently indexed public disclosure portal, a formal announcement declaring that an ORTO vacancy track has commenced. Said public announcement shall explicitly list the descriptions of the default institutional entities comprising the Selection Panel, the designated administrative office titles within those organizations to which the notice was transmitted, and the absolute statutory deadlines governing the initial establishment or subsequent vacancy tracks under this Act.

Upon the filing, delivery, or operation of any vacancy or future vacancy notice under this clause, the permanent default institutional entities comprising the Selection Panel under clause (ii) of this paragraph shall automatically remobilize to re-establish the Advisory Commission. The entire subsequent recruitment, public vetting, report transmittal, and executive appointment process for any vacancy arising under this section shall be executed strictly in accordance with the timelines, criteria, holiday pauses, and self-executing default mechanisms set forth in clauses (i) through (vii) of this paragraph, calculated from the date of vacancy notice delivery or deemed delivery.

(ix) **Succession and Contingency Planning.** Within ninety (90) days of assuming office, the Executive Director, the Head Counsel, the Fiscal Officer, and NIR Director shall compile and formally deliver a certified succession list to the agency's records and the Office of the Secretary of the Commonwealth. Said succession list shall designate, in preferential order, at least three (3) qualified personnel members or relevant field experts within the Commonwealth who are authorized to automatically assume interim leadership duties pursuant to clause (viii) of this paragraph in the event of a sudden vacancy, resignation, or incapacitation; provided, however, that all individuals designated on said succession list shall be strictly subject to the identical qualification and five-year conflict-of-interest criteria detailed within subsection (c) of this Section. Each official shall review and update said list annually, or sooner if necessary, to ensure its accuracy, and any modifications shall take effect immediately upon delivery of the updated list to the agency's records.

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(5) **Initial Resources:** To facilitate the initial seating, candidate vetting, and operational setup of the Advisory Commission prior to the execution of formal legislative appropriations for ORTO, the Secretary of Administration and Finance is authorized to allocate temporary administrative support, basic municipal or state office space, and necessary logistical assets utilizing pre-existing, unexpended executive branch resources and digital platforms. Nothing in this Act shall be construed as making a specific, mandatory appropriation of money from the treasury of the Commonwealth, nor as prohibiting ORTO or its Advisory Commission from accepting and expending any state, federal, municipal, or discretionary funds that may be lawfully allocated, transferred, or made available through standard budgetary or administrative processes. All early administrative activities conducted prior to independent agency funding—including the publication of leadership vacancies and the collection of candidate disclosures—may be executed utilizing existing Commonwealth web portals and infrastructure.

(6) **Terms of Office.** To ensure the maximum accumulation of specialized institutional expertise, provide career stability for scientific personnel, and support agency independence, the leadership positions established under this section shall be subject to fixed, staggered terms of office. All officials shall be eligible for unlimited consecutive re-appointments by their respective constitutional appointing authorities.

(i) **Term Lengths.** Following the conclusion of the initial, but temporary, term lengths, the permanent statutory term of office for the positions of Executive Director, Head Counsel, Fiscal Officer, and each active Field Director shall be six (6) years.

(ii) **Initial Staggered Cycle.** To establish a permanent administrative rotation where no two leadership positions jointly expire, the first appointments for the initial launch of ORTO shall diverge from the standard term lengths only once. Upon the natural expiration of each of the unique initial term lengths, all subsequent appointments, extensions, and re-appointments to these seats shall conform strictly to the uniform permanent term lengths designated in clause (i) of this paragraph. The one-time, initial term lengths shall be set to the following specific periods:

(A) The initial Fiscal Officer shall be appointed for an initial term of two (2) years.

(B) The initial Executive Director shall be appointed for an initial term of four (4) years.

(C) The initial Head Counsel shall be appointed for an initial term of six (6) years.

(D) The initial Field Director (NIR Director) shall be appointed for an initial term of eight (8) years.

(iii) **Term Stabilization.** In the event of a sudden leadership vacancy caused by death, resignation, retirement, or removal for cause under this Act, the designated interim leader pursuant to clause (viii)

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of paragraph (4) of this subsection shall immediately assume administrative duties to ensure continuous agency operations while the Advisory Commission executes its candidate selection process. The permanent successor appointed by the respective constitutional authority shall hold office pursuant to a dual timeline:

(A) **Standard Remainder Track.** If the vacancy occurs with greater than or equal to fifty percent (50%) of the predecessor's statutory term remaining—defined as three (3) years or more—the successor shall be appointed to hold office exclusively for the remainder of that unexpired term to preserve the permanent staggered administrative rotation.

(B) **Extended Term Track.** If the vacancy occurs with less than fifty percent (50%) of the predecessor's statutory term remaining—defined as less than three (3) years for any leadership position—the successor shall be appointed to serve out the remaining sliver of the unexpired term plus an immediate, consecutive full statutory term of six (6) years as designated in clause (i).

(iv) **Holdover Status.** An official, including an official serving in interim capacity, reaching the natural expiration of their term shall continue to serve in a holdover capacity with full statutory authority until a successor has been qualified and formally appointed.

(b) Staff Expertise:

(1) **Authorized Personnel Fields.** To secure a valid ASARAA standard based upon rigorous research and data synthesis alongside operational safety, ORTO is authorized to appoint and employ, subject to legislative appropriation, such technical, legal, and administrative personnel as may be necessary for its duties. Personnel shall be selected based on demonstrated professional competence and expertise across a balanced distribution of critical disciplines.

Authorized fields of expertise for agency personnel, consultants, and advisors shall include, but are not limited to: epidemiology and public health statistics specializing in environmental exposure tracking; biochemistry and molecular biology focusing on cellular-level non-thermal NIR mechanisms; bioelectromagnetics focusing on non-thermal NIR effects; physics, electrical engineering, and network protocols specializing in radiofrequency field mapping; electrical engineering specializing in power quality and harmonic distortion mitigation; data science and geographic information systems (GIS) database architecture; and scientific communication, peer-review registry management, and document design.

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In addition, ORTO may require or recruit additional expertise in: computer science and embedded systems engineering specializing in firmware design, hardware-software abstraction layers, and physical radio transceiver power gating or hardware-level kill-switch architecture; and software engineering and human-computer interaction (HCI) specializing in secure User Interface (UI/UX) design, operating system power state logging, and deterministic status verification.

To ensure full compliance with the data cybersecurity and interoperability parameters established under this Act, ORTO is explicitly authorized to hire independent technical consultants, and is authorized to enter into voluntary collaborative agreements to utilize the network security expertise of the Executive Office of Technology Services and Security (EOTSS). To ensure full compliance with the research requirements of this Act, ORTO is explicitly authorized to consult, coordinate, and enter into voluntary data-sharing frameworks with the Department of Public Health and the Executive Office of Energy and Environmental Affairs. ORTO may establish independent fellowship, internship, and volunteer programs for graduate and undergraduate students in relevant fields as determined by the NIR Director.

(2) **Employment Structure.** The primary operational baseline of the Office shall rely upon permanent, full-time personnel to ensure administrative continuity, long-term scientific tracking independence, and career stability for specialized staff. To accommodate fluctuating operational demands or seasonal data-gathering surges, the Office is, subject to available agency appropriations and resources, authorized to employ supplemental expertise with personnel on a part-time or contracted basis across authorized fields of expertise, or to provide reasonable nominal compensation or flat-rate honorariums to external peer reviewers for their technical services.

(c) **Separation from Conflict.** The personnel, consultants, and advisors of ORTO shall be subject to the provisions of Massachusetts General Laws Chapter 268A; provided, however, that the industry-specific restrictions enumerated in this section shall establish an unalterable statutory baseline that strictly supersedes and negates any less-stringent exemptions, special employee statuses, or administrative waivers otherwise permissible under state law.

(1) **Salaried Personnel Protections & Restrictions:** No individual may serve as Executive Director, Head Counsel, Fiscal Officer, NIR Director, or as a salaried employee of ORTO if the individual, their spouse, domestic partner, or minor children have received or continue to receive financial compensation, research grants, or consultant fees within the preceding five (5) years from a Prohibited Industry designated under Section 5 of this Act, except as conditionally exempted in paragraph (6) of this subsection and provided, however, that any prior employment or compensation received by a

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domestic partner within the preceding five years shall not bar employment, but must be fully disclosed upon application.

(A) Divestment Framework. Any salaried personnel or their spouse, domestic partner, or minor children possessing equity investments, stocks, corporate bonds, or intellectual property rights within these sectors must completely divest from such holdings or transfer them into a blind trust administered by an independent fiduciary within thirty (30) days of appointment. This restriction shall not apply to ownership of shares in a widely diversified mutual fund, exchange-traded fund (ETF), or broad-based index fund where the employee exerts no direct managerial control over the individual assets contained within the fund.

(B) Outside Employment and Self-Dealing. No salaried official or employee of ORTO shall engage in any outside employment, business activity, or enterprise that creates an actual, potential, or perceived conflict of interest, or that interferes with their primary duties and professional obligations to the agency. Any secondary employment or outside commercial activity is absolutely prohibited for the Executive Director, Head Counsel, Fiscal Officer, and NIR Director. For all other salaried employees, any outside activity must be disclosed in writing and receive explicit prior written approval from the Executive Director, which shall be filed directly with the State Ethics Commission. Self-dealing—defined in accordance with sections 6 and 19 of chapter 268A of the General Laws as participating in an official capacity in any matter that affects personal, domestic, or immediate family finances—is strictly prohibited.

(2) Mandatory Disclosures. Declarations are required of all relevant financial or professional interests of immediate family members, including the filer, his or her spouse, domestic partner, and dependent children, as well as the relevant interests of any other parties with whom there are substantial personal, professional, financial, or business relationships that may be perceived as unduly influencing judgment—including, but not limited to, adult children, siblings, close professional associates, significant others, extended family members, in-laws, or associated administrative units or departments.

(A) Filing Protocol. Disclosures must be filed annually with both the Secretary of the Commonwealth and the State Ethics Commission, updated within thirty (30) days of any material change, and continued for two (2) years following an individual's departure from the agency. Such updates shall be submitted on standardized forms or digital portals provided by the State Ethics Commission.

(B) Public Transparency and Redaction. For privacy, the State Ethics Commission shall redact statutorily protected personal identifying information—such as residential addresses, personal telephone numbers, and private financial account details—prior to public digital posting, while

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ensuring that the names of filers and the full nature of any declared interests remain fully transparent to the public record.

(3) **Tiered Framework for Other Associates:** Unpaid student interns, academic fellows, external peer reviewers, and volunteer advisors shall be exempt from mandatory asset divestment. Instead, any such unpaid associate who maintains personal investments, engages in secondary employment with, or whose immediate household family members are actively employed by a Prohibited Industry pursuant to Section 5 of this Act must submit upon application a full written disclosure to the Executive Director; and, dependent upon where assigned or making application, to the Head Counsel; the active Field Director, i.e., NIR Director; and the Fiscal Officer.

All student participants and volunteers shall be subject to the same strict disclosures as permanent staff, as shall all peer reviewers. Any associate with a disclosed industry tie defined under Section 5 of this Act is barred from data collection, auditing, or the drafting of advisory reports, as well as from peer review of relevant research where such conflicts of interest exist.

Subject to appropriation and as agency resources allow, the receipt of standard, nominal academic honorariums or flat-rate peer review fees authorized under this Act shall not constitute state employment, nor shall it create an active conflict or special state employee status under M.G.L. c. 268A.

(4) **Public Transparency and Right to Information.** To ensure continuous public accountability, all annual disclosures, conflict-of-interest filings, and recusal agreements executed under this section shall be maintained in accordance with the public records and retention schedules of the Commonwealth. Any resident of the Commonwealth shall possess a standing statutory right to inspect these records and may submit information, evidence, or formal complaints regarding potential conflicts of interest directly to the State Ethics Commission pursuant to the established procedures of chapter 268A of the General Laws. Upon establishing a public web presence, the Office shall publish clear, prominently displayed instructions on its digital portal detailing how citizens may request, search, or electronically inspect these disclosure records.

(5) **Termination.** The Executive Director; the Field Director, within the Field Director's respective field personnel and publications; and the Head Counsel, within the Head Counsel's legal division and publications, shall possess independent statutory authority to immediately terminate any subordinate employee, revoke any volunteer status, or void any ORTO report found to be compromised by an undisclosed or non-remedied industry conflict; provided, however, that any such termination, revocation, or voidance shall be executed only if the State Ethics Commission, a state court of the

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Commonwealth, or a federal court of competent jurisdiction has issued a formal conflict-of-interest violation or adjudication sustaining the underlying conflict.

If an undisclosed or non-remedied industry conflict is identified within the agency's core leadership, including the Executive Director, Head Counsel, Fiscal Officer, or an active NIR Director, a formal process shall be required. These leadership officials may be removed from office only for cause—defined strictly as a material violation of the conflict-of-interest criteria detailed in this Act, criminal malfeasance, or gross neglect of duty. The authority to initiate removal proceedings shall rest exclusively with an official's original constitutional appointing authority designated under Section 3. No final removal order shall be executed until the State Ethics Commission conducts a formal, independent adjudicatory hearing under chapter 30A of the General Laws, and certifies by a majority vote that a material, non-remedied conflict of interest or act of malfeasance has occurred based on verifiable, empirical evidence, pursuant to this paragraph.

(6) Staff Recruitment Hardship and Mandatory Recusal Exception. If the Executive Director certifies in a written public memorandum that a critical technical, scientific, or staff vacancy cannot be filled after a sixty (60) day public search due to the strict application of the conflict-of-interest qualifications under this section, the agency may hire an applicant with historical ties to a Prohibited Industry designated under Section 5 of this Act; provided, however, that the operation of this hardship exception shall serve to reduce the five (5) year lookup period under paragraph (1) to a mandatory minimum lookback of twenty-four (24) months prior to the individual's date of hire, and provided that the applicant complies with all other disclosure and divestment criteria detailed in this Act.

(i) Hiring Recusal Agreement: The applicant enters into a legally binding, time-limited recusal agreement, where the employee shall be strictly prohibited from participating in, reviewing, directing, voting upon, or authoring any research, agency report, or action that: directly involves their specific former employer or its corporate affiliates for a period of twenty-four (24) months following their private-sector termination date; or grants an exclusive regulatory, enforcement, or financial benefit to a specific proprietary project, product line, or technology that the employee personally developed, managed, or directed during their private-sector employment, unless a waiver is granted as specified in clause (ii) of this paragraph.

(ii) Field Director Hiring Waiver. The Field Director of the respective discipline shall possess the sole scientific authority to waive or reduce the twenty-four (24) month general employer recusal under clause (1) of this paragraph, or authorize the review of specific scientific methodologies; provided, however, that all initial waivers regarding the non-ionizing radiation sector shall be controlled exclusively by the NIR Director.

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To execute a waiver under this clause, the respective Field Director must determine that the employee's unique technical expertise regarding the specific project or methodology is necessary for the agency's research or public safety mission. Under no circumstances shall any waiver issued under this section authorize an employee, for the remaining duration of the primary five (5) year conflict look back period, to participate in, audit, evaluate, or draft regulatory advisories for any particular matter, localized testing schedule, or specific commercial application that directly names, impacts, or provides a financial or competitive advantage to their specific former employer or its corporate affiliates.

Any such waiver must be filed directly with the State Ethics Commission; and the written waiver, alongside its detailed scientific and anti-self-dealing justification, must be published on the agency's public digital portal for no less than fourteen (14) days before the employee performs any waived official actions.

(7) Grants and Collaborative Arrangements. To maintain absolute scientific objectivity and protect the integrity of the research and safety guidelines authorized under this Act, ORTO is strictly prohibited from entering into partnerships with, or providing grants or funding to, any specific university program, laboratory, department, or individual principal investigator that has accepted financial compensation, corporate grants, or research sponsorships directly or indirectly from a Prohibited Industry designated under Section 5 of this Act within the preceding ten (10) years.

ORTO is authorized to conduct or collaborate on independent scientific research, and to contract with independent scientific research organizations, out-of-state independent academic laboratories, or non-profit public health institutes to cross-validate data, perform peer-reviewed literature evaluations, and verify exposures in accordance with the ASARAA standard.

(8) Violations, Penalties, and Enforcement Referrals.

(i) Immediate Removal. Any deliberate and significant violation of the conflict-of-interest parameters established under this section, including any act or continuous pattern of self-dealing of any monetary value within a single calendar year, shall require immediate removal for cause from office or employment upon a formal finding by the State Ethics Commission or a court of competent jurisdiction.

(ii) State Ethics Commission Referral and Attorney General Authorization. Upon a formal determination of a material conflict-of-interest violation under this paragraph, the State Ethics Commission shall refer the certified administrative record to the Attorney General. The Attorney

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General is authorized to institute civil enforcement proceedings in the Superior Court to secure the civil assessments and orders of restitution mandated by this Act.

(iii) **Civil Penalties and Restitution.** Upon an administrative finding by the State Ethics Commission, all civil penalties, financial clawbacks, asset forfeitures, and rescissions of official agency actions are subject to assessment under the established administrative enforcement parameters authorized under chapter 268A of the General Laws. Upon a judicial finding of a violation under this section in a civil case instituted by the Attorney General pursuant to clause (ii), all civil remedies, restitution orders, contract voidances, and financial damages may be assessed pursuant to the statutory civil actions authorized under chapter 268A of the General Laws.

(iv) **Criminal Referrals.** Where the administrative record or evidence demonstrates a credible claim that an individual or corporate officer possessed actual knowledge of, or criminal intent regarding, an undisclosed conflict of interest or unlawful remuneration, the State Ethics Commission is authorized to refer the record to the Attorney General for evaluation under applicable state anti-bribery, perjury, and public corruption statutes.

Section 4. ORTO Trust Fund

(a) **Establishment.** There is hereby established on the books of the Commonwealth a separate, non-lapsing, revolving fund to be known as the Office of Radiation Technology Oversight (ORTO) Trust Fund. The fund shall be held in trust by the State Treasurer and shall be managed by the designated ORTO Fiscal Officer. Monies deposited into the fund shall not revert to the General Fund at the close of a fiscal year but shall remain available for expenditure by the agency in subsequent fiscal years, subject to appropriation by the General Court.

(b) **Mandatory Priority Hierarchy of Expenditures.** To prevent administrative gridlock and ensure equitable institutional development, all appropriated monies available within the Trust Fund shall be allocated, processed, and expended according to a strict, tiered priority framework:

(1) Tier I: Core Operational Tools and Infrastructure. Absolute funding priority shall be given to the procurement, licensing, and scaling of the necessary internal assets established under paragraph (3) of subsection (c), divided equitably between the Scientific Research Infrastructure track and the Law and Policy Research Infrastructure track on a demonstrated-need basis. No elective funds shall be released for Tier II or Tier III programs until the baseline technological tools and legal databases required for agency operations are fully funded and operational.

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(2) Tier II: Peer Review Honorariums. Secondary funding priority shall be allocated to secure external, non-employee peer review services under paragraph (6) of subsection (c) to maintain the integrity of the dual publication tracks. Tier III: Elective Grants and Public Resource Tool Distribution. Any surplus revenues remaining after satisfying the baseline requirements of Tier I and Tier II shall be divided equally (a strict fifty-percent split) between the competitive research grant program under paragraph (4) and the voluntary public research tool distribution program under paragraph (5) of subsection (c).

(3) Tier III: Elective Grants and Public Resource Tool Distribution. Any surplus revenues remaining after satisfying the baseline requirements of Tier I and Tier II shall be divided equally (a strict fifty-percent split) between the competitive research grant program under paragraph (4) and the voluntary public research tool distribution program under paragraph (5) of subsection (c).

(c) **Expenditures.** Monies deposited into the ORTO Trust Fund shall be expended exclusively, subject to the priority hierarchy established in subsection (b) and subject to appropriation, for the core statutory mandates of ORTO, respecting the strict separation of administrative and scientific authority:

(1) **Administrative Overhead and Core Salary Restriction.** The Trust Fund is designed to supplement, not supplant, the standard annual state budget appropriations required to sustain the Office. The payment of core leadership salaries—specifically the Executive Director, the Non-Ionizing Radiation (NIR) Director, the Head Counsel, the Fiscal Officer, the Scientific Editor, the Law and Policy Editor, and the Chief Testing Engineer—shall not be funded by the Trust Fund. Instead, these designated core leadership salaries shall depend entirely upon annual appropriation of funds by the General Court from the General Fund. To preserve the intent of this Act, the Trust Fund shall be maintained as a supplemental funding mechanism to support grants, research infrastructure, education materials, external resources, and support staff, rather than to fund core executive payroll.

(2) **Supplemental Staffing and Personnel Allocation.** Monies in the Trust Fund, subject to authorization and appropriation, may be utilized to hire general administrative, technical, or junior research staff, as well as specialized consultants, laboratory technicians, or policy experts, on a permanent, temporary, or project-scoped basis; provided, however, that under no circumstances shall monies or assets from the Trust Fund be utilized to fund the core leadership salaries designated under paragraph (1) of this subsection, which shall remain entirely dependent upon standard annual General Fund appropriations. No appropriated trust fund monies shall be utilized to execute such staff hires or consulting contracts unless the Fiscal Officer and Executive Director formally certify that available fund balances are sufficient to cover the associated personnel expenditures and the immediate

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procurement of all specialized technical monitoring instruments, legal research databases, software, and field hardware necessary for that specific work to be actively executed.

(3) **Research and Operations Infrastructure.** Monies in the Trust Fund, subject to appropriation, shall be utilized to build and sustain the separate technical and legal tracking networks of the Office:

(A) **Scientific Research Infrastructure.** Expenditures for internal or external scientific research, field data mapping networks, specialized laboratory testing equipment, scientific materials, and technical personnel retained strictly on a temporary, contractual basis pursuant to paragraph (2) of this subsection, shall require the exclusive formal authorization of the NIR Director, verified for fund availability by the Fiscal Officer, and shall be executed through authorized agency allocations.

(B) **Law and Policy Research Infrastructure.** Expenditures for specialized constitutional or civil rights research, public policy impact databases, legal indexing software, statutory auditing materials, and legal or policy consultants retained strictly on a temporary, contractual basis pursuant to paragraph (2) of this subsection, shall require the exclusive formal authorization of the Head Counsel, verified for fund availability by the Fiscal Officer, and shall be executed through authorized agency allocations.

(4) **Research Grant Caveat.** The agency may award competitive research grants to independent academic institutions or verified non-profit research organizations to investigate policy, scientific, and legal impacts of technologies under evaluation based on the defined research criteria. Such grants shall require the formal approval of the respective NIR Director or Head Counsel, based upon the grant domain, and shall be administered by the respective Scientific Editor or Law and Policy Editor through a double-blind, competitive application process based strictly on merit and the rigorous research criteria of this Act, funded via authorized appropriations from the Trust Fund.

(5) **Public Research Tools.** Subject to the absolute operational priority rule established under paragraph (2) of this subsection, appropriated trust fund monies may be expended by the NIR Director to procure and distribute specialized scientific testing equipment, software, or monitoring tools to municipalities, public educational institutions, and residents; provided, however, that the acceptance and utilization of all such tools shall be strictly voluntary for the receiving local entity, and no monitoring program shall impose any mandatory administrative, operational, or training costs upon any municipality or public educational institution.

(6) **Peer Review Honorariums.** To ensure a rigorous and independent review process, the respective Scientific Editor or Law and Policy Editor, with the authorization of the respective NIR Director or Head Counsel based upon the domain of the track, may request the Executive Director to expend

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authorized agency appropriations derived from the General Fund or the Trust Fund to pay flat-rate professional honorariums to independent, external scientific, legal, or public policy peer reviewers contracted to evaluate research submissions or publication content for ORTO's peer-reviewed journal tracks.

(7) Scientific Integrity and Compensation Restrictions. No ORTO funds shall be awarded for research unless the recipient agrees to full data transparency, including the public disclosure of all raw data and conflicts of interest. Under no circumstances shall ORTO monies be awarded to any entity currently receiving funding, directly or indirectly, from a Prohibited Industry designated under Section 5 of this Act. Under no circumstances shall peer review honorariums or trust funds be utilized to pay bonuses, commissions, or merit-based financial increases to existing full-time or part-time ORTO staff. Peer review honorariums shall be strictly limited to non-employee external experts on a per-evaluation basis.

(c) Independence Protections. To safeguard the absolute independence of ORTO's scientific, policy, and legal evaluations, the procurement and acceptance of all funds shall adhere to the following mandatory parameters:

(1) Philanthropic Donations and Contributions. ORTO may accept public or private donations, gifts, and contributions, provided that all such funds are completely unconditional. Naming, earmarking, or placing restrictive covenants or conditions upon a donation is strictly prohibited by law. ORTO shall retain absolute, unilateral control over the allocation and expenditure of all donation monies within the fund, independent of donor intent or corporate affiliation.

(2) Grant Control. ORTO is authorized to apply for and accept research or technical grants from federal, state, or private philanthropic entities, provided that the scope of work, hypotheses, data collection, and testing methodologies are designed and initiated entirely by ORTO. Under no circumstances shall ORTO accept any grant that conditions its funding upon the inclusion of external research parameters, restricted public data disclosures, or localized testing schedules dictated by the funding source.

(3) Research Asset Ownership. The acceptance of any grant or donation shall be legally contingent upon the agency retaining absolute, unilateral ownership or joint open-science public domain rights over all final research data, mapping analyses, intellectual property, and published safety reports generated under the funded project.

(4) Mandatory Rejection of Compromised Funds. Any donation, gift, or grant offered with attached stipulations regarding specific research outcomes or the hiring, firing, or diversion of specific personnel

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shall be legally rejected and returned immediately by the Fiscal Officer. ORTO is strictly prohibited from accepting any external fund or donation that misaligns, compromises, or subsumes agency scope, priorities, and resources, ensuring that all internal assets remain dedicated exclusively to the independent execution of the ASARAA standard.

(5) Patents and Intellectual Property Protections. Notwithstanding the open-science public domain parameters of this subsection, any patentable technology, hardware modification, or software optimization engineered by the Office to advance the ASARAA standard shall be legally eligible for patent protection, governed by the following frameworks:

(i) Patent Eligibility and Mandatory Assignment. Notwithstanding any public domain open-data requirements, any patentable technology, hardware modification, software optimization, or technical invention engineered by agency personnel, contractors, volunteers, or interns within the scope of their employment or ORTO assignment, or through the utilization of agency resources, shall be legally eligible for patent protection. All such intellectual property rights shall be immediately and automatically assigned to ORTO to prevent private monetization.

(ii) Equitable Collaborative Division. The patent rights and subsequent licensing revenues generated by inventions developed in concurrent partnership with outside institutions may be divided equitably between the Office and its academic collaborators via formal written agreements; provided, however, that any licensing royalties or commercial fees retained by the Office shall be deposited exclusively into the Trust Fund established under Section 4 to support the independent operations of the agency.

(iii) Tiered Capacity Licensing. The Executive Director, in direct consultation with the Head Counsel and Fiscal Officer, shall possess the authority to execute non-exclusive licensing agreements for such ORTO-held patents. To maximize public benefits and secure sustainable funding, commercial licensing fees shall be determined according to a tiered schedule established by the Office, adjusted dynamically based upon the financial capacity of the corporate applicant and the extent to which the intended commercial use advances safer technology implementation and public health protections. All such revenues shall be deposited directly into the Trust Fund established under Section 4.

(d) Compensation Restrictions. Under no circumstances shall monies or assets from the ORTO Trust Fund be utilized to pay bonuses, commissions, or any form of merit-based financial increases to existing or temporary staff. Peer review honorariums shall be strictly limited to non-employee external experts on a per-evaluation basis. All compensation for agency personnel shall conform strictly to the standard salary schedules and job classifications established by the Commonwealth's Human Resources

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Division for comparable professional, technical, and managerial positions, completely independent of the total volume of revenue received or held by the fund.

(e) **Capitalization and Revenue Sources.** The ORTO Trust Fund shall be capitalized and sustained exclusively through the following independent revenue streams, to be processed and logged transparently by the Fiscal Officer:

- (1) Agency-initiated, project-scoped federal, state, or private public health research grants satisfying the scope controls of this Act;
- (2) Tiered administrative processing fees collected from Paid Specialized Custom Services under section 6(d)(1)(ii);
- (3) Licensing royalties, commercial fees, or proprietary revenues generated by ASARAA patent protections and shared academic collaborations secured under paragraph (5) of subsection (c) of this section; and
- (4) All judicially or administratively awarded expert witness fees, technical reporting assessments, and litigation costs recovered under section section 6(d)(3).

Section 5. Schedule of Prohibited Fields and Industries.

(a) **Mandate and Purpose.** To ensure the absolute integrity of the agency's scientific evaluations and eliminate corporate capture, the restrictions enumerated in Section 3(c) shall apply strictly to commercial entities, trade associations, and corporate-funded front groups operating within the specific sectors designated under this section.

(b) **Non-Ionizing Radiation Sector Purview.** For the positions of Executive Director, Non-Ionizing Radiation (NIR) Director, and for all agency personnel, legal counsels, editors, and consultants operating within, advising, or publishing for the non-ionizing radiation division, the term "Prohibited Industry" shall encompass:

- (1) The telecommunications industry, including wireless infrastructure developers, cellular carriers, and satellite communication providers;
- (2) The information technology and digital communication network sectors, including any commercial entity specializing in the development, licensing, or operation of radio-frequency spatial-

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sensing, wireless environmental-monitoring, or proximity-based biometric tracking software applications;

(3) Commercial utility corporations and electrical infrastructure providers;

(4) Wireless hardware, transmitter, imaging arrays, sensor networks, and consumer electronics manufacturing industries; and

(5) Any trade association, lobbying entity, or public relations firm funded primarily by the corporate sectors described in paragraphs (1) through (4) of this subsection.

Section 6. Operations, Research, and Service.

(a) Core Scientific Research and Mandates.

The Office shall serve as the Commonwealth's primary scientific authority on non-ionizing radiation minimization, optimization, and ASARAA implementation. Its core functions shall focus on ASARAA adoption, rigorous research, and data synthesis, which shall include the following programs and mandates:

(1) **Procurement and Technical Guidance.** Establishing and periodically updating practical best practices, equipment parameters, and non-use optimization metrics to guide public sector agencies in implementing the ASARAA standard, beginning with general frameworks and advancing over time as agency capacity and technologies evolve, ensuring the Bureau of Climate and Environmental Health (BCEH), Department of Public Health (DPH), political leaders, and the public have access to evidence-based recommendations.

(2) **Infrastructure Inventory and GIS Mapping.** Subject to appropriation and as agency resources allow, ORTO shall compile and maintain a public GIS mapping database tracking background emissions from high-voltage transmission lines and infrastructure.

(i) To the extent permitted by law, the Office is authorized to utilize existing public databases; state GIS clearinghouses; informational logging within publicly accessible state and municipal land and structures; submitted data from citizen scientists or RF engineers; and records maintained by other state or municipal authorities to map infrastructure locations and identify trends in public exposure utilizing the ASARAA standard, without imposing localized infrastructure permitting restrictions.

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(ii) To populate and dynamically validate this public mapping database, the Office possesses independent authority, within the limits of available resources, to conduct discretionary ambient field measurements of radiofrequency power density and electromagnetic emissions adjacent to commercial cell towers, and wireless base stations, or within public and municipal buildings, general wireless infrastructure configurations, and utility infrastructure layouts strictly for non-commercial research and data-gathering purviews.

To map and evaluate the full spectrum of non-ionizing radiation hazards, field operations and monitoring instruments deployed under this paragraph may encompass, at the discretion of the NIR Director or designated research personnel based upon site-specific conditions, high-frequency radiofrequency fields, low-frequency electric and magnetic fields, power quality distortions, building electrical grounding configurations, and high-frequency voltage transients on utility and infrastructure lines; provided, however, that all such testing is conducted strictly in public rights-of-way or within public or private structures upon voluntary permission without trespass. All findings resulting from these agency-initiated field assessments shall be provided directly to any relevant local authority and published directly to the public GIS digital dashboard.

(iii) To ensure compliance with M.G.L. c. 4, § 7, clause Twenty-sixth, subclause (n), such public mappings shall display generalized environmental exposure gradients and ambient boundary contours rather than revealing protected, sensitive structural facility schematics or internal blueprints.

(3) **Technical Infrastructure Disclosures.** Commercial electric utility providers shall submit specialized geographic tracking data mapping any portion of their public transmission infrastructure, distribution lines, substations, or alternative energy configurations that exhibit non-ionizing magnetic field emissions exceeding a baseline threshold of 0.2 microtesla (2 milligauss) at the point of closest public or residential proximity; provided, however, that ORTO may, by regulation promulgated in accordance with chapter 30A of the General Laws, adjust the baseline reporting threshold or designate specific geographic focus areas for targeted study. This disclosure shall explicitly document the exact maximum measured magnetic field emissions in microtesla or milligauss, tracking specific localized data points across the full gradient of exposure up to and exceeding 10 microtesla (100 milligauss). To ensure practical implementation across all reporting entities, the agency shall establish a phased compliance schedule and grant reasonable timeline extensions for utility providers demonstrating technical or logistical hardship.

(4) **Autonomous Monitoring.** Subject to appropriation by the General Court and the availability of agency resources, and to fulfill its mandate to research the biological, cellular, and public health

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impacts of high-frequency wireless infrastructure without infringing upon federal regulatory boundaries, ORTO shall design and execute an autonomous, state-funded ambient radiofrequency monitoring framework. The Office, using its own specialized staff or independent technical contractors, is authorized to conduct regular, objective field measurements of ambient radiofrequency power density and electromagnetic fields in public rights-of-way, residential perimeters, and transit corridors adjacent to commercial cellular base stations and wireless hardware configurations.

(5) Health Alignment and Spatial Data Synthesis. Subject to appropriation by the General Court, ORTO shall structure and synthesize all submitted electric utility matrices and all autonomously collected wireless infrastructure gradients to facilitate advanced spatial epidemiological analysis. To fulfill the sociological and equity mandates of the research criteria, the Office shall concurrently conduct demographic disparity evaluations to determine if and how non-ionizing radiation exposures may impact vulnerable, systemic, or historically marginalized populations, while explicitly auditing and adjusting its models to eliminate cognitive, methodological, and collection biases. To ensure maximum public transparency while maintaining individual privacy, the Office shall format these specialized tracking arrays to cross-reference localized low-frequency and high-frequency exposure gradients with public health statistics, municipal health metrics, and de-identified data extracted from state disease registries using localized geographic identifiers. All final analytical maps, cluster evaluations, and epidemiological reports generated under this paragraph shall be formatted as public-use aggregated data sets and published on the agency's digital dashboard in strict compliance with the Commonwealth's data privacy statutes.

(6) Targeted Investigations and Interagency Collaboration. To address cases of potential non-compliance with the ASARAA standard, severe NIR exposure complaints, or suspected illness related to non-ionizing electromagnetic fields within public sector facilities and operations, the Office may conduct specialized audits and investigations upon request by participating entities.

(i) The Office may employ or designate specialized EMF personnel to carry out these comprehensive assessments.

(ii) To maximize state resources and ensure comprehensive environmental troubleshooting, the Office is authorized to formally request a joint investigative and testing protocol with the Department of Public Health's Indoor Air Quality Outreach and Education Unit.

(iii) Under any collaborative protocol, ORTO personnel may conduct concurrent, on-site environmental tracking alongside state air quality assessors to differentiate whether reported symptoms or public

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facility complaints are attributable to electromagnetic field exposures, chemical agents, or other standard building environmental factors.

(iv) Where an investigation reveals that electromagnetic field levels or electrical system characteristics deviate severely from published ASARAA guidelines, ORTO shall issue formal findings and transmit a formal administrative advisory and recommended remediation blueprint to the entity, and may work with collaborators to submit a joint report.

(7) Best Practices Research and Hazard Communication

ORTO shall actively conduct research into optimized ASARAA configuration models, technical selection criteria, systemic legal or policy obstacles, demographic disparities, and engineering deployment methodologies to establish ASARAA standards and guidelines. In delivering public educational toolkits and agency reports, the ORTO shall explicitly define, translate, and communicate the documented biological mechanisms, physiological risks, procedural inequities, procedural or methodological biases, funding-source variables within evaluated literature, and public health harms associated with exposure levels or deployment frameworks that fail to conform to the ASARAA standard, as supported by the rigorous research, multi-disciplinary data synthesis, and comprehensive legal and socio-economic auditing criteria of this Act.

(8) Staged Advisory and Action Reporting.

ORTO may publish a series of targeted advisory reports throughout each calendar year, culminating in a comprehensive, mandatory year-end summary, formulated to provide ASARAA recommendations and rationale to authorities and the public to support adoption of the ASARAA standards and guidelines and practice proactive avoidance. Each report shall be public and unedited by any outside authority and submitted electronically to the Governor, the Clerks of the Massachusetts Senate and House of Representatives, relevant joint committees, and the Office of the Attorney General, while being simultaneously filed with the State Library and published on a centralized open-access electronic platform. These staged reports may, subject to appropriation, agency priorities, and as agency resources allow, address specific sectors on a rotating or as-needed basis, including, but not limited to:

(i) **Public Institutions and Educational Facilities:** Providing multi-disciplinary, science-based, and legally audited advisory protocols and voluntary operational blueprints for public schools, housing authorities, and local governments to optimize continuous wireless network utilization and mitigate excessive electric and magnetic field exposures. These blueprints may integrate comprehensive

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ASARAA standards to balance exposure mitigation with other aspects such as, but not limited to, civil liberties. Such specialized protocols shall be made voluntarily available to medical facilities. Advisory protocols may be provided digitally or in print, subject to appropriation and as agency resources allow.

(ii) **Work Environments and Commercial Sectors:** Evaluating indoor electromagnetic and optical exposures in modern workplaces, and outlining specific hardware, software, and infrastructural modifications that employers and commercial technology sectors are recommended to adopt. These recommendations and guidelines may integrate comprehensive ASARAA standards to balance exposure mitigation with aspects beyond health and safety, including, but not limited to, workplace privacy, civil liberties, and procedural equity for employees, subject to appropriation and as agency resources allow.

(iii) **Electrical Wiring and Infrastructure:** Establishing ASARAA standards and guidelines for electrical systems, analyzing existing codes to formulate protective grounding techniques and target specifications minimizing line noise at the Point of Common Coupling to mitigate high-frequency voltage transients on shared utility lines. These ASARAA standards and guidelines may integrate aspects beyond health and safety, including but not limited to civil liberties, subject to appropriation and as agency resources allow.

(iv) **Municipal Telecommunications:** Providing technical optimization blueprints for municipalities to deploy hard-wired, shielded public booths, wired local network interfaces, and non-radiating civic infrastructure alternatives, alongside non-technological alternative communication pathways. These technical optimization blueprints and municipal guidelines may integrate comprehensive ASARAA standards to balance radiation exposure mitigation with aspects beyond health and safety, including, but not limited to, civil liberties, municipal data sovereignty, privacy vulnerabilities, and the civic risks associated with dual-use or weaponized radio-frequency technologies, subject to appropriation and as agency resources allow.

(v) **Proactive Avoidance and Non-Technological Alternatives:** Featuring non-technological alternative communication platforms, administrative workflows, and civic infrastructure pathways to reduce systemic data transmission dependency.

(9) **Legislative Recommendations Appendix.** To facilitate proactive legal adaptation and provide a mechanism for the Office to identify systemic public health or environmental challenges beyond its direct administrative scope, the Staged Advisory and Action Report authorized under paragraph (1) of this subsection shall feature a dedicated appendix detailing documented technology hazards, policy

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analyses, and legislative recommendations compiled under the oversight of the Head Counsel, the Non-Ionizing Radiation (NIR) Director, the Scientific Editor, and the Law and Policy Editor within their respective domain tracks. This appendix shall outline specific statutory concepts and findings for the General Court to consider when developing targeted restrictions, zoning protections, or infrastructure phase-outs on hazardous technologies.

(b) Municipal and Public Services.

To support local governments and the public in evaluating environmental exposure gradients without overextending agency resources, the Office shall administer the following voluntary programs and centralized data systems:

(1) Cooperative Environmental Auditing. The Office shall establish a voluntary technical auditing program for public structures and municipal spaces to fulfill its data-gathering mandates.

(i) State agencies, county authorities, and municipal governments may to cooperate with and facilitate reasonable, non-invasive testing requests submitted by the Office within publicly accessible areas of public educational institutions, municipal offices, courthouses, public housing common areas, and state-operated transit facilities.

(ii) All environmental auditing conducted under this paragraph shall be performed by authorized ORTO personnel using non-invasive environmental logging meters during standard operational hours, in strict compliance with the target facility's established security, visitor access, and safety protocols.

(2) Voluntary Community Research and Self-Reporting Registry. Subject to appropriation, ORTO may develop and host a public, open-access electronic portal on its digital dashboard allowing residents of the Commonwealth and community researchers to voluntarily log localized low-frequency and high-frequency exposure measurements alongside self-reported biological, neurological, or environmental health responses. To ensure maximum public transparency while protecting individual privacy, all personal identifying data published on said portal shall be strictly anonymized, and ORTO shall strip all personal identifying information, names, and specific residential street numbers prior to public disclosure. ORTO may deploy and modify this framework incrementally as administrative capacity allows, utilizing any collected data exclusively for independent scientific analysis and public reporting.

(3) Grant-Making and Equipment-Lending Program

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Subject to legislative appropriation or available monies within the ORTO Trust Fund established under this Act, the Office shall establish and administer the following financial and technical support programs:

- (i) A competitive grant program to commission independent research from academic or non-profit institutions investigating the biological and environmental impacts of technologies under evaluation.
- (ii) A voluntary equipment-sharing and calibration lending program, subject to available agency resources, enabling residents to temporarily borrow specialized testing instruments to assess local conditions and submit empirical data directly to the Office's data pipeline.

(4) ASARAA Assistance and Outreach.

To the extent that agency resources allow, the Office shall develop and publish accessible educational materials, brochures, and practical toolkits for the public, local governments, housing authorities, medical facilities, and educational institutions regarding electromagnetic exposure reduction and ASARAA implementation.

- (i) Specialized outreach materials shall include evidence-based recommendations for clinical environments and dedicated educational resources for patient exposure mitigation.
- (ii) Contingent upon available funding, ORTO shall establish interactive tools, including frequently asked questions (FAQs) and may provide an inquiry mechanism to provide responsive guidance regarding technology selection, configuration, and exposure mitigation.

(c) Intellectual Property, Publishing, and Staged Reporting.

To ensure maximum public transparency, protect state-engineered innovations, and disseminate evidence-based research, the Office shall govern its intellectual property, academic alliances, and reporting tracks pursuant to the following parameters:

(1) Research Tools and Academic Collaborations

Within the limits of funds appropriated or available within the ORTO Trust Fund, the Office is authorized to procure, maintain, and deploy its own specialized monitoring hardware and calibrated testing instruments.

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(i) Additionally, to minimize state operational expenditures and maximize existing public resources, ORTO is authorized to utilize the physical laboratories, testing equipment, and computing resources of the University of Massachusetts system, the Commonwealth's public community colleges, and other independent academic partners upon voluntary agreement with said institutions.

(ii) All raw data, scientific analysis, and research methodologies generated through these collaborative university and college arrangements shall be jointly held; provided, however, that all such research assets shall be permanently maintained within the public domain, and no participating institution or collaborator shall possess the authority to suppress, censor, or restrict public access to the final results or underlying datasets.

(2) Patent Eligibility, Assignment, and Tiered Licensing

(i) **Patent Eligibility and Mandatory Assignment.** Notwithstanding any public domain open-data requirements under this Act, any patentable technology, hardware modification, software optimization, or technical invention engineered by agency personnel within the scope of their employment, or through the utilization of agency resources, shall be legally eligible for patent protection. All such intellectual property rights shall be immediately and automatically assigned to ORTO to prevent private monetization by individual employees or contractors.

(ii) **Equitable Collaborative Division.** The patent rights and subsequent licensing revenues generated by inventions developed in concurrent partnership with outside institutions may be divided equitably between the Office and its academic collaborators via formal written agreements; provided, however, that any licensing royalties or commercial fees retained by the Office shall be deposited exclusively into the Trust Fund established under Section 4.

(iii) **Tiered Capacity Licensing.** The Executive Director, in direct consultation with the Head Counsel and Fiscal Officer, shall possess the authority to execute non-exclusive licensing agreements for such ORTO-held patents. Commercial licensing fees shall be determined according to a tiered schedule established by the Office, adjusted dynamically based upon the financial capacity of the corporate applicant and the extent to which the intended commercial use advances safer technology

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implementation and public health protections. All such revenues shall be deposited directly into the Trust Fund established under Section 4.

(3) ORTO Diamond Open-Access Scientific Journal

Under the joint direction of the Scientific Editor and the Law and Policy Editor, the Office shall operate an autonomous scientific, law, and policy publishing registry and an official, open-access institutional journal administered under a "Diamond Open-Access" model, wherein no fees, page charges, or processing costs shall ever be levied against submitting authors, and no subscription fees shall be charged to the public. To preserve disciplinary integrity and rigorous academic tracking, the journal shall feature distinct publication tracks or specialized releases separated by domain expertise, including a hard sciences track and a law and policy track.

(i) The evaluation of submitted manuscripts and datasets for the hard sciences track shall be governed exclusively by the rigorous research criteria for biological and physical data and assigned to an external panel of independent scientific experts as determined by the NIR Director and Scientific Editor. The evaluation of submissions for the law and policy track shall be governed by recognized constitutional, civil rights, legal, and socio-economic auditing standards and assigned to qualified legal scholars, public policy researchers, or independent experts as determined by the Head Counsel, with such assistance or delegation as the Head Counsel determines.

(ii) Manuscripts that successfully pass the agency's strict conflict-of-interest and peer-review protocol shall be formally published and cataloged within said journal.

(iii) Reviewer Honorariums. Within the limits of funds appropriated or available within the Trust Fund under Section 4, the Office is authorized to secure standard academic indexing, permanent digital object identifiers (DOIs), public archiving, and provide reasonable nominal compensation or flat-rate honorariums to external peer reviewers for their technical services, administered by the respective Scientific Editor or Law and Policy Editor based upon the domain track of the evaluation.

(4) Inter-State Epidemiological and Technical Alliances

The Office is authorized to enter into collaborative research alliances and data-exchange frameworks with public health, environmental protection, and consumer utility oversight agencies maintained by other states or territories within the United States.

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(i) All final research reports and data registries published by ORTO under this paragraph shall remain within the public domain, freely accessible to all entities and jurisdictions.

(ii) In establishing joint research projects or reviewing data accepted from out-of-state agencies, the Office shall prioritize collaboration with public governmental entities that maintain established, rigorous policies to protect research independence and scientific integrity.

(iii) Prohibited Alliances. The Office shall be strictly prohibited from entering into joint research projects or formal scientific collaborations with scientists, engineers, or technical personnel currently employed by, or receiving compensation from, a Prohibited Industry designated under Section 5 of this Act. These inter-state alliances shall operate strictly on a public-benefit basis without any commercial financial exchange, direct or indirect funding compensation, or cost-recovery assessments levied upon or accepted by ORTO.

(d) Legal, Clearinghouse, and Enforcement Division.

(1) **Two-Tiered Service and Fee Structure.** The Office shall establish a unified, two-tiered framework for conducting environmental exposure measurements, on-site field auditing, and technical assistance to ensure administrative cost-recovery, preserve core agency assets, and prevent any public expectation of automated, no-cost field inspections. The fee schedules for all paid specialized services under this framework shall be formally established and adjusted by the Executive Director, in direct consultation with the Head Counsel and the Fiscal Officer. The dual-tier framework shall ensure equitable access to regulatory assistance while sustaining agency resources:

(i) **Tier I: Free Public Domain Resources and Guidance.** The Office is authorized, subject strictly to available agency resources, personnel capacity, and agency priorities, to provide free, non-customized technical assistance. This tier shall be strictly limited to a simplified electronic intake form, standard digital response templates for general inquiries, and the publication of generic model municipal ordinances, standardized boilerplate zoning bylaws, and public educational toolkits maintained in the public domain. To assess regional regulatory needs without overextending personnel, the Office may convene structured administrative town halls or seasonal municipal summits completely free of charge to residents and the 351 cities and towns within the Commonwealth.

(ii) **Tier II: Paid Specialized Custom Reviews.** At the formal request of a municipality or county authority, and upon the assessment of a standardized administrative processing fee, ORTO may provide

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custom, real-time regulatory consultations, conduct on-demand technical-legal reviews of site-specific zoning applications, or execute localized environmental exposure evaluations.

(A) Scope of Fee-Based Operations. To evaluate non-ionizing radiation hazards effectively while ensuring operational efficiency, field operations and monitoring instruments deployed under this tier may encompass, at the discretion of the NIR Director or designated technical personnel, high-frequency radiofrequency fields, low-frequency electric and magnetic fields, power quality distortions, building electrical grounding configurations, and high-frequency voltage transients on utility and infrastructure lines; provided, however, that all such testing is conducted strictly in public rights-of-way or within public or private structures upon voluntary permission without trespass.

(B) Incremental Public Sector Auditing. To assist public sector entities, schools, and housing authorities in implementing ASARAA requirements through incremental procurement cycles, ORTO shall utilize this paid tier to select a manageable subset of requested facilities at its discretion for practical, on-site or remote technical evaluations relying primarily on operational reviews, hardware assessments, and general survey meters to provide guidance without requiring exhaustive forensic testing.

(C) Commercial Exclusion. The on-site environmental, electrical, and technical field services authorized under this paragraph shall be restricted exclusively to public-benefit purviews. Any commercial corporation private developer shall be strictly prohibited from receiving or utilizing the field monitoring, data verification, or technical assessment services of the Office, and the Office shall possess no statutory obligation to execute on-site technical services for any such for-profit commercial entity.

(iii) Absolute Discretionary Fee Waivers. To ensure that the paid model remains the baseline common practice across the Commonwealth, on-site field evaluations and custom reviews shall require a Tier II fee from the requesting entity. Notwithstanding this cost-recovery parameter, the Office possesses absolute administrative authority to establish its own priorities for scheduling field measurements. The Executive Director, in direct consultation with the NIR Director and Head Counsel, may completely waive any fee and fast-track an immediate field assessment if the requested measurement fulfills a crucial scientific data need, addresses a suspected public health cluster, supports an active agency research project, or provides vital empirical data to assist a political subdivision of the Commonwealth in a pending judicial challenge strictly pertaining to the defense or adoption of the ASARAA principles.

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(ii) **Operational Funding.** All revenues generated from Tier II specialized municipal reviews shall be deposited directly into the Trust Fund established under section 4.

(iii) **Boundary of Service.** Reviews and guidance issued by the clearinghouse shall constitute technical regulatory compliance analysis under the ASARAA framework; nothing in this section shall be construed as establishing a formal attorney-client relationship between the Office and an individual municipality.

(2) Inter-Agency and Legislative Counsel.

Under the direction of the Head Counsel, and subject strictly to available agency resources, the Legal Division may serve as a specialist advisory desk to the state legislature, the Department of Public Utilities, and the Department of Public Health. This advisory service shall be strictly limited to providing technical and legal reviews regarding how federal telecommunications rollouts intersect with existing Massachusetts state codes and to formulating protective ASARAA guidance to support proactive public health exposure avoidance across all state secretariats.

(3) **Expert Testimony and Cost Recovery.** To support a political subdivision of the Commonwealth in any such legal challenge, the Non-Ionizing Radiation (NIR) Director, Head Counsel, or qualified agency personnel are explicitly authorized to submit formal technical affidavits, present empirical field data, and provide expert scientific testimony before any state or federal court or administrative tribunal to defend the integrity and application of the ASARAA standard.

Upon a favorable final judicial or administrative disposition sustaining the technical data or testimony presented by the Office, the Head Counsel is authorized to petition the court or administrative tribunal for an order awarding reasonable expert witness fees, technical reporting assessments, and associated litigation costs against the non-prevailing commercial entity; provided, however, that any such judicially awarded costs recovered by the Office shall be deposited directly into the Trust Fund established under section 4.

(4) Consumer Protection

To support ASARAA practices and adoption, ORTO is authorized to evaluate marketing representations, technology specifications, and public disclosures associated with technology emitting non-ionizing radiation.

(i) **ASARAA-Contingent Triggers.** The authority to investigate or provide legal evidence under this paragraph shall operate strictly in relation to the ASARAA standard. The Office shall initiate a technical review of a commercial entity's safety or operational claims only when and if the finalized,

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scientifically established ASARAA standard determines that a specific technology aspect or recommended use introduces a verifiable public health risk or when a simple path exists to a safer, optimized alternative layout for either the entity providing the technology or for the consumer.

(ii) **Public Reporting and Consumer Protection Alerts.** The Office is explicitly authorized to publish its findings, technical fact-checks, and independent product safety audits directly to the general public. All such public notices and consumer alerts must be formally reviewed and approved by the Head Counsel. Once cleared, these findings shall be made freely available on the agency's public digital portal and distributed through public risk disclosures, educational brochures, or media alerts.

(iii) **Legal Evidence.** The Non-Ionizing Radiation (NIR) Director and Head Counsel are authorized to assist with data verification and evidence compilation directly in legal challenges to advance ASARAA policy. At the discretion of the Non-Ionizing Radiation (NIR) Director and Head Counsel, ORTO may deploy specialized testing hardware to gather forensic site-specific spectrum measurements, audit commercial technical disclosures, and provide unedited technical data, scientific affidavits, and expert consumer reports as pertinent to supporting adoption and implementation of the ASARAA standard. Furthermore, qualified agency personnel are authorized to provide expert scientific or engineering data testimony or submit legal briefs before state and federal courts and administrative tribunals to defend the integrity, adoption, and application of the ASARAA standard.

(iv) **Educational Events.** The Office is authorized, within the limits of available personnel capacity and agency priorities, to organize and host public consumer town meetings, digital webinars, and community workshops. These interactive forums shall be structured to hear local consumer grievances, educate residents on identifying deceptive marketing claims, translate complex biological exposure data, and share practical ASARAA guidelines to help families practice proactive avoidance in their daily lives.

(5) **Attorney General Enforcement Referrals**

Where a rigorous technical review reveals an egregious or cumulative pattern of commercial deception or fraud that violates the safety metrics of the ASARAA standard, the Executive Director and Head Counsel are authorized to compile the empirical record and submit a formal consumer protection referral to the Office of the Attorney General for potential enforcement under chapter 93A of the General Laws.

Section 7. Phased Implementation and Workplace Flexibility.

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(a) Phased Scale and Operational Milestones. To support a disciplined roll out, the operations of ORTO shall proceed according to a structured, remote-first phased scale, commencing officially on November 15, 2029:

(1) **Foundational Launch** (Months 1–12; Commencing November 15, 2029). On November 15, 2029, the foundational leadership roster—consisting of the Executive Director, the Non-Ionizing Radiation (NIR) Director, the Head Counsel, and the Fiscal Officer—shall be formally appointed pursuant to the constitutional select panels designated under Section 3. The salaries for these core positions shall depend upon appropriation of funds by the General Court. This core team shall establish secure communication tools, temporary administrative space, and the operational framework for accessing independent research tools and organizing academic resource-sharing channels.

(i) **Initial Remote-First Infrastructure and Website.** To optimize public resources and administrative necessities, all personnel during Phase I shall operate entirely via secure remote work frameworks utilizing digital communications, completely bypassing any physical commercial office or laboratory leasing requirements. The core operational milestones of Phase I shall be to draft the initial ASARAA recommendations for the public and required ORTO reports; to establish the official ORTO website content; to publish the free Tier I Municipal Regulatory Clearinghouse documents; and to execute initial Tier II paid reviews by the Head Counsel.

(ii) **Editorial Staff Onboarding Window.** Ideally occurring in late November 2030, with an operational target window of November 26 through November 29, 2030, the Non-Ionizing Radiation (NIR) Director shall formally appoint the Scientific Editor, and the Head Counsel shall formally appoint the Law and Policy Editor; provided that these appointments are subject to appropriation by the General Court. Following these appointments, ORTO shall initiate the structural establishment and operations of the Diamond Open-Access journal tracks under Section 6(c) of this Act.

(iii) **Chief Testing Engineer Onboarding Window.** Following the transition of the Scientific Editor and Law and Policy Editor, ideally occurring in early December 2030 with a formal operational target of December 2, 2030, the NIR Director shall formally appoint the Chief Testing Engineer; provided that this appointment is subject to appropriation by the General Court. This appointment shall be executed in direct coordination with the procurement of primary specialized laboratory equipment, field survey instruments, and the formal engineering protocols necessary to execute active technical field operations.

(iv) **Recruitment Flexibility and Discretionary Continuity.** The specific dates detailed in this paragraph shall function strictly as initial operational and administrative goals. The Executive Director

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and Non-Ionizing Radiation (NIR) Director possess absolute statutory authority to adjust or extend these onboarding windows as necessary to ensure that applicant qualifications are comprehensive, recruitment pools are adequate, and the absolute independent integrity of the technical and publishing divisions is preserved.

(2) Centralized Collaborative Hub and Academic Cooperation. Following the initial twelve-month runway, the Executive Director, in coordination with the Fiscal Officer, is authorized to secure a single, cost-effective physical office space or dedicated meeting facility to serve as the agency's centralized administrative headquarters and Collaborative Hub. To eliminate unnecessary real estate expenditures and ensure geographical accessibility across the Commonwealth, the Office is explicitly authorized to petition the University of Massachusetts system, any of its regional campuses, or any of the fifteen (15) public Massachusetts community colleges, to enter into formal memoranda of understanding for the shared utilization of public educational meeting rooms, collaborative workspaces, or existing laboratory facilities. This physical facility shall be structured strictly to support in-person writing collaborations, strategic research planning, joint legal-technical drafting sessions, and may also serve for structured municipal or public summits, rather than mandatory daily clerical occupancy. The establishment of an independent or collaborative lab, or ORTO physical testing node, shall be deferred until the leadership determines that ORTO is prepared to utilize and requires such physical space, specifically as determined by the NIR Director, Executive Director, and Scientific Editor.

(3) Tolling of Operational Milestones. Notwithstanding the specific calendar dates designated within this Act, if the General Court fails to appropriate the baseline funds necessary to establish the core leadership roster or additional positions under Section 3, all subsequent operational timelines, milestones, and onboarding windows established under this Act shall be automatically tolled and extended. The operational clock for Phase I and Phase II shall officially commence upon the first day of the fiscal month following the formal enactment of an operating budget that provides the necessary appropriations for agency activation.

Section 8. Uniform State Baseline

All laws, municipal bylaws, local ordinances, or administrative regulations within the Commonwealth that conflict with the provisions of this Act are hereby superseded to the extent of such conflict. This Act shall establish the uniform, baseline technical standards for the tracking and recommended optimization of non-ionizing electromagnetic spectrum exposures within the Commonwealth, and no political subdivision or state agency may enforce a lesser standard of corporate technical disclosures defined in section 6(a)(6) of this Act, public health advice and risk communication based on rigorous research, or consumer transparency than set forth herein; provided, however, that nothing in this Act shall be construed to violate, override, or preempt any applicable federal statute, or to impose localized

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technical tracking, and consumer protection scope of the ASARAA standard established under this Act shall extend to the maximum boundary permitted under the United States Constitution and federal statutory law, and shall automatically encompass data synthesis and public optimization guidelines for private utility and commercial wireless infrastructure to the fullest extent allowed upon any subsequent modification, repeal, or judicial restriction of federal preemption barriers.

Section 9. Severability

The provisions of this Act are severable. If any section, subsection, paragraph, sentence, clause, phrase, word, or technical parameter of this Act, or the application thereof to any person, corporate entity, municipality, or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions or applications of this Act which can be given effect without the invalid provision or application.

SIGNATURES IN SUPPORT

The undersigned qualified voters of the Commonwealth of Massachusetts have personally reviewed the final text of this initiative petition, fully subscribe to its contents, agree to be one of its original signers and have signaled that agreement by signing below, and hereby submit the measure for approval by the people pursuant to Article 48 of the articles of amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article 74 of said articles of amendment.

SIGN HERE	PRINT NAME HERE