

**NH COMMISSION TO STUDY THE ENVIRONMENTAL AND HEALTH EFFECTS
OF EVOLVING 5G TECHNOLOGY**

Meeting held:

9/16/19

9:00-10:00 am

LOB 202

Meeting called to order by Rep Abrami at 9:00 am.

In attendance: (9) (Each member discussed their backgrounds)

Rep. Patrick Abrami-speaker of the house appointee

Senator Tom Sherman-president of the senate appointee

Rep. Ken Weeks- speaker of the house appointee

Kent Chamberlin-UNH-appointed by the chancellor

Carol Miller-NH Business & Economic Affairs Dept.

Denise Ricciardi-public-appointed by the governor

Michelle Roberge-DHHS- Commissioner of DHHS appointee

Rep. Gary Woods-speaker of the house appointee

Senator Jim Gray-president of the senate appointee

Excused: (1)

Dr. Paul Heroux- Professor of Toxicology, McGill University- speaker of the house appointee

To be filled: (6)

AG or designee

2 members of the NH High Tech Council

1 member of NH Medical Society, specializing in environmental medicine/electromagnetic radiation

1 member of cell phone/wireless industry

1 member of Business and Industry Association

Agenda: (attached)

- I. Member introductions and background
- II. Election of Chair:
 - Rep. Patrick Abrami was nominated by Senator Tom Sherman, seconded by Rep Gary Woods. Vote was unanimous.
- III. Guiding Principles: (see attached and attached HB522)
 - Senator Sherman: committee decorum protocol, ask permission of chair to speak or rebut.
- IV. Statement of Purpose and Goals: (see attached)
 - Rep. Abrami: Why do we need state level? Fed is not doing much. States are pushing back against the Federal government as small cells are rolled out in front of homes. Because we cannot see it or feel it, except those who are sensitive, doesn't mean it is

not an issue for health and the environment. A sixth goal was added to communicate conclusions to all federal agencies with jurisdiction and the Office of the President.

V. Questions Needing Answers: (see attached)

-Senator Gray: We need to look at all radiation, not just 5G. Is it good or bad? Is frequency? Intensity? How much is too much? Think broadly, not just 5G.

-Senator Sherman: Applying Precautionary Principle is most important. We are not looking for proof positive, but risk. Lack of knowledge does not equal safety. Is there potential harm here? Public health policy is not black and white. The goal is to protect public health.

-Rep Woods: we need a good understanding of baseline ambient level and levels relative to that.

-Kent Chamberlin: Concerns of cybersecurity and military issues and from sources not under U.S. control, not just biological.

-Denise Ricciardi: Health epidemic avoidance, constitutional privacy issues, data collection. Our job is to get to the truth for public health.

-Rep Abrami: Let it take us where it leads us. Root discussion is RF radiation. We cannot talk about 5G without RF in general.

VI. List of organizations in which testimony will be requested. (see attached)

-Rep Abrami: There will be no problem bringing in people with tremendous science credentials. I am hoping to get someone in to refute that. We need back and forth discussion. The harder problem will be in getting people to testify rebutting findings. Joel is research resource for the commission.

Discussion:

- Rep Abrami: US National Toxicology findings, WHO, FCC. We need to understand FCC standards and why they only test for thermal effects, ignoring biological effects. We may need to skype people in as we do not have a budget for this.
- Senator Sherman: who is making decisions at the FCC? Are they biased? What are their qualifications? Request background on decision makers setting regulations state and fed levels both.
- Kent Chamberlin: limits are set very high compared to other countries who do look at biological effects. What can we, as a state do if fed level decision makers aren't qualified to be making those decisions?
- Carol Miller: We should have an industry report for NH. Where are we at for 5G deployment? How can we help mitigate for our constituents?
- Rep Woods: in hearing testimony, has study been repeated? Look beyond credentials of presenter.
- Rep Abrami: Would like to hear from Industry on this. And insurance?
- Kent Chamberlin: Can we look at where policies are done because of exposure to radiation?

- Senator Gray: Insurance writes exclusions because it's an issue or may exclude on Rumor?

VII. Meeting frequency, time & length.

- every 2-3 weeks, initially.
- two hours typically
- next meeting: Thursday, October 10, 2019 8:30-10:30
- Kent Chamberlin will do brief presentation on waves.
- will need projector for slides.
- Dr Heroux may present if he is able to be at the next meeting.

VIII. Public comments:

– Jennifer White (Hancock, NH):

1. Jen and her son are RF sensitive. She manages two businesses out of her home. Agree with Senator Gray it is a greater issue than just 5G. However, the issue with 5G is we can no longer have control over the safety of our home/property environment. If that right is taken away, they will both suffer, as their own home will no longer be a safe place.
2. Response to Senator Gray's statement about some radiation is helpful ie. Killing cancer... Jen's mom had cancer. The radiation did kill that. But she lived 3 years longer but died from Leukemia caused by the radiation to kill the cancer.

-Cherylyn Randolph LeBrun: (Loudon, NH): She has background in public health nursing. Her concern is for children and our future children. Please consider the long term effects on exposure to children who will have a much longer exposure than we have. Autism is a big issue. Please focus on pediatric neurology.

IX. Meeting Adjourned at 10:05 am.

HB 522 - VERSION ADOPTED BY BOTH BODIES

2019 SESSION

19-0261
05/01

HOUSE BILL **522**

AN ACT establishing a commission to study the environmental and health effects of evolving 5G technology.

SPONSORS: Rep. Abrami, Rock. 19; Sen. Sherman, Dist 24

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill establishes a commission to study the environmental and health effects of evolving 5G technology.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

19-0261
05/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT establishing a commission to study the environmental and health effects of evolving 5G technology.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Subdivision; Commission to Study the Environmental and Health Effects of Evolving 5G Technology. Amend RSA 12-K by inserting after section 11 the following new subdivision:

Commission to Study the Environmental and Health Effects of Evolving 5G Technology

12-K:12 Commission Established. There is established a commission to study the environmental and health effects of evolving 5G technology, which includes the use of earlier generation technologies. Fifth generation, or 5G, wireless technology is intended to greatly increase device capability and connectivity but also may pose significant risks to humans, animals, and the environment due to increased radiofrequency radiation exposure. The purpose of the study is to examine the advantages and risks associated with 5G technology, with a focus on its environmental impact and potential health effects, particularly on children, fetuses, the elderly, and those with existing health compromises.

12-K:13 Membership.

I. The members of the commission shall be as follows:

- (a) Three members of the house of representatives, including one member from the house science, technology, and energy committee, and one member from the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, appointed by the president of the senate.
- (c) A member of the public, appointed by the governor.
- (d) The attorney general, or designee.
- (e) Two members of the New Hampshire High Technology Council, appointed by the council.
- (f) One member representing the Business and Industry Association, appointed by the association.
- (g) One member of the New Hampshire Medical Society who specializes in environmental medicine and is familiar with electromagnetic radiation, appointed by the society.
- (h) One member representing the university system of New Hampshire knowledgeable in radiofrequency radiation, appointed by the chancellor.
- (i) One member of the cell phone/wireless technology industry, appointed by the president of the senate.
- (j) The commissioner of the department of health and human services, or designee.
- (k) One public member with expertise in the biological effects of radiofrequency radiation, appointed by the speaker of the house of representatives.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

12-K:14 Duties and Reporting Requirement.

I. The commission shall:

- (a) Examine the health and environmental impacts from radiofrequency (RF) radiation emitted from the waves in the 30-300 gigahertz(GHZ) range of the electromagnetic spectrum, which falls somewhere between microwaves and infrared waves, and which are required with the rollout of 5G technology.
- (b) Assess the health and environmental impacts of 5G technology, which requires small cell towers to be placed at a distance of 250 meters from each other at telephone pole height from the ground and will operate in conjunction with the 3G and 4G technology infrastructure.
- (c) Receive testimony from the scientific community including but not limited to physicists and electrical engineers, the medical community including but not limited to cellular experts and oncologists, the wireless technology industry including but not limited to cell phone businesses and businesses working on the development autonomous vehicles which will rely on 5G technology, as well as other organizations and members of the public with an interest in 5G technology.
- (d) Consider the following questions and the impact on New Hampshire citizens, municipalities, and state government of:
 - (1) Why the insurance industry recognizes wireless radiation as a leading risk and has placed exclusions in their policies not covering damages caused by the pathological properties of electromagnetic radiation?
 - (2) Why do cell phone manufacturers have in the legal section within the device saying keep the phone at least 5mm from the body?
 - (3) Why have 1,000s of peer-reviewed studies, including the recently published U.S. Toxicology Program 16-year \$30 million study, that are showing a wide-range of statistically significant DNA damage, brain and heart tumors, infertility, and so many other ailments, being ignored by the Federal Communication Commission (FCC)?
 - (4) Why are the FCC-sanctioned guidelines for public exposure to wireless radiation based only on the thermal effect on the temperature of the skin and do not account for the non-thermal, non-ionizing, biological effects of wireless radiation?
 - (5) Why are the FCC radiofrequency exposure limits set for the United States 100 times higher than countries like Russia, China, Italy, Switzerland, and most of Eastern Europe?

(6) Why did the World Health Organization (WHO) signify that wireless radiation is a Group B Possibly Carcinogenic to Humans category, a group that includes lead, thalidomide, and others, and why are some experts who sat on the WHO committee in 2011 now calling for it to be placed in the Group 1, which are known carcinogens, and why is such information being ignored by the FCC?

(7) Why have more than 220 of the worlds leading scientists signed an appeal to the WHO and the United Nations to protect public health from wireless radiation and nothing has been done?

(8) Why have the cumulative biological damaging effects of ever-growing numbers of pulse signals riding on the back of the electromagnetic sine waves not been explored, especially as the world embraces the Internet of Things, meaning all devices being connected by electromagnetic waves, and the exploration of the number of such pulse signals that will be created by implementation of 5G technology?

II. The commission shall prepare and publish an interim and final report of its findings and recommendations. The reports shall:

(a) Outline the advantages of, and risks associated with, 5G technology running in conjunction with the 3G and 4G technology infrastructure.

(b) Develop a strategy, if deemed necessary, to limit RF radiation exposure from 5G or lesser generation technology relying upon electromagnetic waves.

(c) Include a public policy statement on 5G wireless systems, which either declares the technology safe or outlines actions required to protect the health of its citizens and environment.

(d) Consider alternatives to 5G technology that will accelerate information flow speeds and volumes without the use of electromagnetic waves that emit high levels of radiation.

(e) Provide any recommendations for proposed legislation developed by the commission.

III. The commission shall submit the interim report required under paragraph II to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019, and shall submit the final report on or before November 1, 2020.

2 Repeal. RSA 12-K:12 - 12-K:14 and the subdivision heading preceeding RSA 12-K:12, relative to commission to study the environmental and health effects of the evolving 5G technology, are repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2020.

II. The remainder of this act shall take effect upon its passage.