

Initiative Petition for a Law Relative to Reducing Risks of Technology

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

Section 1. Policy and Purpose

a. This Act establishes a commission to advance the policy of Massachusetts in favor of legislation to reduce or limit risks to human rights from technology and provide for model legislation, with legislation:

i) addressing risks to environmental health, liberty, free speech, democracy, security, and common good;

ii) insuring the integrity of science in evaluation of technological risks;

iii) insuring the integrity and provision of information to the People on technological risks;

iv) providing a voice for ecological stewardship protections independent of financial interests and politics;

v) providing the People, including local and marginalized communities, a voice in addressing or preventing technology risks;

vi) providing an affordable mechanism outside the judicial system for individuals harmed to bring grievances regarding technology to attention for redress;

vii) providing for limits on technology on the basis of protective and cautionary practices such as the Precautionary Principle;

viii) supporting scientifically-sound assessment and regulation of technology;

ix) preventing government corruption of protections to human rights as result of financial interests;

x) redressing environmental harm caused by technology; and

xi) updating the Bill of Rights in light of technology risks.

b. It is further the intent of this Act that the subject matter of the proposed legislation in section 1a shall be drafted and construed so as to prevent promotion of or investment in any technology and to prevent the advancement of the financial interests of any one person, family, or class.

c. To further the intent of this act and advance the legislation described herein, an independent, non-partisan commission is hereby established to research, take testimony, report, promote, develop, and put forward before the legislature model state and federal legislation for the Commonwealth. This commission shall be known as the Reducing Risks of Technology Commission, hereafter referred to as RRTC.

D. K. O.
W. K. O.
J. P. O.
C. O.
D. O.
R. O.

d. The legislation put forward by the RRTC shall be brought to a vote in the Massachusetts legislature after submission, following a brief period for review.

e. This Act shall be known as the Reducing Risks of Technology Act.

Section 2. Composition, Appointments, and Procedures of the Reducing Risks of Technology Commission

a. The commission shall include up to two representatives or nominees as selected by the following organizations with the acquiescence of the nominee or representative: American Civil Liberties Union, Electronic Frontier Foundation, Electronic Privacy Information Center, Center for Democracy and Technology, Privacy International, Verified Voting (dot org), Project Censored, Center for Cognitive Liberties and Ethics, Toxics Action Center, Clean Production Action, Lowell Center for Sustainable Production, Environmental Working Group, National Resource Defense Council, Last Tree Laws, Restore, Deep Sea Conservation Coalition, Science and Environmental Health Network, Community Environmental Legal Defense Fund; Foundation Earth, Organic Consumer's Association, Center for Food Safety, Weston A. Price Foundation, Citizen's Regeneration Lobby, Restore, Northeast Organic Farming Association Massachusetts, Common Cause, Friends of the Earth International, Post-Carbon Institute, US Right to Know, Project on Government Oversight; Sunlight Foundation; Institute for Policy Studies, Public Interest Research Group, Screen Time Action Network, International EMF Scientist Appeal, Physicians for Safe Technology, Cellphone Task Force, Wind Wise Massachusetts, Official Cape Cod Downwinders, Cape Cod Downwinders, Greenpeace, Scientific Alliance for Education, Science for the People Western Massachusetts, Jobs with Justice, Arise for Social Justice, and the National Whistleblower Center.

b. The commission shall also include a representative selected by the Attorney General and another by the Governor, and 2 legislators selected by the Speaker of the House and 2 legislators selected by the Senate President.

c. If an organization chooses not to nominate members to the RRTC as allowed, the commission may nominate and vote upon requests for additional members replace missing nominees and fill gaps in knowledge. Invitations shall be given to nominees with greatest support among existing members. If a member chooses to step-down from the commission before the commission is dissolved, then the entity serving as the original nominating party shall be informed as soon as possible to allow nomination of someone else.

d. All appointments to the RRTC shall be made no sooner than 42 days and no later than 56 days after the effective date of this Act and shall be coordinated with the assistance of the office of the Governor in collaboration with Last Tree Laws. Appointments decided by the RRTC commission shall be coordinated by members of the commission and Last Tree Laws, together with the support of the office of the Governor.

e. Members of the RRTC shall elect a chair or co-chairs and may elect a treasurer, in the manner as the members of the Commission may decide by majority vote. Chairs, co-chairs, and treasurers may be removed by a majority vote.

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f. The RRTC shall meet on a regular basis to gather evidence, testimony, and advice in the manner that the members of the Commission determine is most conducive to achieving the objectives of this Act, provided however, that all residents of Massachusetts have a reasonable opportunity to offer their views and ideas related to the policies herein to the Commission by written submission or in public hearings. For public hearings, the commission may hold hearings across the Commonwealth and may reserve space in the State House.

g. The RRTC shall be subject to the the Public Records Laws, provided however that drafts of legislation and reports in process shall not be subject to the Public Records Law.

h. Monthly meetings of the RRTC as a whole shall be subject to the Open Meetings Laws, but consultation among members in subcommittees and in the process of drafting legislation shall not be subject to disclosure by the Open Meeting Laws.

i. A website page on the official Massachusetts website shall provide information on the work and activities of the RRTC, including information on the Act's purpose, members of the RRTC, upcoming events, reports, meeting notes, and a link to an external website for the RRTC if existing. This page shall be clearly linked from the main page of the environmental and health departments.

j. The RRTC may solicit donations to support their work and activities, with expenditures approved by the commission on majority vote. Payments to the treasurer must be co-signed by the chair. A report of donations and expenditures shall be provided to the Office of Campaign and Political Finance annually at the end of the year, otherwise following the filing procedures required of political campaigns.

k. The RRTC shall exist for six years following initial institution, but may choose to dissolve with a vote of three-quarters of the members at any time after 3 years.

l. Members of the RRTC shall be prohibited from accepting employment with the private technology sector, including for lobbying, during the time at which they serve on the RRTC and for two years afterwards, as well as from receiving gifts from lobbyists. Conflicts of interest shall include significant investments in technology by the member or close family relation, and shall be brought before the RRTC as soon as possible for discussion; the member may lose voting status or position on the RRTC, and previous votes by the member may be discounted based on the majority decision of the commission. Members shall inform the RRTC of any conflicts of interests during regular meetings subject to the Open Meetings laws. Members shall submit an updated conflict of interest statement on an annual basis during service on the commission and for two years afterward to the Office of Campaign and Political Finance, clearly stating conflicts of interest, if any, and employment.

Section 4. Procedures for Presenting and Delivering Reports and Legislation

a) The RRTC shall issue a Report of Findings and Recommendations, including accompanying legislation, to advance the intentions of this act as follows:

i) All legislation and reports provided by the RRTC must first be approved by half of the commission members. The RRTC may include two versions of the Report of Findings and Recommendations: one focused on national and one on state legislation.

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ii) The RRTC shall submit reports and any accompanying legislation during the first session on the second Monday in March and during the second session during the third Friday in February.

iii) The RRTC shall deliver both versions of the Report of Findings and Recommendations with accompanying legislation to the President of the Senate, the Speaker of the House of Representatives, the Governor, the Secretary of the Commonwealth, the Attorney General and the citizens of Massachusetts.

iv) Within 5 days of receipt, the Secretary of the Commonwealth is instructed to deliver the Report and Recommendations with accompanying legislation to all current members of the General Court of Massachusetts, all current members of the United States Congress, and the President of the United States; if two versions of the report are provided, then the report delivered shall match the position.

v) The Secretary of the Commonwealth is directed to immediately deliver copies of any state RRTC law and Constitutional amendment, when enacted, to the following persons: The Governor, the Attorney General, all current members of the General Court of Massachusetts, all current members of the United States Congress, and the President of the United States.

Section 5. Voting Procedures

a) Legislation put forward by the RRTC for the Massachusetts General Court shall be brought to vote as follows:

i) Amendments shall be put forward by the last Tuesday in April in the first session and the last Tuesday in March. Modifications, or amendments, proposed must not conflict with the intent of this measure or seek to add any promotion or investments in technology.

ii) The first Tuesday in May of the first session and the first Tuesday in April of the second session shall be set aside to vote on the legislation as the first order of business. All legislators shall be notified in advance of the time and date and of the hearing, which shall be called the RRTC Hearing.

iii) The RRTC may appoint up to four observers to assure the impartiality and share the results of the RRTC Hearing. The RRTC shall later prepare a report on the subject to be shared with the public, including on its website, and in public records.

iv) During this voting process until finished, relevant amendments and legislation exclusive to the RRTC and RRTC Hearing shall be put forward under standard legislative procedures for voting. If voting cannot continue or extends past a normal working day, but work remains to be done, a second session shall be scheduled then for completion within the next two weeks on a Wednesday or Thursday and follow the same procedures; this second meeting shall be posted online. Between this time ordinary business may resume.

v) During the RRTC Hearing for the third reading of bills, the legislature shall be asked if it wishes to waive the rules to bypass the third reading.

Section 6. Severability

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If any clause, or portion of a clause, in this measure is considered invalid under the rule of law, it shall be regarded as stricken while the remainder shall continue to be in full effect.

Section 7. Effective Date

This act shall take effect immediately upon passage.

***I have personally reviewed the final text of this Initiative Petition,
fully subscribe to its contents, and agree to be one of the original signers of the petition:***

Estrellita Moses Flores Arroyo
Virginia E. Reid-Prekel
James M. Prebula
Kirstin Beatty
Charles S. Beatty
Kathleen M. Owens
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