



National Electrical Manufacturers Association
1300 North 17th Street, Suite 1847
Rosslyn, VA 22209
703-841-3249
Fax: 703-841-3349
Ric_Erdheim@nema.org

September 29, 2003

The Honorable Pamela P. Resor
Chair, Joint Committee on Natural Resources and Agriculture
Room 410
State House
Boston, Ma. 02133

The Honorable William G. Greene, Jr.
Chair, Joint Committee on Natural Resources and Agriculture
Room 473F
State House
Boston, Ma. 02133

RE: OPPOSITION TO SB 1268

Dear Senator Resor and Representative Greene:

The National Electrical Manufacturers Association (NEMA) represents manufacturers of a wide range of electrical products used in Massachusetts including batteries, lamps, electric distribution equipment, industrial controls, electrical safety equipment, building equipment and high technology medical equipment such as ultrasound, magnetic resonance imaging and nuclear medicine. Some of these manufacturers have facilities and offices in Massachusetts

We are writing to urge you to reject SB 1268 and we endorse the comments of the Associated Industries of Massachusetts in opposition to the bill. This bill would effectively overturn all of the existing Federal and state regulatory programs that protect human health and the environment. In its place the bill would establish an arbitrary program to ban the use of ten materials and establish a process to ban other materials. It will create significant regulatory uncertainty that will impede business operations in the Commonwealth. This would be done without any evidence that our existing comprehensive system is inadequate and without any consideration for the adverse economic impact it would cause. Instead SB 1268 would give unprecedented power to special interests

Manufacturers seriously consider the materials they use in their products to make the best overall product considering functionality, reliability, durability, safety and environment. There is overwhelming evidence that manufacturers have significantly reduced the use of hazardous substances where feasible. Establishing an unwieldy and arbitrary process as called for in SB 1268 will not result in meaningful environmental improvement while adversely affecting the ability conduct business in the Commonwealth.

SB 1268 does not establish a process to address priority environmental issues in a cost-effective manner. It establishes a confrontational rather than cooperative approach with industry. SB 1268 will overwhelm the already limited state bureaucracy and force it to shift resources away from higher priority issues. Finally, this bill will have serious unintended consequences by making it more difficult and more costly to do business in the Commonwealth and by limiting products that Commonwealth citizens and businesses can use

SB 1268 would set a dangerous precedent. It would remove decision making from the existing science-based process and would instead rely on unsupported allegations of harm. NEMA urges the Committee to reject SB 1268.

Sincerely,

Ric Erdheim
Senior Manager