

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB19)

Received: 02/23/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Aaron Dumas

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies:

Submit via email: YES

Requester's email: **Rep.Schneider@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Limiting bill to broadcast radio

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	agary 02/23/2009	jdyer 02/23/2009	rschluet 02/23/2009	_____	lparisi 02/23/2009	lparisi 02/23/2009	
	agary 03/05/2009	jdyer 03/05/2009		_____			
/2			rschluet 03/05/2009	_____	sbasford 03/05/2009	sbasford 03/05/2009	

FE Sent For:

<END>

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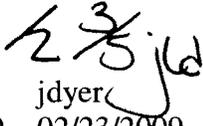
Topic:

Limiting bill to broadcast radio

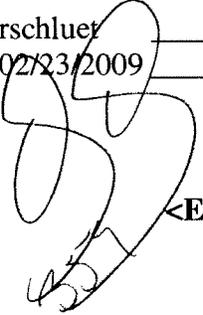
Instructions:

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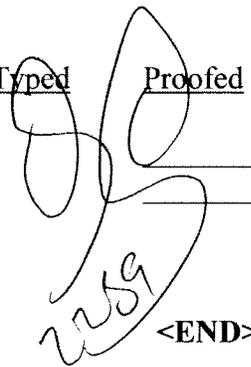
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/?	agary	1 2 jld					
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FE Sent For:

<END>

Gary, Aaron

From: Dumas, Aaron
Sent: Monday, February 23, 2009 2:09 PM
To: Gary, Aaron
Subject: RE: AB 19 question

Hey Aaron,

Sounds good. Thanks!

Aaron

From: Gary, Aaron
Sent: Monday, February 23, 2009 2:06 PM
To: Dumas, Aaron
Subject: RE: AB 19 question

Aaron,

Would you be OK with a simple amendment instead of a substitute amendment? I could do a substitute amendment but it seems that a simple amendment would work just as well.

Also, there are a couple of ways to address the issue. I would like to do 2 alternatives and let you choose, if that is OK with you.

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Dumas, Aaron
Sent: Wednesday, February 11, 2009 3:51 PM
To: Gary, Aaron
Subject: RE: AB 19 question

Hi Aaron,

Thanks for your reply. We would indeed like a substitute amendment prepared now, if you would.

Thanks!

Aaron

From: Gary, Aaron
Sent: Monday, February 09, 2009 9:52 AM

02/23/2009

To: Dumas, Aaron
Subject: RE: AB 19 question

Aaron,

It seems that the underlying concern is valid but I don't know enough about the industry to know how best to address the concern. The bill regulates businesses that sell and install radios. I don't know how emergency vehicle radios end up in these vehicles - are they all factory installed, installed by private businesses, or otherwise? The military would certainly be exempt without any modification to the bill. It would be easy to prepare an amendment to cover these concerns. Let me know if you want an amendment prepared now or if you want to wait until after the hearing.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Dumas, Aaron
Sent: Monday, February 09, 2009 9:39 AM
To: Gary, Aaron
Subject: AB 19 question

Hi Aaron,

A constituent brought the below concern regarding this bill to us. Is this a valid concern as a hole in the bill that will merit re-drafting?

Thanks much,

Aaron Dumas
Office of Representative Marlin Schneider
6-0215 Capitol 204 North

From: John O'Brien [mailto:irishi48@countrysspeed.com]
Sent: Friday, February 06, 2009 12:08 PM
To: Rep.Schneider
Cc: Dumas, Aaron
Subject:

Good Afternoon Representative Schneider,

RE: Assembly Bill 19

"Assembly Bill 19

This bill prohibits any person in the business of selling or installing vehicle radios from selling or installing a vehicle radio manufactured after January 1, 2011, unless the vehicle radio includes a weather radio system. This prohibition does not apply to any vehicle radio that is original equipment in a new vehicle. A person who violates this prohibition is subject to a forfeiture not exceeding \$200."

02/23/2009

The bill as drafted would cause serious problems for law enforcement, military vehicles, ambulances and Amateur Radio Stores or anyone who charged for installing an Amateur "Ham" Radio in a vehicle.

All Amateur Radio operators are licensed by the Federal Communication Commission. We provide significant service to the State of Wisconsin Emergency Government Operations through the SKYWARN program and other public safety and services programs. Most of us have an Amateur Radio transceiver in our vehicles. Many Hams are trained storm spotters and are communicating directly with the National Weather Service during times of Weather Alerts, providing NWS with local conditions. Our radios usually have the frequencies of the National Weather Service Automatic Broadcast for their area stored in memory. They are not automatic broadcasts but Hams generally are aware of and listen to the broadcasts. Ham radios are often set to scan local repeaters and local simplex frequencies including the NWS frequencies. Most Ham Radio Clubs have a SKYWARN Coordinator who transmits any weather alerts or warnings on the local repeater. Most area hams monitor local frequencies 24 hrs a day. Our radios are tuned too or scanning that repeater and hear those alerts. Some Ham Radios can be set to have a weather alert automatically announce. Many do not. AES in Milwaukee is one of the nation's largest suppliers of Ham radios and Ham Radio accessories. The bill as drafted would limit the type of mobile transceiver a Ham radio store could sell in Wisconsin. It would also limit the type of Amateur Radio a person could purchase and those with an automatic feature are usually more expensive. This bill would also limit radios used by law enforcement, ambulances, public utility vehicles and a host of other non broadcast radios.

I respectfully request that you amend the language of the bill to exempt mobile amateur radio and all other radios that are not "Broadcast" Radios. I believe if you checked with your Legislative Council Staff Attorneys, adding the term "broadcast radios" or specifically exempting non broadcast radios would still meet your intentions without serious repercussions to other non public radio services in the state. Amateur Radio Operators Licenses forbid us from broadcasting to the public.

Kindest Regards,

John O'Brien, K9JOB
irishi48@countrysspeed.com
608 647 8491
Cell 608 604 2278

2009 - 2010 LEGISLATURE

*Wanted
by 2/26*

in 2/23

LRBa0090/1

ARG:.....

JKD

(D-note)

**ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 19**

- 1 At the locations indicated, amend the bill[✓] as follows:
- 2 1. Page 1,[✓] line 5: after "means a" insert "broadcast".[✓]
- 3 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0090/1dn

ARG:.....

date

Jld

ATTN: ✓ Aaron Dumas

Please review the attached draft carefully to ensure that it is consistent with your intent. While the approach of adding "broadcast" has the advantage of simplicity, it may not actually meet your intent. ✓ The term "broadcast radio" might be interpreted to exclude subscription radio, such as satellite radio. ✓ If this is not consistent with your intent, we could modify this draft or perhaps LRBa0091 better meets your intent.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0090/1dn
ARG:jld:rs

February 23, 2009

ATTN: Aaron Dumas

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Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

Gary, Aaron

From: Dumas, Aaron
Sent: Monday, March 02, 2009 9:38 AM
To: Gary, Aaron
Subject: RE: LRBa0090 redraft

Sounds great, Aaron. Thanks! You should be getting a0090 back soon.

Cheers,
Aaron

From: Gary, Aaron
Sent: Friday, February 27, 2009 3:52 PM
To: Dumas, Aaron
Subject: LRBa0090 redraft

Aaron,
Will this definition work for you?

"Vehicle radio" means a radio designed to be installed or mounted in a motor vehicle for the purpose of receiving broadcasts to the general public or to fee-paying subscribers to a network.

Also, I'll need the stripes back for LRBa0090 in order to redraft it.

Thanks, and have a good weekend.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us



State of Wisconsin
2009 - 2010 LEGISLATURE

500w

LRBa0090/2
ARG:jld:rs

in
3/5

RMNR

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 19

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 5: after "means a" insert "broadcast".

3 (END)

insert
1-2 ✓

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0090/2ins
ARG:.....

1 **INSERT 1-2:**

2 **1.** Page 1, line 6: after "vehicle" insert "for the purpose of receiving broadcasts
3 ✓ to the general public or to fee-paying subscribers to a network". ✓

(end ins)