

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2772/1dn
MES:jld:pg

April 11, 2001

Representative Wade:

This bill is different from the statutes from other states that you sent me, but I believe that it accomplishes your intent more directly. Instead of simply referring to PRB-1, which is also known as 101 FCC 2d 952 (1985), and stating that local regulations affecting amateur radio antennas must conform to 101 FCC 2d 952 (1985), the bill actually incorporates the key features of the FCC's order into the statutes. The language in the bill is based on the FCC's order and also on 47 CFR 97.15. That federal regulation states that "State and local regulation of a station antenna structure must not preclude amateur service communications" so I don't believe that a parallel provision is required under state law. The bill also incorporates the language of 47 CFR 97.15 regarding the need for local regulations to reasonably accommodate amateur radio communications and the need for the local regulations to represent the minimum regulation that is necessary to accomplish the local government's goals. The language in created ss. 59.69 (4f) (a), 60.61 (3d) (a), and 62.23 (7) (hf) 1. is taken from the FCC's 1985 order, PRB-1, and the federal regulation in 47 CFR 97.15. Please let me know if you have any questions about the bill.

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