

# HOUSE BILL REPORT

## SB 5697

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As Passed House  
March 1, 1994

**Title:** An act relating to radio communication.

**Brief Description:** Preempting local regulation of amateur radios.

**Sponsors:** Senator Bluechel.

**Brief History:**

Reported by House Committee on:  
Energy & Utilities, February 17, 1994, DP;  
Passed House, March 1, 1994, 97-0.

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### HOUSE COMMITTEE ON ENERGY & UTILITIES

**Majority Report:** Do pass. Signed by 8 members:  
Representatives Bray, Chair; Finkbeiner, Vice Chair; Casada,  
Ranking Minority Member; Chandler, Assistant Ranking  
Minority Member; Caver; Johanson; Kessler and Long.

**Staff:** Fred Adair (786-7110).

**Background:** Amateur radio operators seeking to erect antennas and support systems are often frustrated or delayed by restrictive local zoning ordinances. Federal Communications Commission regulations preempt local government regulations to the extent that local governments cannot preclude erection of effective radio antennas. Some local governments are unaware of this preemption and have interfering regulations. Local governments are more likely to be familiar with state laws than federal laws.

**Summary of Bill:** Local governments shall not enact or enforce ordinances or regulations which do not conform to Federal Communications Commission regulations concerning amateur radio antennas and supporting systems.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** High antennas are needed for amateur radio operation. The configuration requirements vary with terrain

and nearby vegetation. The Federal Communications Commission partially preempted local government control of external amateur radio appurtenances to the extent that effective equipment (antennas, notably) can be provided. Some local governments are unaware of this partial preemption and have enacted and enforced limiting ordinances. Amateur radio operators have spent time and money to overcome the conflicting local laws. Local governments are much more familiar with state law than federal law.

Amateur radio operation is a wholesome and useful hobby. Amateur radio activity promotes scientific and technical learning and understanding. The economy is helped by spending associated with amateur radio activity. Amateur radio operators, with a wide frequency capability, and often with their own emergency power, have been invaluable in disaster situations -- especially floods and earthquakes. Often they have been the first and only communications in and out of a disaster area. Amateur operators have been instrumental in connecting military personnel in remote locations with their families, often in emergency situations.

**Testimony Against:** None.

**Witnesses:** (All Pro) Senator Alan Bluechel, prime sponsor; Carolyn Pasquier, Pierce County Women Amateur Radio Operators; Ray Leslie, amateur radio operator; Charles Stroeker, amateur radio operator; Ralph Schumacher, amateur radio operator; Lee Chambers, Olympia Amateur Radio Society; Ruth Barber, Olympia Amateur Radio Society and American Radio Relay League; and Nils Hallstrom, Mike and Key Amateur Radio Club.