

The Eastern Iowa Dixer



The official Newsletter of the Eastern Iowa DX Association

An affiliated club of the American Radio Relay League

October, 1997

Club Officers: President: Terry Cellman W0AWL Vice President: Wade Walstrom W0EJ Secretary/Treasurer: Frank Apple W0GWK Repeater Committee: Al Groff K0VM Joe Finkstein W0MJN Membership Committee: Jim Spencer W0SR Dale Repp W0IZ	Repeater: W0NX/R 144.59/145.19 PacketCluster: WB8ZRL: 147.51, 144.91, 223.40, CRNETROM
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MEETING NOTICE:

Friday, October 17, 1997, Room 219, Linn Hall, Kirkwood Community College, Cedar Rapids. Usual time arrangement, doors open at 7:00 PM for early "eyeball" QSOs with the meeting starting at 7:30 PM. Election of officers! Dues become due!

Program: 1996 Kermadec Dxpediton.

PRESIDENT'S LETTER

Slowly but surely fall is descending upon us. Its getting closer to the time our antenna projects need to be finalized. The sunspot numbers are on the rise, the contest season is approaching, and the last club meeting of 1997 will be held on Friday night, October 17 in room 219 of Linn Hall. This is the meeting we elect our 98 officers, and pay next years dues. We also need to act on membership applications, money requests for two DXpeditions, and other new business as needed.

The program will be on the 1996 Kermadec DXpedition. This seems appropriate since one of the money requests is for a return to Kermadec. Of course there will be the trip for pizza and beverage after the program. Oh, I almost forgot! There is also a special award that must be passed on to one of our members. Hope to see you there.

de W0AWL

Short Notes

from W0EJ

The summer meeting/picnic was well attended last August under Heinz's spreading aluminum trees. There are pictures of that event elsewhere in the newsletter. Thanks to Glen, K0JGH, for those. Glen's pictures are from his new toy, a digital camera. He sent them up via e-mail just a few days after the picnic. I hope they look as good in here as they do on my monitor. This is a new form of photography that eases the effort required to place them in the newsletter.

If you have not noticed, our president, Terry, needs a new club name badge, having recently shortened his call. Congratulations, Terry! Maybe someone can bring along an Exacto knife to help Terry eradicate the "D" from his current badge. Or maybe some gray or silver paint might be better. Terry did tell me that the new one is currently on order.

Locally, there has been nothing new on tower ordinances. However, Milwaukee has a new ordinance that will become the law of the land next month. There is an article about this new ordinance elsewhere in this issue. Milwaukee's new ordinance eliminates the amateur exclusion that has been enjoyed there in the past and adds several new "gotchas" for amateur radio. This one should be headed for court, I would hope. This new ordinance does share a common theme with other places in the country, including Cedar Rapids and Linn County, and that is that this

ordinance came about because of local fear, concern, etc. of cellular and/or PCS towers and antennas. In Milwaukee, however, amateur radio has been thrown in the same pot with all of the commercial services. The mayor of Milwaukee stated that this was done so that a unique class of citizen was not created. However, is not a tower owner now a unique class of citizen? If this ordinance stands in Milwaukee, the amateur radio tower owner could be a dying breed!

When I first got into amateur radio the philosophy of testing for an amateur radio license was to demonstrate a minimum competency in operating an amateur radio station correctly and an understanding of the FCC rules. In the mid 60's the ARRL proposed to the FCC the "incentive" licensing program which brought back the Advanced class license and restored prominence to the Extra class license. Recall just a few short years ago that the FCC seemed to be spooked by the possibility of lawsuits from handicapped individuals and forced on volunteer examiners the disability exemption when testing for the higher class licenses. In the extreme, under this provision a person need only pass the 5 wpm code test along with the written requirements for an Extra class license and with a certificate from a physician stating that the person had a severe handicap which prevented that person from passing the high speed Morse code test, that person would be granted an Extra class license! VE's were granted no leeway in this matter. What the FCC says

is that for an individual to demonstrate competence in operating an amateur radio station with higher class privileges, that person has to prove they are incompetent to operate an amateur radio station. Many of us who are VE's have been concerned about the potential for abuse of this exemption. I have to admit that during the time I have been a VE I have never encountered an applicant attempting to prove their incompetence in this way. Apparently, however, there have been a more significant number of people who have desired to flaunt their incompetence in this way than originally feared. The ARRL is now requesting that the FCC make specific changes to the rules to curb the abuse. See the article on this in another section of this issue. This whole exemption has been ludicrous from the start.

While I applaud the ARRL for proposing changes to this stupid provision, the exemption should be deleted completely. Incompetence in our ranks was unfortunate before this exemption. To flaunt incompetence as a virtue is ludicrous! Shape up FCC!

This meeting seems to have crept up on all of us. I hope this issue arrives in time to provide adequate notice! See you there!

73,

Wade W0EJ

Minutes of the Last EIDXA Meeting

The meeting was called to order by Terry, WD0AWL, at 6:37 PM.

As is our custom, Individual introductions were made.

Terry welcomed everyone to the first and what he hoped would be the annual EIDXA family picnic.

The minutes of the last meeting were approved as printed in the last copy of the Newsletter.

Terry reported that the new membership certificates were received and they looked great. They would be available at the next regular meeting for those members who did not have one.

W0CK was voted full membership in the EIDXA.

A letter was presented which requested a contribution to an upcoming DXpedition to Campbell Island in 1999. A motion was made and seconded to make a monetary contribution on behalf of the EIDXA. After discussion the

motion was tabled until the next regular meeting.

The following awards were presented:

K0RX - First Place ARRL CW Sweepstakes - 1996

W0OF - First Place ARRL Phone Sweepstakes - 1996

NR0X - 160 M "Big Gun" Award

WB0ZKG - CW "Little Pistol" Award

NR0X - EIDXA Beverage King Award

The next regular meeting will be held the third Friday in October, 1997.

Meeting adjourned at 6:55PM.

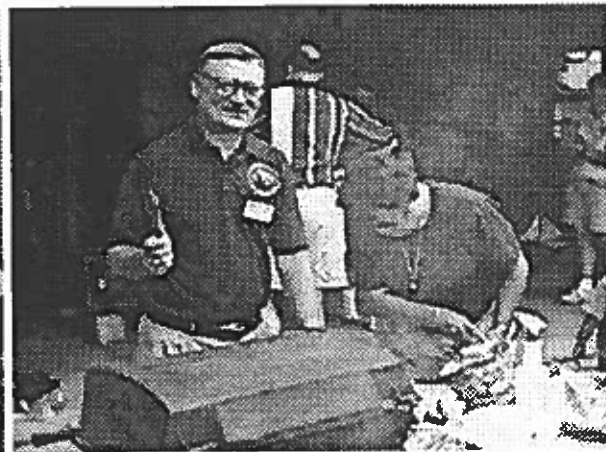
Respectfully presented,

Wade Walstrom W0EJ

Vice President



N0SM, KZ0C, and K0AL planning an antenna project after salivating over the NR0X skyline at the August picnic.



Then WD0AWL and helper busy at the grill at the club picnic at the NR0X QTH.

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How Many Internet Mail List Subscribers Does It Take To Change A Light Bulb?

Answer: 1,331

- 1 to change the light bulb and to post to the mail list that the light bulb has been changed.
- 14 to share similar experiences of changing light bulbs and how the light bulb could have been changed differently.
- 7 to caution about the dangers of changing light bulbs.
- 27 to point out spelling/grammar errors in posts about changing light bulbs.
- 53 to flame the spell checkers
- 156 to write to the list administrator complaining about the light bulb discussion and its inappropriateness to this mail list.
- 41 to correct spelling in the spelling/grammar flames.
- 109 to post that this list is not about light bulbs and to please take this email exchange to alt.lite.bulb
- 203 to demand that cross posting to alt.grammar, alt.spelling and alt.punctuation about changing light bulbs be stopped.
- 111 to defend the posting to this list saying that we are all using light bulbs and therefore the posts ****are**** relevant to this mail list.
- 306 to debate which method of changing light bulbs is superior, where to buy the best light bulbs, what brand of light bulbs work best for this technique, and what brands are faulty.
- 27 to post URLs where one can see examples of different light bulbs
- 14 to post that the URLs were posted incorrectly, and to post corrected URLs.
- 3 to post about links they found from the URLs that are relevant to this list which makes light bulbs relevant to this list.
- 33 to concatenate all posts to date, then quote them including all headers and footers, and then add "Me Too."
- 12 to post to the list that they are unsubscribing because they cannot handle the light bulb controversies.
- 19 to quote the "Me Too's" to say, "Me Three."
- 4 to suggest that posters request the light bulb FAQ.
- 1 to propose new alt.change.lite.bulb newsgroup.
- 47 to say this is just what alt.physic.cold_fusion was meant for, leave it here.
- 143 votes for alt.lite.bulb.

From the internet via Eric N7CL

Original-From: Tesla List <tesla@stic.net>



Bill, W0OF, 1996 EIDXA Phone Sweepstakes Winner



Dave, K0RX, 1996 EIDXA CW Sweepstakes Winner

CAC SEEKS OUR INPUT

The ARRL Contest Advisory Committee (CAC) is studying the issues listed below. Your ARRL division representative would like to have your input before he is asked for his formal vote.

Send your comments to cac@arri.org

Every CAC member is on the CAC reflector. Your comments are valuable in helping the CAC formulate suggestions that are forwarded to the ARRL Membership Services Committee (MSC). The MSC will then decide if a change to an ARRL contest is warranted.

*****ARRL VHF/UHF Contests:** The CAC committed to look at the rover rule that was put into effect 2 years ago. Is the current rule working as intended? Should something be added to attract more rovers? What, if anything is wrong with the current rule? (Can someone post this issue to the VHF reflector?)

*****ARRL RTTY Roundup:** With RTTY popularity reaching all time highs, should the offtime rule be changed in the ARRL RTTY Contest to match the ARRL Sweepstakes contest?

The RTTY contest and Sweepstakes are both 30 hours long. Stations in both contests may

operate a maximum of 24 hours. 6 hours must be taken as off time.

The ARRL RTTY contest's 6 hours of offtime must be taken in 2 single blocks of time. There is no minimum time for these 2 offtimes.

The ARRL Sweepstakes contest rules say that off times must not be less than 30 minutes in length and total 6 hours. You could have 1 off time of 6 hours or 12 offtimes of 30 mins each or some combination in-between the two.

The Sweepstakes offtime rule allows greater flexibility. What do you think? Should the CAC recommend changing the ARRL RTTY offtime rule?

Should the ARRL Sweepstakes administer a College/University club competition? This is being done by others now and the CAC would like to know if you think it should become a permanent part of the ARRL Sweepstakes write-up? Can you suggest any rules with respect to this competition if it was suggested to the MSC?

Please send your comments on any or all of the above to cac@arri.org as soon as possible.

Your CAC representatives are:

Atlantic K3LR

Hudson K2WR

Pacific N6TV

Southwestern AA7A

Central KJ9D

Midwest N0LL

Roanoke K4ZQ

West Gulf W5ASP

Dakota N0IJ

New England
W6PH

Rocky Mountain
N2IC

Canada VE6SH

Delta W4XJ

Great Lakes K4UU

Northwestern
W7EW

Southeastern
W4WA

73!

Tim K3LR Chairman ARRL CAC



EIDX President Terry, WD0AWL, presents Chuck, WB0ZKG the EIDX CW LITTLE PISTOL Award at the club picnic.

CW RETURNS TO MARS NETS

CW, which was officially banned last fall from the Military Affiliate Radio System, or MARS, has now been allowed back, at least on a limited basis. "It's a good thing, I think," allowed Lt Barbara Carter, acting chief of Navy-Marine Corps MARS, who said she's been fighting on behalf of CW enthusiasts protesting the order to cease CW activity as of October 1, 1996. Permission to resume the use of CW on Department of Defense MARS frequencies for everything but formal MARS message traffic was handed down at a joint service conference in early July. "They met us halfway," she said of the decision.

A message to all Navy and Marine Corps MARS members in July said that the Department of Defense "has

From the ARRL Letter (Electronic Edition)

no objections for CW use on MARS frequencies but only for unofficial use and practice. No emergency/official messages are authorized in CW." Carter confirmed her interpretation that MARS members may use CW for code practice and informal communication "or just because they really enjoy using it."

Bob Stakel, KD1KV/NNN@TDU, of Falmouth, Maine--the assistant Region 1 MARS director--said CW was being used on no fewer than one net a month in Northern New England. "We lost people" because of the CW prohibition, Stakel said. Now that limited use of CW has been reinstated, "we are using it," he said.

In MARS Region 3, Navy MARS member Frank

Thrash, W4DLZ, of Metairie, Louisiana, had high praise for Carter's efforts on behalf of CW. "This woman really stuck her neck out," he said. "Our nets are working pretty much as before [the ban]."

Carter, who's not a ham but is interested in becoming licensed, confirmed that some MARS members quit when CW was prohibited. She said that when she took over as Navy-Marine MARS chief, the return of CW was among the first things she heard about. "All they were asking was for a small bit that most of them learned while serving [in the military]," she said.

Thrash is among those who believe CW is far from obsolete. "It's the ultimate weak-signal mode," he said.

MILWAUKEE ORDINANCE RESTRICTS TOWERS

A new ordinance going into effect later this year in the city of Milwaukee, Wisconsin, will require a special use permit to construct any antenna towers in the city that exceed the zoning district height limit--typically 40 feet. Towers more than double the zoning district height would require a zoning variance. Those familiar with the situation say the new uniform tower law apparently was a reaction to a recent spurt of applications for cellular telephone towers in the

city. The city's current tower ordinance exempts towers of licensed amateurs.

Obtaining a special use permit or a zoning variance to erect a tower of more than 40 feet also means the applicant must pay a \$300 fee. Applications are subject to public hearings. A special use permit or variance also must comply with other requirements, including setback criteria for freestanding towers. Towers mounted on buildings

would be permitted only if they are less than 20 feet in height or 25% of the height of the building or structure, whichever is less.

The new ordinance exempts existing towers in Milwaukee as "legally nonconforming." Mayor John Norquist signed the ordinance on August 5. It becomes effective November 1.

From the ARRL Letter (Electronic Edition)

Quack, Quack! Wanna buy a duct?

Bob Brown, NM7M

"The time has come to talk about 160 meter DXing and other things!", Alice said to the Mad Hatter. At least I think I read something like that in Alice in Wonderland. Correct me if I'm wrong as I have to confess that my experience with literature and 160 meters is pretty limited. Both go back to my youth but I learned more about radio than great books in those days.

As for the 160 band, I learned my CW by listening to code practice on 160. But I didn't do anything more on that band until recently when a friend, VE7BS, provoked me to "force feed" an unwilling antenna so I could dabble in a 160 meter contest. I hate to admit it but I do better at CW than contesting.

In any event, it's true that the equinox is almost upon us now and that's when all the folks with full legal power, and big antenna systems to match, start the annual quest for DX on "Top Band", as they call it. You can see that on their Reflector with various W9s getting restive, wondering when the DX season will get into full swing and signals start coming across polar cap.

On Top Band, those latitudes are a problem with auroral activity and all that. I try to help the DX cause by putting information on the Reflector every two weeks about recent days that were magnetically quiet, as shown by lowest K-sums in the records of an auroral zone magnetometer. If the solar wind comes back 27 days later on the next solar rotation with the same speed, density or whatever, there's a good chance that propagation across the polar cap will be

pretty good, with little auroral activity.

And there are cries, "More sunspots, please!" I try to be helpful there too, pointing out that the HFPROP report on the Propagation Reflector gives numbers for the 1-8 Angstrom solar Xray flux and that data shows the sun is at least trying, brief "hot spots" on the solar disk sending us some ionizing radiation.

But I've never had problems with sunspots; I can make my own on the computer. That's right, I do most of my DXing vicariously with programs like MINIPROP PLUS and some of my own creation. But things took a turn for the worse a while back when my good friend, VE7BS, taunted me into getting involved with propagation on 160 m. He's behind a 20 degree hill and kept telling me tall tales about working VKs before dawn, in the summer and right at solar maximum. And he kept teasing me with how their signals were sometimes as strong as "S-9 plus!" "Explain that, Sir! Really!

Now I thought all DXing on 160 meters was done in the dead of winter and at solar minimum so that was one problem. The 20 degree hill was easy; I simply pointed out that his signals were going over the hill and then refracted to lower angles as the sun rose on the E-region. But those S-9 signals, at solar maximum and in the summer, were something else. They really bothered me!

So there was no help for it; I had to get into magneto-ionic theory again. In my student days, I'd

gone through it, kicking and screaming all the way as it was about as enjoyable as learning the rules for conjugating verbs in a foreign language. But with operations on 160 meters at about the same frequency as the gyro-frequency of the ionospheric electrons in the earth's field, the rules of HF propagation have to give way to magneto-ionic theory. The only good part is the warm feeling of retracing history, working on what a great man, Appleton, did to get his Nobel Prize.

Anyway, I dug out a treatise on the subject and sat down to give it a think. The one thing that really encouraged me was the idea that signals might just be ducted, covering great distances without any ground reflections. Chordal hopping does something like that on 20 meter long-path but that's three octaves above 160 meters. And there was also a real hope, a deep valley in the ionosphere that develops above the E-region at night. That was good as 160 meter RF doesn't go up very far in the ionosphere. And a valley has walls so signals might rattle back and forth in there while going great distances without ground reflections.

So I plunged in, thinking hard about VKs and VE7s, valleys and ducts. Fortunately, I had an "Ace up my sleeve", the PropLab Pro program out of Canada. I'd used it for some validation work on a propagation program but still having a bad taste in my

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(Quack, Quack! Wanna buy a duct? - cont.)

mouth from my student days, I didn't pick up on the fancy ray-tracing program in it, in three-dimensions and with magneto-ionic theory built in. But now, when nobody was looking, I went for the Ace.

I have to say it did the trick. I fired up the ray-tracing program, conjured up some sunspots, instantly changed the date to June 21 and "Voila", there it was. Without too much fiddling, I was looking at 160 meter signals going northward and bobbing up and down in a duct, 110-160 km above ground and going right over VE7 territory! That was just fantastic, the fiction of ducting becoming a visible reality right before my eyes.

But did you pick up on that last part where I said "going right over VE7 territory"? It's one thing to get VE7BS' signals up and over his 20 degree hill but how in the world would I wiggle out of that, getting those signals from VK-land down to ground from the duct OVER his QTH. But then I remembered something that VE7BS was most adamant about, the dawn enhancement when the VKs would get louder and louder before finally going down into the noise. I needed another Ace, for sure, and that enhancement had to be it but how did it work?

I turned to the neutral atmosphere; I'd been puttering around with that like I putter around with the ionosphere and was reading all about acoustic/gravity waves (AGW). Now those are NOT the cosmological gravity waves that you might hear about on Star Trek. In the atmosphere, they

are large, slow-moving waves which can change the pressure and density in upper atmospheric regions. They get their start at the various times and places where large amounts of energy are expended - blasts, earthquakes, large weather systems, heating from auroral activity and ionospheric current systems.

So AGW came to mind and might dump signals out of a duct by giving rise to turbulent tilts in the F-region; but why not the rising sun? That is one potent source of energy, there every morning, and surely would affect the ionosphere around dawn, just by its heating. That had to be it but I was troubled, still only hearing "words" about the dawn enhancement. I always feel better when I can run my fingers through some numbers or the like and those were lacking.

But help comes from strange directions. A friend who is an ardent SWL showed me a neat curve for a dawn enhancement. That's right, an intensity-time plot from a broadcast station in VK-land, in June and just below the 160 meter band. The signals at dawn just climbed up the page, peaked and then went back down. Amazing and the record was made right here in Washington, at Grayland close to Aberdeen, by Nick, VE7DXR. How's that for a call?

So I could get signals into the duct, thanks to magneto-ionic theory, and out of the duct, thanks to Old Sol. But was that all? In a word, "No!" There was a small matter of non-reciprocity in the ducting process, signals going from SW to NE in the duct for about a third of the radiation angles but only about one-tenth of the angles from NE to SW. I

stumbled on that while playing with the VK-VE7 path but was not a bit surprised as non-reciprocity is mentioned often when it comes to signals in the MF range. But that was always from the standpoint of polarization. I was not dealing with polarization, just signal tracing or propagation. So there was more to the problem than first met my eye.

The long and short of it goes back to the basics in magneto-ionic theory where the angle between a signal and the magnetic field comes up. That angle is VERY important and with a few other bits of information, like the local electron gyro-frequency and electron density, determine how propagation by ducts proceeds. In a nutshell, it depends on how close or far a path is to being parallel or perpendicular to the field, with parallel seeming to duct better than perpendicular. How about that?

So at this point, I'd say the ionosphere on 160 meters is like a great, big diode, sending signals better one way than the other when it comes to ducting. Of course, those less efficient earth-ionosphere hops are always there to carry the message when all else fails but that's where we came in, FULL legal power and BIG antenna systems. But there's a punch-line: the magnitude of the dawn enhancement on a path is a measure of the importance of ducting at that time. Think about it!

From the Totem Tabloid

The Eastern Iowa DXer

WELL-KNOWN AUTHOR, FORMER LEAGUE STAFFER DOUG DeMAW, W1FB, SK

Acclaimed ham radio icon Milton F. "Doug" DeMaw, W1FB, died September 28. He was 71. One of the most widely published technical writers in Amateur Radio, DeMaw was diagnosed with leukemia earlier this year and had been in failing health in recent weeks.

DeMaw was first licensed in 1950 as W8HHS. An electrical engineer, he was a member of the ARRL Headquarters staff for 18 years--from 1965 to 1983--and served as Technical Department Manager and Senior Technical Editor from 1970 to 1983. During his tenure at HQ, DeMaw served as editor of The ARRL Handbook. In 1970, he

engineered the shift in emphasis toward solid-state design in QST and the Handbook. He has hundreds of articles in QST and other publications to his credit. DeMaw also was founder and publisher of VHFer Magazine. (His wife, Jean, W1CKK, also worked on the Headquarters staff.) DeMaw was a life member of the ARRL and a senior member of the IEEE.

After retiring to the family farm in Luther, Michigan, he was elected chairman of the Lake County Board of Commissioners and continued to write books and articles. He also tried his hand in the Amateur Radio business as proprietor of Oak

Hills Research. Among his other books, DeMaw wrote W1FB's Design Notebook, W1FB's QRP Notebook, W1FB's Antenna Notebook, and The ARRL Electronics Data Book, which remain popular. In recent years, DeMaw also penned regular columns for CQ magazine and Monitoring Times.

Survivors include DeMaw's wife, Jean, and a son, David, N8HLE, a technical writer who lives in Connecticut. Memorial contributions may be made to Luther Historical Museum, c/o Luther State Bank, Box 39, Luther, MI 49656.

From the ARRL Letter
(Electronic Edition)



NRØX cleans up at the EIDX club picnic being "honored" with the 160 Meter "Big Gun" and EIDX Beverage King Awards.

ARRL SEEKS CHANGES TO CW WAIVER RULES

The ARRL has asked the FCC to change the way Morse code exam exemptions for severely handicapped applicants are handled. The League wants to change the procedural requirements in Part 97 that must be met, prior to granting examination credit.

Under the League's proposed changes, a candidate at least would have to attempt the CW test—with any and all necessary accommodations—before being granted an exam waiver based on a physician's certification. Also, Volunteer Examiner Coordinators (VECs) would be entitled to request medical information pertinent to an applicant's handicap from the certifying physician. VECs also would be required to have this information on file before the application is forwarded to the FCC for processing.

In its petition filed September 23, the League said the two "rather minor changes" are needed to restrict the waiver process to use by severely handicapped individuals "for

whom the process was intended in the first place and who deserve the substantive accommodation." The League also said the changes would "stem abuses" of the waiver system without putting unreasonable burdens on examinees.

The CW waiver system has been in effect for seven years. The League says that experience has shown that many applicants without severe handicaps "have abused the process" by obtaining physicians' certifications of inability to pass the telegraphy examination. At present, 8% of those applying through the ARRL-VEC have requested a medical exemption from the higher-speed code requirement. Another large VEC reports similar experience. The League cited "a growing suspicion" in the ham community of anyone who has upgraded by using the waiver route. But the League said this is "completely unfair to those who require and deserve the exemption because they

cannot be accommodated by procedural means."

FCC rules requires volunteer examiners to exercise broad latitude in administering CW exams to accommodate handicapped applicants. Measures include using a flashing light or vibrating surface for hearing-impaired applicants, pausing in sending after sentences, phrases, words or even characters to allow an examinee time to interpret, or even substituting a sending test for a receiving test. Instead, the League observed in its filing, there is "a tendency for applicants to seek exemptions instead" of accommodations.

The League said it believes the procedural changes alone will help to deter those who might abuse the process while still allowing exemptions to deserving applicants.

From the ARRL Letter (Electronic Edition)

Some of the others attending the EIDX picnic:



Iris and Dale, W0IZ

Nelson, KU0A

The Hadley Contingent
W0FG

FLORIDA JUDGE THROWS OUT CASE AGAINST HAM

A County Court judge in Florida has dismissed a case against Joseph Osborn, KF4HXE, of Plantation, Florida, whose radio gear was confiscated by police under Florida's "scanner" law earlier this year. Osborn was involved in a minor accident on May 8, 1997, and subsequently cited by police in Davie, Florida, allegedly for breaking state law by having radios in his car capable of receiving police frequencies. Although the law specifically exempts hams, Davie Police impounded Osborn's equipment anyway because he could not produce his ham ticket--lost during a recent move. Even after Osborn showed Davie Police a copy of his license, authorities refused to drop the charges or to return his radios. Osborn later learned that police might have tampered with his equipment,

possibly damaging it and voiding warranties.

Alexander L. Kaplan, KF4QBU, of Boca Raton--an ARRL Volunteer Counsel--represented Osborn. John Hennessee, N1KB, of the ARRL Regulatory Information Branch, supplied information on federal pre-emption.

Broward County Court Judge J. Steven Shutter ordered the case dismissed late last month. Shutter said the state law does not require hams to have their licenses in their possession, as local police had asserted. The judge also cited federal pre-emption of prosecution of hams under state and local laws that make it illegal to possess scanning radios capable of receiving public safety or emergency frequencies. Florida's law bans such scanners in vehicles and in

retail stores, but not in homes.

Shutter ordered Davie police to return Osborn's radio equipment within ten days of his ruling and to provide an affidavit specifying "who, what, when, where and how the radios were examined and what was done to them." Osborn has since recovered his radios from the Davie Police but not the required affidavit. Kaplan said this week that he's considering filing a contempt order. He also says he's begun civil proceedings against the Town of Davie. Meanwhile, an independent repair shop is evaluating Osborn's equipment to see if it was damaged.

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