

7.3.8. WT Docket No. 15-81, Amendment of FCC Rules Concerning Electronically Stored Application and Licensing Data.

7.3.9. RM-11715; Mimosa Networks, Inc. Petition for Rule Making, proposing a Part 90 Fixed and Mobile allocation in the 10.000-10.500 GHz band.

7.3.10. ET Docket 13-49; Revision of Part 15 of the Commission's Rules to permit unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band.

**B. Local Antenna/RFI cases**

[None known.]

**C. Other Legal/Regulatory Matters**

1. Amendment to the ARRL Articles of Association per the July Board Meeting results and an additional edit required by the Connecticut Secretary of State for Certificates of Amendment restating Articles of Association. The drama associated with these very simple Article changes from the July Board meeting continues. Ed Spinella, of the Murtha Cullina law firm in Hartford, which we have been using lately with good success, was asked by Barry Shelley after the July Board meeting to please update our Articles of Association with the Connecticut Secretary of State. Immediately, Ed set about doing that by means of a Certificate of Amendment restating ARRL's Articles of Association. It was, however, rejected by the Secretary of State of Connecticut.

Ed discovered that, as a condition of accepting the filing, the Secretary is requiring ARRL to incorporate the statutory language listed below from the Connecticut Revised Nonstock Corporation Act. Ed noted that the most recently filed Certificate of Amendment (filed and accepted on 3/1/2010) also did not contain that language. However, the Secretary is taking the position that it is not bound by a "prior oversight" and Ed is not aware of any colorable argument to push back on the position taken by the Office of the Secretary of State of Connecticut. So, the following amendment will need to be approved by the Board. More specifically, the amendment will need to be approved by a three-fourths vote of all Directors or, provided due notice of the proposed amendment is mailed (via First-Class mail or e-mail) to each Director at least 30 days in advance, by two-thirds vote of all Directors.

It will be necessary to prepare a proposed resolution for the Board to vote on. It could wait until January but if so, the amendments done in July are arguably not in effect until then. not be a controversial amendment given its substance is mandated by statute. Ed has prepared a proposed amended version of the Articles incorporating the statutory language as the last sentence of Article 1 for our review. The relevant portion of the

Connecticut Revised Nonstock Corporation Act, with the necessary addition highlighted in red, reads as follows:

**Sec. 33-1026. Certificate of incorporation.** (a) **The certificate of incorporation shall set forth:** (1) A corporate name for the corporation that satisfies the requirements of section 33-1045; (2) **a statement that the corporation is nonprofit and that the corporation shall not have or issue shares of stock or make distributions;** (3) whether the corporation is to have members and, if it is to have members, the provisions which under section 33-1055 are required to be set forth in the certificate of incorporation; (4) the street address of the corporation's initial registered office and the name of its initial registered agent at that office; (5) the name and address of each incorporator; and (6) the nature of the activities to be conducted or the purposes to be promoted or carried out, except that it shall be sufficient to state, either alone or with other activities or purposes, that the purpose of the corporation is to engage in any lawful act or activity for which corporations may be formed under sections 33-1000 to 33-1290, inclusive, and by such statement all lawful acts and activities shall be within the purposes of the corporation, except for express limitations, if any.

So Article 1 of our Articles of Association would be amended to read as follows, the only difference being that the last sentence is new:

**Article 1:** The name of our corporation shall be The American Radio Relay League, Incorporated. It may be informally referred to as ARRL, the national association for Amateur Radio. Our corporation commenced its corporate existence as The American Radio Relay League, Incorporated, when its Articles of Association were approved by the Secretary of the State of Connecticut on January 29, 1915. The original Articles of Association were subscribed by Hiram Percy Maxim, Clarence D. Tuska and Lawrence A. Howard. The affairs of the corporation have since that time been continuously governed by a Board of Directors selected by the membership. The Corporation is nonprofit and shall not have or issue shares of stock or make distributions.

## **8. Legislative matters**

1. **Status of FAA Reauthorization Act of 2018** (Modification of the 2016 FAA Reauthorization Act to permit registering the location and height of towers between 50 and 200 feet in an FAA-maintained database and obviating Amateur tower painting and lighting). Problematic or preclusive for a very substantial number of Amateur Radio stations was a single portion of the FAA Extension, Safety, and Security Act of 2016 (Reauthorization Act), which was enacted in July of 2016. Section 2110 of that Act instructed FAA to enact rules by July of 2017, requiring painting and lighting of short radio towers between 50 and 200 feet in height located in rural or agricultural areas. Prior to that time, per long-established FAA regulations, unless such short radio towers were located within the glide slope of airports or heliports, they were not required to be painted or lit.

The legislation instructed FAA to enact rules similar to some State statutes now in place that are aimed at improving aircraft safety in the vicinity of meteorological evaluation