

**ALASKA STATE LEGISLATURE
CONFERENCE COMMITTEE ON HB 127**

May 8, 2001

3:45 p.m.

MEMBERS PRESENT

Senator Rick Halford
Senator Robin Taylor
Senator Donny Olson

Representative John Harris
Representative Con Bunde
Representative Beth Kerttula

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 127

"An Act relating to emergency equipment to be carried on aircraft."

- MOVED 2d CCS HB 127 OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 127

SHORT TITLE: AVIATION & AIRCRAFT EMERGENCY EQUIPMENT

SPONSOR(S): REPRESENTATIVE(S) HARRIS

Jrn-Date	Jrn-Page		Action
02/14/01	0317	(H)	READ THE FIRST TIME - REFERRALS
02/14/01	0317	(H)	TRA
02/22/01		(H)	TRA AT 1:00 PM CAPITOL 17
02/22/01		(H)	Moved CSHB 127(TRA) Out of Committee
02/22/01		(H)	MINUTE(TRA)
02/23/01	0423	(H)	COSPONSOR(S): MORGAN
02/26/01	0434	(H)	TRA RPT CS(TRA) 6DP
02/26/01	0435	(H)	DP: KAPSNER, OGAN, SCALZI, WILSON,
02/26/01	0435	(H)	KOOKESH, MASEK
02/26/01	0435	(H)	FN1: ZERO(DOT)

03/09/01		(H)	RLS AT 1:15 PM BUTROVICH 205
03/09/01		(H)	Moved CSHB 127(RLS) Out of Committee
03/09/01		(H)	MINUTE(RLS)
03/12/01	0540	(H)	RLS RPT CS(RLS) NT 3DP 1NR 1AM
03/12/01	0540	(H)	DP: PORTER, KOHRING, KOTT; NR: JOULE;
03/12/01	0540	(H)	AM: BERKOWITZ
03/12/01	0540	(H)	FN1: ZERO(DOT)
03/12/01	0540	(H)	RETURNED TO RLS COMMITTEE
03/15/01	0609	(H)	RULES TO CALENDAR 3/15/01
03/15/01	0609	(H)	READ THE SECOND TIME
03/15/01	0610	(H)	RLS CS ADOPTED UNAN CONSENT
03/15/01	0610	(H)	ADVANCED TO THIRD READING UNAN CONSENT
03/15/01	0610	(H)	READ THE THIRD TIME CSHB 127(RLS)
03/15/01	0610	(H)	PASSED Y33 E4 A3
03/15/01	0614	(H)	COSPONSOR(S): DYSON, BUNDE
03/15/01	0615	(H)	TRANSMITTED TO (S)
03/15/01	0615	(H)	VERSION: CSHB 127(RLS)
03/16/01	0691	(S)	READ THE FIRST TIME - REFERRALS
03/16/01	0691	(S)	TRA
03/16/01	0691	(S)	CROSS SPONSOR(S): OLSON
04/26/01		(S)	TRA AT 1:30 PM BUTROVICH 205
04/26/01		(S)	Moved SCS(TRA) Out of Committee
04/26/01		(S)	MINUTE(TRA)
04/27/01	1299	(S)	TRA RPT SCS 1DP 3NR SAME TITLE
04/27/01	1300	(S)	DP: COWDERY; NR: TAYLOR, WILKEN, WARD
04/27/01	1300	(S)	FN1: ZERO(DOT)
04/28/01	1329	(S)	RULES TO CALENDAR 4/28/01
04/28/01	1333	(S)	READ THE SECOND TIME
04/28/01	1333	(S)	TRA SCS ADOPTED UNAN CONSENT
04/28/01	1333	(S)	AM NO 1 ADOPTED UNAN CONSENT
04/28/01	1334	(S)	AM NO 2 ADOPTED UNAN CONSENT
04/28/01	1334	(S)	ADVANCED TO THIRD READING UNAN CONSENT
04/28/01	1335	(S)	READ THIRD TIME SCS CSHB 127(TRA) AM S
04/28/01	1335	(S)	PASSED Y19 N- A1
04/28/01	1338	(S)	TRANSMITTED TO (H) AS AMENDED
04/28/01	1338	(S)	VERSION: SCS CSHB 127(TRA) AM

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04/28/01		(S)	RLS AT 2:00 PM FAHRENKAMP 203
04/28/01		(S)	MINUTE(RLS)
04/29/01	1352	(H)	HELD UNDER UNFINISHED BUSINESS
05/01/01	1448	(H)	BROUGHT UP FOR CONSIDERATION
05/01/01	1449	(H)	RETURNED TO UNFINISHED BUSINESS
05/02/01	1490	(H)	FAILED CONCUR (S) AM N39 E1
05/02/01	1491	(H)	CONFERENCE COMMITTEE APPOINTED
05/02/01	1491	(H)	*HARRIS, BUNDE, KERTTULA
05/02/01	1428	(S)	FAILED RECEDE (S) AM Y- N20
05/02/01	1429	(S)	CONFERENCE COMMITTEE APPOINTED
05/02/01	1429	(S)	*HALFORD, TAYLOR, OLSON
05/04/01		(H)	127 AT 1:00 PM CAPITOL 124
05/04/01		(H)	Moved CCSHB 127 Out of Committee MINUTE(127)
05/04/01		(S)	127 AT 1:00 PM CAPITOL 124
05/05/01	1553	(H)	LIMITED POWERS FREE CONFERENCE GRANTED
05/05/01	1554	(H)	REPORT HELD UNDER UNFINISHED BUSINESS
05/05/01	1568	(H)	CC REPORT ADOPTED Y39 A1 CCS HB 127
05/05/01	1541	(S)	LIMITED POWERS FREE CONFERENCE GRANTED
05/05/01	1543	(S)	CC REPORT ADOPTED Y20 N- CCS HB 127
05/05/01	1542	(S)	FN1: ZERO(DOT)
05/08/01	1731	(H)	RESCIND ACTION ADOPTING CC REPORT
05/08/01	1731	(H)	CC REPORT FAILED N39 A1
05/08/01	1711	(S)	RESCIND ACTION ADPTING CC REPORT Y19 N1
05/08/01		(H)	127 AT 3:45 PM LOCATION TBA

WITNESS REGISTER

GORDY WILLIAMS, Legislative Liaison
Office of the Commissioner
Alaska Department of Fish & Game
PO Box 25526
Juneau, Alaska 99802-5526

POSITION STATEMENT: Addressed concerns and questions on the proposed CS.

STEPHEN WHITE, Assistant Attorney General
Natural Resources Section
Department of Law
PO Box 110300
Juneau, Alaska 99811-0300

POSITION STATEMENT: Addressed concerns and questions on the proposed CS.

ACTION NARRATIVE

CO-CHAIR HALFORD called the Conference Committee on HB 127 to order at 3:45 p.m. Members present at the call to order were Senators Halford, Taylor, Olson, and Representatives Harris, Bunde, and Kerttula.

HB 127-AVIATION & AIRCRAFT EMERGENCY EQUIPMENT

[Due to an equipment malfunction, there is no recording. Therefore, the following minutes were reconstructed from the log notes.]

CO-CHAIR HALFORD stated that the Conference Committee on HB 127 is back due to unanimous consent on the floor to look at the bill again, due to objections from the Alaska Department of Fish & Game [ADF&G]. He pointed out a new proposed CS [2d CCS HB 127; 22-LS0544\R, Utermohle, 5/8/01]. The new proposed CS adds a provision [to Section 6, lines 15-19] that adds discussion of Title 16 [Alaska Statute-Fish and Game], and puts "fixed-wing" back into the bill, which was taken out at the first conference committee meeting on HB 127.

SENATOR TAYLOR requested an explanation of these changes from ADF&G.

GORDY WILLIAMS, Legislative Liaison, Office of the Commissioner, Alaska Department of Fish & Game, commented that they just became aware of concerns with Section 6 of the bill. He indicated that Title 16 provides ADF&G with the authority to protect and preserve habitat areas by setting aside refuges, sanctuaries or having closures for a part or full year.

REPRESENTATIVE BUNDE commented that work had been done earlier on this issue.

CO-CHAIR HALFORD said that was correct and asked the committee if there were any questions.

SENATOR TAYLOR wondered where there was a problem with helicopters in Alaska, because he was not aware of any. He then said can't land wall sanctions.

SENATOR TAYLOR indicated that some areas are closed to flights because they are too close to He then asked if there was a problem with where helicopters are landing in Alaska.

MR. WHITE said there are regulations on the "book" for aircraft.

SENATOR TAYLOR stated that the same regulations are in statute for "fixed-wing." If there are no problems with helicopters, then why have the same presumptions for them, he asked. He remarked that the only helicopter incident he has heard of involves elk and the ADF&G, in which 50 elk were driven off a cliff in Kodiak. He said if there was a problem [with helicopters], he wouldn't mind fixing it.

MR. WHITE indicated that concerns arose due to the amount of places and land opened for helicopters. He then said that this part of the bill was originally up to the Conference Committee.

SENATOR TAYLOR said that "fixed-wing" leaves open those that are not. He wondered why the same regulations couldn't be applied to helicopters [in this bill]. He suggested that if there is time to pass regulations, adding one word to regulation....

REPRESENTATIVE BUNDE remarked that when something like aircraft is restricted, nothing else needs to be added [such as "fixed-wing"].

CO-CHAIR HALFORD asked how many areas take action on a regular basis. He remarked that helicopter landings are unlimited. He indicated that in the beginning, he envisioned HB 127 being a simple bill, but now it has become longer. He suggested that if House members wanted to change the bill, then they could, but he would like to see consensus.

SENATOR TAYLOR wondered if [ADF&G] would veto this bill because of the helicopter issue.

MR. WHITE said not

REPRESENTATIVE KERTTULA commented that in Juneau, helicopters can land anywhere. There was mention of critical habitat areas.

SENATOR TAYLOR pointed out that he would be sympathetic if there was a problem with helicopters and critical habitat areas. He indicated that friends who were hunting, using privately owned helicopters, have been excluded due to regulations. He stated that once a problem appears it shouldn't be that "all areas [are] not open." He said he does not understand.

REPRESENTATIVE HARRIS, sponsor of the bill, asked if this issue [bill] is one that the governor is willing to "let loose" and hold off until next year.

MR. WILLIAMS said he don't know if this was possible in regard to the Title 16 issue. He indicated that ADF&G's focus is to address the Title 16 issues.

SENATOR OLSON commented that his interest in this comes from his own area, where for generations, reindeer herders have used helicopters to round up reindeer in the summer. He said that he is looking at the person who is trying to preserve his or her business. He noted that unfortunately, the reindeer business has declined and is not going as well as it was 20 years ago.

CO-CHAIR HALFORD suggested that the committee adopt the proposed CS [Version R as a working draft] and then adopt an amendment to resolve this issue.

REPRESENTATIVE HARRIS made a motion was to adopt the proposed CS for HB 127, version 22-LS0544\R, Utermohle, 5/8/01, as a working draft. There being no objection, Version R was before the committee.

SENATOR TAYLOR made a motion to amend Version R by deleting "fixed-wing" after the word "of" on page 3, line 20. He said this would keep all the language in.

A hand vote was counted. Senators Halford, Taylor, Olson, and Representative Harris, and Bunde voted in favor the amendment. Representative Kerttula voted against the amendment. Therefore, the amendment passed by a vote of 5-1.

CO-CHAIR HALFORD moved that the committee report 2d CCS HB 127, as amended to the full body for consideration. There being no objection, it was so ordered.

ADJOURNMENT

There being no further business, the Conference Committee on HB 127 was adjourned at approximately 3:55 p.m.