

ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE

May 10, 2007
1:33 p.m.

MEMBERS PRESENT

Representative Kyle Johansen, Chair
Representative Mark Neuman, Vice Chair
Representative Anna Fairclough
Representative Craig Johnson
Representative Vic Kohring
Representative Woodie Salmon

MEMBERS ABSENT

Representative Mike Doogan

COMMITTEE CALENDAR

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139
"An Act repealing a limitation on the liability of certain
airfield owners or operators."

- MOVED SSSB 139 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 139

SHORT TITLE: LIABILITY FOR AIRPORTS AND AIRSTRIPS

SPONSOR(s): SENATOR(s) OLSON

03/28/07	(S)	READ THE FIRST TIME - REFERRALS
03/28/07	(S)	TRA
04/12/07	(H)	TRA AT 1:30 PM CAPITOL 17
04/18/07	(S)	SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
04/18/07	(S)	TRA
04/26/07	(H)	TRA AT 1:30 PM CAPITOL 17
04/26/07	(S)	Moved SSSB 139 Out of Committee
04/26/07	(S)	MINUTE(TRA)
04/27/07	(S)	TRA RPT 5DP
04/27/07	(S)	DP: KOOKESH, WILKEN, COWDERY, WIELECHOWSKI, OLSON
05/02/07	(S)	TRANSMITTED TO (H)
05/02/07	(S)	VERSION: SSSB 139
05/03/07	(H)	READ THE FIRST TIME - REFERRALS

05/03/07 (H) TRA
05/10/07 (H) TRA AT 1:30 PM CAPITOL 17

WITNESS REGISTER

SENATOR DONNY OLSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of SSSB 139.

DAVE GRAY, Staff
to Senator Donny Olson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SSSB 139 on behalf of the sponsor, Senator Olson.

TOM GEORGE, Alaska Representative
Aircraft Owners and Pilots Association (AOPA)
Fairbanks, Alaska

POSITION STATEMENT: Encouraged the committee's support of SSSB 139.

ACTION NARRATIVE

CHAIR KYLE JOHANSEN called the House Transportation Standing Committee meeting to order at [1:33:10 PM](#). Representatives Johanson, Fairclough, Johnson, Kohring, and Salmon were present at the call to order. Representative Neuman arrived as the meeting was in progress.

SB 139-LIABILITY FOR AIRPORTS AND AIRSTRIPS

[1:33:16 PM](#)

CHAIR JOHANSEN announced that the only order of business would be SPONSOR SUBSTITUTE FOR SENATE BILL NO. 139, "An Act repealing a limitation on the liability of certain airfield owners or operators."

[1:33:23 PM](#)

SENATOR DONNY OLSON, Alaska State Legislature, sponsor of SSSB 139, characterized SSSB 139 as cleanup legislation. He reminded the committee that the original legislation [addressing the

liability of certain airfield owners] included a confusing section that lead to the introduction of SSSB 139.

[1:34:17 PM](#)

DAVE GRAY, Staff to Senator Donny Olson, Alaska State Legislature, informed the committee that the committee packet should include a letter from Tom George, Aircraft Owners and Pilots Association, who was a principal sponsor of the earlier effort in 2004 for meaningful limited liability legislation. In the earlier effort there was broad support in the Senate in the House. However, since the legislation isn't doing what it was intended to do, some cleanup is necessary.

The committee took an at-ease from [1:36:20 PM](#) to [1:39:27 PM](#).

[1:39:38 PM](#)

REPRESENTATIVE JOHNSON said he wanted to be clear that this legislation doesn't subject a private owner of an airstrip to any additional liability.

SENATOR OLSON clarified that the intent of the legislation is to ensure that private airstrip owners are not held liable, except for gross negligence. He mentioned the need to encourage the construction of more airports.

[1:41:23 PM](#)

TOM GEORGE, Alaska Representative, Aircraft Owners and Pilots Association (AOPA), testified that airports are very important to the 4,200 members of AOPA in Alaska. In addition to those airports operated by DOT&PF, there are many runways, airstrips, and landing areas that provide access across the state. In many cases, these airstrips are maintained by dedicated individuals, groups, or organizations who volunteer their time and effort. This statute is intended to provide some limits on civil liability for those willing to support these facilities on either public or private land. Although significant gains were made with the passage of legislation three years ago, AS 09.65.093(b) has caused confusion. That portion of the statute lead [airstrip owners] to believe that they had to close their airstrip to be protected, which is the opposite of the intent. Therefore, the change proposed in SSSB 139 would remove the language causing the confusion and leave the emphasis on protection provided by those willing to construct, maintain, or

repair airfields on an uncompensated basis. In conclusion, Mr. George encouraged the committee's support of SSSB 139.

[1:42:46 PM](#)

CHAIR JOHANSEN, upon determining no one else wished to testify, closed public testimony.

[1:42:58 PM](#)

REPRESENTATIVE JOHNSON moved to report SSSB 139 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, it was so ordered.

[1:43:20 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:43 p.m.