

04/14/13

HCR 6:

Committee

Documents

<TARGET><BILL>HCR 6</BILL><SUBJECT>04-14-13 HCR 6
Committee Documents</SUBJECT><COMM>JUNM28</COMM></TARGET>

**STATE OF ALASKA
THE LEGISLATURE**

2013

Source

SCS CSHCR 6(FIN)

**Legislative
Resolve No.**

17



Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks as a national leader in unmanned aircraft research and development; and relating to a Task Force on Unmanned Aircraft Systems.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Unmanned Aircraft Systems Program at the University of Alaska Fairbanks has, since 2001, been designing payloads and upgrades for unmanned aircraft systems, testing and evaluating their safety and effectiveness, developing and demonstrating new uses for various potential users, working with the Federal Aviation Administration to make the use of unmanned aircraft systems safe, and developing technology to improve safety and is known across the nation for its leadership in advancing the state of the art and the safe use of unmanned aircraft systems; and

WHEREAS the importance of the program's work to the state was recently recognized by the Board of Regents of the University of Alaska when the regents established the Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks to continue research and development of unmanned aircraft systems for the benefit of the

state; and

WHEREAS the legislature recognizes the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks as the state's leader in unmanned aircraft systems research, meeting the goals of industry, the Federal Aviation Administration, and government operations; and

WHEREAS the legislature has provided significant financial support to the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks to further the center's research initiatives, and to increase its capabilities for use as a possible Federal Aviation Administration test site; and

WHEREAS the State of Alaska, the University of Alaska, the Alaska Aerospace Corporation, the Alaska Aviation Safety Project, and other public and private institutions have developed cooperation with the National Aeronautics and Space Administration, the Federal Aviation Administration, the United States Department of the Interior, the United States Department of Defense, and others to further advance the research, development, and use of technology to benefit and support Alaskans and Americans with the safe use of unmanned aircraft systems; and

WHEREAS Alaska state government and the state's business and research community continue to work with the Federal Aviation Administration to promote the establishment of safe unmanned aircraft system ranges onshore and offshore Alaska, which will help establish procedures for the safe operation of unmanned aircraft systems in the National Airspace System; and

WHEREAS the Alaska Center for Unmanned Aircraft Systems Integration, by virtue of being located in Alaska, has access to an area of geographic and climatic diversity where the air and surface population density is desirable for conducting research and development of unmanned aircraft systems; and

WHEREAS the state has the highest per capita use of general aviation activity in the nation, and Alaska aviation organizations have helped the Federal Aviation Administration develop the next generation of air traffic control for the nation and the world, while making major gains for the state's aviation safety in the process; and

WHEREAS unmanned aircraft systems may present a risk to privacy, but neither the Federal Aviation Administration nor any other state or federal agency currently has specific

statutory authority to regulate privacy matters relating to unmanned aircraft systems;

BE IT RESOLVED that the Alaska State Legislature recognizes the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks as a leader in aviation pioneering and further recognizes the significant benefit to the state and nation the center provides in research and development of unmanned aircraft systems; and be it

FURTHER RESOLVED that the Alaska State Legislature fully supports the efforts of the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks to become one of the nation's six test sites for unmanned aircraft systems testing and research; and be it

FURTHER RESOLVED by the Alaska State Legislature that the Task Force on Unmanned Aircraft Systems is created in the legislative branch and shall consist of seven members, who, except for the member from the senate and the member from the house of representatives, shall be appointed jointly by the president of the senate and the speaker of the house of representatives, as follows:

- (1) one senator selected by the president of the senate, who shall serve as co-chair;
- (2) one representative selected by the speaker of the house of representatives, who shall serve as co-chair;
- (3) the commissioner of public safety or the commissioner's designee;
- (4) the adjutant general of the Department of Military and Veterans' Affairs or the adjutant general's designee;
- (5) a member representing the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks;
- (6) a member of the Academy of Model Aeronautics;
- (7) a member from the state Aviation Advisory Board; and be it

FURTHER RESOLVED that a vacancy on the task force shall be filled in the manner of the original appointment; and be it

FURTHER RESOLVED that the duties of the task force shall include

- (1) reviewing regulations and guidance from the Federal Aviation Administration regarding unmanned aircraft systems;
- (2) providing written recommendations, together with suggested legislation,

for a comprehensive state policy for unmanned aircraft that protects privacy and allows the use of unmanned aircraft systems for public and private applications; and

(3) submitting, not later than January 15, 2014, an initial report to the legislature and, not later than July 1, 2014, submitting a final report to the legislature; and be it

FURTHER RESOLVED that the task force may meet as frequently as necessary to carry out its responsibilities; and be it

FURTHER RESOLVED that the task force may meet during and between legislative sessions and may request administrative and technical support from the University of Alaska Fairbanks; and be it


FURTHER RESOLVED that the public members of the task force serve without compensation but are entitled to per diem and travel expenses authorized for boards and commissions under AS 39.20.180; and be it

FURTHER RESOLVED that the task force terminates on July 1, 2014.

AUTHENTICATION

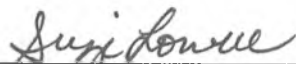
The following officers of the Legislature certify that the attached enrolled resolution, SCS CSHCR 6(FIN), consisting of 4 pages, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

Passed by the House April 14, 2013



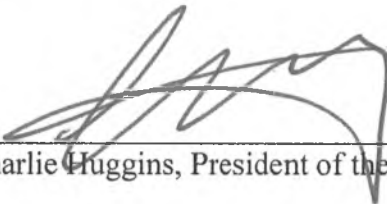
Mike Chenault, Speaker of the House

ATTEST:



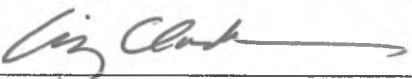
Suzi Lowell, Chief Clerk of the House

Passed by the Senate April 14, 2013



Charlie Huggins, President of the Senate

ATTEST:



Liz Clark, Secretary of the Senate

28-LS0655\O
Gardner
4/12/13

SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 6()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HUGHES, Kawasaki, Isaacson, Pruitt, Johnson, Thompson, Drummond, Saddler

A RESOLUTION

1 **Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the**
2 **University of Alaska Fairbanks as a national leader in unmanned aircraft research and**
3 **development; and relating to a Task Force on Unmanned Aircraft Systems.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** the Unmanned Aircraft Systems Program at the University of Alaska
6 Fairbanks has, since 2001, been designing payloads and upgrades for unmanned aircraft
7 systems, testing and evaluating their safety and effectiveness, developing and demonstrating
8 new uses for various potential users, working with the Federal Aviation Administration to
9 make the use of unmanned aircraft systems safe, and developing technology to improve safety
10 and is known across the nation for its leadership in advancing the state of the art and the safe
11 use of unmanned aircraft systems; and

12 **WHEREAS** the importance of the program's work to the state was recently
13 recognized by the Board of Regents of the University of Alaska when the regents established
14 the Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks
15 to continue research and development of unmanned aircraft systems for the benefit of the

1 state; and

2 **WHEREAS** the legislature recognizes the Alaska Center for Unmanned Aircraft
3 Systems Integration at University of Alaska Fairbanks as the state's leader in unmanned
4 aircraft systems research, meeting the goals of industry, the Federal Aviation Administration,
5 and government operations; and

6 **WHEREAS** the legislature has provided significant financial support to the Alaska
7 Center for Unmanned Aircraft Systems Integration at University of Alaska Fairbanks to
8 further the center's research initiatives, and to increase its capabilities for use as a possible
9 Federal Aviation Administration test site; and

10 **WHEREAS** the State of Alaska, the University of Alaska, the Alaska Aerospace
11 Corporation, the Alaska Aviation Safety Project, and other public and private institutions have
12 developed cooperation with the National Aeronautics and Space Administration, the Federal
13 Aviation Administration, the United States Department of the Interior, the United States
14 Department of Defense, and others to further advance the research, development, and use of
15 technology to benefit and support Alaskans and Americans with the safe use of unmanned
16 aircraft systems; and

17 **WHEREAS** Alaska state government and the state's business and research community
18 continue to work with the Federal Aviation Administration to promote the establishment of
19 safe unmanned aircraft system ranges onshore and offshore Alaska, which will help establish
20 procedures for the safe operation of unmanned aircraft systems in the National Airspace
21 System; and

22 **WHEREAS** the Alaska Center for Unmanned Aircraft Systems Integration, by virtue
23 of being located in Alaska, has access to an area of geographic and climatic diversity where
24 the air and surface population density is desirable for conducting research and development of
25 unmanned aircraft systems; and

26 **WHEREAS** the state has the highest per capita use of general aviation activity in the
27 nation, and Alaska aviation organizations have helped the Federal Aviation Administration
28 develop the next generation of air traffic control for the nation and the world, while making
29 major gains for the state's aviation safety in the process; and

30 **WHEREAS** unmanned aircraft systems may present a risk to privacy, but neither the
31 Federal Aviation Administration nor any other state or federal agency currently has specific

1 statutory authority to regulate privacy matters relating to unmanned aircraft systems;

2 **BE IT RESOLVED** that the Alaska State Legislature recognizes the Alaska Center
3 for Unmanned Aircraft at the University of Alaska Fairbanks as a leader in aviation
4 pioneering and further recognizes the significant benefit to the state and nation the center
5 provides in research and development of unmanned aircraft systems; and be it

6 **FURTHER RESOLVED** that the Alaska State Legislature fully supports the efforts
7 of the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska
8 Fairbanks to become one of the nation's six test sites for unmanned aircraft systems testing
9 and research; and be it

10 **FURTHER RESOLVED** by the Alaska State Legislature that the Task Force on
11 Unmanned Aircraft Systems is created in the legislative branch and shall consist of 7
12 members, who, except for the member from the senate and the member from the house of
13 representatives, shall be appointed jointly by the president of the senate and the speaker of the
14 house of representatives, as follows:

15 (1) one senator selected by the president of the senate, who shall serve as co-
16 chair;

17 (2) one representative selected by the speaker of the house of representatives,
18 who shall serve as co-chair;

19 (3) the commissioner of public safety or the commissioner's designee;

20 (4) the adjutant general of the Department of Military and Veterans' Affairs or
21 the adjutant general's designee;

22 (5) a member representing the Alaska Center for Unmanned Aircraft Systems
23 Integration at University of Alaska Fairbanks;

24 (6) a member of the Academy of Model Aeronautics;

25 (7) a member from the state Aviation Advisory Board;

26 **FURTHER RESOLVED** that a vacancy on the task force shall be filled in the
27 manner of the original appointment; and be it

28 **FURTHER RESOLVED** that the duties of the task force shall include

29 (1) reviewing regulations and guidance from the Federal Aviation
30 Administration regarding unmanned aircraft systems;

31 (2) providing written recommendations, together with suggested legislation,

1 for a comprehensive state policy for unmanned aircraft that protects privacy and allows the
2 use of unmanned aircraft systems for public and private applications; and

3 (3) submitting, not later than January 15, 2014, an initial report to the
4 legislature and, not later than July 1, 2014, submitting a final report to the legislature; and be
5 it

6 **FURTHER RESOLVED** that the task force may meet as frequently as necessary to
7 carry out its responsibilities; and be it

8 **FURTHER RESOLVED** that the task force may meet during and between legislative
9 sessions and may request administrative and technical support from the University of Alaska
10 Fairbanks; and be it

11 **FURTHER RESOLVED** that the public members of the task force serve without
12 compensation but are entitled to per diem and travel expenses authorized for boards and
13 commissions under AS 39.20.180; and be it

14 **FURTHER RESOLVED** that the task force terminates on July 1, 2014.

Ginger Blaisdell

From: Ginger Blaisdell
Sent: Friday, April 12, 2013 8:30 AM
To: Sheila Peterson
Subject: FW: HCR6

If the Task Force is removed, we will work on intent language in the Governor's office.
Ginger

From: Ginger Blaisdell
Sent: Thursday, April 11, 2013 9:37 PM
To: Christine Marasigan
Subject: HCR6

The reason for the task force:

There are some user groups interested in unmanned aircraft that are not familiar with the FAA rules and guidelines for use. If these groups remain uninformed, they may break the law unknowingly and could be considered a privacy risk. Breaching privacy could interfere with the good uses of unmanned aircraft and the advancement of the technology. Including private aircraft operators and remote control operators on the task force is for education, safety and security considerations.

The task force is made up of a broad group of users who may be able to brainstorm uses in order for Alaska to implement well-thought-out law rather than adopting the possible model legislation that would have a generic national perspective. Alaskans are concerned for their privacy and the potential for violation of that privacy, particularly if used by law enforcement or "peeping toms."

Fear of military use is national and our citizens are becoming more concerned.

- The task force will help educate those interested in or already using unmanned aircraft
- Education will alleviate uninformed individuals from breaking the laws established for use of unmanned aircraft
- The task force will refine use in Alaska's airspace as well as fit in with the FAA guidelines – inappropriate use could result in aircraft crashes and loss of life.
- The task force will likely meet only once in person but may continue its work via electronic means. It is anticipated that most of the task force will reside in Anchorage. If the in-person meeting is held in Anchorage, travel costs will be negligible. All state agencies stated the costs could be absorbed within existing budgets, Legislature would absorb within existing budget, and private attendees would receive travel and per diem from the legislative affairs agency.

Hope this summary helps
ginger

Office of Representative Shelley Hughes
Room 409 State Capitol
Juneau, AK 99811
907-465-5265

If you would like to receive Rep. Hughes' electronic newsletter, please click [here](#).

[Follow Rep. Hughes on Facebook](#)

Ginger Blaisdell

From: Ginger Blaisdell
Sent: Friday, April 12, 2013 8:27 AM
To: Sheila Peterson
Subject: FW: trying

From: Christine Marasigan
Sent: Thursday, April 11, 2013 8:39 PM
To: Ginger Blaisdell
Subject: RE: trying

If I can make any headway I'll let you know but no guarantees—they've been hearing some pretty heavy stuff.

From: Ginger Blaisdell
Sent: Thursday, April 11, 2013 8:38 PM
To: Christine Marasigan
Subject: RE: trying

9 is good and include a sunset of the task force of June 30, 2014

Can I suggest a couple changes to the membership? See red comments from me embedded...

From: Christine Marasigan
Sent: Thursday, April 11, 2013 8:27 PM
To: Ginger Blaisdell
Subject: trying

Hi,

Am still trying for you. My boss and a few other members do not want to hear HCR 6, however, in the off chance that they do, what do you think:

1 Yes (1) one senator selected by the president of the senate, who shall serve as co-

2 Yes (2) one representative selected by the speaker of the house of representatives,

who shall serve as co-chair;

~~delete (3) LT Gov Mead Treadwell or Gov Appointee (Treadwell already part of Aerospace States)~~

~~(3) the commissioner of transportation and public facilities or the~~

~~commissioner's designee;~~

3 yes (4) the commissioner of public safety or the commissioner's designee; law enforcement

delete ~~(5) the commissioner of natural resources or the commissioner's designee;~~

4 keep ~~(6) one member representing municipal law enforcement;~~ law enforcement – could eliminate this one but APD is already considering using unmanned aircraft

delete ~~(7) the attorney general or the attorney general's designee;~~

delete ~~(8) the commissioner of fish and game or the commissioner's designee;~~

5 yes **(9) the adjutant general of the Department of Military and Veterans' Affairs** or the adjutant general's designee; military

6 yes **(10) a member representing the Alaska Center for Unmanned Aircraft Systems Integration** at University of Alaska Fairbanks;

7 yes **(11) a member of the Academy of Model Aeronautics;** Steve Colligan remote control pilots are looking to use aircraft commercially against FAA rules now

8 yes **(12) a member from the State Aviation Advisory Board** this is a DOT/PF board of airports

9 yes ~~(13) a member from the Medallion Foundation;~~ private aircraft pilots

10 yes ~~(14) one member of the Aerospace States Association;~~ Lt Governor is Designee Member as well

11 yes ~~(15) one member of the Alaska UAS Interest Group; and be it~~ Already part of University Efforts one Univ person is on this board but includes the Dept of Interior and FAA and other federal members would suggest Harry Keiling

Christine R. Marasigan
Staff to Senator Kevin Meyer
Alaska State Capitol
Juneau, AK 99801
Phone: (907) 465-4945
Fax: (907) 465-3476

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HCR 6
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HCR6-LEG-COU-04-05-13
Title: EST. LEG. TASK FORCE ON UNMANNED
AIRCRAFT
Sponsor: HUGHES
Requester: State Affairs

Department: Alaska Legislature
Appropriation: Legislative Council
Allocation: Council and Subcommittees
OMB Component Number: 783

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates				
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	***	***	***	***	***	***	***
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	***	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	***	***	***	***	***	***

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency?
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated to relect potential fiscal impact

Prepared By: Jessica Geary, Finance Manager
Division: Legislative Affairs Agency
Approved By: Pamela Varni, Executive Director
Legislative Affairs Agency

Phone: (907)465-6626
Date: 04/05/2013 02:18 PM
Date: 04/05/13

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. HCR 6

Analysis

HCR6 creates a task force on unmanned aircraft systems within the legislative branch. The task force will have 15 members which will be comprised of one senator, appointed by the president of the senate and one representative, appointed by the speaker of the house and 7 public members and 6 executive branch members, appointed jointly by the presiding officers. The task force intends to meet as needed during and between sessions and will submit an initial report to the legislature not later than January 15, 2014 and a final report to the legislature not later than January 15, 2015. If meetings take place in between sessions, the task force anticipates being able to meet in Anchorage. With the majority of potential task force members residing in Anchorage, a meeting held there would be at a very minimal cost. It is anticipated that one in-person meeting per year would occur with information shared electronically within the task force membership as needed.

Because the task force intends to utilize existing resources, but the legislation could allow for an unknown cost, the fiscal impact on the legislature is indeterminate.

28-LS0655\N
Gardner
3/23/13

CS FOR HOUSE CONCURRENT RESOLUTION NO. 6(EDT)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE, AND TOURISM

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HUGHES, Kawasaki, Isaacson, Pruitt

A RESOLUTION

1 **Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the**
2 **University of Alaska Fairbanks as a national leader in unmanned aircraft research and**
3 **development; and relating to a Task Force on Unmanned Aircraft Systems.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** the Unmanned Aircraft Systems Program at the University of Alaska
6 Fairbanks has, since 2001, been designing payloads and upgrades for unmanned aircraft
7 systems, testing and evaluating their safety and effectiveness, developing and demonstrating
8 new uses for various potential users, working with the Federal Aviation Administration to
9 make the use of unmanned aircraft systems safe, and developing technology to improve safety
10 and is known across the nation for its leadership in advancing the state of the art and the safe
11 use of unmanned aircraft systems; and

12 **WHEREAS** the importance of the program's work to the state was recently
13 recognized by the Board of Regents of the University of Alaska when the regents established
14 the Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks
15 to continue research and development of unmanned aircraft systems for the benefit of the

1 state; and

2 **WHEREAS** the legislature recognizes the Alaska Center for Unmanned Aircraft
3 Systems Integration at University of Alaska Fairbanks as the state's leader in unmanned
4 aircraft systems research, meeting the goals of industry, the Federal Aviation Administration,
5 and government operations; and

6 **WHEREAS** the legislature has provided significant financial support to the Alaska
7 Center for Unmanned Aircraft Systems Integration at University of Alaska Fairbanks to
8 further the center's research initiatives, and to increase its capabilities for use as a possible
9 Federal Aviation Administration test site; and

10 **WHEREAS** the State of Alaska, the University of Alaska, the Alaska Aerospace
11 Corporation, the Alaska Aviation Safety Project, and other public and private institutions have
12 developed cooperation with the National Aeronautics and Space Administration, the Federal
13 Aviation Administration, the United States Department of Interior, the United States
14 Department of Defense, and others to further advance the research, development, and use of
15 technology to benefit and support Alaskans and Americans with the safe use of unmanned
16 aircraft systems; and

17 **WHEREAS** Alaska state government and the state's business and research community
18 continue to work with the Federal Aviation Administration to promote the establishment of
19 safe unmanned aircraft system ranges onshore and offshore Alaska, which will help establish
20 procedures for the safe operation of unmanned aircraft systems in the National Airspace
21 System; and

22 **WHEREAS** the Alaska Center for Unmanned Aircraft Systems Integration, by virtue
23 of being located in Alaska, has access to an area of geographic and climatic diversity where
24 the air and surface population density is desirable for conducting research and development of
25 unmanned aircraft systems; and

26 **WHEREAS** the state has the highest per capita use of general aviation activity in the
27 nation, and Alaska aviation organizations have helped the Federal Aviation Administration
28 develop the next generation of air traffic control for the nation and the world, while making
29 major gains for the state's aviation safety in the process; and

30 **WHEREAS** unmanned aircraft systems may present a risk to privacy, but neither the
31 Federal Aviation Administration nor any other state or federal agency currently has specific

1 statutory authority to regulate privacy matters relating to unmanned aircraft systems;

2 **BE IT RESOLVED** that the Alaska State Legislature recognizes the Alaska Center
3 for Unmanned Aircraft at the University of Alaska Fairbanks as a leader in aviation
4 pioneering and further recognizes the significant benefit to the state and nation the center
5 provides in research and development of unmanned aircraft systems; and be it

6 **FURTHER RESOLVED** that the Alaska State Legislature fully supports the efforts
7 of the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska
8 Fairbanks to become one of the nation's six test sites for unmanned aircraft systems testing
9 and research; and be it

10 **FURTHER RESOLVED** by the Alaska State Legislature that the Task Force on
11 Unmanned Aircraft Systems is created in the legislative branch and shall consist of 15
12 members, who, except for the member from the senate and the member from the house of
13 representatives, shall be appointed jointly by the president of the senate and the speaker of the
14 house of representatives, as follows:

15 (1) one senator selected by the president of the senate, who shall serve as co-
16 chair;

17 (2) one representative selected by the speaker of the house of representatives,
18 who shall serve as co-chair;

19 (3) the commissioner of transportation and public facilities or the
20 commissioner's designee;

21 (4) the commissioner of public safety or the commissioner's designee;

22 (5) the commissioner of natural resources or the commissioner's designee;

23 (6) one member representing municipal law enforcement;

24 (7) the attorney general or the attorney general's designee;

25 (8) the commissioner of fish and game or the commissioner's designee;

26 (9) the adjutant general of the Department of Military and Veterans' Affairs or
27 the adjunct general's designee;

28 (10) a member representing the Alaska Center for Unmanned Aircraft Systems
29 Integration at University of Alaska Fairbanks;

30 (11) a member of the Academy of Model Aeronautics;

31 (12) a member from the Aviation Advisory Board;

1 (13) a member from the Medallion Foundation;

2 (14) one member of the Aerospace States Association;

3 (15) one member of the Alaska UAS Interest Group; and be it

4 **FURTHER RESOLVED** that a vacancy on the task force shall be filled in the
5 manner of the original appointment; and be it

6 **FURTHER RESOLVED** that the duties of the task force shall include

7 (1) reviewing regulations and guidance from the Federal Aviation
8 Administration regarding unmanned aircraft systems;

9 (2) providing written recommendations, together with suggested legislation,
10 for a comprehensive state policy for unmanned aircraft that protects privacy and allows the
11 use of unmanned aircraft systems for public and private applications; and

12 (3) submitting, not later than January 15, 2014, an initial report to the
13 legislature and, not later than January 15, 2015, submitting a final report to the legislature;
14 and be it

15 **FURTHER RESOLVED** that the task force may meet as frequently as necessary to
16 carry out its responsibilities; and be it

17 **FURTHER RESOLVED** that the task force may meet during and between legislative
18 sessions and may request administrative and technical support from the University of Alaska
19 Fairbanks; and be it

20 **FURTHER RESOLVED** that the public members of the task force serve without
21 compensation but are entitled to per diem and travel expenses authorized for boards and
22 commissions under AS 39.20.180; and be it

23 **FURTHER RESOLVED** that the task force terminates on January 15, 2015.

HOUSE CONCURRENT RESOLUTION NO. 6
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES HUGHES, Kawasaki, Isaacson, Pruitt

Introduced: 3/15/13

Referred: House Special Committee on Economic Development, Trade, and Tourism

A RESOLUTION

1 **Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the**
2 **University of Alaska Fairbanks as a national leader in unmanned aircraft research and**
3 **development; and relating to a Task Force on Unmanned Aircraft Systems.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 ^{1A →}
6 ^{1B →} **(2) WHEREAS** the legislature recognizes the Alaska Center for Unmanned Aircraft
7 Systems Integration at University of Alaska Fairbanks as the state's leader in unmanned
8 aircraft systems research, meeting the goals of industry, the Federal Aviation Administration,
9 and government operations; and

10 **(3) WHEREAS** the legislature has provided significant financial support to the Alaska
11 Center for Unmanned Aircraft Systems Integration at University of Alaska Fairbanks to
12 further the Center's research initiatives; *and to increase capabilities as a possible FAA test site;*

13 **(4) WHEREAS** the State of Alaska, the University of Alaska, the Alaska Aerospace
14 Corporation, the Alaska Aviation Safety Project, and other public and private institutions have
15 developed cooperation with the National Aeronautics and Space Administration, the Federal
Aviation Administration, the United States Department of Interior, the United States

1 Department of Defense, and others to further advance the research, development and use of
2 technology to benefit and support Alaskans and Americans with the safe use of unmanned
3 aircraft systems; and

4 **IA** **WHEREAS**, since 2001, the ~~Alaska Center for~~ Unmanned Aircraft Systems
5 ^{Program}~~Integration~~ at the University of Alaska Fairbanks has been designing payloads and upgrades
6 for unmanned aircraft systems, testing and evaluating their safety and effectiveness,
7 developing and demonstrating new uses for various potential users, working with the Federal
8 Aviation Administration to make the use of unmanned aircraft systems safe, ~~and~~ developing
9 technology to improve safety; and **is**

10 ~~**WHEREAS** the University of Alaska Fairbanks has become~~ known across the nation
11 for its leadership in advancing the state of the art and the safe use of unmanned aircraft
12 systems; and

13 **IB** **WHEREAS** the importance of the ^{Program's}~~Center's~~ work to the state was recently recognized
14 by the Board of Regents of the University of Alaska when the regents established the Alaska
15 Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks to
16 continue research and development of unmanned aircraft systems for the benefit of the state;
17 and

18 **WHEREAS**, as the Alaska Center for Unmanned Aircraft Systems Integration at the
19 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
20 for gathering information necessary to protect human life in search and rescue operations,
21 aiding in the management of resources, including marine mammal and fisheries research,
22 providing humanitarian assistance, providing a platform for scientific research in the Arctic,
23 and for other private and public sector activities, as was demonstrated when the Center used
24 an unmanned aircraft system to assist the United States Coast Guard Cutter Healy and the
25 Russian tanker Renda in delivering fuel to Nome in 2012; and

26 **II** **WHEREAS** unmanned aircraft systems may present a ~~substantial~~ risk to privacy, but
27 neither the Federal Aviation Administration nor any other state or federal agency currently
28 has specific statutory authority to regulate privacy matters relating to unmanned aircraft
29 systems; and

30 **IV** **WHEREAS** the Alaska Center for Unmanned Aircraft Systems Integration, ~~at the~~
31 ~~University of Alaska Fairbanks is located in~~ an area of geographic and climatic diversity
by virtue of being located in Alaska has access to

1 where the air and surface population density is desirable for conducting research and
2 development of unmanned aircraft systems; and

3 **(10) WHEREAS** the Federal Aviation Administration currently requires the designation of
4 one pilot to be in command of an unmanned aircraft system at all times, restricts use of
5 unmanned aircraft systems by public agencies to conduct routine flights over urban or
6 populated areas and over heavily trafficked roads or open-air assemblies of people, the
7 discharge or dropping of objects while in flight, and the operation of unmanned aircraft
8 systems without the capability of pilot intervention;

9 **(5) WHEREAS** Alaska state government and the state's business and research community
10 continue to work with the Federal Aviation Administration to promote the establishment of
11 safe unmanned aircraft system ranges onshore and offshore Alaska, which will help establish
12 procedures for the safe operation of unmanned aircraft systems in the National Airspace
13 System; and

14 **(7) WHEREAS** the state has the highest per capita use of general aviation activity in the
15 nation, and Alaska aviation organizations have helped the Federal Aviation Administration
16 develop the next generation of air traffic control for the nation and the world, while making
17 major gains for the state's aviation safety in the process; *and*

18 **(8) BE IT RESOLVED** that the Alaska State Legislature recognizes the Alaska Center
19 for Unmanned Aircraft at the University of Alaska Fairbanks as a leader in aviation
20 pioneering and further recognizes the significant benefit to the state and nation the Center
21 provides in research and development of unmanned aircraft systems; and be it

22 **(9) FURTHER RESOLVED** that the Alaska State Legislature fully supports the efforts
23 of the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska
24 Fairbanks to become one of the nation's six test sites for unmanned aircraft systems testing
25 and research; and be it

26 **(12) FURTHER RESOLVED** by the Alaska State Legislature that the Task Force on
27 Unmanned Aircraft Systems is created in the legislative branch and shall consist of 15
28 members, who, except for the member from the senate and the member from the house of
29 representatives, shall be appointed jointly by the president of the senate and the speaker of the
30 house of representatives, as follows:

- 31 (1) one senator selected by the president of the senate, who shall serve as co-

*rewritten
on back
page*

1 chair;

2 (2) one representative selected by the speaker of the house of representatives,
3 who shall serve as co-chair;

4 (3) the commissioner of transportation and public facilities or the
5 commissioner's designee;

6 (4) the commissioner of public safety or the commissioner's designee;

7 (5) the commissioner of natural resources or the commissioner's designee;

8 (6) one member representing municipal law enforcement;

9 (7) the attorney general or the attorney general's designee;

10 (8) the commissioner of fish and game or the commissioner's designee;

11 (9) the adjutant general of the Department of Military and Veterans' Affairs or
12 the adjunct general's designee;

13 (10) a member representing the Alaska Center for Unmanned Aircraft Systems
14 Integration at University of Alaska Fairbanks;

15 (11) a member of the Academy of Model Aeronautics;

16 (12) a member from the Aviation Advisory Board;

17 (13) a member from the Medallion Foundation; ~~and be it~~

18 (14) one member of the Aerospace States Association;

19 (15) one member of the Alaska UAS Interest Group, ~~United States~~
20 ~~Department of the Interior~~; and be it

21 **FURTHER RESOLVED** that a vacancy on the task force shall be filled in the
22 manner of the original appointment; and be it

23 **FURTHER RESOLVED** that the duties of the task force shall include

24 (1) reviewing regulations and guidance from the Federal Aviation
25 Administration regarding unmanned aircraft systems;

26 (2) providing written recommendations, together with suggested legislation,
27 for a comprehensive state policy for unmanned aircraft that protects privacy and allows the
28 use of unmanned aircraft systems for public and private applications; and

29 (3) submitting, not later than January 15, 2014, an initial report to the
30 legislature and, not later than January 15, 2015, submitting a final report to the legislature;
31 and be it

1 **FURTHER RESOLVED** that the task force may meet as frequently as necessary to
2 carry out its responsibilities; and be it

3 **FURTHER RESOLVED** that the task force may meet during and between legislative
4 sessions and may request administrative and technical support from the University of Alaska
5 Fairbanks; and be it

6 **FURTHER RESOLVED** that the public members of the task force serve without
7 compensation but are entitled to per diem and travel expenses authorized for boards and
8 commissions under AS 39.20.180; and be it

9 **FURTHER RESOLVED** that the task force terminates on January 15, 2015.

10

WHEREAS the United States Constitution protects the rights of citizens under the 4th Amendment, the Department of Homeland Security and the National Institute for Justice are protecting safety and privacy of all citizens, and the Federal Aviation Administration has established guidelines and grants authorization for appropriate use of unmanned aircraft; and

HOUSE CONCURRENT RESOLUTION NO. 6

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:
Referred:

A RESOLUTION

1 Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the
2 University of Alaska Fairbanks as a national leader in unmanned aircraft research and
3 development; and relating to a Task Force on Unmanned Aircraft Systems.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 WHEREAS the legislature recognizes the Alaska Center for Unmanned Aircraft
6 Systems Integration at University of Alaska Fairbanks as the state's leader in unmanned
7 aircraft systems research, meeting the goals of industry, the Federal Aviation Administration,
8 and government operations; and

9 WHEREAS the legislature has provided significant financial support to the Alaska
10 Center for Unmanned Aircraft Systems Integration at University of Alaska Fairbanks to
11 further the Center's research initiatives; and

12 WHEREAS the State of Alaska, the University of Alaska, the Alaska Aerospace
13 Corporation, the Alaska Aviation Safety Project, and other public and private institutions have
14 developed cooperation with the National Aeronautics and Space Administration, the Federal
15 Aviation Administration, the United States Department of Interior, the United States

1 Department of Defense, and others to further advance the research, development and use of
2 technology to benefit and support Alaskans and Americans with the safe use of unmanned
3 aircraft systems; and

4 **WHEREAS**, since 2001, the Alaska Center for Unmanned Aircraft Systems
5 Integration at the University of Alaska Fairbanks has been designing payloads and upgrades
6 for unmanned aircraft systems, testing and evaluating their safety and effectiveness,
7 developing and demonstrating new uses for various potential users, working with the Federal
8 Aviation Administration to make the use of unmanned aircraft systems safe, and developing
9 technology to improve safety; and

10 **WHEREAS** the University of Alaska Fairbanks has become known across the nation
11 for its leadership in advancing the state of the art and the safe use of unmanned aircraft
12 systems; and

13 **WHEREAS** the importance of the Center's work to the state was recently recognized
14 by the Board of Regents of the University of Alaska when the regents established the Alaska
15 Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks to
16 continue research and development of unmanned aircraft systems for the benefit of the state;
17 and

18 **WHEREAS**, as the Alaska Center for Unmanned Aircraft Systems Integration at the
19 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
20 for gathering information necessary to protect human life in search and rescue operations,
21 aiding in the management of resources, including marine mammal and fisheries research,
22 providing humanitarian assistance, providing a platform for scientific research in the Arctic,
23 and for other private and public sector activities, as was demonstrated when the Center used
24 an unmanned aircraft system to assist the United States Coast Guard Cutter Healy and the
25 Russian tanker Renda in delivering fuel to Nome in 2012; and

26 **WHEREAS** unmanned aircraft systems may present a substantial risk to privacy, but
27 neither the Federal Aviation Administration nor any other state or federal agency currently
28 has specific statutory authority to regulate privacy matters relating to unmanned aircraft
29 systems; and

30 **WHEREAS** the Alaska Center for Unmanned Aircraft Systems Integration at the
31 University of Alaska Fairbanks is located in an area of geographic and climatic diversity

1 where the air and surface population density is desirable for conducting research and
2 development of unmanned aircraft systems; and

3 **WHEREAS** the Federal Aviation Administration currently requires the designation of
4 one pilot to be in command of an unmanned aircraft system at all times, restricts use of
5 unmanned aircraft systems by public agencies to conduct routine flights over urban or
6 populated areas and over heavily trafficked roads or open-air assemblies of people, the
7 discharge or dropping of objects while in flight, and the operation of unmanned aircraft
8 systems without the capability of pilot intervention;

9 **WHEREAS** Alaska state government and the state's business and research community
10 continue to work with the Federal Aviation Administration to promote the establishment of
11 safe unmanned aircraft system ranges onshore and offshore Alaska, which will help establish
12 procedures for the safe operation of unmanned aircraft systems in the National Airspace
13 System; and

14 **WHEREAS** the state has the highest per capita use of general aviation activity in the
15 nation, and Alaska aviation organizations have helped the Federal Aviation Administration
16 develop the next generation of air traffic control for the nation and the world, while making
17 major gains for the state's aviation safety in the process;

18 **BE IT RESOLVED** that the Alaska State Legislature recognizes the Alaska Center
19 for Unmanned Aircraft at the University of Alaska Fairbanks as a leader in aviation
20 pioneering and further recognizes the significant benefit to the state and nation the Center
21 provides in research and development of unmanned aircraft systems; and be it

22 **FURTHER RESOLVED** that the Alaska State Legislature fully supports the efforts
23 of the Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska
24 Fairbanks to become one of the nation's six test sites for unmanned aircraft systems testing
25 and research; and be it

26 **FURTHER RESOLVED** by the Alaska State Legislature that the Task Force on
27 Unmanned Aircraft Systems is created in the legislative branch and shall consist of 15
28 members, who, except for the member from the senate and the member from the house of
29 representatives, shall be appointed jointly by the president of the senate and the speaker of the
30 house of representatives, as follows:

31 (1) one senator selected by the president of the senate, who shall serve as co-

1 chair;

2 (2) one representative selected by the speaker of the house of representatives,
3 who shall serve as co-chair;

4 (3) the commissioner of transportation and public facilities or the
5 commissioner's designee;

6 (4) the commissioner of public safety or the commissioner's designee;

7 (5) the commissioner of natural resources or the commissioner's designee;

8 (6) one member representing municipal law enforcement;

9 (7) the attorney general or the attorney general's designee;

10 (8) the commissioner of fish and game or the commissioner's designee;

11 (9) the adjutant general of the Department of Military and Veterans' Affairs or
12 the adjunct general's designee;

13 (10) a member representing the Alaska Center for Unmanned Aircraft Systems
14 Integration at University of Alaska Fairbanks;

15 (11) a member of the Academy of Model Aeronautics;

16 (12) a member from the Aviation Advisory Board;

17 (13) a member from the Medallion Foundation; and be it

18 (14) one member of the Aerospace States Association;

19 (15) one member of the Alaska UAS Interest Group, United States
20 Department of the Interior; and be it

21 **FURTHER RESOLVED** that a vacancy on the task force shall be filled in the
22 manner of the original appointment; and be it

23 **FURTHER RESOLVED** that the duties of the task force shall include

24 (1) reviewing regulations and guidance from the Federal Aviation
25 Administration regarding unmanned aircraft systems;

26 (2) providing written recommendations, together with suggested legislation,
27 for a comprehensive state policy for unmanned aircraft that protects privacy and allows the
28 use of unmanned aircraft systems for public and private applications; and

29 (3) submitting, not later than January 15, 2014, an initial report to the
30 legislature and, not later than January 15, 2015, submitting a final report to the legislature;
31 and be it

1 **FURTHER RESOLVED** that the task force may meet as frequently as necessary to
2 carry out its responsibilities; and be it

3 **FURTHER RESOLVED** that the task force may meet during and between legislative
4 sessions and may request administrative and technical support from the University of Alaska
5 Fairbanks; and be it

6 **FURTHER RESOLVED** that the public members of the task force serve without
7 compensation but are entitled to per diem and travel expenses authorized for boards and
8 commissions under AS 39.20.180; and be it

9 **FURTHER RESOLVED** that the task force terminates on January 15, 2015.

28-LS0655\A
Gardner
3/14/13

HOUSE CONCURRENT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:
Referred:

A RESOLUTION

1 **Recognizing the Alaska Center for Unmanned Aircraft Systems Integration at the**
2 **University of Alaska Fairbanks as a national leader in unmanned aircraft research and**
3 **development; and relating to a Task Force on Unmanned Aircraft Systems.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 ① **WHEREAS** the legislature recognizes the Alaska Center for Unmanned Aircraft
6 Systems Integration at University of Alaska Fairbanks as the state's leader in unmanned
7 aircraft systems research, meeting the goals of industry, the Federal Aviation Administration,
8 and government operations; and

9 ~~WHEREAS~~ the legislature recognizes the Center for its benefit to the state through its
10 historic role in aviation pioneering; and

11 ② **WHEREAS** the legislature has provided significant financial support to the Alaska
12 Center for Unmanned Aircraft Systems Integration at University of Alaska Fairbanks to
13 further the Center's research initiatives; and

14 ④ **WHEREAS**, since 2001, the Alaska Center for Unmanned Aircraft Systems
15 Integration at the University of Alaska Fairbanks has been designing payloads and upgrades

③

WHEREAS, the State of Alaska, the University of Alaska, Alaska Aerospace Development Corporation, the Alaska Aviation Safety Project and other public and private institutions have developed cooperation with NASA, the FAA, the Department of Interior, the Department of Defense and others to further advance the research, development and use of technology to benefit and support Alaskans and Americans with the safe use of Unmanned Aircraft Systems; and

1 for unmanned aircraft systems, testing and evaluating their safety and effectiveness,
2 developing and demonstrating new uses for various potential users, working with the Federal
3 Aviation Administration to make the use of unmanned aircraft systems safe, and developing
4 technology to improve safety; and

5 **5** WHEREAS the University of Alaska Fairbanks has become known across the nation
6 for its leadership in advancing the state of the art and the safe use of unmanned aircraft
7 systems; and

8 **6** WHEREAS the importance of the Center's work to the state was recently recognized
9 by the Board of Regents of the University of Alaska when the regents established the Alaska
10 Center for Unmanned Aircraft Systems Integration at the University of Alaska Fairbanks to
11 continue research and development of unmanned aircraft systems for the benefit of the state;
12 and

13 ~~WHEREAS the Alaska Center for Unmanned Aircraft Systems Integration at the
14 University of Alaska Fairbanks is currently researching other technologies that are being
15 developed and improved for many users, including law enforcement, that could potentially
16 use these technologies for a variety of missions, from search and rescue to forensic recording
17 of scenes and surveillance, in a manner similar to how manned aircraft are used today; and~~ *delete*

18 **7** WHEREAS, as the Alaska Center for Unmanned Aircraft Systems Integration at the
19 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
20 for gathering information necessary to protect human life in search and rescue operations,
21 aiding in the management of resources, including marine mammal and fisheries research,
22 providing humanitarian assistance, providing a platform for scientific research in the Arctic,
23 and for other private and public sector activities, as was demonstrated when the Center used
24 an unmanned aircraft system to assist the United States Coast Guard Cutter Healy and the
25 Russian tanker Renda in delivering fuel to Nome in 2012; and

26 ~~WHEREAS the Alaska Center for Unmanned Aircraft Systems Integration at
27 University of Alaska Fairbanks has demonstrated that unmanned aircraft systems can be
28 designed and operated for scientific research, saving human lives, and for use as cost-effective
29 tools for both the public and private sector; and~~ *delete*

30 WHEREAS, while government agencies, including law enforcement agencies and
31 universities, may operate unmanned aircraft systems using the Federal Aviation

1 Administration Certificate of Authorization or Waiver process, a civil operator may only
 2 operate an unmanned aircraft system under a Federal Aviation Administration Special
 3 Airworthiness Certificate for experimental purposes, which does not provide for commercial
 4 operations; therefore, no unmanned aircraft systems are being lawfully deployed for
 5 commercial purposes; and

6 ^{May} ⑧ WHEREAS unmanned aircraft systems present a substantial risk to privacy, but
 7 neither the Federal Aviation Administration nor any other state or federal agency currently
 8 has specific statutory authority to regulate privacy matters relating to unmanned aircraft
 9 systems; and

10 ⑨ WHEREAS the Alaska Center for Unmanned Aircraft Systems Integration at the
 11 University of Alaska Fairbanks is located in an area of geographic and climatic diversity
 12 where the air and surface population density is desirable for conducting research and
 13 development of unmanned aircraft systems; and

14 ⑩ WHEREAS the Federal Aviation Administration currently requires the designation of
 15 one pilot to be in command of an unmanned aircraft system at all times, restricts use of
 16 unmanned aircraft systems by public agencies to conduct routine flights over urban or
 17 populated areas and over heavily trafficked roads or open-air assemblies of people, the
 18 discharge or dropping of objects while in flight, and the operation of unmanned aircraft
 19 systems without the capability of pilot intervention;

⑪ WHEREAS, Alaska's state government and Alaska's business and research community continue to work
 with the Federal Aviation Administration to promote the establishment of safe UAS ranges onshore on
 offshore Alaska, which will help set procedures for the safe UAS use in the National Airspace System.

⑫ WHEREAS, Alaska has the highest per capita use of general aviation activity in our nation, and Alaskan
 aviation organizations have helped the FAA develop the next generation of air traffic control for the
 nation and the world, while making major gains for Alaska's aviation safety in the process; and

~~... Alaska Center for Unmanned Aircraft Systems Integration at the University of Alaska~~
 26 Fairbanks to become one of the nation's six test sites for unmanned aircraft systems testing
 27 and research; and be it

28 ⑮ FURTHER RESOLVED by the Alaska State Legislature that the Task Force on
 29 Unmanned Aircraft Systems is created in the legislative branch and shall consist of 13
 30 members, who, except for the member from the senate and the member from the house of
 31 representatives, shall be appointed jointly by the president of the senate and the speaker of the

1 house of representatives, as follows:

2 (1) one senator selected by the president of the senate, who shall serve as co-
3 chair;

4 (2) one representative selected by the speaker of the house of representatives,
5 who shall serve as co-chair; ^{member} ~~one representative~~ selected by the Governor as a

6 ~~(3)~~ the commissioner of transportation and public facilities or the ^{representative of the administration}
7 commissioner's designee; ^{one member of the Aerospace States Association}

8 ~~(4)~~ the commissioner of public safety or the commissioner's designee;

9 ~~(5)~~ the commissioner of natural resources or the commissioner's designee; ^{one member of the Alaska UAS Interest Group, Dept. of the Interior}

10 (6) one member representing municipal law enforcement;

11 (7) the attorney general or the attorney general's designee;

12 (8) the commissioner of fish and game or the commissioner's designee;

13 (9) the adjutant general of the Department of Military and Veterans' Affairs or
14 the adjunct general's designee;

15 (10) a member representing the Alaska Center for Unmanned Aircraft Systems
16 Integration at University of Alaska Fairbanks;

17 (11) a member of the Academy of Model Aeronautics;

18 (12) a member from the Aviation Advisory Board;

19 (13) a member from the Medallion Foundation; and be it

20 **FURTHER RESOLVED** that a vacancy on the task force shall be filled in the
21 manner of the original appointment; and be it

22 **FURTHER RESOLVED** that the duties of the task force shall include

23 (1) reviewing regulations and guidance from the Federal Aviation
24 Administration regarding unmanned aircraft systems;

25 (2) providing written recommendations, together with suggested legislation,
26 for a comprehensive state policy for unmanned aircraft that protects privacy and allows the
27 use of unmanned aircraft systems for public and private applications; and

28 (3) submitting, not later than January 15, 2014, an initial report to the
29 legislature and, not later than January 15, 2015, submitting a final report to the legislature;
30 and be it

31 **FURTHER RESOLVED** that the task force may meet as frequently as necessary to

1 carry out its responsibilities; and be it

2 **FURTHER RESOLVED** that the task force may meet during and between legislative
3 sessions and may request administrative and technical support from the University of Alaska
4 Fairbanks; and be it

5 **FURTHER RESOLVED** that the public members of the task force serve without
6 compensation but are entitled to per diem and travel expenses authorized for boards and
7 commissions under AS 39.20.180; and be it

8 **FURTHER RESOLVED** that the task force terminates on January 15, 2015.

Ginger Blaisdell

From: Ginger Blaisdell
Sent: Wednesday, March 13, 2013 12:07 PM
To: LAA Legal
Subject: Doug Gardner - unmanned aircraft

So the Speaker does not want a "toothy" bill introduced and wants us to introduce a resolution with the 'findings' and establishing a task force.

LS0639 –

Sec 1 is the "whereas" section:

- (1) **Replace with Ro Bailey's email** "the Alaska Center for Unmanned Aircraft Systems Integration at UAF has been designing payloads and upgrades for unmanned aircraft systems, testing and evaluating their safety and effectiveness, developing new uses, demonstrating these uses for various potential users, working with the FAA for safe use as well as developing technology to improve safety since 2001. The University has become known throughout the country for its leadership in advancing the state of the art and the safe use of UAS. Recently the importance of this work to the State of Alaska was recognized by the Board of Regents who established the Alaska Center for Unmanned Aircraft Systems Integration - Research, Development, Test & Evaluation, hereafter known as ACUASI, to provide this work for the benefit of the entire State of Alaska.
- (2) **Incorporate the following:** UAF is currently researching other technologies being developed and improved for many users including law enforcement, which could potentially use these technologies for a variety of missions including search and rescue, forensic recording of scenes, and surveillance missions similarly to how manned aircraft are used today;
- (3) **Can you reference FAA Rulings in the whereas?** FAA: UAS Interim Operational Approval Guidance 08-01 section 4.1 Certificate of Waiver or Authorization (COA). COAs are granted for a period of one year or less (for the length of use for a specific project) and each project is evaluated on its individual merits. GAO (Government Accountability Office) 12-889T Unmanned Aircraft Systems states that Using UAS for commercial purposes is not currently allowed in the national airspace.
- (4) **Can you reference FAA Rulings in the whereas?** FAA: UAS Interim Operational Approval Guidance 08-01 section 4.1 Certificate of Waiver or Authorization (COA). Requirements and restrictions for use are expressed in section 8.0 Flight Operations.
- (5) **Line 28 following place to protect privacy, ... delete all/replace:** one directive of the task force is to recommend statute, regulation or other policy directives to protect against the gaps currently in FAA rulings regarding privacy protection and law enforcement uses of UAS.
- (6) **New finding insert after (1):**

Identify UAF as the lead in research meeting the goals of industry, FAA and the state. Recognize the benefit for State and historic role by Alaska in aviation pioneering.

- (7) **New finding insert at the end:** UAF receives full support of the legislature in its efforts of application and consideration to be one of the nation's six test sites due to geographic and climactic diversity and the desirable air and surface population density for UAS testing and research.

Remove Sec 2

Task Force membership:

Remove public defender

Remove office of public advocacy

Remove transportation

Remove natural resources

Add one member for one of the departments including DOT, DNR, or DFG

Add Dept of Military and Veterans' Affairs

Add Aviation Advisory Board

Add Medallion Foundation

Add local active member of the Academy of Model Aeronautics

Thank you for all of your work on this
Ginger

*Office of Representative Shelley Hughes
Room 409 State Capitol
Juneau, AK 99811
907-465-5265*

SSH

28-LS0639\U
Gardner/Strasbaugh
3/11/13

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:
Referred:

SOFT

A BILL

FOR AN ACT ENTITLED

1 "An Act restricting the use of unmanned aircraft; establishing a task force to study and
2 provide recommendations on the use of unmanned aircraft systems; and providing for
3 an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 **LEGISLATIVE FINDINGS.** The legislature finds that

8 (1) the Alaska Center for Unmanned Aircraft Systems Integration at
9 University of Alaska Fairbanks has been designing and making control systems for unmanned
10 aircraft systems since 1998 and is a leading research institution at the forefront of developing
11 unmanned aircraft systems as cost-effective and readily available research tools;

12 (2) as the Alaska Center for Unmanned Aircraft Systems Integration at the
13 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
14 for gathering information necessary to protect human life in search and rescue operations,

1 aiding in the management of resources, including marine mammal and fisheries research,
 2 providing humanitarian assistance, providing a platform for scientific research on the Arctic,
 3 and for other private and public sector activities demonstrated by the use of an unmanned
 4 aircraft system by the Alaska Center for Unmanned Aircraft Systems Integration to assist the
 5 United States Coast Guard Cutter Healy and the Russian tanker Renda in delivering fuel to
 6 Nome, Alaska, in 2012;

7 (3) while government agencies, including law enforcement agencies and
 8 universities, may operate unmanned aircraft systems using the FAA Certificate of
 9 Authorization or Waiver process, a civil operator may only operate an unmanned aircraft
 10 system under an FAA Special Airworthiness Certificate for experimental purposes, which
 11 does not provide for commercial operations; therefore, no unmanned aircraft systems are
 12 being lawfully deployed for commercial purposes;

#(4) from Version N to be added

13 (4) the Alaska Center for Unmanned Aircraft Systems Integration at
 14 University of Alaska Fairbanks has demonstrated that unmanned aircraft systems can be
 15 designed and operated for scientific research, saving human lives, and for use as cost-effective
 16 tools for both the public and private sector; however, since unmanned aircraft systems present
 17 a substantial risk to privacy when used by law enforcement for surveillance, and given that
 18 currently neither the FAA nor any other state or federal agency has specific statutory authority
 19 to regulate privacy matters relating to unmanned aircraft systems, the legislature finds that,
 20 until a comprehensive statutory structure can be put in place to protect privacy, controls must
 21 be established to preclude the use of unmanned aircraft systems by law enforcement while
 22 allowing certain uses of unmanned aircraft systems to proceed.

23 * **Sec. 2.** AS 18.65 is amended by adding a new section to read:

24 **Article 4A. Use of Unmanned Aircraft.**

25 **Sec. 18.65.380. Unmanned aircraft.** (a) A peace officer or law enforcement
 26 agency may not use unmanned aircraft, participate in an investigation in which
 27 unmanned aircraft are being used, use information gathered by unmanned aircraft, or
 28 otherwise direct the use of unmanned aircraft, unless an imminent risk of harm to life
 29 or property exists or the use of the unmanned aircraft is specifically authorized in a
 30 search warrant under AS 12.35.

31 (b) In this section, "unmanned aircraft" means an aircraft that is operated

without the possibility of direct human intervention from within or on the aircraft.

* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to read:

UNMANNED AIRCRAFT SYSTEMS TASK FORCE. (a) The Unmanned Aircraft Systems Task Force is created in the legislative branch for the purpose of making recommendations for a statewide comprehensive plan to regulate the use of unmanned aircraft systems for public and private sector purposes.

(b) The task force consists of 10 members who, except for those in (1) and (2) of this subsection, shall be appointed jointly by the president of the senate and the speaker of the house of representatives as follows:

- (1) one senator selected by the president of the senate, who shall serve as co-chair;
- (2) one representative selected by the speaker of the house of representatives, who shall serve as co-chair;
- (3) the commissioner of transportation;
- (4) the commissioner of public safety;
- (5) the commissioner of natural resources;
- (6) one member representing municipal law enforcement;
- (7) the attorney general or the attorney general's designee;
- (8) the public defender or the public defender's designee;
- (9) the office of public advocacy;
- (10) one member representing the Alaska Center for Unmanned Aircraft Systems Integration at University of Alaska Fairbanks.

(c) The task force shall, not later than January 15, 2014, submit an initial report to the legislature, and not later than January 15, 2015, submit a final report to the legislature. The reports must include

- (1) policy options and recommendations to provide for the use of unmanned aircraft systems while protecting privacy when used by law enforcement, and allowing the use of unmanned aircraft systems for other public and private applications;
- (2) recommendations to the legislature and the governor, including draft legislation required to achieve the policy objectives proposed by the task force.

DMVA
Aviation Adv Bd
Av. Coord Council
Aeron
Advs Model Aero
AK local designee

advisor
member
member

testimony
in comments
from
no delays open meetings?
subject to

1 (d) The task force shall meet as frequently as necessary to carry out its
2 responsibilities.

3 (e) The task force may request administrative and technical support from the
4 University of Alaska Fairbanks.

5 (f) Members of the task force shall serve without compensation but are entitled to per
6 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

7 (g) The task force terminates on January 15, 2015.

8 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

28-LS0639\N
Gardner/Strasbaugh
3/12/13

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing a crime for certain uses of unmanned aircraft; restricting the use**
2 **of unmanned aircraft for collection of information or investigation by peace officers;**
3 **establishing a task force to study and provide recommendations on the use of unmanned**
4 **aircraft systems; and providing for an effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
7 to read:

8 **LEGISLATIVE FINDINGS.** The legislature finds that

9 (1) the Alaska Center for Unmanned Aircraft Systems Integration at
10 University of Alaska Fairbanks has been designing and making control systems for unmanned
11 aircraft systems since 1998 and is a leading research institution at the forefront of developing
12 unmanned aircraft systems as cost-effective and readily available research tools;

13 (2) as the Alaska Center for Unmanned Aircraft Systems Integration at the
14 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed

"The"

1 for gathering information necessary to protect human life in search and rescue operations,
2 aiding in the management of resources, including marine mammal and fisheries research,
3 providing humanitarian assistance, providing a platform for scientific research on the Arctic,
4 and for other private and public sector activities demonstrated by the use of an unmanned
5 aircraft system by the Alaska Center for Unmanned Aircraft Systems Integration to assist the
6 United States Coast Guard Cutter Healy and the Russian tanker Renda in delivering fuel to
7 Nome, Alaska, in 2012;

8 (3) while government agencies, including law enforcement agencies and
9 universities, may operate unmanned aircraft systems using the Federal Aviation
10 Administration Certificate of Authorization or Waiver process, a civil operator may only
11 operate an unmanned aircraft system under a Federal Aviation Administration Special
12 Airworthiness Certificate for experimental purposes, which does not provide for commercial
13 operations; therefore, no unmanned aircraft systems are being lawfully deployed for
14 commercial purposes;

15 (4) the Federal Aviation Administration currently requires the designation of
16 one pilot to be in command of an unmanned aircraft system at all times, and restricts the use
17 by public agencies of unmanned aircraft systems to conduct routine flights over urban or
18 populated areas, operations over heavily trafficked roads or open-air assemblies of people,
19 discharge or drop objects while in flight, and operate without the capability of pilot
20 intervention;

21 (5) the Alaska Center for Unmanned Aircraft Systems Integration at
22 University of Alaska Fairbanks has demonstrated that unmanned aircraft systems can be
23 designed and operated for scientific research, saving human lives, and for use as cost-effective
24 tools for both the public and private sector; however, since unmanned aircraft systems present
25 a substantial risk to privacy when used by law enforcement for surveillance, and given that
26 currently neither the Federal Aviation Administration nor any other state or federal agency
27 has specific statutory authority to regulate privacy matters relating to unmanned aircraft
28 systems, the legislature finds that, until a comprehensive statutory structure can be put in
29 place to protect privacy, controls must be established to preclude the use of unmanned aircraft
30 systems by law enforcement while allowing certain uses of unmanned aircraft systems to
31 proceed.

1 * **Sec. 2.** AS 11.61 is amended by adding a new section to read:

2 **Sec. 11.61.260. Unlawful use of unmanned aircraft.** (a) A person commits
3 the crime of unlawful use of an unmanned aircraft if the person knowingly operates an
4 unmanned aircraft in or on the premises of another person or entity for the purpose of
5 acquiring information by the use of a sensing device that is capable of acquiring data
6 from its surroundings, including by a camera, microphone, thermal detector, chemical
7 detector, radiation gauge, and wireless receiver.

8 (b) This section does not apply to the use of an unmanned aircraft to conduct a
9 search

10 (1) under the express terms of a search warrant issued under AS 12.35;

11 (2) in accordance with a judicially recognized exception to the warrant
12 requirement in AS 12.35;

13 (3) to monitor public land or an international border;

14 (4) to monitor private land with the consent of the land owner; or

15 (5) if an imminent risk of harm to life or property exists.

16 (c) In this section, "unmanned aircraft" means an aircraft that is operated
17 without the possibility of direct human intervention from inside or on the aircraft.

18 (d) Property used to aid a violation of (a) of this section may be forfeited to
19 the state upon conviction of the offender.

20 (e) Unlawful use of an unmanned aircraft is a class A misdemeanor.

21 * **Sec. 3.** AS 18.65 is amended by adding a new section to read:

22 **Article 4A. Unmanned Aircraft.**

23 **Sec. 18.65.380. Use of unmanned aircraft in law enforcement.** (a) A peace
24 officer or law enforcement agency may not use unmanned aircraft, participate in an
25 investigation in which unmanned aircraft are being used, use information gathered by
26 unmanned aircraft, or otherwise direct the use of unmanned aircraft.

27 (b) This section does not apply to the use of an unmanned aircraft for a
28 purpose permitted under AS 11.61.260(b).

29 (c) In this section, "unmanned aircraft" means an aircraft that is operated
30 without the possibility of direct human intervention from within or on the aircraft.

31 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 UNMANNED AIRCRAFT SYSTEMS TASK FORCE. (a) The Unmanned Aircraft
3 Systems Task Force is created in the legislative branch for the purpose of making
4 recommendations for a statewide comprehensive plan to regulate the use of unmanned aircraft
5 systems for public and private sector purposes.

6 (b) The task force consists of 10 members who, except for those in (1) and (2) of this
7 subsection, shall be appointed jointly by the president of the senate and the speaker of the
8 house of representatives as follows:

9 (1) one senator selected by the president of the senate, who shall serve as co-
10 chair;

11 (2) one representative selected by the speaker of the house of representatives,
12 who shall serve as co-chair;

13 (3) the commissioner of transportation;

14 (4) the commissioner of public safety;

15 (5) the commissioner of natural resources;

16 (6) one member representing municipal law enforcement;

17 (7) the attorney general or the attorney general's designee;

18 (8) the public defender or the public defender's designee;

19 (9) the office of public advocacy;

20 (10) one member representing the Alaska Center for Unmanned Aircraft
21 Systems Integration at University of Alaska Fairbanks.

22 (c) The task force shall, not later than January 15, 2014, submit an initial report to the
23 legislature, and not later than January 15, 2015, submit a final report to the legislature. The
24 reports must include

25 (1) policy options and recommendations to provide for the use of unmanned
26 aircraft systems while protecting privacy when used by law enforcement, and allowing the use
27 of unmanned aircraft systems for other public and private applications;

28 (2) recommendations to the legislature and the governor, including draft
29 legislation required to achieve the policy objectives proposed by the task force.

30 (d) The task force shall meet as frequently as necessary to carry out its
31 responsibilities.

1 (e) The task force may request administrative and technical support from the
2 University of Alaska Fairbanks.

3 (f) Members of the task force shall serve without compensation but are entitled to per
4 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

5 (g) The task force terminates on January 15, 2015.

6 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).

DOT funding
might be available for
task force ??

Joint Project
- SDMI Statewide Digital
Mapping Initiative

- Safety ... ? (project)

FAA = no allowance
for model aircraft to
use UA as a "tool."
business

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act restricting the use of unmanned aircraft; establishing a task force to study and**
2 **provide recommendations on the use of unmanned aircraft systems; and providing for**
3 **an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 **LEGISLATIVE FINDINGS.** The legislature finds that

8 (1) the Alaska Center for Unmanned Aircraft Systems Integration at
9 University of Alaska Fairbanks has been designing and making control systems for unmanned
10 aircraft systems since 1998 and is a leading research institution at the forefront of developing
11 unmanned aircraft systems as cost-effective and readily available research tools;

12 (2) as the Alaska Center for Unmanned Aircraft Systems Integration at the
13 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
14 for gathering information necessary to protect human life in search and rescue operations,

1 aiding in the management of resources, including marine mammal and fisheries research,
2 providing humanitarian assistance, providing a platform for scientific research on the Arctic,
3 and for other private and public sector activities demonstrated by the use of an unmanned
4 aircraft system by the Alaska Center for Unmanned Aircraft Systems Integration to assist the
5 United States Coast Guard Cutter Healy and the Russian tanker Renda in delivering fuel to
6 Nome, Alaska, in 2012;

7 (3) while government agencies, including law enforcement agencies and
8 universities, may operate unmanned aircraft systems using the Federal Aviation
9 Administration Certificate of Authorization or Waiver process, a civil operator may only
10 operate an unmanned aircraft system under a Federal Aviation Administration Special
11 Airworthiness Certificate for experimental purposes, which does not provide for commercial
12 operations; therefore, no unmanned aircraft systems are being lawfully deployed for
13 commercial purposes;

14 (4) the Federal Aviation Administration currently requires the designation of
15 one pilot to be in command of an unmanned aircraft system at all times, restricts the use by
16 public agencies of unmanned aircraft systems to conduct routine flights over urban or
17 populated areas, operations over heavily trafficked roads or open-air assemblies of people,
18 discharge or drop objects while in flight, and restricts operation of unmanned aircraft systems
19 without the capability of pilot intervention;

20 (5) the Alaska Center for Unmanned Aircraft Systems Integration at
21 University of Alaska Fairbanks has demonstrated that unmanned aircraft systems can be
22 designed and operated for scientific research, saving human lives, and for use as cost-effective
23 tools for both the public and private sector; however, since unmanned aircraft systems present
24 a substantial risk to privacy when used by law enforcement for surveillance, and given that
25 currently neither the Federal Aviation Administration nor any other state or federal agency
26 has specific statutory authority to regulate privacy matters relating to unmanned aircraft
27 systems, the legislature finds that, until a comprehensive statutory structure can be put in
28 place to protect privacy, controls must be established to preclude the use of unmanned aircraft
29 systems by law enforcement while allowing certain uses of unmanned aircraft systems to
30 proceed.

31 * **Sec. 2.** AS 18.65 is amended by adding a new section to read:

1 **Article 4A. Use of Unmanned Aircraft.**

2 **Sec. 18.65.380. Unmanned aircraft.** (a) A peace officer or law enforcement
3 agency may not use unmanned aircraft, participate in an investigation in which
4 unmanned aircraft are being used, use information gathered by unmanned aircraft, or
5 otherwise direct the use of unmanned aircraft, unless an imminent risk of harm to life
6 or property exists or the use of the unmanned aircraft is specifically authorized in a
7 search warrant under AS 12.35.

8 (b) In this section, "unmanned aircraft" means an aircraft that is operated
9 without the possibility of direct human intervention from within or on the aircraft.

10 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 **UNMANNED AIRCRAFT SYSTEMS TASK FORCE.** (a) The Unmanned Aircraft
13 Systems Task Force is created in the legislative branch for the purpose of making
14 recommendations for a statewide comprehensive plan to regulate the use of unmanned aircraft
15 systems for public and private sector purposes.

16 (b) The task force consists of 10 members who, except for those in (1) and (2) of this
17 subsection, shall be appointed jointly by the president of the senate and the speaker of the
18 house of representatives as follows:

19 (1) one senator selected by the president of the senate, who shall serve as co-
20 chair;

21 (2) one representative selected by the speaker of the house of representatives,
22 who shall serve as co-chair;

23 (3) the commissioner of transportation and public facilities;

24 (4) the commissioner of public safety;

25 (5) the commissioner of natural resources;

26 (6) one member representing municipal law enforcement;

27 (7) the attorney general or the attorney general's designee;

28 (8) the public defender or the public defender's designee;

29 (9) the office of public advocacy;

30 (10) one member representing the Alaska Center for Unmanned Aircraft
31 Systems Integration at University of Alaska Fairbanks.

1 (c) The task force shall, not later than January 15, 2014, submit an initial report to the
2 legislature, and not later than January 15, 2015, submit a final report to the legislature. The
3 reports must include

4 (1) policy options and recommendations to provide for the use of unmanned
5 aircraft systems while protecting privacy when used by law enforcement, and allowing the use
6 of unmanned aircraft systems for other public and private applications;

7 (2) recommendations to the legislature and the governor, including draft
8 legislation required to achieve the policy objectives proposed by the task force.

9 (d) The task force shall meet as frequently as necessary to carry out its
10 responsibilities.

11 (e) The task force may request administrative and technical support from the
12 University of Alaska Fairbanks.

13 (f) Members of the task force shall serve without compensation but are entitled to per
14 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

15 (g) The task force terminates on January 15, 2015.

16 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act restricting the use of unmanned aircraft; establishing a task force to study and**
2 **provide recommendations on the use of unmanned aircraft systems; and providing for**
3 **an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 **LEGISLATIVE FINDINGS.** The legislature finds that

8 (1) the Alaska Center for Unmanned Aircraft Systems Integration at
9 University of Alaska Fairbanks has been designing and making control systems for unmanned
10 aircraft systems since 1998 and is a leading research institution at the forefront of developing
11 unmanned aircraft systems as cost-effective and readily available research tools;

12 (2) as the Alaska Center for Unmanned Aircraft Systems Integration at the
13 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
14 for gathering information necessary to protect human life in search and rescue operations,

1 aiding in the management of resources, including marine mammal and fisheries research,
2 providing humanitarian assistance, providing a platform for scientific research on the Arctic,
3 and for other private and public sector activities demonstrated by the use of an unmanned
4 aircraft system by the Alaska Center for Unmanned Aircraft Systems Integration to assist the
5 United States Coast Guard Cutter Healy and the Russian tanker Renda in delivering fuel to
6 Nome, Alaska, in 2012;

7 (3) while government agencies, including law enforcement agencies and
8 universities, may operate unmanned aircraft systems using the FAA Certificate of
9 Authorization or Waiver process, a civil operator may only operate an unmanned aircraft
10 system under an FAA Special Airworthiness Certificate for experimental purposes, which
11 does not provide for commercial operations; therefore, no unmanned aircraft systems are
12 being lawfully deployed for commercial purposes;

13 (4) the Alaska Center for Unmanned Aircraft Systems Integration at
14 University of Alaska Fairbanks has demonstrated that unmanned aircraft systems can be
15 designed and operated for scientific research, saving human lives, and for use as cost-effective
16 tools for both the public and private sector; however, since unmanned aircraft systems present
17 a substantial risk to privacy when used by law enforcement for surveillance, and given that
18 currently neither the FAA nor any other state or federal agency has specific statutory authority
19 to regulate privacy matters relating to unmanned aircraft systems, the legislature finds that,
20 until a comprehensive statutory structure can be put in place to protect privacy, controls must
21 be established to preclude the use of unmanned aircraft systems by law enforcement while
22 allowing certain uses of unmanned aircraft systems to proceed.

23 * **Sec. 2.** AS 18.65 is amended by adding a new section to read:

24 **Article 4A. Use of Unmanned Aircraft.**

25 **Sec. 18.65.380. Unmanned aircraft.** (a) A peace officer or law enforcement
26 agency may not use unmanned aircraft, participate in an investigation in which
27 unmanned aircraft are being used, use information gathered by unmanned aircraft, or
28 otherwise direct the use of unmanned aircraft, unless an imminent risk of harm to life
29 or property exists or the use of the unmanned aircraft is specifically authorized in a
30 search warrant under AS 12.35.

31 (b) In this section, "unmanned aircraft" means an aircraft that is operated

1 without the possibility of direct human intervention from within or on the aircraft.

2 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 UNMANNED AIRCRAFT SYSTEMS TASK FORCE. (a) The Unmanned Aircraft
5 Systems Task Force is created in the legislative branch for the purpose of making
6 recommendations for a statewide comprehensive plan to regulate the use of unmanned aircraft
7 systems for public and private sector purposes.

8 (b) The task force consists of 10 members who, except for those in (1) and (2) of this
9 subsection, shall be appointed jointly by the president of the senate and the speaker of the
10 house of representatives as follows:

11 (1) one senator selected by the president of the senate, who shall serve as co-
12 chair;

13 (2) one representative selected by the speaker of the house of representatives,
14 who shall serve as co-chair;

15 (3) the commissioner of transportation;

16 (4) the commissioner of public safety;

17 (5) the commissioner of natural resources;

18 (6) one member representing municipal law enforcement;

19 (7) the attorney general or the attorney general's designee;

20 (8) the public defender or the public defender's designee;

21 (9) the office of public advocacy;

22 (10) one member representing the Alaska Center for Unmanned Aircraft
23 Systems Integration at University of Alaska Fairbanks.

24 (c) The task force shall, not later than January 15, 2014, submit an initial report to the
25 legislature, and not later than January 15, 2015, submit a final report to the legislature. The
26 reports must include

27 (1) policy options and recommendations to provide for the use of unmanned
28 aircraft systems while protecting privacy when used by law enforcement, and allowing the use
29 of unmanned aircraft systems for other public and private applications;

30 (2) recommendations to the legislature and the governor, including draft
31 legislation required to achieve the policy objectives proposed by the task force.

1 (d) The task force shall meet as frequently as necessary to carry out its
2 responsibilities.

3 (e) The task force may request administrative and technical support from the
4 University of Alaska Fairbanks.

5 (f) Members of the task force shall serve without compensation but are entitled to per
6 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

7 (g) The task force terminates on January 15, 2015.

8 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act restricting the use of unmanned aircraft; establishing a task force to study and**
2 **provide recommendations on the use of unmanned aircraft systems; and providing for**
3 **an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 LEGISLATIVE FINDINGS. The legislature finds that

8 (1) the Alaska Center for Unmanned Aircraft Systems Integration at
9 University of Alaska Fairbanks has been designing and making control systems for unmanned
10 aircraft systems since 1998 and is a leading research institution at the forefront of developing
11 unmanned aircraft systems as cost-effective and readily available research tools;

12 (2) as the Alaska Center for Unmanned Aircraft Systems Integration at the
13 University of Alaska Fairbanks has demonstrated, unmanned aircraft systems can be designed
14 for gathering information necessary to protect human life in search and rescue operations,

1 aiding in the management of resources, including marine mammal and fisheries research,
2 providing humanitarian assistance, providing a platform for scientific research on the Arctic,
3 and for other private and public sector activities demonstrated by the use of an unmanned
4 aircraft system by the Alaska Center for Unmanned Aircraft Systems Integration to assist the
5 United States Coast Guard Cutter Healy and the Russian tanker Renda in delivering fuel to
6 Nome, Alaska, in 2012;

7 (3) in addition to research applications, unmanned aircraft systems, commonly
8 referred to as "drones," which vary in size from four inches to a full-sized aircraft, have the
9 capability to use global positioning, forward-looking infrared technology, and high resolution
10 cameras, all of which are being developed and improved for use by law enforcement agencies
11 to perform surveillance as technology rapidly advances;

12 (4) the Alaska Center for Unmanned Aircraft Systems Integration at
13 University of Alaska Fairbanks has demonstrated that unmanned aircraft systems can be
14 designed and operated for scientific research, saving human lives, and for use as cost-effective
15 tools for both the public and private sector; however, since unmanned aircraft systems present
16 a substantial risk to privacy when used by law enforcement for surveillance, and given the
17 current lack of controls in place to protect privacy, the legislature finds that, until a
18 comprehensive statutory structure can be put in place with input from all user groups affected
19 by unmanned aircraft systems, to protect privacy, controls must be established to preclude the
20 use of unmanned aircraft systems by law enforcement while allowing certain uses of
21 unmanned aircraft systems to proceed.

22 * **Sec. 2.** AS 18.65 is amended by adding a new section to read:

23 **Article 4A. Use of Unmanned Aircraft.**

24 **Sec. 18.65.380. Unmanned aircraft.** (a) A peace officer or law enforcement
25 agency may not use unmanned aircraft, participate in an investigation in which
26 unmanned aircraft are being used, use information gathered by unmanned aircraft, or
27 otherwise direct the use of unmanned aircraft, unless an imminent risk of harm to life
28 or property exists or the use of the unmanned aircraft is specifically authorized in a
29 search warrant under AS 12.35.

30 (b) In this section, "unmanned aircraft" means an aircraft that is operated
31 without the possibility of direct human intervention from within or on the aircraft.

1 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 UNMANNED AIRCRAFT SYSTEMS TASK FORCE. (a) The Unmanned Aircraft
4 Systems Task Force is created in the legislative branch for the purpose of making
5 recommendations for a statewide comprehensive plan to regulate the use of unmanned aircraft
6 systems for public and private sector purposes.

7 (b) The task force consists of 10 members who, except for those in (1) and (2) of this
8 subsection, shall be appointed jointly by the president of the senate and the speaker of the
9 house of representatives as follows:

10 (1) one senator selected by the president of the senate, who shall serve as co-
11 chair;

12 (2) one representative selected by the speaker of the house of representatives,
13 who shall serve as co-chair;

14 (3) the commissioner of transportation;

15 (4) the commissioner of public safety;

16 (5) the commissioner of natural resources;

17 (6) one member representing municipal law enforcement;

18 (7) the attorney general or the attorney general's designee;

19 (8) the public defender or the public defender's designee;

20 (9) the office of public advocacy;

21 (10) one member representing the Alaska Center for Unmanned Aircraft
22 Systems Integration at University of Alaska Fairbanks.

23 (c) The task force shall, not later than January 15, 2014, submit an initial report to the
24 legislature and the governor, and not later than January 15, 2015, submit a final report to the
25 governor. The reports must include

26 (1) policy options and recommendations to provide for the use of unmanned
27 aircraft systems while protecting privacy when used by law enforcement, and allowing the use
28 of unmanned aircraft systems for other public and private applications;

29 (2) recommendations to the legislature and the governor, including draft
30 legislation required to achieve the policy objectives proposed by the task force.

31 (d) The task force shall meet as frequently as necessary to carry out its

1 responsibilities.

2 (e) The task force may request administrative and technical support from the
3 University of Alaska Fairbanks.

4 (f) Members of the task force shall serve without compensation but are entitled to per
5 diem and travel expenses authorized for boards and commissions under AS 39.20.180.

6 (g) The task force terminates on January 15, 2015.

7 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).

Be it enacted by the General Assembly of Virginia:

1. *No state or local agency or organization having jurisdiction over criminal law enforcement or regulatory violations, including but not limited to the Department of State Police, and no department of law enforcement as defined in § 15.2-836 of the Code of Virginia of any county, city, or town shall utilize an unmanned aircraft system before July 1, 2015.*
2. *Notwithstanding the prohibition in this section, an unmanned aircraft system may be deployed before July 1, 2015, when an Amber Alert is activated pursuant to § 52-34.3 of the Code of Virginia, when a Senior Alert is activated pursuant to § 52-34.6 of the Code of Virginia, when a Blue Alert is activated pursuant to § 52-34.9 of the Code of Virginia, or for the purpose of a search and rescue operation. In no case may a weaponized unmanned aircraft system be deployed or its use facilitated by a state or local agency in Virginia.*
3. *The prohibitions in this section shall not apply to the Virginia National Guard while utilizing unmanned aircraft systems during training required to maintain readiness for its federal mission, when facilitating training for other United States Department of Defense units, or when such systems are utilized to support the Commonwealth for purposes other than law enforcement, including damage assessment, traffic assessment, flood stages, and wildfire assessment.*

I would like the bill to:

- identify UAF as the lead agency in the research, operation and management of drone (UAS) technology for the State of Alaska (and the USA)
- place a moratorium on law enforcement to utilize UAS technology for discovering but would authorize use in the event of life and safety as part of the investigation of an event that has already occurred and must only be used in conjunction with a warrant
- any information gathered by a drone that is not specifically related to the project contract or warrant may not be used for law enforcement purposes
- prohibition for using any type of weapon using UAS technology for the duration of this moratorium excluding controlled testing as managed by UAF or the US Military in pre-established sites
- The UAS operation has to comply with FAA regulation
- Requires UAF approval/oversight for UAS purchase/use by any governmental agency
- Require a report to the legislature on July 1 and first day of legislative session. One legislator from each body assigned by Speaker and President will receive informal updates of UAS use.

Findings:

Drones can be as small as 4 inches in size (infrared technology seeing through walls) and as large as a full-sized aircraft; they are both gas and electric powered with newer technologies begin developed. UAS must follow the requirement for marine mammal harassment agreement for aircraft to limit noise UAF has been using UAS for more than ten years for humanitarian purposes
Economic development – the work by UAF seeks to bring a new industry to Alaska an benefitting existing industry such as fishing, safety, government data collection efforts, NOAA,
Laws of privacy already presumed for UAS use
Manned aircraft by law enforcement has been clearly defined and tried in court
The value of unmanned aircraft for dirty, dull or dangerous jobs saves lives while providing invaluable services to Alaska's citizens.

Non-government commercial use is banned by FAA regulations

Laws and regulations already exist regarding the collection of biometric data whether by human or technology (sight doctrine and warrants)

FAA has published RC guidelines that differentiates recreational use from UAS or manned aircraft.

- **Do not** include physical operation of UAS such as “no-fly” area or altitudes... this is taken care of by FAA and could change through research conducted by UAF
- **Do not** include private use of RC users because it is already governed by personal privacy laws
- Indiscriminant killing VS discriminant killing statement made in WA state went viral
-

Ginger Blaisdell

From: Rep. Shelley Hughes
Sent: Friday, February 15, 2013 12:24 PM
To: Ginger Blaisdell
Subject: FW: Alaska drones

What do you think? May be too "out there" - but then again, setting parameters pro-actively can sometimes be a good idea. My one hesitation is that the technology could possibly be developed for good purposes. Aerial infrared photos that we saw in Energy Comm showing heat loss from building come to mind.

Shelley Hughes
Representative
Alaska State Legislature
House District 8 - Greater Palmer
State Capitol Room 409
Juneau, Alaska 99801
(907) 465-3743
1-800-565-3743

-----Original Message-----

From: George Sahlstrom [<mailto:gsahlstrom@me.com>]
Sent: Friday, February 15, 2013 6:57 AM
To: Rep. Shelley Hughes
Subject: Alaska drones

Dear Rep. Hughes,

There is an area of privacy that I am concerned about, especially the recent trend to use unmanned drone aircraft for domestic surveillance (see: <http://www.washingtonguardian.com/drones-home>). I really don't want this country to become a police-state, and feel like we need to take heed lest our freedoms slowly slip away. I see in the news (<http://www.usnews.com/news/articles/2013/02/05/city-in-virginia-becomes-first-to-pass-anti-drone-legislation->) where a local jurisdiction has made an effort to ban the use of drones, or at least evidence obtained by them from court. This is probably really off the wall, but could it be time for us as a state to ban their use by local law enforcement?

George Sahlstrom
Palmer, AK
907-982-8480

*I like Virginia's
language that it is
for 2 years but drones
can be used for
life health & safety.*

CITY OF CHARLOTTESVILLE,
VIRGINIA CITY COUNCIL AGENDA



Agenda Date:	February 4, 2012
Action Required:	Vote on Resolution
Presenter:	Maurice Jones
Staff Contacts:	Maurice Jones
Title:	Anti-Drone Legislation

Background:

Council requested that this be added to an agenda after a group of citizens spoke in support of passing an anti-drone resolution at the Council meeting on January 22, 2013.

A resolution was also submitted to Council by the Rutherford Institute on January 21, 2013.

Discussion:

Council received an email from David Swanson, as well as a proposed resolution

Attachments:

Email from David Swanson
Proposed Anti-Drone Resolution from David Swanson
Proposed Resolution from Rutherford Institute

ATTACHMENT

A New Model Drone Resolution

By David Swanson

<http://warisacrime.org/content/new-model-drone-resolution>

In the absence of state or federal laws, localities around the United States are proceeding to put unmanned aerial vehicles in our skies as they see fit. The federal government has authorized the flight of 30,000 drones, and the use of drones up to 400 feet by police departments, at least 300 of which already have surveillance drones in operation.

Concerns include the following: drones can crash into airplanes, buildings, and each other; drones can fall out of the sky; drones can produce noise pollution; drones can produce visual pollution if put to the same use that everything from brick walls to urinals has been put to, viz. advertising; drones can be used to spy on us whether by private or public entities; police surveillance with drones will violate our Fourth Amendment rights as all existing technologies are currently used to do; police forces that view the public as their enemy will deploy drones armed with rubber bullets, tear gas, or other weapons; and ultimately a program run by the U.S. military and the CIA that has targeted and murdered three U.S. citizens that we know of, along with thousands of other men, women, and children, may eventually find it acceptable to include U.S. soil in its otherwise unlimited field of operations.

Contrary concerns over banning or restricting drones include these: drones could conceivably be put to positive or non-offensive use by departments fighting forest fires, first responders in rural areas, farmers, artistic photographers, real estate agents, tourism offices, and hobbyists; states and localities are limited in their control of air space by federal law.

Few if any localities have thus far made their desires known or created ordinances to regulate the use of drones, but state legislatures, including the General Assembly here in Virginia, are taking up bills. With the City of Charlottesville, where I live, planning to address the issue on February 19th, I've taken a look at (and plagiarized liberally from) numerous draft resolutions, including those from several cities that are now considering taking action: Berkeley, Buffalo, Madison, Ft. Wayne, et alia, as well as a draft resolution from anti-drone activist Nick Mottern, and one from the Rutherford Institute. The result is the following draft resolution that I offer for consideration, comment, and modification:

DRAFT ANTI-DRONE RESOLUTION
(submitted by David Swanson)

WHEREAS, United States airspace is the busiest in the world, with up to 87,000 flights per day;
WHEREAS, unmanned aircraft (drones) have an accident rate seven times higher than general aviation and 353 times higher than commercial aviation;

WHEREAS, the Federal Aviation Administration Modernization and Reform Act of 2012 directs the FAA to create regulations that will enable drones to fly throughout U.S. airspace by September, 2015;

WHEREAS, small drones, 25 pounds or under, are now permitted to fly in general airspace below 400 feet for the use of police and first responders, with FAA permission;

WHEREAS, drones do not have the same capability to avoid other aircraft as aircraft piloted by humans;

WHEREAS, drones have at times gotten out of human control, in at least one instance having to be shot down, and drones are susceptible to electronic interference and having control seized electronically by unauthorized operators;

WHEREAS, drones can be used to film individuals or groups around the clock, in public spaces and through the windows of private homes, and to continuously monitor cell-phone and text messaging;

WHEREAS, drones are being developed that will use computerized facial images to target individuals and, once launched, to operate, autonomously, without further human involvement, to locate and kill those individuals;

WHEREAS, Vanguard Defense Industries has confirmed that its Shadowhawk drone, which is already being sold to law enforcement agencies throughout the country, will be outfitted with weapons, including a grenade launcher or a shotgun, tear gas, and rubber buckshot, and such aerial police weapons send a clear and chilling message to those attempting to exercise their First Amendment rights by taking to the streets and protesting government policies --the message: stay home;

WHEREAS, the rapid implementation of drone technology throughout the United States poses a serious threat to the privacy and constitutional rights of the American people, including the residents of Charlottesville;

WHEREAS, the federal government and the Commonwealth of Virginia have thus far failed to provide reasonable legal restrictions on the use of drones within the United States;

WHEREAS, police departments throughout the country have begun implementing drone technology absent any guidance or guidelines from law makers;

WHEREAS, the federal use of drones provides a poor precedent for their domestic use, drone wars having turned public opinion in Yemen and Pakistan dramatically against the U.S. government, drone strikes having killed far more non-targeted people than those targeted, targeted victims having included men, women, and children known by name and unknown, no targeted individual having been charged with any crime, no legislative or judicial or public oversight having been permitted, "double-tap" strikes having been used to target rescuers of

victims of previous strikes, children and adults having been traumatized by the presence of drones, over a million people having fled their homes in heavily droned areas, drones having killed Americans in accidental "friendly fire," drone operators having been targeted and killed on a base in Afghanistan, drone pilots having suffered post-traumatic stress disorder at a higher rate than other pilots as a result of watching families for long periods of time before killing them, and drones having proved a tremendously costly expense for taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Charlottesville, Virginia, calls on the United States Congress and the General Assembly of the Commonwealth of Virginia, to adopt legislation prohibiting the use of drones for surveillance, and prohibiting information obtained from the domestic use of drones from being introduced into a Federal or State court, and precluding the domestic use of drones equipped with anti-personnel devices, meaning any projectile, chemical, electrical, directed-energy (visible or invisible), or other device designed to harm, incapacitate, or otherwise negatively impact a human being.

BE IT FURTHER RESOLVED, that the City Council of Charlottesville, Virginia, calls on the U.S. government to immediately end its practice of extrajudicial killing, whether by drone or any other means.

BE IT FURTHER RESOLVED, that the City Council of Charlottesville, Virginia, declares Charlottesville a No Drone Zone, and instructs the City Attorney to perform the necessary legal tasks to transform this declaration into an Ordinance wherein drones are hereby banned from airspace over the City of Charlottesville, including drones in transit, to the extent compatible with federal law.

BE IT FURTHER RESOLVED, that violation of the ordinance shall be considered a misdemeanor carrying a maximum penalty of up to one year in jail and a fine not to exceed \$10,000, and each offense that is more than one offense of flying a drone within said airspace will be considered to be an additional misdemeanor, with jail time and fines based on the number of violations.

BE IT FURTHER RESOLVED, that exemptions will be made for hobbyists to fly remote controlled model aircraft and other unmanned aerial vehicles in specified areas, away from dwellings and the urban cityscape of people and buildings as long as those devices are not equipped to monitor any person or private residence or equipped with any weapon.

BE IT FURTHER RESOLVED, that drones will not be purchased, leased, borrowed, tested, contracted or otherwise used by any agency of the City of Charlottesville.

A RESOLUTION
(submitted by Rutherford Institute)

To encourage the General Assembly of Virginia to provide for limitations on the use of evidence obtained from the domestic use of drones and to preclude the domestic use of drones equipped with anti-personnel devices.

WHEREAS, the rapid implementation of drone technology throughout the United States poses a serious threat to the privacy and constitutional rights of the American people, including the residents of Charlottesville; and

WHEREAS, the federal government and the Commonwealth of Virginia have thus far failed to provide reasonable legal restrictions on the use of drones within the United States; and

WHEREAS, police departments throughout the country have begun implementing drone technology absent any guidance or guidelines from law makers;

NOW, THEREFORE, LET IT BE RESOLVED, that the City Council of Charlottesville, Virginia, calls on the United States Congress and the General Assembly of the Commonwealth of Virginia, to adopt legislation prohibiting information obtained from the domestic use of drones from being introduced into a Federal or State court, and precluding the domestic use of drones equipped with anti-personnel devices, meaning any projectile, chemical, electrical, directed-energy (visible or invisible), or other device designed to harm, incapacitate, or otherwise negatively impact a human being.

Freedom from Drone Surveillance Resolution

January 2013

While there are at least 63 active drone sites around the U.S.,¹ the Obama administration is calling for drone technology to be integrated into the national air space by 2015.² By 2020, just seven short years from now, it is estimated that at least 30,000 of these drones will be crisscrossing the nation's skies, serving a wide range of functions, both public and private, governmental and corporate. We will find ourselves operating under a new paradigm marked by round-the-clock surveillance and with little hope of real privacy.³

The Problem of Increasing Drone Surveillance

The legislative vehicle for this rapid transition into a surveillance state came in the guise of the Federal Aviation Administration (FAA) reauthorization bill signed into law by President Obama in February 2012.⁴ It was enacted after intense corporate lobbying by drone makers and potential customers hoping to capitalize on the \$12 - 30 billion per year industry.⁵

Drones will undoubtedly be put to a host of legitimate uses, such as helping to spot wildfires, monitoring illegal border crossings, and carrying out search-and-rescue missions; however, in the name of alleged efficiency and cost-effectiveness, law enforcement agencies will find a whole host of clever and innovative ways to use drones to invade our daily lives, not the least of which will be traffic enforcement and crowd control.

While the threat these drones pose to privacy is unprecedented, they are being unleashed on the American populace before any real protocols to protect our privacy rights have been put in place and in such a way as to completely alter the landscape of our lives and our freedoms. We are truly entering a new era. Drones are equipped with thermal imaging devices to see through walls⁶ and outfitted with infrared cameras and radar⁷ which allow the police to keep track of anyone walking around, regardless of the nature of their business.

¹ Julian Gavaghan, "Is there a drone in your neighbourhood? Rise of spy planes exposed after FAA is forced to reveal 63 launch sites across U.S.," *Daily Mail* (April 24, 2012), <http://www.dailymail.co.uk/news/article-2134376/Is-drone-neighbourhood-Rise-killer-spy-planes-exposed-FAA-forced-reveal-63-launch-sites-U-S.html#ixzz1tNpEUKcu>.

² See http://www.huffingtonpost.com/2012/02/15/obama-signs-bill-moderniz_0_n_1278594.html.

³ See generally,

https://www.rutherford.org/publications_resources/john_whiteheads_commentary/the_empire_strikes_back_attack_of_the_dr_ones; https://www.rutherford.org/publications_resources/john_whiteheads_commentary/the_drone-ification_of_america.

⁴ See http://www.huffingtonpost.com/2012/02/15/obama-signs-bill-moderniz_0_n_1278594.html.

⁵ Market Research, "Robotics: Technologies and Global Markets." Last modified July 1, 2011. Accessed April 26, 2012. <http://www.marketresearch.com/BCC-Research-v374/Robotics-Technologies-Global-6481848/>.

⁶ See <http://www.theblaze.com/stories/want-to-see-the-aerial-drone-police-could-soon-deploy-in-your-town/>.

⁷ See http://articles.nydailynews.com/2009-10-23/news/17936654_1_international-maritime-bureau-somali-coast-drones.

This Resolution Will Encourage State and Federal Lawmakers To:

➤ **Protect Privacy Rights**

- With the help of nanotechnology, scientists have been able to create ever-smaller drones that mimic the behavior of birds and insects and are almost undetectable.⁸ Despite their diminutive size, these drones are capable of capturing and relaying vast amounts of data and high-definition video footage. It is inevitable that as more local police agencies acquire these spy flies, their surveillance efforts will expand to include not only those suspected of criminal activity but anyone within range of the cameras. In such a surveillance state, we shall all be treated as suspects.
- An agency with the Department of Defense is working on turning insects into living unmanned aerial vehicles (UAVs or “cybugs”). By expanding upon the insects’ natural abilities (e.g., bees’ olfactory abilities being utilized for bomb detection, etc.), government agents hope to use these spy bugs to surreptitiously gather vast quantities of information. Researchers eventually hope to outfit June beetles with tiny backpacks complete with various detection devices, microphones, and cameras. These devices could be powered by the very energy produced by the bugs beating their wings, or the heat they give off while in flight.⁹ There have already been reported sightings of dragonfly-like robotic drones monitoring protesters aerially in Washington, DC, as early as 2007.

➤ **Protect People’s First Amendment Rights**

- Drones will be outfitted with crowd control weapons. Vanguard Defense Industries has confirmed that its Shadowhawk drone, which is already being sold to law enforcement agencies throughout the country, will be outfitted with lethal weapons, including a grenade launcher or a shotgun, and weapons of compliance, such as tear gas¹⁰ and rubber buckshot.¹¹ Such aerial police weapons send a clear and chilling message to those attempting to exercise their First Amendment rights by taking to the streets and protesting government policies—the message: stay home.

➤ **Protect against Fourth Amendment Violations**

- There are many constitutional concerns presented by drones recording Americans’ daily activities, with the most obvious being what it means for the Fourth Amendment protection against unreasonable searches and seizures by government agents. While it will certainly give rise to a whole new dialogue about where to draw the line when it comes to the government’s ability to monitor one’s public versus private life, the courts

⁸ Elisabeth Bumiller and Thom Shanker, “War Evolves With Drones, Some Tiny as Bugs,” *NY Times* (June 19, 2011), http://www.nytimes.com/2011/06/20/world/20drones.html?_r=1.

⁹ Allison Barrie, “June Beetles Conscripted Into Cyborg Army,” *FOX News*, (January 5, 2012), <http://www.foxnews.com/tech/2012/01/05/june-beetles-conscripted-into-cyborg-army/>.

¹⁰ Morley, Jefferson. “Drones for “urban warfare”.” *Salon*, April 24, 2012. http://www.salon.com/2012/04/24/drones_for_urban_warfare/singleton/ (accessed April 26, 2012).

¹¹ Morley, Jefferson. “The drones are coming — to America.” *Salon*, April 10, 2012. http://www.salon.com/2012/04/10/the_drones_are_coming_to_america/singleton/ (accessed April 26, 2012).

have been notorious for their inability to keep pace with rapid advances in technology and its impact on our freedoms.

- With 56 government agencies now authorized to use drones, including 22 law enforcement agencies and 24 universities, the drones are not going away.¹² Included among the institutions authorized to fly drones are police departments in Arkansas, Utah and Florida¹³ as well as Virginia Tech and the University of North Dakota. The University of North Dakota even has a degree program in unmanned vehicle flight with 78 majors.¹⁴

¹² Morley, Jefferson. "Drones for "urban warfare"." *Salon*, April 24, 2012.

http://www.salon.com/2012/04/24/drones_for_urban_warfare/singleton/ (accessed April 26, 2012).

¹³ Singer, P.W. "We, Robot." *Slate*, May 19, 2010.

http://www.slate.com/articles/news_and_politics/war_stories/2010/05/we_robot.single.html (accessed April 26, 2012).

¹⁴ Pasztor, Andy. "Drone Use Takes Off on the Home Front." *Wall Street Journal*, April 21, 2012.

http://online.wsj.com/article_email/SB10001424052702304331204577354331959335276-1MyQjAxMTAyMDEwOTExNDkyWj.html?mod=wsj_share_email_bot (accessed April 26, 2012).

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January 21, 2013

Mayor Satyendra Singh Huja
Charlottesville City Council
Box 911, City Hall
Charlottesville, VA 22902

Re: Model Resolution to Protect Privacy in the Age of Drone Technology

Dear Mayor Huja:

The FAA Reauthorization Act, signed into law by President Obama in February 2012, has opened the door for unmanned aerial vehicles—commonly known as drones—to take to the skies over America. Once confined to the battlefields over Iraq and Afghanistan, these drones are now set to patrol the skies over our homeland. The Obama administration is calling for drone technology to be integrated into the national air space by 2015.¹ By 2020, just seven short years from now, it is estimated that at least 30,000 drones will be airborne, serving a wide range of functions, both public and private, governmental and corporate.

The Rutherford Institute² has been particularly vocal in warning against the unprecedented privacy and civil liberties threats posed by allowing drones to take to the skies domestically,³ particularly when it comes to drones recording Americans' daily activities. Unfortunately, these drones—airial, robotic threats to privacy and security—are being unleashed on the American populace before any real protocols to protect our privacy rights have been put in place and in such a way as to completely alter the landscape of our lives and our freedoms.

A recent editorial in *The Daily Progress* highlighted the pressing privacy concerns posed by drones, citing legislation put forth by Virginia State Senator Frank Ruff, which is intended to protect citizens engaged in hunting on their private property

¹ http://www.huffingtonpost.com/2012/02/15/obama-signs-bill-moderniz_0_n_1278594.html.

² The Rutherford Institute is a non-profit civil liberties organization that provides free legal representation to individuals whose civil rights are threatened or infringed.

³ HB 1160, <http://lis.virginia.gov/cgi-bin/legp604.exe?121+ful+HB1160ER+pdf>.

from drone surveillance by other private citizens.⁴ This legislation is far too narrow in scope to have any serious impact on the widespread threat to privacy and civil liberties posed by drone technology, but it also proves that now is the time to start debating the matter and working to safeguard citizens from the prying eyes of this futuristic surveillance technology. I would also caution against providing law enforcement officials with greater leeway to use drones conditioned only on their first acquiring a court-issued warrant.

In the past, Charlottesville City Council has taken the lead in condemning various government policies which threaten the livelihood of all Americans, including the residents of Charlottesville. For example, in July 2003 the Council passed a resolution expressing opposition to the USA PATRIOT Act, the federal law which formed the basis for the rapid erosion of our civil liberties in the post-9/11 era.⁵ Just a year ago, in January 2012, the Council passed a resolution expressing opposition to a potential war against Iran in addition to calling for the cessation of ongoing military conflicts abroad which redirect precious tax dollars away from our floundering economy.⁶ Most recently, in May 2012, City Council recognized the injustice and inefficiencies of our nation's current drug policy, and so passed a resolution⁷ encouraging the Commonwealth of Virginia to consider regulating marijuana in the same manner as alcohol.

Now City Council has another chance to take the lead in expressing its concern about the rapid implementation of drone technology across the United States. It is our hope that you not only give serious consideration to the dangers posed to our freedoms by these aerial devices but ensure that the people of Charlottesville are protected against any resulting incursions on their rights as protected under the U.S. Constitution. To that end, I am submitting to you a model resolution to encourage the Commonwealth of Virginia to take rapid action in regulating this technology and to prevent law enforcement agencies from employing drones equipped with anti-personnel devices and from using evidence gathered via drone surveillance technology in court. These two prohibitions will surely be a strong first step in securing our constitutional rights against potential violations by government agents utilizing this new technology. Also included is a concise factsheet explaining the gravity of the situation and why this model resolution is the best approach.

As Congressmen Edward Markey (D – MA) and Joe Barton (R – TX) pointed out in a letter to the Federal Aviation Administration (FAA) concerning the widespread implementation of drone technology in America:

⁴ "Drones: We need broad protections," *The Daily Progress*, (January 15, 2013), http://www.dailyprogress.com/opinion/editorials/article_2592fab0-5e8c-11e2-9bd3-001a4bcf6878.html.

⁵ Christine Wallace, "City Council rebukes Patriot Act in resolution," *Cavalier Daily*, (July 24, 2003), <http://www.cavalierdaily.com/article/2003/07/city-council-rebukes-patriot-act-in-resolution/>.

⁶ David Swanson, "Charlottesville, Va., City Council Passes Resolution Opposing War on Iran," *War is a Crime*, (January 17, 2012), <http://warisacrime.org/content/charlottesville-va-city-council-passes-resolution-opposing-war-iran>.

⁷ Graham Moomaw, "Charlottesville council OKs marijuana resolution," *The Daily Progress*, (May 7, 2012), http://www.dailyprogress.com/news/article_b9f9a423-f85a-5279-ba50-ab906c3015ac.html.

Many drones are designed to carry surveillance equipment, including video cameras, infrared thermal imagers, radar, and wireless network “sniffers.” The surveillance power of drones is amplified when the information from onboard sensors is used in conjunction with facial recognition, behavior analysis, license plate recognition, or any other system that can identify and track individuals as they go about their daily lives.⁸

While drones will undoubtedly be put to some legitimate uses, such as helping to spot wildfires and carrying out search-and-rescue missions, their “beneficence” is a double-edged sword. Indeed, without proper safeguards, rules, and regulations, law enforcement agencies will find a whole host of clever and innovative ways to use drones to invade our daily lives and wreak havoc on our freedoms.

Undoubtedly, these devices, which are capable of videotaping the facial expressions of people on the ground from hundreds of feet in the air, will usher in a new age of surveillance in our society. No person, whether he is at a political rally, exiting a house of worship, or simply walking around downtown, will be safe from the prying eyes of these devices, some of which are deceptively small and agile as a bee.⁹ Moreover, not even those indoors, in the privacy of their homes, will be safe from these aerial spies, which can be equipped with technology capable of peering through walls.¹⁰

Equally troubling, these devices, which are used for bombing campaigns abroad, will also be equipped with anti-personnel weapons for use domestically. Drone manufacturers have confirmed that they can be equipped with automatic weapons, grenade launchers, rubber buckshot,¹¹ tear gas¹² and tasers. These devices will place a whole new spin on the aggressive police activities witnessed across the nation during the Occupy Wall Street protests in late 2011.¹³

⁸ Congressmen Edward Markey and Joe Barton, Letter to FAA Administrator Michael P. Huerta (April 19, 2012), <http://markey.house.gov/sites/markey.house.gov/files/documents/4-19-12.Letter%20FAA%20Drones%20.pdf>.

⁹ Video: “Pop-up Fabrication of the Harvard Monolithic Bee (Mabee),” *NY Daily News*, (November 17, 2011), <http://youtu.be/VxSs1kGZQqc?hd=1&t=3m50s>.

¹⁰ Malou Innocent and Medea Benjamin, “Look up in the sky and see a drone,” (June 17, 2012), http://articles.nydailynews.com/2012-06-17/news/32285738_1_drones-unmanned-aerial-vehicles-faa.

¹¹ Morley, Jefferson. “The drones are coming — to America.” *Salon*, April 10, 2012. http://www.salon.com/2012/04/10/the_drones_are_coming_to_america/singleton/ (accessed April 26, 2012).

¹² Morley, Jefferson. “Drones for “urban warfare”.” *Salon*, April 24, 2012. http://www.salon.com/2012/04/24/drones_for_urban_warfare/singleton/ (accessed April 26, 2012).

¹³ Conor Friedersdorf, “14 Specific Allegations of NYPD Brutality During Occupy Wall Street,” *The Atlantic*, (July 25, 2012), <http://www.theatlantic.com/politics/archive/2012/07/14-specific-allegations-of-nypd-brutality-during-occupy-wall-street/260295/>.

Aside from the very serious and grave implications for privacy and civil liberties, there are also a number of safety issues involved with drone technology, with the paramount concern being that drones have a history of malfunctioning mid-air. As David Zucchino reported in the *Los Angeles Times*, "The U.S. military often portrays its drone aircraft as high-tech marvels that can be operated seamlessly from thousands of miles away. But Pentagon accident reports reveal that the pilotless aircraft suffer from frequent system failures, computer glitches and human error."¹⁴

There's also the problem of drones being hacked into and potentially hijacked. In 2009, it was discovered that Shiite insurgents had hacked into Predator drones with a software program that cost only \$26 and gained access to video footage shot by American spy planes.¹⁵ One can only imagine what a technically proficient hacker in America might be able to do with the wealth of information he could potentially access from these drones, not to mention what a terrorist could do with a fully armed remote-controlled guided missile, which is what drones really happen to be.

Clearly, the present rapid adoption of drone technology before properly vetting the safety, privacy, and civil liberties issues involved can only be a disaster for the American people. Moreover, the potential for abuse by government agents of drone technology is high. At the very least, if the use of these machines by local police agencies is not regulated immediately, the First and Fourth Amendment rights of Charlottesville residents *will* suffer.¹⁶

Many local police departments throughout the country, including in Florida,¹⁷ California, and Washington,¹⁸ have already begun implementing drone technology, often without regulation or oversight. In response, ten state legislatures are in the process of considering legal limitations on the use of drone technology within their borders.¹⁹ By preemptively resolving to prevent local police agencies from spying on or harassing the residents of Charlottesville with drone technology, Charlottesville City Council will

¹⁴ Zucchino, David. "War zone drone crashes add up." *Los Angeles Times*, July 6, 2010. <http://articles.latimes.com/print/2010/jul/06/world/la-fg-drone-crashes-20100706>.

¹⁵ Gorman, Dreazan, and Cole, Siobhan, Yochi, and August. "Insurgents Hack U.S. Drones." *The Wall Street Journal*, December 17, 2009 <http://online.wsj.com/article/SB126102247889095011.html> (accessed April 20, 2011).

¹⁶ See generally,

https://www.rutherford.org/publications_resources/john_whiteheads_commentary/the_empire_strikes_back_attack_of_the_drones;

https://www.rutherford.org/publications_resources/john_whiteheads_commentary/the_drone-ification_of_america.

¹⁷ Dan Tracy, "Sheriff's Office wants to fly drones over Orange County skies," *Orlando Sentinel*, (January 12, 2013), <http://www.orlandosentinel.com/news/local/breakingnews/os-drones-sheriff-orange-20130112,0,4271383.story>.

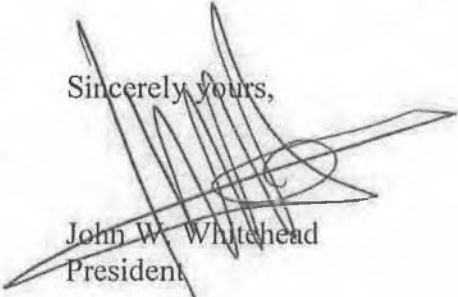
¹⁸ Ali Winston, "Drone Surveillance May Be Unconstitutional," *East Bay Express*, (January 2, 2013), <http://www.eastbayexpress.com/ebx/drone-surveillance-may-be-unconstitutional/Content?oid=3426632>.

¹⁹ Dan Tracy, "Sheriff's Office wants to fly drones over Orange County skies," *Orlando Sentinel*, (January 12, 2013), <http://www.orlandosentinel.com/news/local/breakingnews/os-drones-sheriff-orange-20130112,0,4271383.story>.

demonstrate that it is ahead of the curve in protecting the basic rights of the citizens it has been elected to serve.

Without a doubt, drone technology poses serious risks to Americans. It is our hope that you will send a strong message that the people of Charlottesville will not stand idly by as their basic civil liberties are threatened by an ever growing surveillance state. It is imperative that you and the members of the Charlottesville City Council adopt this resolution, assuring the citizens of Charlottesville that you intend to secure their privacy, safety, and civil liberties against those who would jeopardize them for the sake of expedience, economy and security.

Sincerely yours,



John W. Whitehead
President

Enclosures: Model "Freedom from Drone Surveillance Resolution"
"Freedom from Drone Surveillance Resolution" Fact Sheet

Cc: Timothy Longo, Charlottesville Chief of Police