

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILLS NOS. 619 & 118

94TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, May 8, 2007, with recommendation that the Senate Committee Substitute do pass.

1486S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 41, RSMo, by adding thereto one new section relating to the civil air patrol.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 41, RSMo, is amended by adding thereto one new

2 section, to be known as section 41.970, to read as follows:

41.970. 1. As used in this section the following terms shall mean:

2 **(1) "Civil air patrol", the civilian auxiliary of the United States**
3 **Air Force established by the United States Congress in 36 U.S.C. Section**
4 **40301 et seq. and 10 U.S.C. Section 9441 et seq. Civil air patrol missions**
5 **include search and rescue, disaster relief, and aerial reconnaissance;**

6 **(2) "Office of air search and rescue", as established by section**
7 **41.960, within military division of the executive department, office of**
8 **adjutant general, the wing commander of Missouri wing, civil air**
9 **patrol; Missouri wing emergency service personnel; and others as**
10 **necessary for duties assigned to the office.**

11 **2. The civil air patrol may be used to support national guard**
12 **missions in support of civil authorities or in support of noncombatant**
13 **national guard missions, and to support state agencies under**
14 **memorandums of understanding (MOU) or agreements established**
15 **between the agencies and the civil air patrol.**

16 **3. Requests for activation or support of the civil air patrol shall**
17 **be made to the commander of the Missouri wing of the civil air**
18 **patrol. Missions shall be in accordance with laws and regulations**
19 **applicable to the United States Air Force and the civil air patrol. Prior**

20 to activation of the civil air patrol, the adjutant general or the Missouri
21 civil air patrol wing commander shall apply to the Air Force Rescue
22 Coordination Center, the Air Force National Security Emergency
23 Preparedness Agency, or the civil air patrol national operations center
24 for federal mission status and funding.

25 4. If an operation or mission of the civil air patrol is granted
26 funded federal mission status and assigned an accompanying federal
27 mission number, the following shall apply:

28 (1) The operation or mission shall be funded by the federal
29 government;

30 (2) When training or operating under a federal mission number,
31 the members of the civil air patrol shall be considered federal
32 employees for the purposes of tort claims and workers' compensation
33 arising from the performance of the mission or any actions incident to
34 the performance of the mission.

35 5. If an operation or mission of the civil air patrol is not granted
36 federal mission status and is not assigned an accompanying federal
37 mission number, the following shall apply:

38 (1) Except for missions and operations supporting the office of
39 adjutant general, all requests for activation and authorization for any
40 mission or operation of the civil air patrol on behalf of state agencies
41 shall first be approved by the department director of the requesting
42 agency, the adjutant general and the commissioner of administration;

43 (2) Operations and administration of the civil air patrol relating
44 to missions within the state and for state agencies not qualifying for
45 funded federal mission status shall be funded by the state from moneys
46 appropriated to the requesting state agency for that purpose;

47 (3) When performing a mission within the state and for state
48 agencies that do not qualify for funded federal mission status, members
49 of the civil air patrol shall be considered state employees for purposes
50 of the state legal expense fund as provided under section 105.711,
51 RSMo, and for purposes of workers' compensation coverage, as
52 provided under section 105.810, RSMo;

53 (4) The procedures in this section apply to any civil air patrol
54 personnel and aircraft from any state that are flying or otherwise
55 supporting missions for Missouri state agencies;

56 (5) Notwithstanding the provisions of this section to the

57 **contrary, emergency operations or missions as determined by the**
58 **commander of the Missouri wing of the civil air patrol and approved by**
59 **the adjutant general may be conducted pending funding authorization**
60 **for federal, state, or other sources.**

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