

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 619 & 118

94TH GENERAL ASSEMBLY

Reported from the Special Committee on Homeland Security March 13, 2007 with recommendation that House Committee Substitute for House Bill Nos. 619 & 118 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 27, 2007 with recommendation that House Committee Substitute for House Bill Nos. 619 & 118 Do Pass.

Taken up for Perfection April 4, 2007. House Committee Substitute for House Bill Nos. 619 & 118 ordered Perfected and printed.

D. ADAM CRUMBLISS, Chief Clerk

1486L.02P

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 section, to be
2 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 Air Force
3 established by the United States Congress in 36 U.S.C. Section 40301 et seq. and 10 U.S.C.
4 Section 9441 et seq. Civil air patrol missions include search and rescue, disaster relief, and
5 aerial reconnaissance;

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

10 2. The civil air patrol may be used to support national guard missions in support
11 of civil authorities or in support of noncombatant national guard missions, and to support

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 state agencies under memorandums of understanding (MOU) or agreements established
13 between the agencies and the civil air patrol.

14 **3. Requests for activation or support of the civil air patrol shall be made to the**
15 **commander of the Missouri wing of the civil air patrol. Missions shall be in accordance**
16 **with laws and regulations applicable to the United States Air Force and the civil air patrol.**
17 **Prior to activation of the civil air patrol, the adjutant general or the Missouri civil air**
18 **patrol wing commander shall apply to the Air Force Rescue Coordination Center, the Air**
19 **Force National Security Emergency Preparedness agency, or the civil air patrol national**
20 **operations center for federal mission status and funding.**

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

23 **(1) The operation or mission shall be funded by the federal government;**

24 **(2) When training or operating under a federal mission number, the members of**
25 **the civil air patrol shall be considered federal employees for the purposes of tort claims and**
26 **workers' compensation arising from the performance of the mission or any actions incident**
27 **to the performance of the mission.**

28 **5. If an operation or mission of the civil air patrol is not granted federal mission**
29 **status and is not assigned an accompanying federal mission number, the following shall**
30 **apply:**

31 **(1) Operations and administration of the civil air patrol relating to missions within**
32 **the state and for state agencies not qualifying for funded federal mission status shall be**
33 **funded by the state from moneys appropriated to the requesting state agency for that**
34 **purpose;**

35 **(2) When performing a mission within the state and for state agencies that does not**
36 **qualify for funded federal mission status, members of the civil air patrol shall be**
37 **considered state employees for purposes of tort claims as provided in chapter 537, RSMo,**
38 **and for purposes of workers' compensation, as provided in chapter 287, RSMo;**

39 **(3) The procedures in this section apply to any civil air patrol personnel and**
40 **aircraft from any state that are flying or otherwise supporting missions for Missouri state**
41 **agencies;**

42 **(4) Emergency operations or missions as determined by the commander of the**
43 **Missouri wing of the civil air patrol in coordination with the adjutant general may be**
44 **conducted pending funding authorization for federal, state, or other sources.**

✓