

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 619 & 118
94TH GENERAL ASSEMBLY

1486S.03T

2007

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) Except for missions and operations supporting the department of public safety
32 or the office of adjutant general, all requests for activation and authorization for any
33 mission or operation of the civil air patrol on behalf of state agencies shall first be
34 approved by the department director of the requesting agency, the adjutant general and
35 the commissioner of administration;

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

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

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

48 (5) Notwithstanding the provisions of this section to the contrary, emergency
49 operations or missions as determined by the commander of the Missouri wing of the civil
50 air patrol and approved by the adjutant general may be conducted pending funding
51 authorization for federal, state, or other sources.

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