

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 280

BY SENATORS BOSO AND WELD

[Introduced February 14, 2017; Referred
to the Committee on Military; and then to the
Committee on Government Organization]

1 A BILL to repeal §29-2A-3a of the Code of West Virginia, 1931, as amended; and to amend said
2 code by adding thereto a new article, designated §15-1K-1 and §15-1K-2, all relating to
3 the Civil Air Patrol.

Be it enacted by the Legislature of West Virginia:

1 That §29-2A-3a of the Code of West Virginia, 1931, as amended, be repealed; and that
2 said code be amended by adding thereto a new article, designated §15-1K-1 and §15-1K-2, all to
3 read as follows:

ARTICLE 1K. CIVIL AIR PATROL.

§15-1K-1. Legislative findings and intent.

1 The Civil Air Patrol is the congressionally chartered official auxiliary of the United States
2 Air Force. It performs three congressionally assigned key missions: emergency services, which
3 includes search and rescue (by air and ground) and disaster relief operations; aerospace
4 education for youth and the general public; and cadet programs for teenage youth. In addition,
5 the Civil Air Patrol is tasked with homeland security and other missions. The Civil Air Patrol also
6 performs nonauxiliary missions for various federal and state governmental and private agencies,
7 such as the West Virginia Army and Air National Guard, State Division of Homeland Security and
8 Emergency Management, the Division of Forestry, local law enforcement, the Federal Emergency
9 Management Agency and the American Red Cross. The West Virginia Wing of the Civil Air Patrol,
10 is organized, equipped, governed, administered and trained in accordance with the rules and
11 regulations of the United States Air Force and the Civil Air Patrol. The West Virginia Wing of the
12 Civil Air Patrol has air and ground assets located throughout the state, as well as highly-trained
13 aircrews, ground search crews and other mission support personnel who perform, as unpaid
14 professionals, valuable emergency services missions for the citizens of West Virginia.
15 Additionally, the West Virginia Wing of the Civil Air Patrol, through its missions of aerospace
16 education and cadet programs, is instrumental in developing West Virginia's youth to be the
17 leaders of the future. In light of the invaluable services provided by the West Virginia Wing of the

18 Civil Air Patrol to the state, it is the intent of the Legislature to provide financial and other support
19 to the West Virginia Wing of the Civil Air Patrol so that it can continue to train and equip itself and
20 its unpaid personnel to perform these valuable missions for the citizens of the state.

§15-1K-2. Duties of the West Virginia Wing of the Civil Air Patrol.

1 (a) Due to the nature of its congressionally assigned key missions and nonassigned
2 missions, the West Virginia Wing of the Civil Air Patrol shall be administered by the Adjutant
3 General and the Adjutant General's department in accordance with applicable state, federal and
4 Civil Air Patrol regulations.

5 (b) The West Virginia Wing of the Civil Air Patrol, in addition to all other powers and
6 functions authorized by law, may expend state funds:

7 (1) For educational and training purposes of the civil air patrol, including, but not limited
8 to, the purchase of civil air patrol aviation, homeland security, and emergency services education
9 training aid books, materials and equipment;

10 (2) To defray maintenance, repair and replacement costs of civil air patrol aircraft, motor
11 vehicles, and other homeland security and emergency services equipment;

12 (3) To purchase and obtain supplies and equipment for the civil air patrol; and

13 (4) To maintain the communications network for the civil air patrol and to integrate it with
14 other state communications networks.

15 (b) Funds specifically appropriated by the Legislature for the purposes specified in
16 subsection (a) of this section may be expended by the West Virginia Wing of the Civil Air Patrol
17 and may be expended for no other purposes.

NOTE: The purpose of this bill is to move the association of the Civil Air Patrol from the Aeronautics Commission and realign it under the Military Forces of the state because one of the Civil Air Patrol's primary missions is the provision of emergency services, including aerial and ground search and rescue operations, homeland security operations and disaster relief operations.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.