S T A T E O F N E W Y O R K

3060

2009-2010 Regular Sessions

I N S E N A T E

March 10, 2009

Introduced by Sens. SEWARD, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT in relation to creating a state civil air patrol board

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited and referred to as the "New York state civil air patrol act".

S 2. Declaration of purposes and findings. The legislature finds and declares that by act of the eightieth congress (Public Law 557) the civil air patrol was designated as the civilian auxiliary of the United States air force; that the secretary of said air force was authorized to direct the civil air patrol to perform certain non-combatant flying missions in the interest of national defense and the public welfare; that civil air patrol volunteers fly approximately seventy-eight percent of the total hours and continental limits of the United States (and all search and rescue missions in the state of New York); that in addition to its search and rescue operations, ground observer corps missions, and radar flight tests, the civil air patrol engages in missions involving the patrol of forests, pipelines, flooded areas and other disaster areas, and in the transportation of critical parts and supplies; that the civil air patrol is engaged in the pre-flight training of fourteen to eighteen year old boys and girls; that the New York wing of civil air patrol has at its disposal hundreds of trained and licensed aeroplane pilots and observers as well as hundreds of privately-owned and government "on loan" aircraft, as well as communication facilities, power plants and mobile equipment, together with a trained staff of communication personnel; that the services and equipment of the New York wing of civil air patrol have been and are available for use by the state of New York in missions assisting civil defense and any other mission in the interest of the public safety, health and general welfare and should be utilized to their maximum extent; that the utilization of the trained

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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manpower and equipment of civil air patrol will provide the people of the state of New York, at a nominal cost, with forest fire protection, disaster relief service, guaranteed communications, air to ground and ground to air, and aircraft emergency assistance for all state agencies; that the maximum use by the state of New York of the facilities of civil air patrol will encourage its cadet training program; that action by the legislature to utilize the civil air patrol and its vast manpower and equipment is declared to be necessary.

S 3. State civil air patrol board established. There is hereby created and established in the state emergency management office in the executive department a state agency to be known as the New York state civil air patrol board.

S 4. Organization. 1. The state civil air patrol board shall consist of seven ex-officio members and three members appointed by the governor. The ex-officio members shall be as follows: the director of the state emergency management office, the adjutant general of the state of New York, as an additional duty of his or her office; and five members of the civil air patrol, New York wing, appointed by the director of the state emergency management office and three other members shall be appointed by the governor of New York state. The chair of the board shall be ex-officio the wing commander of the New York wing of civil air patrol. The members of said board appointed by the governor shall serve for terms of two years from and after their appointment or until their successors are duly appointed and qualified. The governor shall fill all vacancies occurring in the appointive members of said board. The governor may, however, at his or her pleasure, remove any member of said board appointed by him or her.

2. The members of the board shall serve without compensation.

3. The board shall employ such clerical, technical and supervisory assistants as it deems necessary to carry out the provisions of this act and to procure the most efficient use of the equipment and services of the civil air patrol.

4. The board shall meet at such times as the chair may direct. If the chair is unable to discharge the duties of his or her office, the vice-chair shall discharge such duties. A majority of the members of the board shall constitute a quorum.

S 5. Functions, powers and duties of the board. The state civil air patrol board shall be authorized and empowered to:

1. Make such reasonable rules and regulations as may be necessary for the proper operation of the said agency.

2. Cooperate with agencies established by or pursuant to laws of the United States and of the state of New York to promote the state defense effort and to provide to any state agency communications, rescue work, mercy missions, aerial observation or any other function within the scope and activity of the civil air patrol.

3. To have all other powers which may be reasonably implied from the granting of express powers herein, together with such other powers as may be incident to or necessary for the carrying out and the performance of the powers and duties herein given to said board.

4. Report to the governor and to the legislature concerning its activities at least once a year and whenever requested.

S 6. This act shall take effect immediately.