

SENATE BILL REPORT

SB 5636

As Reported by Senate Committee On:
Government Operations & Elections, February 19, 2009

Title: An act relating to authorizing the civil air patrol to conduct homeland security, disaster relief, and search and rescue operations under the governance of the Washington state patrol.

Brief Description: Authorizing the civil air patrol to assist the state in homeland security, disaster relief, and search and rescue operations. [Revised for 1st Substitute: Creating a trust account on behalf of the Washington wing of the civil air patrol.]

Sponsors: Senators Swecker, Hobbs, Haugen, Morton, Benton, Honeyford, Stevens, McCaslin and Roach.

Brief History:

Committee Activity: Government Operations & Elections: 2/12/09, 2/19/09 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5636 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Benton, McDermott, Pridemore and Swecker.

Staff: Edward Redmond (786-7471)

Background: The Civil Air Patrol (CAP) was established in 1941, one week before the attack on Pearl Harbor. CAP's heroic feats during WWII includes flying over 24 million miles and finding over 173 enemy U-boats off the coast of the United States. The United States Air Force (USAF) designated CAP as its official civilian auxiliary in 1948, one year after USAF was established as an independent armed service. The United States Congress has charged CAP with three missions, the primary being emergency services. CAP currently assists local authorities by providing airborne imagery and communications support for counterdrug, homeland security, and disaster operations.

The Washington State Department of Transportation (WSDOT) Air Search/Aviation Emergency Services program is tasked with the responsibility of managing all air search and rescue operations within the state. The Washington Wing Civil Air Patrol (WWCAP) works in close coordination with WSDOT to assist in disaster relief efforts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): The Washington State Patrol (WSP) may receive donations, including gifts, grants, and endowments from public or private sources, for the use and benefit of WWCAP. The Washington Wing of the Civil Air Patrol Account (Account) is established under the custody of the State Treasurer. All monies received on behalf of the WWCAP must be deposited in the Account. The WSP chief or chief's designee must disburse donated funds to WWCAP for the following purposes: purchasing equipment; conducting search and rescue missions; and training and education.

The title of the bill is amended in order to clarify confusing language, which made it appear as though the Washington State Patrol would have governing authority over WWCAP. The new title accurately captures the bill's intent to create a trust account on behalf of WWCAP.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Substitute): Amends the title of the bill in order to clarify confusing language, which made it appear as though the Washington State Patrol would have governing authority over WWCAP. The new title accurately captures the bill's intent to create a trust account on behalf of WWCAP.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony as Heard in Committee: PRO: In addition to providing emergency services, CAP also provides education and training through the aerospace and cadet programs. As the civilian auxiliary of USAF, CAP is able to utilize USAF's satellite digital imaging system to support local law force agencies. CAP is a volunteer organization and, consequently, has a lot of expenses that are not covered through federal funding. This bill will help to relieve financial stress at the wing level, so that CAP can continue to effectively provide ground search and rescue, flood and disaster relief, and homeland security.

CON: The proposal to task CAP with homeland security, disaster assessment, and search and rescue for the state will diminish and confuse state assets that are currently in place. Favoring one volunteer organization as proposed by this bill will only lead to confusion over jurisdiction among the state agencies involved. This bill will lead to a lessening of our state's ability to meet our responsibilities in times of emergency.

Persons Testifying: PRO: Steve Carmick, Civil Air Patrol; Jonathan Shea, Civil Air Patrol.

CON: Tom Jensen, Washington Air Search and Rescue.