

Senate Bill No. 603

(By Senators Wells, Yost, Barnes, Edgell, Green,
Boley, Jenkins, Laird, Williams, Unger and Klempa)

[Introduced February 15, 2012; referred to
the Committee on Military.]

A BILL to amend and reenact §15-1H-2 and §15-1H-4 of the Code of West Virginia, 1931, as amended, all relating to public safety; and authorizing the Adjutant General to establish an entity to operate morale, welfare and recreation facilities within the state and to use funds for that purpose.

Be it enacted by the Legislature of West Virginia:

That §15-1H-2 and §15-1H-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

ARTICLE 1H. MORALE, WELFARE AND RECREATION FACILITIES.

§15-1H-2. Morale, welfare and recreation facilities; nonappropriated fund instrumentalities.

1 (a) The Adjutant General is authorized to establish
2 morale, welfare and recreation facilities ~~upon Camp Dawson~~
3 within the state as in his or her judgment may be necessary
4 and proper for military purposes.

5 (b) Notwithstanding any other provision of this code to
6 the contrary, the Adjutant General is authorized to establish
7 a nonappropriated fund instrumentality for the purpose of
8 operating the morale, welfare and recreation facilities.

9 (c) A nonappropriated fund instrumentality established
10 under this section may:

11 (1) Contract for goods and services;

12 (2) Hire employees under terms and conditions as it may
13 negotiate, subject only to applicable state and federal labor
14 laws; ~~and~~

15 (3) Establish a system of bookkeeping, accounting and
16 auditing procedures for the proper handling of funds derived
17 from its operations; and

18 (4) Perform any other action necessary to establish a
19 board, corporation or other entity for the purpose of operat-
20 ing the morale, welfare and recreation facilities.

21 (d) A nonappropriated fund instrumentality established
22 under this section is solely responsible for its operations. No

23 debt of the nonappropriated fund instrumentality is a debt
24 of the state. No action of the nonappropriated fund instru-
25 mentality is an action of the state, nor does it obligate the
26 state in any manner.

§15-1H-4. Use of funds.

1 All proceeds derived from the operation of the morale,
2 welfare and recreation facilities on Camp Dawson shall,
3 after the payment of operating expenses, notwithstanding
4 any provision of this code to the contrary, be used exclu-
5 sively ~~for the improvement of Camp Dawson~~ to benefit any
6 morale, welfare and recreation facilities established pursu-
7 ant to this section.

(NOTE: The purpose of this bill is to authorize the Adjutant General to establish an entity to operate morale, welfare and recreation facilities within the state and to use funds for that purpose.)

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)