

Effective 7/1/2014

Chapter 9
State Morale, Welfare, and Recreation Program

39-9-101 Title -- Program established.

- (1) This chapter is known as the "State Morale, Welfare, and Recreation Program."
- (2) The adjutant general is authorized to establish a Utah National Guard Morale, Welfare, and Recreation Program to serve members of the military, eligible dependents, and others as set out in Section 39-9-103.

Enacted by Chapter 122, 2014 General Session

39-9-102 Definitions.

For purposes of this chapter:

- (1) "Dependent" means the spouse or children of a person eligible to use the program and facilities in accordance with Section 39-9-103.
- (2) "MWR" means morale, welfare, and recreation.
- (3) "MWR facility" means any Utah National Guard facility located on a Department of Defense or Utah National Guard installation or on property controlled by the Department of Defense or the Utah National Guard, the purpose of which is to enhance MWR for authorized patrons.

Enacted by Chapter 122, 2014 General Session

39-9-103 Eligibility and facilities.

- (1) Use of the MWR program and facilities is limited to:
 - (a) active and reserve component members of the Utah National Guard and armed forces of the United States;
 - (b) persons retired from the armed forces of the United States;
 - (c) civilian employees of the Utah National Guard;
 - (d) dependents of authorized persons in Subsections (1)(a) through (c);
 - (e) contracted employees of the Utah National Guard while working on-site or conducting business on National Guard property; and
 - (f) sponsored persons when personally accompanied by a sponsor who is an eligible patron as described in this section.
- (2) MWR facilities include any of the following, even if the shop, building, or parcel is only partially used for MWR purposes:
 - (a) post or base exchange;
 - (b) canteen or service club;
 - (c) barber shop;
 - (d) fitness center;
 - (e) snack bar;
 - (f) restaurant;
 - (g) billeting operation;
 - (h) laundry facility;
 - (i) range;
 - (j) swimming pool; or

- (k) any other shop, building, or parcel that meets the definition of MWR facility in Section 39-9-102.
- (3) The adjutant general shall, by regulation, determine specific use priorities when MWR facilities cannot accommodate all authorized patrons.

Enacted by Chapter 122, 2014 General Session

39-9-104 Administration of MWR Program.

- (1) The adjutant general may authorize the program to:
 - (a) contract for goods and services;
 - (b) hire employees; and
 - (c) receive funds from patrons in exchange for goods or services provided within the program.
- (2) The adjutant general is authorized to establish MWR facilities throughout the state that, in the adjutant general's judgment, are necessary for military purposes.
- (3) The adjutant general shall promulgate regulations to govern the operation of the program.
- (4) The adjutant general may appoint a director for the program.
- (5) The adjutant general shall establish a system of bookkeeping, accounting, and auditing procedures for the proper handling of funds derived from the program's operations.
- (6) The program may use State Armory Board-controlled properties, provided:
 - (a) the use incurs no more than nominal cost to the state; or
 - (b) any costs to the state above nominal associated with the use are reimbursed to the state by the program.

Enacted by Chapter 122, 2014 General Session

39-9-105 National Guard MWR Fund -- Proceeds.

- (1) There is created an expendable special revenue fund known as the National Guard MWR Fund.
- (2) The fund shall consist of:
 - (a) all proceeds collected under this chapter;
 - (b) donations made to the National Guard MWR Program; and
 - (c) any appropriations to the program by the Legislature.
- (3) Money from the fund shall be used for the enhancement of morale, welfare, and recreation, and the administration of the program under this chapter, including paying the costs of:
 - (a) salaries of program employees;
 - (b) public liability insurance, when needed;
 - (c) the adjutant general's Outreach Program;
 - (d) the State Partnership Program; and
 - (e) any other expenses considered necessary in furtherance of the program by the adjutant general or the adjutant general's designee.

Enacted by Chapter 122, 2014 General Session

39-9-106 Risk management.

- (1) The program shall be eligible to participate in the state risk management pool.
- (2) The program shall procure separate insurance policies to cover liability associated with activities and operations not otherwise covered in the state risk management pool or by the Division of Risk Management.

Enacted by Chapter 122, 2014 General Session

39-9-107 Equipment rentals and sales of food and beverage.

Equipment rental and food and beverage sales shall be made in accordance with applicable state and federal law.

Enacted by Chapter 122, 2014 General Session