

HB0059S01 compared with HB0059

~~text~~ shows text that was in HB0059 but was deleted in HB0059S01.

text shows text that was not in HB0059 but was inserted into HB0059S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Val L. Peterson proposes the following substitute bill:

NATIONAL GUARD PROGRAM AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes the Utah National Guard Morale, Welfare, and Recreation Program.

Highlighted Provisions:

This bill:

- ▶ authorizes the establishment of a state Morale, Welfare, and Recreation Program for the Utah National Guard;
- ▶ defines terms;
- ▶ specifies who is entitled to use the program;
- ▶ requires the adjutant general to set requirements and parameters for the program;~~text~~
and
- ▶ allows the use of State Armory Board properties for the program~~text~~; and

HB0059S01 compared with HB0059

► creates an expendable special revenue fund for money generated by the program.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

39-9-101, Utah Code Annotated 1953

39-9-102, Utah Code Annotated 1953

39-9-103, Utah Code Annotated 1953

39-9-104, Utah Code Annotated 1953

39-9-105, Utah Code Annotated 1953

39-9-106, Utah Code Annotated 1953

39-9-107, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **39-9-101** is enacted to read:

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.

Section 2. Section **39-9-102** is enacted to read:

39-9-102. Definitions.

For purposes of this chapter:

(1) "Dependent" ~~has the same meaning as in Section 39-7-102~~ 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

HB0059S01 compared with HB0059

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.

Section 3. Section **39-9-103** is enacted to read:

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

~~(j)~~ **(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.

HB0059S01 compared with HB0059

Section 4. Section **39-9-104** is enacted to read:

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 ~~as~~ that, in the adjutant general's judgment ~~is~~, 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.

Section 5. Section **39-9-105** is enacted to read:

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

(1) There is created ~~a restricted account within the General Fund~~ an expendable special revenue fund known as the National Guard MWR Fund.

(2) The ~~National Guard MWR Fund~~ fund shall consist of:

(a) all ~~fees~~ proceeds collected under this chapter;

(b) donations made to the National Guard MWR Program; and

(~~b~~c) any appropriations to the program by the Legislature.

(3) ~~Upon appropriation by the Legislature, money~~ Money from the ~~account~~ fund shall be used for the enhancement of morale, welfare, and recreation, and the administration of ~~this~~ the program under this chapter, including paying the costs of:

(a) salaries of program employees; ~~and~~

(b) public liability insurance, when needed ~~;~~.

HB0059S01 compared with HB0059

(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.

Section 6. Section **39-9-106** is enacted to read:

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.

Section 7. Section **39-9-107** is enacted to read:

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.

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Legislative Review Note

~~as of 1-14-14 12:37 PM~~

~~Office of Legislative Research and General Counsel~~