Senate Bill No. 603

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

[Passed March 10, 2012; in effect ninety days from passage.]
ENROLLED

Senate Bill No. 603

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

[Passed March 10, 2012; in effect ninety days from passage.]

AN ACT to amend and reenact §15-1H-2 and §15-1H-4 of the Code of West Virginia, 1931, as amended, all relating to morale, welfare and recreation facilities; authorizing morale, welfare and recreation facilities within the state; authorizing the establishment of an entity to operate morale, welfare and recreation facilities within the state; and providing for use of proceeds derived from operation of morale, welfare and recreation facilities.

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.


1 (a) The Adjutant General is authorized to establish morale, welfare and recreation facilities within the state as in his or her judgment may be necessary and proper for military purposes.
(b) Notwithstanding any other provision of this code to the contrary, the Adjutant General is authorized to establish a nonappropriated fund instrumentality for the purpose of operating the morale, welfare and recreation facilities.

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

1. Contract for goods and services;

2. Hire employees under terms and conditions as it may negotiate, subject only to applicable state and federal labor laws;

3. Establish a system of bookkeeping, accounting and auditing procedures for the proper handling of funds derived from its operations; and

4. Perform any other action necessary to establish a board, corporation or other entity for the purpose of operating the morale, welfare and recreation facilities.

(d) A nonappropriated fund instrumentality established under this section is solely responsible for its operations. No debt of the nonappropriated fund instrumentality is a debt of the state. No action of the nonappropriated fund instrumentality is an action of the state, nor does it obligate the state in any manner.

§15-1H-4. Use of funds.

All proceeds derived from the operation of the morale, welfare and recreation facilities within the state shall, after the payment of operating expenses, notwithstanding any provision of this code to the contrary, be used exclusively to benefit any morale, welfare and recreation facilities established pursuant to this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 2nd Day of April, 2012.

Governor
PRESENTED TO THE GOVERNOR

29-2-2021

Time 4:25 p.m.