

# VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

## CHAPTER 622

*An Act to amend the Code of Virginia by adding sections numbered 44-13.1 through 44-13.4, relating to the Virginia National Guard Morale, Welfare, and Recreation Program.*

[S 293]

Approved April 1, 2016

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding sections numbered 44-13.1 through 44-13.4 as follows:**

**§ 44-13.1. Virginia National Guard Morale, Welfare, and Recreation Program established.**

*The Adjutant General is authorized to establish a Virginia National Guard Morale, Welfare, and Recreation Program (the MWR Program) to provide leisure, recreation, and lodging opportunities for Virginia National Guard members and their families, Virginia Defense Force members and their families, employees of the Department of Military Affairs and their families, and other users of Department facilities as authorized by the Adjutant General.*

**§ 44-13.2. Administration of the MWR Program.**

*The Adjutant General may authorize the MWR Program to (i) contract for goods and services; (ii) hire employees; and (iii) receive funds from patrons in exchange for goods or services provided within the MWR Program. The Adjutant General is authorized to establish MWR Program facilities throughout the Commonwealth that, in the Adjutant General's judgment, are necessary for military purposes. The Adjutant General shall promulgate regulations to govern the operation of the MWR Program. The Adjutant General may appoint a director for the MWR Program. The Adjutant General shall establish a system of bookkeeping, accounting, and auditing procedures for the proper handling of funds derived from the MWR Program's operations.*

**§ 44-13.3. Virginia National Guard MWR Fund.**

*There is created within the state treasury a special nonreverting fund to be known as the Virginia National Guard MWR Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All (i) proceeds collected under the MWR Program and (ii) donations made to the Virginia National Guard MWR Program shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys from the Fund shall be used for the enhancement of morale, welfare, and recreation and the administration of the MWR Program, including paying the costs of (a) salaries of MWR Program employees; (b) public liability insurance, when needed; (c) infrastructure improvements on military property used in support of the MWR Program; and (d) any other expenses considered necessary in furtherance of the MWR Program by the Adjutant General. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Adjutant General.*

**§ 44-13.4. Risk management.**

*The MWR Program shall be eligible to participate in the state risk management pool. The MWR 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.*