

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2010 Winter
Supp.

West Group
Publisher

To establish the authority to organize a District of Columbia National Guard Morale, Welfare, and Recreation Association; to authorize the establishment of military corporations within the District of Columbia National Guard to raise funds and provide services for unit support or charitable purposes; to authorize the establishment of, and provide requirements for the operation of, unit and company funds; and to permit the District of Columbia National Guard to accept and expend donations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "National Guard Morale, Welfare, and Recreation Act of 2009".

Sec. 2. District of Columbia National Guard Morale, Welfare, and Recreation Association.

(a) All commissioned officers, warrant officers, and enlisted personnel of the District of Columbia National Guard, including retired personnel, may organize themselves into an association, the name of which shall be the District of Columbia National Guard Morale, Welfare, and Recreation Association ("MWRA"). The purpose of the MWRA shall be to enhance the morale and welfare of District of Columbia National Guard members and their families. The MWRA may adopt, alter, and amend bylaws not otherwise inconsistent with District law. Participation in the MWRA shall be voluntary.

(b) To facilitate its purpose, the MWRA may accept donations of money, property, or services from any lawful source to improve the capabilities of the District of Columbia National Guard or otherwise support members and their families.

(c) The District may appropriate funds, donate any other valuable thing, or grant or lease any land belonging to the District to aid, or further the purpose of, the MWRA.

(d) The money appropriated, other valuable thing donated, or the land granted or leased to the MWRA shall be, so far as practicable, expended or disposed of by the District of Columbia National Guard in such manner and under such lawful conditions as the donor may direct.

Sec. 3. Military corporations; establishment, membership, purpose, and powers.

(a) The officers, the enlisted personnel, or the officers and enlisted personnel of an organization or unit of the District of Columbia National Guard (“DCNG”), may organize themselves into a military corporation for social purposes and for the purpose of holding, acquiring, and disposing of those funds, goods, or property as such military organizations may possess or acquire. The military corporation shall not engage in business and shall not be required to pay any filing or license fee to the District. A military corporation may include:

- (1) Enlisted, officer, or all-ranks clubs;
- (2) Family support groups;
- (3) Auxiliary organizations;
- (4) Service branch organizations;
- (5) Battalion, brigade, company or unit fund organizations; and
- (6) Other such organizations that provide support to personnel and their

families.

(b) A military corporation may raise funds and provide services, if retained funds are used for unit or company support or for other charitable purposes.

(c) A military corporation may use armory or DCNG facilities if there is no expense to the District government. When any area of the armory or DCNG facilities is used, the District and the DCNG shall have access to that area as needed or practical, and the use of that area by the military corporation is not exclusive.

(d) Any sale of alcoholic beverages shall conform to the limitations of sales under other provisions of District law, except that sales within the unit, and not-for-profit, do not require licensing by the District.

(e) The Adjutant General and the Mayor shall coordinate and make provisions to standardize applications for incorporation. No incorporation may be made under this article without the approval of the Adjutant General and the District Judge Advocate. All accounts and documents of a military corporation organized under this act shall be available for inspection and review by the Adjutant General.

(f) The Commanding General of the DCNG shall have authority to issue rules and regulations regarding the operations, authority to receive donations make expenditures of military corporations established under this section.

Sec. 4. Unit and company funds.

(a)(1) There is authorized to be created and maintained for each separate unit of the District of Columbia National Guard a unit fund. Expenditures from such unit fund shall be made in accordance with rules and regulations established by the Commanding General of the District of Columbia National Guard and all applicable federal and District laws, rules, and regulations.

(2) There is authorized to be deposited in each unit fund such moneys as may be received from gifts, bequests, and contributions, including federal and District contributions, and such amounts as may be appropriated to such unit funds by the District of Columbia.

(3) The unit commander of each unit is the custodian of the unit fund. The unit commander shall:

(A) Receive, safely keep, and properly disburse, as the Commanding General may require, the money trusted to the unit commander's care; and

(B) Submit to the Adjutant General, on June 30 and December 31 of each year, an itemized statement of money received and disbursed during the preceding 6 months.

(b)(1) There is authorized to be created and maintained for each separate company of the District of Columbia National Guard a company fund. Expenditures from such company fund shall be made in accordance with rules and regulations established by the Commanding General of the District of Columbia National Guard and all applicable federal and District laws, rules, and regulations.

(2) There is authorized to be deposited in each company fund such moneys as may be received from gifts, bequests, and contributions, including federal and District contributions, and such amounts as may be appropriated to such company fund by the District of Columbia.

(3) The commanding officer of each company is the custodian of the company fund. The commanding officer shall:

(A) Receive, safely keep, and properly disburse, as the Commanding General may require, the money trusted to the commanding officer's care; and

(B) Submit to the Adjutant General, on June 30 and December 31 of each year, an itemized statement of money received and disbursed during the preceding 6 months.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia