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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1134**

February 19, 2007

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

March 14, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to the military; establishing the Minnesota National Guard
1.3 Nonappropriated Fund Instrumentality; proposing coding for new law in
1.4 Minnesota Statutes, chapter 192.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[192.515] NATIONAL GUARD NONAPPROPRIATED FUND**
1.7 **INSTRUMENTALITY.**

1.8 Subdivision 1. **Establishment.** The adjutant general may:

1.9 (a) establish a Minnesota National Guard Nonappropriated Fund Instrumentality to
1.10 create, operate, and maintain morale, welfare, and recreation facilities and activities at
1.11 Camp Ripley and other property owned, leased, or otherwise controlled by the Minnesota
1.12 Nation Guard; and

1.13 (b) create a board to manage the fund established under paragraph (a) and delegate
1.14 to the board the adjutant general's authority under this section.

1.15 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

1.16 (b) "MNG NAFI" means the Minnesota National Guard Nonappropriated Fund
1.17 Instrumentality.

1.18 (c) "Morale, welfare, and recreation" refers to a facility or activity intended to
1.19 provide recreational opportunities, promote unit and individual morale, and generally
1.20 improve the welfare of Minnesota National Guard personnel at Camp Ripley or other
1.21 properties owned, leased, or otherwise controlled by the Minnesota National Guard. It
1.22 does not include facilities or services provided by the Army and Air Force Exchange
1.23 Service. It also does not include facilities or services provided by other instrumentalities
1.24 through the use of appropriated funds.

2.1 Subd. 3. Use. The adjutant general may authorize Minnesota National Guard lands
2.2 and facilities to be used in support of morale, welfare, and recreation activities under this
2.3 section. That use must not interfere with military operations or training.

2.4 Subd. 4. Funds. (a) Except as otherwise specifically authorized in this section,
2.5 no general fund money or other state funds may be used for the purposes authorized
2.6 under this section.

2.7 (b) The MNG NAFI is authorized to accept donations or gifts from public or private
2.8 sources for purposes authorized under this section, including, but not limited to, federal
2.9 funds made available to the National Guard for related activities and money received from
2.10 recycling activities to the extent authorized by federal regulation.

2.11 (c) Money received from operation of activities under this section, including, but
2.12 not limited to, user fees and rental charges must be deposited and managed consistent
2.13 with this subdivision.

2.14 (d) The adjutant general may transfer funds from any existing morale, welfare, or
2.15 recreation fund to the MNG NAFI.

2.16 (e) Money received by the MNG NAFI must be deposited in the Minnesota National
2.17 Guard morale, welfare, and recreation fund.

2.18 (f) Accounts or funds created under this section must be audited annually by officers
2.19 of the military forces detailed by the adjutant general as military auditors.

2.20 Subd. 5. Rules. The adjutant general must adopt rules for the establishment,
2.21 management, and operation of the MNG NAFI consistent with this section.