

Senate Bill No. 73

CHAPTER 248

An act to amend Section 431 of, and to add Section 412.5 to, the Military and Veterans Code, relating to the state militia.

[Approved by Governor September 1, 2003. Filed with Secretary of State September 2, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

SB 73, Alpert. National Guard.

Existing law requires the Adjutant General to perform various duties with regard to the National Guard that are consistent with regulations and customs of the federal military organizations, as may be prescribed by the Governor.

This bill would permit the Adjutant General to establish rules and regulations for the provision of morale, welfare, and recreational activities for members of the National Guard, in accordance with federal military regulations.

The bill would also permit the Adjutant General or the National Guard to accept donations for the benefit of the Military Department.

The people of the State of California do enact as follows:

SECTION 1. Section 412.5 is added to the Military and Veterans Code, to read:

412.5. (a) Notwithstanding any other provision of law, the Adjutant General may do all of the following:

(1) Establish rules and regulations in accordance with Army, Air Force, and National Guard Bureau regulations for the provision of morale, welfare, and recreational activities that benefit soldiers and airmen of the National Guard.

(2) Provide other services, in accordance with the regulations of the Department of the Army, the Department of the Air Force, and the National Guard Bureau, governing morale, welfare, and recreation fund activities.

(3) Adopt rules and regulations for the establishment and deposit of military post, welfare, or similar unit, or organizational funds.

(b) The Adjutant General or the National Guard may accept funds or other donations for the benefit of the Military Department.

SEC. 2. Section 431 of the Military and Veterans Code is amended to read:



431. (a) The Adjutant General may, either directly or through armory boards, or through subordinate commanders, lease or otherwise authorize the use of, by any person for any lawful purpose, manage, supervise all activities in, perform all necessary military duties with respect to and control all armories that are built or acquired by the state, that come into possession or control of the state, or that are erected, purchased, leased, or provided or contributed to, in whole or in part, by any city, county, political subdivision, or district, or by anyone, for armory purposes.

(b) The Adjutant General may contract with the United States for the operation of any armory for purposes of training of federal military personnel, with provision that all state costs related to that operation shall be reimbursed by the United States.

(c) All revenues or income from any armory shall be paid to the Adjutant General who shall account for the revenues or income to the Controller at the close of each month in the form that the Controller prescribes and shall deposit the revenues and income into the Treasury to the credit of the Armory Discretionary Improvement Account, which is hereby created, in the General Fund. The revenues and income in the account shall be available, when appropriated, to the Adjutant General, for allocation for the maintenance, repairs, improvements, and operating expenses necessary or desirable for increased or improved community utilization of the facilities of the armory from which the revenues and income were derived.

(d) The Adjutant General, on May 1st of each year, shall submit to the Department of General Services and obtain approval of a schedule of rental, license, or lease fees for each state-owned or leased armory by location. This schedule, when approved by the Department of General Services, shall be used by the Adjutant General during the next succeeding fiscal year to determine the minimum rental, license, or lease fees to be charged the renter, licensee, or lessor.

