

AN ACT

D.C. ACT 19-188

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 14, 2011

To establish a Mayor's Council on Physical Fitness, Health, and Nutrition to promote physical fitness and good nutrition to improve the health and wellness of District residents through physical activity and healthy eating, to establish an executive committee, and to establish the Fitness Fund to fund the activities of the council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mayor's Council on Physical Fitness, Health, and Nutrition Establishment Act of 2011".

Sec. 2. Mayor's Council on Physical Fitness, Health, and Nutrition.

(a) There is established a Mayor's Council on Physical Fitness, Health, and Nutrition ("Mayor's Council") with the mission to improve the health and wellness of all District residents through physical activity and healthy eating.

(b)(1) The following individuals, or their designees, shall be members of the Mayor's Council:

- (A) The Mayor of the District of Columbia;
- (B) The Director of the Department of Parks and Recreation;
- (C) The Chancellor of District of Columbia Public Schools;
- (D) The Chair of the Public Charter School Board;
- (E) The Director of the Department of Aging; and
- (F) Director of the Department of Health;

(2) The Mayor shall designate one of the members listed in paragraph (1) of this subsection to serve as the chairperson. The chairperson shall serve at the pleasure of the Mayor.

(3)(A) In addition to the members listed in paragraph (1) of this subsection, the Mayor's Council shall include:

- (i) Five members appointed by the Council of the District of Columbia; and
- (ii) Up to 14 members appointed by the Mayor.

- (B) All members appointed pursuant to this paragraph shall:
- (i) Be residents of the District of Columbia;
 - (ii) Have experience related to physical fitness, health, or nutrition;
 - (iii) Serve 3-year terms; and
 - (iv) Serve without compensation.
- (C) Vacancies shall be filled in the same manner as the original appointment.

(c) The Mayor's Council shall meet no fewer than 2 times per year. The time and place of its meetings shall be provided by the executive committee, established by section 7; provided, that the Department of Health shall convene at least 2 meetings per year.

Sec. 3. Powers and duties.

- (a) The Mayor's Council shall:
- (1) Advise the Mayor on matters related to physical fitness, obesity, and nutrition;
 - (2) Develop objectives to raise awareness of the:
 - (A) Risks of obesity;
 - (B) Benefits of physical activity and fitness; and
 - (C) Benefits of healthy eating;
 - (3) Publish an annual report on the state of physical fitness, obesity, and nutrition, including any recommendations ("fitness report");
 - (4) Publish an annual report detailing all gifts, donations, and other funds received and all expenditures; and
 - (5) Perform any other duties as determined by the Mayor to be necessary or appropriate.
- (b) The Mayor's Council may solicit and receive contributions to support the purposes of this act.

Sec. 4. Administrative support.

The Department of Health shall assist with the administrative functions of the Mayor's Council as feasible and as not otherwise provided.

Sec. 5. Fitness report.

The Department of Health shall provide data relating to physical activity, nutrition, and obesity and technical assistance to the Mayor's Council to assist it in publishing the annual fitness report required by section 3(3).

Sec. 6. Fitness Fund.

- (a) There is established as a nonlapsing fund the Fitness Fund, which shall be separate

from the General Fund of the District of Columbia and shall be used solely for the purposes of this act; provided, that not more than 5% of the total funds in the Fitness Fund in any given fiscal year shall be used to pay administrative costs.

(b) The Mayor shall deposit into the Fitness Fund:

- (1) All general revenue funds appropriated for the Mayor's Council;
- (2) Any contributions received:
 - (A) Through solicitation;
 - (B) As gifts, by devise or bequest;
 - (C) As donations or grants; and
 - (D) Through any other revenue source.

(c) All funds deposited into the Fitness Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in this act without regard to fiscal year limitation, subject to authorization by Congress.

Sec. 7. Executive committee.

There is established an executive committee, which shall:

- (1) Be part of the Mayor's Council;
- (2) Advise the Mayor's Council;
- (3) Be led by the chairperson designated pursuant to section 2(b)(2);
- (4) Be comprised of not more than 10 members of the Mayor's Council;

provided, that at least 3 members are members appointed by the Council, pursuant to section 2(b)(3)(A)(i), and 3 members are members appointed by the Mayor, pursuant to section 2(b)(3)(A)(ii); and

(5) Meet no fewer than 4 times per year, and at least one time each quarter of the year.

Sec. 8. Fiscal impact statement.

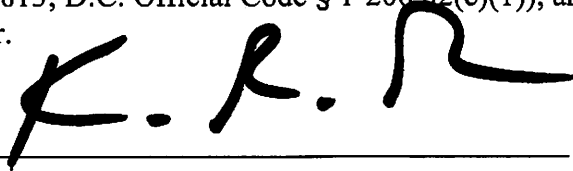
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

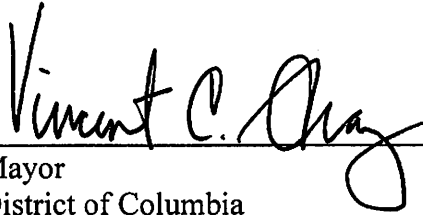
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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
APPROVED
October 14, 2011



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

Docket No. **B19-34**

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 07-12-11

VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Thomas, Jr.	X			
Barry	X				Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				Mendelson	X								

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

9.29.11

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 09-20-11

VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

BARRY

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Thomas, Jr.	X			
Barry				X	Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				Mendelson	X								

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

9.29.11

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown					Catania					Orange				
Alexander					Cheh					Thomas, Jr.				
Barry					Evans					Wells				
Bowser					Graham									
Brown, M					Mendelson									

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD



Secretary to the Council

Date