

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

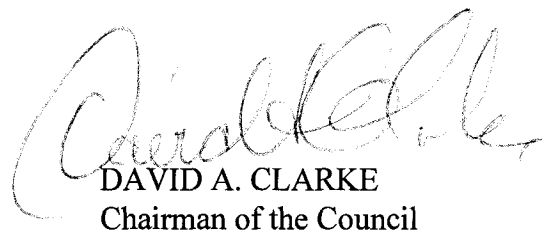
NOTICE

D.C. LAW 10- 246

"Recreation Act of 1994".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 10-741 on first and second readings, November 1, 1994 and December 6, 1994, respectively. Following the signature of the Mayor on January 13, 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 10-393, and published in the January 27, 1995, edition of the D.C. Register (Vol. 42 page 452) and transmitted to Congress on February 7, 1995 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-246, effective March 23, 1995.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 7,8,9,10,13,14,15,16,21,22,23,24,27,28

Mar. 1,2,3,6,7,8,9,10,13,14,15,16,17,20,21,22

AN ACT

D.C. ACT 10-393

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 13, 1995

To establish a Recreation Enterprise Fund, a sponsorship and park adoption program, and a Recreation Assistance Board, and to amend the Omnibus Sports Consolidation Act of 1994 to establish mega recreation centers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act be cited as the "Recreation Act of 1994".

Sec. 2. Definitions.

For purposes of this act:

(1) The term "adopt" means to enter into a binding commitment to a program, site, or operation for not less than 1 year in duration.

(2) The term "sponsor" means to pledge or promise support to a program, site, or operation on an intermittent, short-term or one-time basis.

New
Section
8-301

Sec. 3. Authority of Department of Recreation and Parks.

(a) The Department of Recreation and Parks ("Department" or "Departmental") may accept donations, gifts by devise or bequest, grants, and any other type of asset from individuals, clubs, groups, corporations, partnerships, and other governmental entities, except that such acceptance must be approved by the Mayor before it occurs.

(b) The Department shall manage such property or funds in accordance with the provisions or conditions of the donation, gift, grant or other type of transfer, including but not limited to the investment of the principal of such property or funds. The Mayor shall consider the donor's choice of which site, program or operation should be the recipient of the property.

New
Section
8-302

Sec. 4. Creation of fund; accounting and investment.

(a) The Mayor shall establish for accounting and financial reporting purposes a Recreation Enterprise Fund ("Fund") in accordance with generally accepted accounting principles.

(b) There is hereby authorized a direct appropriation to the Fund equal to the amount collected from fees, concessions, and services. Revenue deposited into the Fund account shall be expended by the Department for the administration, improvement, and maintenance of property and programs managed by the Department and shall supplement, but not replace, services provided by the Department. The Fund shall

New
Section
8-303

not be used to provide funding to other District government agencies, except to pay the principal and interest on bonds in accordance with section 5 .

(c) Once each year, the Department shall publish in the District of Columbia Register a specific accounting of how monies in the Fund have been spent and an accounting as to the amount remaining in the Fund. The accounting shall include the name of the donor or an anonymous contribution, the amount of the contribution, a description of the property donated and the name of the program or recreation center upon which the funds have been expended.

(d) Proceeds of the Fund may be invested in a prudent and reasonable manner consistent with applicable District government policies and procedures with recommendations from the Recreation Assistance Board established by section 8.

Sec. 5. Park adoptions and sponsorships.

(a) Individuals, associations, corporations, partnerships, neighborhood and civic groups or another governmental entities may adopt or sponsor Departmental programs, sites, or operations. The form of such adoption or sponsorship may be made by a donation of funds to the Fund, services, equipment, or any other asset with intrinsic value. The Department may form partnerships with any of the above stated groups to accomplish a stated goal or mission of the Department.

(b) The Department shall, within 1 year from the effective date of this act, promulgate regulations appropriate for the full implementation of this act including regulations related to park adoptions and sponsorships, vending and concessions fees, and permits.

New
Section
8-304

Sec. 6. Mega Recreation Centers.

The Mayor shall develop, construct, and implement Mega Recreation Centers in strategic locations throughout the District of Columbia. Such centers shall be spacious enough to accommodate several indoor activities simultaneously and contain state of the art equipment and apparatus.

New
Section
8-305

Sec. 7. Establishment of Recreation Assistance Board.

(a) There is hereby created a Recreation Assistance Board ("Board") that shall consist of 9 members that represent the following interests:

- (1) Two members from the corporate or business sector;
- (2) Two members who are District residents that have demonstrated a sincere interest in recreational activities with 1 member being an advocate for youth issues;
- (3) A representative of the District of Columbia Board of Education;
- (4) A representative from the arts or music community;
- (5) A representative of therapeutic or senior citizens;
- (6) The Executive Director of the District of Columbia Sports Commission; and
- (7) The Director of the Department of Recreation and Parks or that person's designee who shall serve as the Secretary of the Board.

(b) Board members shall be appointed by the Mayor for 4 year terms of office with the advice and consent of the Council and shall serve without compensation.

New
Section
8-306

(c) The Mayor shall appoint a member of the Board as its Chairperson. The Committee may elect other officers from its membership as it deems necessary.

(d) The Board shall provide resources and expertise on all matters relating to the mission of the Department with special emphasis on fundraising assistance, marketing of programs, and recommendations regarding the expenditure and growth of the Fund established in section 3.

(e) The Board may provide guidance on methods of developing and improving recreation programs, conduct public meetings, promote public awareness of recreational programs, and assist on other issues relating to the general purpose of the Department.

(f) The Board shall act as a liaison with the existing Recreation Council Community Management Committee's, and other focus groups relative to issues associated with this act.

Sec. 8. Conforming amendments.

The Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; 41 DCR 4636), is amended as follows:

Section
2-4002

(a) Section 3(3)(A) (D.C. Code § 2-4002(3)(A)) is amended to read as follows:

"(A) Any stadium, arena, or recreation site owned and operated by the District government or under direct control of the Sports Commission or any stadium or arena owned or financed by the Sports Commission in whole or in part;"

Section
2-4003

(b) Section 4 (D.C. Code § 2-4003) is amended in the lead-in language by adding the phrase "as an independent authority of the District government" after the word "established".

(c) Section 5 (D.C. Code § 2-4004) is amended as follows:

Section
2-4004

(1) Subsection (a) is amended by striking the first 2 sentences and inserting 3 new sentences in their place to read as follows:

"The Sports Commission Board of Directors ("Board") shall consist of 11 members, 8 of whom shall be nominated by the Mayor subject to the advice and consent of the Council. The Commanding General of the District of Columbia National Guard, the Chief Financial Officer of the District of Columbia, and the Director of the Department of Recreation and Parks, or any successor official with similar responsibilities, shall serve as ex-officio members of the Board with full privileges of Board membership. The nomination of the 8 members shall be submitted to the Council for a 60-day period of review, excluding days of Council recess."

(2) Subsection (e) is amended by striking the first sentence and inserting in its place new sentences to read as follows:

"The Mayor may remove a member of the Board for failing to establish or maintain District residency, misconduct, neglect of duty, or other cause, as defined by the Board in its by-laws after notice to the member. If a member of the Board is indicted for the commission of a felony, that member shall be automatically suspended from serving on the Board. Upon a final determination of guilt or innocence, the term of such Board member shall, respectively, be automatically terminated or reinstated."

(d) Section 6(a) (D.C. Code § 2-4005(a)) is amended to read as follows:

Section
2-4005

"(a) The Board shall appoint an Executive Director who shall serve as the chief executive officer of the Sports Commission. The Executive Director shall be an employee of the Sports Commission but shall not be a member of the Board. The Executive Director shall serve at the pleasure of the Board and shall receive such compensation as shall be fixed by the Board."

(e) Section 7(14) (D.C. Code § 2-4006(14)) is amended by striking the phrase "upon obtaining a license from the Alcoholic Beverage Control Board, or to permit others to sell or dispense, upon obtaining a license from the Alcoholic Beverage Control Board,".

Section
2-4006

(f) Section 8(a) (D.C. Code § 2-4007(a)) is amended as follows:

Section
2-4007

(1) Paragraph (1) is amended to read as follows:

"(1) Construct new facilities in the District, including Mega Recreation Centers and other recreational buildings and facilities managed by the Department of Recreation and Parks, manage and operate Robert F. Kennedy Stadium, the District of Columbia National Guard Armory, but only to the extent consistent with the non-military purposes of such Armory, and any other facility which the Sports Commission may construct, acquire or own;"

(2) Paragraph (8) is amended by striking the figure "\$25,000" and inserting the figure "\$100,000" in its place.

Section
2-4017

(g) Section 18 (D.C. Code § 2-4017) is amended by adding the phrase ", except employees of the Armory Board hired prior to the effective date of this act," after the word "Commission".

(h) Section 21 is amended by adding a new subsection (c) to read as follows:

"(c) An Act to establish a District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 340; D.C. Code §§ 2-306 *et seq.*) is amended as follows:

"(1) Section 6 (D.C. Code § 2-306) is repealed.

Section
2-306

"(2) Section 8 (D.C. Code § 2-307) is repealed.

Section
2-307

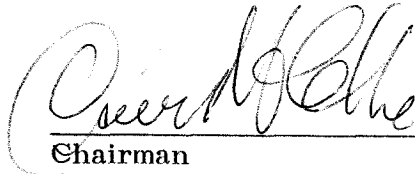
"(3) Section 9 (D.C. Code § 2-309) is repealed."

Section
2-309

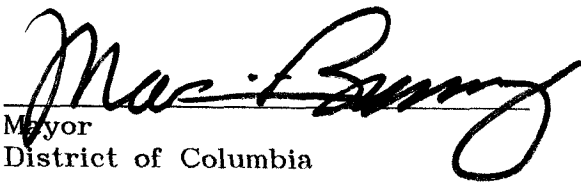
Sec. 9. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)), and

publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: January 13, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-741

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-1-94

VOICE VOTE: Approved

Recorded vote on request

Absent: _____

Barry, Chavous, Jarvis, Brazil and Thomas

ROLL CALL VOTE: - RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

December 30, 1994
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-6-94

VOICE VOTE: Approved

Recorded vote on request

Absent: _____

Barry and Smith

ROLL CALL VOTE: - RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

December 30, 1994
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: - RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date