

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE DRH30287-MG-79 (03/27)**

Short Title: Create Active Living Communities Commission. (Public)

Sponsors: Representative Insko.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE AN INTERAGENCY COMMISSION ON ACTIVE LIVING  
3 COMMUNITIES FOR THE DEVELOPMENT OF ACTIVE, LIVABLE SCHOOL AND  
4 COMMUNITY ENVIRONMENTS, AS RECOMMENDED BY THE NORTH  
5 CAROLINA TASK FORCE ON PREVENTING CHILDHOOD OBESITY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 3 of Chapter 143B of the General Statutes is amended by  
8 adding a new Part to read:

9 "Part 36. Interagency Commission on Active Living Communities.

10 **"§ 143B-216.80. Interagency Commission on Active Living Communities.**

11 (a) Creation. – There is created within the Department of Health and Human Services  
12 the Interagency Commission on Active Living Communities.

13 (b) Membership. – The Commission shall consist of 19 members, appointed as follows:

14 (1) The Secretary of the Department of Health and Human Services, or the  
15 Secretary's designee.

16 (2) The Secretary of the Department of Transportation, or the Secretary's  
17 designee.

18 (3) The Chairperson of the Board of Transportation, or the Chairperson's  
19 designee.

20 (4) The Superintendent of Public Instruction, or the Superintendent's designee.

21 (5) The Secretary of Environment and Natural Resources, or the Secretary's  
22 designee.

23 (6) The Secretary of Commerce, or the Secretary's designee.

24 (7) The Chairperson of the State Board of Education, or the Chairperson's  
25 designee.

26 (8) Three representatives of the League of Municipalities, appointed by the  
27 Governor.

28 (9) Two representatives of the County Commissioners Association, appointed  
29 by the General Assembly upon the recommendation of the Speaker of the  
30 House of Representatives.

31 (10) Two representatives of the Association of Local Health Management,  
32 appointed by the General Assembly upon the recommendation of the  
33 Speaker of the House of Representatives.



1           (11) Two representatives of the Association of Metropolitan Planning  
2           Organizations, appointed by the General Assembly upon the  
3           recommendation of the President Pro Tempore of the Senate.

4           (12) Two representatives of the Chamber of Commerce, appointed by the General  
5           Assembly upon the recommendation of the President Pro Tempore of the  
6           Senate.

7           (13) One member appointed by the Governor.

8           Members shall serve for two-year terms commencing on October 1, 2009, and may serve  
9           one additional consecutive term. One member, to be designated by the Governor, shall serve as  
10          chairperson.

11          (c) Vacancies. – Members shall serve until their successors are appointed and have  
12          been qualified. Any vacancy in the membership of the Commission shall be filled in the same  
13          manner as the original appointment, except that a vacancy in an appointment made by the  
14          General Assembly shall be filled in accordance with G.S. 120-122. A vacancy in the  
15          membership of the Commission other than by expiration of term shall be filled for the  
16          unexpired term only.

17          (d) Purpose and Duties. – The purpose of the Commission shall be to develop  
18          interagency plans to reduce traffic around school facilities, encourage greater physical activity  
19          in school and community environments, and promote children's health and mobility. The  
20          Commission shall have the following duties:

21           (1) Examine current policies and develop strategies and policy initiatives with  
22           respect to all of the following:

23            a.       Leveraging federal resources to develop and implement a Safe  
24            Routes to Schools program or other similar initiative to make streets  
25            safer for pedestrians and bicyclists along heavily traveled routes to  
26            school.

27            b.       Expansion of available funds for the creation and maintenance of  
28            sidewalks, bicycle lanes, parks, and other green spaces.

29            c.       Securing adequate liability protection for shared use of schools and  
30            for endorsement of walkable routes to and from schools.

31            d.       Promoting the siting and development of new schools in areas that  
32            are accessible to pedestrians and bicyclists.

33           (2) Make findings about the impact of the strategies and policy initiatives  
34           recommended pursuant to subdivision (1) of this subsection on school  
35           transportation costs, economic development, potential savings, and any other  
36           relevant factors identified by the Commission.

37          (e) Meetings. – Meetings of the Commission shall be called by the chairperson or by  
38          any two members of the Commission, and meetings shall be held at least quarterly. Any three  
39          voting members of the Commission shall constitute a quorum at any meeting. Action may be  
40          taken and motions and resolutions adopted by the Commission at any meeting by the  
41          affirmative vote of a majority of the members of the Commission present at a meeting at which  
42          a quorum exists.

43          (f) Compensation. – None of the members of the Commission shall receive  
44          compensation for serving on the Commission. However, members of the Commission may be  
45          reimbursed for their expenses in accordance with Chapter 138 of the General Statutes.

46          (g) Reporting. – No later than October 1, 2010, and annually thereafter, the  
47          Commission shall prepare and submit a report to the Governor, the General Assembly, and the  
48          Joint Committee on Governmental Operations on any interagency plans developed or  
49          recommended by the Commission to reduce traffic around school facilities, encourage greater  
50          physical activity in school and community environments, and promote children's health and

1 mobility. The report shall specifically address each of the duties set forth in subdivisions (d)(1)  
2 and (d)(2) of this section."

3           **SECTION 2.** The appointing authorities shall make their appointments to the  
4 Commission by September 1, 2009.

5           **SECTION 3.** This act is effective when it becomes law.