

House Bill 190 (AS PASSED HOUSE AND SENATE)

By: Representatives Murphy of the 18th, Walker of the 141st, Coleman of the 142nd, Buck of the 135th, Cummings of the 27th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the
2 Secretary of State and associated agencies and operations, so as to provide for certain bodies
3 to carry out duties relating to Georgia history; to create the Commission for the Celebration
4 of 250 Years of Representative Government in Georgia; to provide for the membership of
5 the commission and the powers and duties of the commission and the Secretary of State; to
6 provide for expenses; to provide for matters relating to the celebration of 250 years of
7 representative government in Georgia; to provide for abolition of the commission; to provide
8 for the repeal of the laws relating to such commission and the powers and duties of the
9 commission and the powers and duties of the Secretary of State connected with such
10 celebration; to create the Governor's Commission on Georgia History and Historical Tourism
11 and provide for its membership, powers, duties, and operations; to provide for related
12 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**SECTION 1.**

15 Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the Secretary
16 of State and associated agencies and operations, is amended by adding a new Code Section
17 45-13-29 to read as follows:

18 "45-13-29.

19 (a) There is created the Commission for the Celebration of 250 Years of Representative
20 Government in Georgia. The commission is created for the purpose of ensuring a proper
21 recognition of 250 years of representative government in this state. The commission shall
22 be composed of the Secretary of State, three members appointed by the Governor, three
23 members appointed by the Lieutenant Governor, three members appointed by the Speaker
24 of the House of Representatives, and three members appointed by the Secretary of State.
25 The Secretary of State shall serve as chairperson. In appointing members of the
26 commission, the appointing authorities shall include representatives of the Georgia

1 Humanities Council, the Georgia Historical Society, the Carl Vinson Institute of
2 Government, and other organizations, governmental bodies, and entities having an interest
3 in the history and function of representative government in Georgia.

4 (b) The commission shall carry out the plans recommended by the Committee for the
5 Celebration of 250 Years of Representative Government in Georgia, created pursuant to
6 a resolution approved May 1, 2000 (Ga. L. 2000, p. 1892), coordinate appropriate
7 measures, activities, and observances to celebrate the 250th anniversary of the
8 establishment of elected representative government in Georgia, and recommend any actions
9 or legislation which the commission deems appropriate. The commission is authorized to
10 adopt a logo or mark and authorize its use in connection with events, projects, advertising,
11 public service announcements, educational materials, and other appropriate uses. The
12 commission is authorized to encourage, assist, and coordinate the activities of the
13 departments, agencies, and educational institutions of this state and associations, societies,
14 business entities, groups, and individuals to ensure an appropriate celebration of this
15 anniversary and to provide coordination, advice, and encouragement to local governments
16 and school systems in recognizing this anniversary. The commission shall promote and
17 assist in the publicizing of the events surrounding the establishment of representative
18 government in Georgia. The commission is authorized to enter into contracts with state
19 and local governments, school systems, institutions of higher education, and private parties
20 in connection with the powers and duties of the commission. The commission and the
21 Secretary of State are authorized to accept gifts, grants, and appropriations from any
22 source, public or private, and to use the proceeds therefrom for the purposes of the
23 commission. Any funds of the commission remaining unexpended on January 8, 2002,
24 shall be deposited in the general fund of the state treasury.

25 (c) The commission may conduct such meetings at such places and at such times as it may
26 deem necessary or convenient to enable it to exercise fully and effectively its powers,
27 perform its duties, and accomplish the objectives and purposes of this Code section.

28 (d) The members of the commission who are not otherwise employees or officials of the
29 state are authorized to receive the daily expense allowance authorized by subsection (b) of
30 Code Section 45-7-21 of the Official Code of Georgia Annotated for each day actually
31 spent in attending meetings of the commission but shall receive the same for not more than
32 five days unless additional days are authorized. The funds necessary to carry out the
33 provisions of this Code section shall come from the funds appropriated or otherwise
34 available to the commission or the Secretary of State for such purpose.

35 (e) The commission created by this Code section shall stand abolished on January 8, 2002.
36 This Code section shall be repealed on January 8, 2002."

- 1 (A) The Lieutenant Governor;
- 2 (B) The Secretary of State;
- 3 (C) The State School Superintendent;
- 4 (D) The commissioner of industry, trade, and tourism;
- 5 (E) The commissioner of community affairs;
- 6 (F) The executive director of the OneGeorgia Authority;
- 7 (G) The commissioner of natural resources;
- 8 (H) The director of the State Parks and Historic Sites Division of the Department of
- 9 Natural Resources;
- 10 (I) The director of the Historic Preservation Division of the Department of Natural
- 11 Resources;
- 12 (J) The director of the Georgia Department of Archives and History;
- 13 (K) The executive director of the Georgia Historical Society;
- 14 (L) The executive director of the Atlanta History Center;
- 15 (M) The executive director of the Georgia Trust for Historic Preservation;
- 16 (N) The president of the Georgia Humanities Council;
- 17 (O) The director of the Center for the Study of Georgia History at Augusta State
- 18 University;
- 19 (P) The director of the Georgia Capitol Museum; and
- 20 (Q) The chairperson of the Georgia Civil War Commission; and
- 21 (2) The following shall serve as appointed members:
- 22 (A) Eight members appointed by the Governor;
- 23 (B) Four members of the Georgia Senate appointed by the Lieutenant Governor; and
- 24 (C) Four members of the Georgia House of Representatives appointed by the Speaker
- 25 of the House.
- 26 (c) The Governor shall designate from the ex officio or appointed members a chairperson,
- 27 vice chairperson, and secretary.
- 28 (d) Vacancies in the membership of the officers of the commission shall be filled in the
- 29 same manner as the original appointments were made.
- 30 (e) At the first meeting of the commission, ex officio and appointed members may elect
- 31 not more than eight additional members from the state at large to ensure appropriate
- 32 representation of geographic regions, ethnicity, historical organizations, educational
- 33 institutions and scholars, and federal or local agencies involved in historical promotion and
- 34 preservation.
- 35 (f) Staff support for the commission shall be provided by the Carl Vinson Institute of
- 36 Government at the University of Georgia.

1 (g) An organizational meeting of the commission shall be convened at the state capitol
2 within 45 days after adjournment sine die of the 2001 Session of the General Assembly,
3 such meeting time to be set by the Governor and the chairperson of the commission.
4 Afterwards, the commission shall hold at least one meeting during 2001 in each of the four
5 geographic regions of the state. Each meeting shall be well publicized in advance, with
6 members of the public, historical organizations, educational institutions, and other
7 interested parties invited to testify as to how to better promote history and historical
8 tourism in Georgia.

9 (h) The commission shall be authorized and directed to study all aspects of historical
10 education, promotion, preservation, and tourism in Georgia, with a special emphasis on:

11 (1) Developing a comprehensive inventory of what is currently being done in Georgia,
12 including the responsibilities and efforts of various state, local, and federal agencies;
13 public authorities; colleges and universities; nonprofit organizations; professional and
14 scholarly associations and societies; museums; local historical societies; patriotic and
15 historical organizations; public television and radio; local chambers of commerce,
16 development authorities, and convention and visitors bureaus; websites and other Internet
17 resources; churches; and other organizations;

18 (2) The status of Georgia history education in the state's public schools, colleges, and
19 universities, including the scope and content of textbooks currently used to teach Georgia
20 history;

21 (3) Developing strategies for enhancing partnerships between state, local, and federal
22 agencies, nonprofit organizations, and schools to promote Georgia history;

23 (4) The experiences of other states that have an official state museum of history;

24 (5) How other states promote state and local history and historical tourism;

25 (6) How historical tourism can be used to promote economic development, especially in
26 tier 1 and tier 2 counties, as defined by the OneGeorgia Authority;

27 (7) How to assist state, county, and city governments and other organizations to promote
28 commemoration of significant anniversaries with respect to state and local history;

29 (8) What role the new on-line Georgia Encyclopedia will play in promoting Georgia
30 history;

31 (9) Possible changes in state law that would facilitate the promotion of Georgia history
32 and historical tourism; and

33 (10) Funding and other revenue issues.

34 (i) The commission is authorized and empowered to accept appropriations, grants, or gifts
35 from any level of government; from any board, commission, or other unit of government;
36 from any public corporation or authority; from any public or private organization; from any
37 business; from any group; or from any individual. The commission shall be further

1 empowered to hold, invest, reinvest, and disburse such grants and gifts and any income
2 derived therefrom in carrying out the objectives and purposes of the commission and shall
3 not be required to pay such grants and gifts or income derived therefrom into the general
4 fund of the state treasury. The commission shall be further authorized to adopt such rules
5 and regulations and perform such other activities as necessary or appropriate for carrying
6 out its purposes and duties.

7 (j) The nonlegislative members of the commission shall receive no compensation for their
8 service and shall not receive any reimbursement of expenses; provided, however, that to
9 the extent that sufficient appropriations from the General Assembly, grants from the
10 Governor's contingency fund, or other sources, gifts, or other income is received,
11 nonlegislative members of the commission may be reimbursed upon approval by the
12 commission for travel and expenses not to exceed the allowances authorized for members
13 of state boards. Legislative members shall be compensated and provided with travel
14 expenses in accordance with law, House and Senate rules, and regulations adopted by the
15 Legislative Services Committee and Legislative Fiscal Office.

16 (k) To the extent that funding is available from whatever source, the Governor shall be
17 authorized to appoint a person to serve on a part-time or full-time basis as executive
18 director of the commission. Said executive director, if appointed, shall perform such duties
19 as directed by the Governor or by the chairperson of the commission.

20 (l) No legislative member of the commission shall vote on the expenditure of funds by the
21 commission, appointment of commission staff, or any matter of a nature properly
22 belonging in the executive branch. However, legislative members may participate in any
23 commission action of an advisory nature, such as making reports and recommendations.

24 (m) The commission shall be attached for administrative purposes to the office of the
25 Secretary of State.

26 (n) The commission may make reports and recommendations to the Governor and General
27 Assembly from time to time but shall make a final report not later than December 15, 2002,
28 at which time the commission shall be abolished.

29 (o) This Code section and this article shall be repealed on December 15, 2002."

30 SECTION 3.

31 This Act shall become effective upon its approval by the Governor or upon its becoming law
32 without such approval.

33 SECTION 4.

34 All laws and parts of laws in conflict with this Act are repealed.