

Senate Bill 374

By: Senators Pearson of the 51st, Williams of the 19th, Rogers of the 21st, Hill of the 4th,
Balfour of the 9th and others

VETOED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the
2 Department of Economic Development, so as to create the Legislative Economic
3 Development Council; to provide for legislative declarations; to provide for a sunset date;
4 to provide for definitions; to provide for the council's duties; to provide for the council's
5 powers; to provide for the council's membership; to provide for annual report; to amend
6 Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
7 of Community Affairs, so as to create the Martin Luther King, Jr. Advisory Council; to
8 provide for membership on the council; to provide for terms and duties of members; to
9 provide for an annual report; to provide for related matters; to provide for an effective date;
10 to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
14 of Economic Development, is amended by adding a new article to read as follows:

15 "ARTICLE 8

16 50-7-90.

17 The General Assembly declares that the legislative branch needs a forum to evaluate the
18 state's overall economic development strategy and review all state funded activities and
19 expenditures that go into implementing such strategy.

20 50-7-91.

21 There is created the Legislative Economic Development Council whose purpose shall be
22 to evaluate the state's overall economic development strategy and to oversee the

23 effectiveness of such strategy during its implementation. Such council shall exist and
24 function pursuant to this article until July 1, 2014.

25 50-7-92.

26 (a) As used in this article, the term 'council' means the Legislative Economic Development
27 Council created pursuant to Code Section 50-7-91.

28 (b) The duties of the council shall include:

29 (1) To review the state's current strategic goals regarding economic development, job
30 creation, and business formation and retention in Georgia and review its progress towards
31 meeting such goals;

32 (2) To review the Department of Economic Development's annual activities and
33 expenditures and how they work to advance the state's overall strategic vision for
34 economic development;

35 (3) To review the mission and performance of the economic development funds and
36 programs that the state provides resources for and how they work to advance the state's
37 overall strategic vision for economic development. Such programs may include, but are
38 not limited to, programs administered by the Department of Community Affairs,
39 OneGeorgia programs, the Georgia Research Alliance, and all state funded or supported
40 economic development programs within the University System of Georgia;

41 (4) To periodically review current tax exemptions and credits;

42 (5) To analyze legislative proposals regarding economic development and make
43 recommendations to appropriate legislative committees for action;

44 (6) To study the budgets, programs, and policies of state or local governing entities
45 involved in economic development;

46 (7) To analyze legislation and policies from other states regarding economic
47 development; and

48 (8) To review the laws of this state and the laws, policies, procedures, and guidelines of
49 this state's agencies to identify existing barriers to job creation and economic
50 development.

51 (c) The council shall meet at least twice during each calendar year. Additional meetings
52 may be held upon the call of the chairperson or upon the call of a majority of the members
53 of the council. Eight members of the council shall constitute a quorum and the affirmative
54 vote of a majority of those members present at a meeting of the council, provided such
55 members present constitute a quorum, shall be necessary to transact business of the council.
56 The chairperson shall be entitled to vote on all matters requiring a vote of the council.

57 50-7-93.

58 The council shall have the power to:

59 (1) Meet at such times and places as it may deem necessary;

60 (2) Cooperate with and secure the cooperation of every department, agency, or
 61 instrumentality in the state government or its political subdivisions in the furtherance of
 62 the purposes of this article;

63 (3) Appoint a citizens advisory committee to be made up of business and industry leaders
 64 to provide input and guidance to the council;

65 (4) Adopt such rules and regulations as are necessary to carry out the purposes of this
 66 article; and

67 (5) Do any and all things necessary or convenient to enable it to perform wholly and
 68 adequately its duties and to exercise the power granted to it.

69 50-7-94.

70 The council shall be cochaired by the Lieutenant Governor and the Speaker of the House
 71 of Representatives. The Lieutenant Governor shall chair the council meetings in the first
 72 year upon the effectiveness of this Act. Thereafter, the Lieutenant Governor and the
 73 Speaker shall alternate years chairing the council meetings. The council shall consist of:

74 (1) The chairperson of the Senate Appropriations Committee;

75 (2) The chairperson of the Senate Economic Development Committee;

76 (3) The chairperson of the Senate Finance Committee;

77 (4) The chairperson of the Senate Higher Education Committee;

78 (5) A member of the Senate to be appointed by the minority leader of the Senate;

79 (6) A member of the Senate to be appointed by the Lieutenant Governor;

80 (7) A member of the House of Representatives appointed by the Speaker of the House
 81 of Representatives;

82 (8) The chairperson of the House Committee on Appropriations;

83 (9) The chairperson of the House Committee on Economic Development and Tourism;

84 (10) The chairperson of the House Committee on Ways and Means;

85 (11) The chairperson of the House Committee on Higher Education; and

86 (12) A member of the House of Representatives appointed by the minority leader of the
 87 House of Representatives.

88 50-7-95.

89 The Department of Economic Development shall prepare a report on an annual basis
 90 detailing the state's programs and activities related to job creation and economic
 91 development in Georgia during the prior fiscal year. Such report shall list all the tools and

92 incentives that the state uses and how they were used during the prior year to grow jobs and
 93 to recruit and retain business. With respect to tax credits, the report shall, to the greatest
 94 extent possible, detail how much of each credit was used and how many jobs were created
 95 as a result of such credit. The report shall be submitted to each member of the council and
 96 to the office of the Governor. The Department of Economic Development shall prepare
 97 the report required pursuant to this Code section, which shall be completed no later than
 98 July 31 of each year."

99 **SECTION 2.**

100 Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
 101 of Community Affairs, is amended by adding a new article to read as follows:

102 "ARTICLE 10

103 50-8-240.

104 (a) There is created within the Department of Community Affairs the Martin Luther King,
 105 Jr. Advisory Council.

106 (b) The council shall consist of nine members as follows:

107 (1) The commissioner of community affairs or his or her designee;

108 (2) Six members to be appointed by the Governor, two of whom shall be between the
 109 ages of 18 and 22 years;

110 (3) One member to be appointed by the President of the Senate; and

111 (4) One member to be appointed by the Speaker of the House of Representatives.

112 (c) Members shall serve four-year terms. No member of the council serve more than two
 113 consecutive terms.

114 (d) Vacancies in the membership of the council shall be filled for the balance of the
 115 unexpired term by the appointing authority.

116 (e) The council shall select annually a chairperson from among its membership.

117 (f) Members of the council shall be subject to removal from office by the appointing
 118 authority when the actions or condition of a member shall be considered as good cause for
 119 removal.

120 (g) A majority of the council shall constitute a quorum for the transaction of business.

121 (h) Members of the council shall serve without compensation but, to the extent moneys are
 122 appropriated therefor, shall be eligible to receive reimbursement for mileage and other
 123 expenses actually incurred in the performance of their duties in accordance with the rates
 124 and standards for reimbursement of state employees.

125 50-8-241.

126 The Martin Luther King, Jr. Advisory Council shall have the following duties:

127 (1) To promote racial harmony, understanding, respect, and good will among all citizens;

128 (2) To promote principles of nonviolence, peace, and social justice;

129 (3) To promote among the people of Georgia, by appropriate activities, both awareness
130 and appreciation of the Civil Rights movement and advocacy of the principles and legacy
131 of Martin Luther King, Jr.;

132 (4) To develop, coordinate, and advise the state of appropriate ceremonies and activities
133 relating to the observance of the birthday of Martin Luther King, Jr., including, without
134 limitation, providing advice and assistance to local governments and private
135 organizations with respect to the observance of the birthday of Martin Luther King, Jr.;

136 (5) To enable the people of Georgia to reflect on the life and teachings of Martin Luther
137 King, Jr., through educational endeavors, cultural performances, exhibitions, and events
138 that are multiethnic and family oriented; and

139 (6) To prepare an annual report for the Governor and the General Assembly detailing the
140 actions taken to fulfill these responsibilities and duties.

141 50-8-242.

142 (a) To the extent moneys are appropriated therefor, the council may employ staff and
143 consultants and fix their compensation, duties, authority, and responsibilities.

144 (b) The council is assigned to the Department of Community Affairs for administrative
145 purposes."

146 **SECTION 3.**

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

149 **SECTION 4.**

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