

House Bill 1055

By: Representatives Frye of the 118th, Bazemore of the 63rd, Beverly of the 143rd, Dreyer of the 59th, Smyre of the 135th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to provide for a state program coordinated by the Governor related to employing
3 individuals in Georgia; to provide for a short title; to provide for findings; to create a joint
4 committee; to define certain terms; to limit the application of the chapter; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
9 by adding a new chapter to read as follows:

10 CHAPTER 39

11 50-39-1.

12 This chapter shall be known and may be cited as the "State Revenue Investment and
13 Employment Act of 2018" or the "STRIVE Act."

14 50-39-2.

15 The General Assembly hereby declares that:

16 (1) It is the policy of the State of Georgia to foster free competitive enterprise, the
17 investment of private capital in trade and commerce, and the development of the natural
18 resources of the State of Georgia;

19 (2) All Georgians able to work and seeking work have the right to useful, remunerative,
20 regular, and full-time employment, and it is the policy of the State of Georgia to assure
21 the existence at all times of sufficient employment opportunities to enable all Georgians
22 to freely exercise this right;

23 (3) In order to carry out the policies set forth in paragraphs (1) and (2) of this Code
 24 section and in order to:

25 (A) Promote the general welfare of Georgia;

26 (B) Raise the standard of living of Georgia's people;

27 (C) Provide adequate employment opportunities for veterans;

28 (D) Contribute to the full utilization of our natural resources;

29 (E) Develop trade and commerce among the counties of Georgia; and

30 (F) Preserve and strengthen competitive private enterprise, particularly small business
 31 enterprise.

32 it is essential that continuing full employment be maintained in the State of Georgia;

33 (4) In order to assist industry, agriculture, labor, and county and local governments in
 34 achieving continuing full employment, it is the responsibility of the state government to
 35 pursue such consistent and openly arrived at economic policies and programs as will
 36 stimulate and encourage the highest possible levels of employment opportunities through
 37 private and other nonstate investment and expenditure;

38 (5) To the extent that continuing full employment cannot otherwise be achieved, it is the
 39 further responsibility of the state government to provide such volume of state investment
 40 and expenditure as may be needed to assure continuing full employment; and

41 (6) Such investment and expenditure by the state government shall be designed to
 42 contribute to the state wealth and well-being and to stimulate increased employment
 43 opportunities by private enterprise.

44 50-39-3.

45 As used in this chapter, the term:

46 (1) 'Estimated aggregate volume of prospective investment and expenditures' means the
 47 aggregate volume of prospective investment and expenditure by private enterprises,
 48 consumers, counties, municipalities, authorities, political subdivisions, instrumentalities
 49 of the state, state agencies, and state government, which shall not take into account any
 50 increased or decreased investment or expenditure which might be expected to result from
 51 the programs set forth in the State Investment.

52 (2) 'Full employment volume of production' means the dollar value of the estimated
 53 aggregate volume of investment and expenditure by private enterprises, consumers,
 54 county and local governments, and the state government required to produce such volume
 55 of the gross national product, at the expected level of prices, as will be necessary to
 56 provide employment opportunities for such labor force.

57 (3) 'State Investment' means the plan transmitted by the Governor to the General
 58 Assembly in accordance with this chapter.

59 50-39-4.

60 (a) The Governor shall transmit to the General Assembly at the beginning of each regular
61 session the State Investment, which shall set forth in summary and in detail for the ensuing
62 fiscal year or such longer period as the Governor may deem appropriate:

63 (1) The estimated size of the labor force, including the self-employed, in industry and
64 agriculture;

65 (2) The full employment volume of production; and

66 (3) The estimated aggregate volume of prospective investment and expenditures.

67 (b)(1) The extent, if any, by which the estimated aggregate volume of prospective
68 investment and expenditures for any fiscal year or other period, as set forth in the State
69 Investment in accordance with paragraph (3) of subsection (a) of this Code section, is less
70 than the estimated aggregate volume of investment and expenditures required to assure
71 a full employment volume of production, as set forth in the State Investment in
72 accordance with paragraph (2) of subsection (a) of this Code section, shall for the
73 purposes of this title be regarded as a prospective deficiency in the State Investment.

74 (2)(A) When there is a prospective deficiency in the State Investment for any fiscal
75 year or other period, the Governor shall set forth in such State Investment a general
76 program for encouraging such increased nonstate investment and expenditures,
77 particularly investment and expenditures which will promote increased employment
78 opportunities by private enterprise, as will prevent such deficiency to the greatest
79 possible extent.

80 (B) The Governor shall also include in such State Investment such recommendations
81 for legislation relating to such program as he or she may deem necessary or desirable.
82 Such program may include, but need not be limited to, current and projected state
83 policies and activities with reference to banking and currency, monopoly and
84 competition, wages and working conditions, agriculture, taxation, the development of
85 natural resources, and such other matters as may directly or indirectly affect the level
86 of nonstate investment and expenditures.

87 (c)(1) To the extent, if any, that such increased nonstate investment and expenditures as
88 may be expected to result from actions taken under the program set forth in accordance
89 with subsection (b) of this Code section are deemed insufficient to provide a full
90 employment volume of production, the Governor shall transmit a general program for
91 such investment and expenditures as will be sufficient to bring the estimated aggregate
92 volume of prospective investment and expenditures up to the level required to assure a
93 full employment volume of production.

94 (2)(A) Such program shall be designed to contribute to the state wealth and well-being
95 and to stimulate additional nonstate investment and expenditures.

96 (B) Any of such programs calling for the construction of public works by the state
97 government shall provide for the performance of the necessary construction work by
98 private concerns under contracts awarded in accordance with applicable laws, except
99 where the performance of such work by some other method is necessary by reason of
100 special circumstances or is authorized by other provisions of law.

101 (d) If the estimated aggregate volume of prospective investment and expenditures for any
102 fiscal year or other period, as set forth in the State Investment in accordance with paragraph
103 (3) of subsection (a) of this Code section, is more than the estimated aggregate volume of
104 investment and expenditures required to assure a full employment volume of production,
105 as set forth in the State Investment in accordance with paragraph (2) of subsection (a) of
106 this Code section, the Governor shall set forth in such State Investment a general program
107 for preventing inflationary economic dislocations or for diminishing the aggregate volume
108 of investment and expenditures to the level required to assure a full employment volume
109 of production, or both.

110 (e) The programs referred to in subsections (b), (c), and (d) of this Code section shall
111 include such measures as may be necessary to assure that monopolistic practices with
112 respect to prices, production, or distribution, or other monopolistic practices, will not
113 interfere with the achievement of the purposes of this chapter.

114 (f) The State Investment shall include a report on the distribution of the state income
115 during the preceding fiscal year, or such longer period as the Governor may deem
116 appropriate, together with an evaluation of the effect upon the distribution of the national
117 income of the programs set forth in such State Investment.

118 (g) The Governor may from time to time transmit to the General Assembly such
119 supplemental or revised estimates, information, programs, or legislative recommendations
120 as he or she may deem necessary or desirable in connection with the State Investment.

121 50-39-5.

122 (a) The State Investment shall be prepared under the general direction and supervision of
123 the Governor in consultation with other heads of departments and establishments.

124 (b) The Governor shall transmit to the several departments and establishments such
125 preliminary estimates and other information as will enable them to prepare such plans and
126 programs as may be needed during the ensuing or subsequent fiscal years to help achieve
127 a full employment volume of production.

128 (c) The Governor may establish such advisory boards or committees composed of
129 representatives of industry, agriculture, labor, and county and local governments, and
130 others, as he or she may deem advisable for the purpose of advising and consulting on
131 methods of achieving the objectives of this chapter.

132 50-39-6.

133 (a) There is hereby established a Joint Committee on the State Investment, to be composed
134 of the chairpersons and ranking minority members of the Senate Committees on
135 Appropriations, Banking and Financial Institutions, Education and Youth, and Finance and
136 seven additional members of the Senate to be appointed by the Lieutenant Governor; and
137 the chairpersons and ranking minority members of the House Committees on
138 Appropriations, Banks and Banking, Regulated Industries, and Ways and Means and seven
139 additional members of the House of Representatives to be appointed by the Speaker of the
140 House of Representatives. The party representation of the joint committee shall reflect the
141 relative membership of the majority and minority parties in the Senate and the House of
142 Representatives.

143 (b) It shall be the function of the joint committee:

144 (1) To make a study of the State Investment transmitted to the General Assembly by the
145 Governor in accordance with Code Section 50-39-4; and

146 (2) To report to the Senate and the House of Representatives, not later than March 1 of
147 each year, its findings and recommendations with respect to the State Investment,
148 together with a joint resolution setting forth for the ensuing fiscal year a general policy
149 with respect to such State Investment to serve as a guide to the several committees of
150 Congress dealing with legislation relating to such State Investment.

151 (c) Vacancies in the membership of the joint committee shall not affect the power of the
152 remaining members to execute the functions of the committee and shall be filled in the
153 same manner as in the case of the original appointment. The committee shall select a
154 chairperson and a vice chairperson from among its members.

155 (d) The joint committee, or any duly authorized subcommittee thereof, is authorized to sit
156 and act at such places and times, to require by subpoena or otherwise the attendance of
157 such witnesses and the production of such books, papers, and documents, to administer
158 such oaths, to take such testimony, to procure such printing and binding, and to make such
159 expenditures as it deems advisable. The provisions of Sections 102 to 104, inclusive, of the
160 Revised Statutes shall apply in case of any failure of any witness to comply with any
161 subpoena, or to testify when summoned, under authority of this subsection.

162 (e) The joint committee is empowered to appoint and fix the compensation of such experts,
163 consultants, technicians, and clerical and stenographic assistance as it deems necessary and
164 advisable. The committee may utilize such voluntary and uncompensated services as it
165 deems necessary and is authorized to utilize the services, information, facilities, and
166 personnel of the departments and establishments.

167 (f) The expenses of the joint committee shall be paid one-half from the contingent fund of
 168 the Senate and one-half from the contingent fund of the House of Representatives upon
 169 vouchers signed by the chairperson or vice chairperson.

170 50-39-7.

171 (a) The Governor shall review quarterly all state investment and expenditures for the
 172 purpose of ascertaining the extent to which the current and anticipated levels of nonstate
 173 investment and expenditures warrant any change in the volume of such state investment
 174 and expenditures.

175 (b) Subject to such principles and standards as may be set forth in applicable
 176 appropriations Acts and other statutes, the rate of state investment and expenditures may
 177 be varied to whatever extent and in whatever manner the Governor may determine to be
 178 necessary for the purpose of assisting in assuring continuing full employment, with due
 179 consideration being given to current and anticipated variations in savings and in investment
 180 and expenditures by private business, consumers, county and local governments, and the
 181 state government.

182 50-39-8.

183 The heads of departments and establishments shall, at the request of any committee of
 184 either house of the General Assembly, furnish such committee with such aid and
 185 information with regard to the State Investment as it may request.

186 50-39-9.

187 This chapter shall not provide for or authorize:

188 (1) The operation of plants, factories, or other production facilities by the state
 189 government;

190 (2) The use of compulsory measures of any type whatsoever in determining the
 191 allocation or distribution of manpower;

192 (3) Any change in the existing procedures on appropriations; or

193 (4) The carrying out of, or any appropriations for, any program set forth in the State
 194 Investment, unless such program shall have been authorized by provisions of law other
 195 than this chapter.

196 (5) The disclosure of trade secrets or other information, the publication of which might
 197 have a harmful effect upon the firm or person supplying such information."

198 **SECTION 2.**

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