

The Senate Committee on Economic Development and Tourism offered the following substitute to HB 1048:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 3 and Chapter 7 of Title 50 of the Official Code of Georgia
2 Annotated, relating to other state symbols and the Department of Economic Development,
3 respectively, so as to promote economic development in this state through the recognition
4 and promotion of certain symbols and industries; to designate cornbread as the official state
5 bread; to enact the "Georgia State-wide Music Office Act"; to provide for legislative
6 findings; to provide for definitions; to create the Georgia State-wide Music Office; to provide
7 for administration of the office; to provide for duties of the office; to create the Georgia
8 Music Advisory Council; to provide for membership, terms, and filling of vacancies; to
9 provide for administration of the council; to provide for duties of the council; to provide for
10 the adoption and promulgation of rules and regulations; to provide for appropriations
11 contingency; to provide legislative findings and declarations; to provide for related matters;
12 to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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PART I
SECTION 1-1.

16 The General Assembly finds and declares as follows:

17 (1) The colorful history and traditions of the State of Georgia are inextricably associated
18 with the food traditions of corn and among the many legacies of this proud heritage is the
19 delicious bread known as cornbread;

20 (2) Relied upon by indigenous people to sustain themselves, cornbread has transcended
21 its humble origins to take a place of honor at such events as the Prater's Mill Country Fair
22 in Whitfield County;

23 (3) With thousands of participants and visitors, such celebrations include cornbread
24 cooked on a wood-burning stove and served with collard greens and pinto beans;

25 (4) Corn is grown, ground, and made into cornmeal at historic mills like Prater's Mill,
26 Nora Mill, Berry College Mill, Fielder's Grist Mill, and Ogeechee River Mill and modern
27 mills like Southeastern Mills, and Logan Turnpike Mill;

28 (5) Cornmeal is then sold in stores and served in eating establishments throughout the
29 state, and cornbread is enjoyed by young and old at home and in restaurants; and

30 (6) Cornbread enjoys a singular stature in Georgia history and culture that is rivaled only
31 by its undeniable appeal as a versatile and satisfying food. Establishing cornbread as the
32 official Georgia state bread is necessary to fully recognize the importance of this product
33 to this state.

34

SECTION 1-2.

35 Article 3 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to other
36 state symbols, is amended by adding a new Code section to read as follows:

37 "50-3-92.

38 Cornbread is designated as the official Georgia state bread."

39 **PART II**
40 **SECTION 2-1.**

41 Said title is further amended in Chapter 7, relating to the Department of Economic
42 Development, by revising Article 10, which is reserved, as follows:

43 "ARTICLE 10

44 50-7-120.

45 This article shall be known and may be cited as the 'Georgia State-wide Music Office Act.'

46 50-7-121.

47 (a) The General Assembly finds that it is in the state's interest to establish a dedicated
48 office, which shall be known as the Georgia State-wide Music Office, to be administered
49 by the Department of Economic Development. The office shall focus on the state-wide
50 support, promotion, and cultivation of Georgia's growing music industry.

51 (b) The mission of the office shall be to create opportunity and connect businesses, to
52 serve as a clearing-house for Georgia music industry information and as a liaison between
53 music businesses and government offices and agencies, to publicize significant
54 developments within the music industry, and to foster a vibrant music industry to bolster
55 the economic development of music businesses and musicians in Georgia.

56 50-7-122.

57 As used in this article, the term:

58 (1) 'Agency' or 'agencies' means any officer, board, department, agency, commission,
59 bureau, authority, public corporation, instrumentality, council, or other entity of state
60 government when engaged in an activity conducive to marketing which promotes music.

- 61 (2) 'Commissioner' means the commissioner of economic development.
- 62 (3) 'Coordinate' and 'coordination' include issuing rules, policies, standards, definitions,
63 specifications, and other guidance and direction.
- 64 (4) 'Council' means the Georgia Music Advisory Council established pursuant to Code
65 Section 50-7-124.
- 66 (5) 'Department' means the Department of Economic Development.
- 67 (6) 'Implement' and 'implementation' include planning, writing, drafting, designing,
68 study, and market analysis; solicitation and acceptance of gifts, contributions, and
69 cooperation; contracting, procurement, retention of consultants, outsourcing, similar
70 activities, and other activities within the ordinary meaning of the term in this context.
- 71 (7) 'Market' and 'marketing' include promotion, advertising, signage, public relations,
72 press relations, branding, and use of a 'look'; creation, use, and licensing of trademark,
73 copyright, and other intellectual property; discounts; and other activities of similar nature
74 or within the term as it is commonly understood.
- 75 (8) 'Office' means the Georgia State-wide Music Office established pursuant to Code
76 Section 50-7-123.
- 77 (9) 'Resident' means a person who has a permanent home or domicile in Georgia and to
78 which, having been absent, he or she has the intention of returning. For the purposes of
79 this article, there is a rebuttable presumption that any person who, except for infrequent,
80 brief absences, has been present in the state for 30 or more days is a resident.
- 81 50-7-123.
- 82 (a) There is established within the department the Georgia State-wide Music Office. The
83 office is assigned to the department for administrative purposes only. The commissioner
84 shall appoint personnel within the department to facilitate the functions of the office.
- 85 (b) The office shall have a director and staff. The director shall report to the
86 commissioner. In selection of the director, consideration shall be given to individuals who

87 possess extensive knowledge of the many aspects of the music industry, including, but not
88 limited to, live touring, recording, and distribution, and who possess at least five years of
89 experience in the music industry.

90 (c) Primary duties of the office shall include, but shall not be limited to, promoting the
91 increased production of music in this state, the enjoyment and appreciation of the Georgia
92 music industry, and the benefits of visiting and viewing the diverse music productions in
93 this state. In particular, the office shall:

94 (1) Serve as a music business promotion office and information clearing-house for the
95 Georgia music industry, including, but not limited to, through creating and implementing
96 a strategic business development plan to help music industry professionals and businesses
97 to relocate to this state by providing resources and acting as a conduit for music related
98 economic development;

99 (2) Coordinate and market specific programs and initiatives to attract music industry
100 professionals and to foster the economic development of Georgia music businesses and
101 musicians;

102 (3) Assist in growing Georgia's music industry by providing music industry professionals
103 with production contacts in this state; suggesting possible performing, publishing, and
104 recording locations; and other activities as may be required to promote this state as a
105 national music center;

106 (4) Serve as a liaison between music businesses and governmental offices and agencies
107 in areas including, but not limited to, workforce development, education, and tourism;

108 (5) Publicize significant developments within the industry;

109 (6) Develop resource guides and create and maintain an information data base and a
110 secure public website;

111 (7) Develop and market listings of music festivals, productions, and other music events
112 being held throughout this state;

113 (8) Publicize and market this state's music heritage and culture; and

114 (9) Facilitate the expansion of the music industry in this state.

115 50-7-124.

116 (a) The office shall be under the direction of the Georgia Music Advisory Council whose
117 mission shall include raising awareness of the rich and thriving music industry in Georgia.
118 Such council shall consist of eight members and one chairperson who shall be appointed
119 by the Governor. The Governor, in making such appointments, shall ensure to the greatest
120 extent possible that the membership of the council is representative of this state's
121 geographic and demographic composition, with appropriate attention to the representation
122 of women, minorities, and rural Georgia. The members of the council shall be individuals
123 of recognized ability and achievement. The appointments made by the Governor shall
124 include:

125 (1) One member of the Georgia Film, Music, and Digital Entertainment Office who is
126 experienced in the music sector and who will represent the department;

127 (2) One member with focus and experience in music education and workforce
128 development;

129 (3) One member with focus and experience in music technology, music distribution, or
130 music manufacturing;

131 (4) One member who is a music creator, including, but not limited to, a songwriter,
132 musician, producer, or composer;

133 (5) One member who is a representative of a state-wide music organization, including,
134 but not limited to, Georgia Music Partners, the Recording Academy, or the Audio
135 Engineering Society;

136 (6) One member who is a representative of the live music industry, including, but not
137 limited to, a venue owner, operator, promoter, or talent buyer;

138 (7) One member who is a representative of the recorded music industry, including, but
139 not limited to, a studio owner, studio producer, or engineer; and

- 140 (8) One member who is a representative of a music nonprofit organization, including, but
141 not limited to, organizations involved in the performing arts, opera, or symphony.
- 142 (b) The Governor shall appoint a person to chair the council. Such person shall not be a
143 member of the council. The chairperson may vote to break a tie.
- 144 (c) The commissioner, or his or her designee, shall serve as an ex officio, nonvoting
145 member of the council.
- 146 (d) Each member shall serve for a term of four years and shall be eligible for successive
147 appointments by the Governor. Any member with four consecutive unexcused absences
148 from regular monthly meetings may be removed from the council by the Governor. Each
149 person appointed to the council shall be a resident of Georgia. Any person appointed to
150 the council who ceases to be a resident of this state during his or her term shall be removed
151 from the council and such vacancy shall be filled by the Governor. All vacancies shall be
152 filled for the unexpired term by the Governor.
- 153 (e) The council shall adopt procedures for its own operation and for the transaction of
154 business, including, but not limited to, setting a quorum for meetings and for the
155 transaction of business; setting meeting dates, times, and places; and calling meetings.
- 156 (f) As part of its advisory duties, the council shall:
- 157 (1) Advise the Governor, the General Assembly, the department, and other state agencies
158 on music related policy initiatives, including, but not limited to, the protection,
159 promotion, and preservation of music and the music industry in this state and any
160 conditions, restrictions, or burdens imposed by law or otherwise adversely affecting the
161 legitimate development and expansion of the music industry in this state;
- 162 (2) Create and implement a strategic business development plan to help music industry
163 professionals and businesses to relocate to this state by providing resources and acting
164 as a conduit for music related economic development;
- 165 (3) Advise and assist public agencies in elevating the role of and fostering appreciation
166 for the value of music;

- 167 (4) Create and assist in the implementation of an ongoing marketing campaign to
168 promote Georgia as a music destination for both visitors and music professionals;
169 (5) Encourage educational, creative, and professional music activities; attract outstanding
170 musicians to this state through direct activities, such as sponsorship of music; and
171 implement programs of publicity, education, and coordination; and
172 (6) Protect, promote, and preserve the rich musical traditions of Georgia.

173 50-7-125.

174 (a) The department is authorized to adopt and promulgate such rules and regulations as
175 may be necessary to carry out this article.

176 (b) In marketing and implementation of marketing for Georgia's music industry, the
177 department may exercise its powers under paragraphs (9) and (11) of Code Section 50-7-8
178 and may authorize and delegate to the office and to the council all or parts of such powers
179 for their own implementation.

180 50-7-126.

181 This article shall be subject to appropriations by the General Assembly or other available
182 funding. Reserved."

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PART III

184

SECTION 3-1.

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