

Senate Resolution 678

By: Senators Hamrick of the 30th, Williams of the 19th, Kemp of the 46th, Hill of the 4th, Smith of the 52nd and others

**ADOPTED SENATE**

**A RESOLUTION**

1 Proposing an amendment to the Constitution so as to remove capital outlay projects from  
2 inclusion in the educational purposes and programs for which lottery proceeds may be used;  
3 to provide for submission of this amendment for ratification or rejection; and for other  
4 purposes.

5 **BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Article I, Section II, Paragraph VIII of the Constitution is amended by striking subparagraph  
8 (c) and inserting in lieu thereof the following:

9 "(c) The General Assembly may by law provide for the operation and regulation of a  
10 lottery or lotteries by or on behalf of the state and for any matters relating to the purposes  
11 or provisions of this subparagraph. Proceeds derived from the lottery or lotteries operated  
12 by or on behalf of the state shall be used to pay the operating expenses of the lottery or  
13 lotteries, including all prizes, without any appropriation required by law, and for  
14 educational programs and purposes as hereinafter provided. Lottery proceeds shall not be  
15 subject to Article VII, Section III, Paragraph II; Article III, Section IX, Paragraph VI(a);  
16 or Article III, Section IX, Paragraph IV(c), except that the net proceeds after payment of  
17 such operating expenses shall be subject to Article VII, Section III, Paragraph II. Net  
18 proceeds after payment of such operating expenses shall be separately accounted for and  
19 shall be specifically identified by the Governor in his annual budget presented to the  
20 General Assembly as a separate budget category entitled 'Lottery Proceeds' and the  
21 Governor shall make specific recommendations as to educational programs and educational  
22 purposes to which said net proceeds shall be appropriated. In the General Appropriations  
23 Act adopted by the General Assembly, the General Assembly shall appropriate all net  
24 proceeds of the lottery or lotteries by such separate budget category to educational  
25 programs and educational purposes. Such net proceeds shall be used to support  
26 improvements and enhancements for educational programs and purposes and such net  
27 proceeds shall be used to supplement, not supplant, non-lottery educational resources for

1 educational programs and purposes. The educational programs and educational purposes  
 2 for which proceeds may be so appropriated shall include only the following:

3 (1) Tuition grants, scholarships, or loans to citizens of this state to enable such citizens  
 4 to attend colleges and universities located within this state, regardless of whether such  
 5 colleges or universities are operated by the board of regents, or to attend institutions  
 6 operated under the authority of the Department of Technical and Adult Education;

7 (2) Voluntary pre-kindergarten;

8 (3) One or more educational shortfall reserves in a total amount of not less than 10  
 9 percent of the net proceeds of the lottery for the preceding fiscal year; and

10 (4) Costs of providing to teachers at accredited public institutions who teach levels  
 11 K-12, personnel at public postsecondary technical institutes under the authority of the  
 12 Department of Technical and Adult Education, and professors and instructors within the  
 13 University System of Georgia the necessary training in the use and application of  
 14 computers and advanced electronic instructional technology to implement interactive  
 15 learning environments in the classroom and to access the state-wide distance learning  
 16 network; and

17 ~~(5) Capital outlay projects for educational facilities;~~

18 provided, however, that no funds shall be appropriated for the ~~items~~ item listed in  
 19 ~~paragraphs~~ paragraph (4) ~~and (5)~~ of this subsection until all persons eligible for and  
 20 applying for assistance as provided in paragraph (1) of this subsection have received such  
 21 assistance, all approved pre-kindergarten programs provided for in paragraph (2) of this  
 22 subsection have been fully funded, and the education shortfall reserve or reserves provided  
 23 for in paragraph (3) of this subsection have been fully funded."

## 24 SECTION 2.

25 The above proposed amendment to the Constitution shall be published and submitted as  
 26 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 27 above proposed amendment shall have written or printed thereon the following:

28 "( ) YES Shall the amendment be approved that removes capital outlay projects from  
 29 the programs and purposes for which lottery proceeds may be used?"

30 ( ) NO

31 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

32 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 33 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 34 become a part of the Constitution of this state.