

Senate Resolution 801

By: Senators Brown of the 26th, Butler of the 55th, Stoner of the 6th, Adelman of the 42nd,  
Jones of the 10th and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to protect lottery proceeds so they may  
2 be reserved only for tuition grants, scholarships, or loans to enable citizens of this state to  
3 attend colleges and universities within this state, voluntary pre-kindergarten, and educational  
4 shortfall reserves; to require the expenditure of shortfall reserves before reducing tuition  
5 grant and scholarship amounts; and to require legislative approval and approval of the  
6 qualified electors of this state prior to reducing tuition grant and scholarship amounts; to  
7 provide for submission of this amendment for ratification or rejection; and for other  
8 purposes.

9 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 10 SECTION 1.

11 Article I, Section II, Paragraph VIII of the Constitution is amended by striking subparagraphs  
12 (c) and (d) and inserting in lieu thereof the following:

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

1 proceeds of the lottery or lotteries by such separate budget category to educational  
 2 programs and educational purposes. Such net proceeds shall be used to support  
 3 improvements and enhancements for educational programs and purposes and such net  
 4 proceeds shall be used to supplement, not supplant, non-lottery educational resources for  
 5 educational programs and purposes. The educational programs and educational purposes  
 6 for which proceeds may be so appropriated shall include only the following:

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

11 (2) Voluntary pre-kindergarten; and

12 (3) One or more educational shortfall reserves in a total amount of not less than 10  
 13 percent of the net proceeds of the lottery for the preceding fiscal year. No less than  
 14 thirty-five percent of the educational shortfall reserves must be expended before the  
 15 award amounts for tuition grants and scholarships under subparagraph (c)(1) may be  
 16 reduced or eliminated in accordance with subparagraph (d);

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

24 ~~(5) Capital outlay projects for educational facilities;~~  
 25 ~~provided, however, that no funds shall be appropriated for the items listed in paragraphs~~  
 26 ~~(4) and (5) of this subsection until all persons eligible for and applying for assistance as~~  
 27 ~~provided in paragraph (1) of this subsection have received such assistance, all approved~~  
 28 ~~pre-kindergarten programs provided for in paragraph (2) of this subsection have been fully~~  
 29 ~~funded, and the education shortfall reserve or reserves provided for in paragraph (3) of this~~  
 30 ~~subsection have been fully funded.~~

31 (d) No tuition grant or scholarship award amount established pursuant to subparagraph  
 32 (c)(1) may be reduced or eliminated unless approved by two-thirds of the members of each  
 33 house of the General Assembly and by referendum of the qualified electors of the State of  
 34 Georgia.

35 ~~(d)~~(e) On and after January 1, 1995, the holding of raffles by nonprofit organizations  
 36 shall be lawful and shall not be prohibited by any law enacted prior to January 1, 1994.

1 Laws enacted on or after January 1, 1994, however, may restrict, regulate, or prohibit the  
2 operation of such raffles."

3 **SECTION 2.**

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

7 "( ) YES Shall the Constitution of Georgia be amended to protect lottery proceeds so  
8 ( ) NO they may be reserved only for tuition grants, scholarships, or loans to enable  
9 citizens of this state to attend colleges and universities within this state,  
10 voluntary pre-kindergarten, and educational shortfall reserves; to require the  
11 expenditure of shortfall reserves before reducing tuition grant and  
12 scholarship amounts; and to require legislative approval and approval by the  
13 qualified electors of this state prior to reducing tuition grant and scholarship  
14 amounts?"

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

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