

Senate Resolution 125

By: Senators Carter of the 13th, Harp of the 29th, Chance of the 16th, Heath of the 31st, Hamrick of the 30th and others

ADOPTED SENATE**A RESOLUTION**

1 Proposing an amendment to the Constitution of Georgia so as to protect lottery funds so that
 2 they may be reserved only for the HOPE Scholarship Program and other tuition grants,
 3 scholarships, or loans to enable citizens of this state to attend colleges and universities within
 4 this state, for voluntary pre-kindergarten, and for educational shortfall reserves and to
 5 maximize the benefits to students of the scholarships by eliminating the automatic benefit
 6 reductions for book allowances and student activity fees; to provide for submission of this
 7 amendment for ratification or rejection; and for other purposes.

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

9 **SECTION 1.**

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

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

1 programs and educational purposes. Such net proceeds shall be used to support
 2 improvements and enhancements for educational programs and purposes and such net
 3 proceeds shall be used to supplement, not supplant, ~~non-lottery~~ nonlottery educational
 4 resources for educational programs and purposes. The educational programs and
 5 educational purposes for which proceeds may be so appropriated shall include only the
 6 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;

14 provided, however, that any law enacted by the General Assembly prior to January 1,
 15 2009, that implements automatic benefit reductions for book allowances, student activity
 16 fees, or other related fees based on year-end balances in accounts relating to tuition
 17 grants, scholarships, or loans provided pursuant to subparagraph (1) of this subparagraph
 18 shall be null and void

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

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

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

33 SECTION 2.

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

1 " YES Shall the Constitution of Georgia be amended to protect lottery funds so that
2 NO they may be reserved only for the HOPE Scholarship Program and other
3 tuition grants, scholarships, or loans to enable citizens of this state to attend
4 colleges and universities within this state; for voluntary pre-kindergarten;
5 and for educational shortfall reserves and to maximize the benefits to
 students of the scholarships by eliminating the automatic benefit reductions
 for book allowances and student activity fees?"

6 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
7 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
8 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
9 become a part of the Constitution of this state.