

**2010 SENATE HIGHER EDUCATION
COMMITTEE ROSTER**

Senator Seth Harp, 29th
Chairman
P.O. Box 363
Midland, GA 31820

Senator Bill Cowsert, 46th
Vice Chairman
P.O. Box 512
Athens, GA 30603

Senator John Douglas, 17th
Secretary
295 Nicklaus Circle
Social Circle, GA 30025

Senator Ronnie Chance, 16th
P.O. Box 267
Tyrone, GA 30290

Senator John Crosby, 13th
P.O. Box 891
Tifton, GA 31793

Senator Tim Golden, 8th
110 Beacon Hill
Valdosta, GA 31602

Senator Lester Jackson, 2nd
1501 Abercorn Street
Savannah, GA 31401

Senator Dan Moody, 56th, *Ex-Officio*
3977 Merriweather Woods
Alpharetta, GA 30022

Senator Nan Orrock, 36th
1070 Delaware Ave., SE
Atlanta, GA 30316

Senator Curt Thompson, 5th
6563 Devonshire Court
Norcross, GA 30093

HIGHER EDUCATION COMMITTEE RULES

1. These Committee Rules of Operation shall be consistent with Senate Rule 2-1.5 (d) regarding the establishment of Rules of Operation.
2. Quorum of the Committee shall be five (5) members.
3. The Chairman shall have the authority to refer bills and resolutions to be considered and the order in which said measures are considered; the Chairman shall have the authority to call a bill, resolution, substitute or amendment for debate and explanation only.
4. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full Committee at such time as shall be designated by the Chairman.
5. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
6. A bill or resolution will be considered only after presentation by its principal author or other legislator whom he/she may designate. The principal author shall be the legislator whose name first appears on the list of authors.
7. The Chairman reserves the right to delay action on substitutes and amendments not provided to the Chairman at least 24 hours prior to the hearing.
8. Any member or members of the Committee who disagree(s) with the majority report of the Committee shall be privileged to file a minority report if they so desire.
9. These rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the Committee.
10. Where these rules are silent on a specific issue, the Rules of the Senate as adopted shall govern.

SENATE HIGHER EDUCATION COMMITTEE

The Senate Higher Education Committee met in MEZZ 1 of the State Capitol on February 2, 2010 at 3:00 p.m.

The following Senators were present:

Harp of the 29th
Douglas of the 17th
Crosby of the 13th
Golden of the 8th
Jackson of the 2nd
Orrock of the 36th

Note: Senator Cowser of the 46th, Senator Chance of the 16th and Senator C. Thompson of the 5th were absent.

Chairman Harp called the meeting to order at 3:01 p.m.

Chairman Harp stated that this meeting would be a hearing only.

SB 293 (Seabaugh, 28th)

Georgia Lottery Corporation Board of Directors

Senator Seabaugh presented **SB 293**. He stated that the purpose of this bill is to bring transparency and accountability to the Georgia Lottery Fund. He stated that many people around the state are being furloughed but that the CEO of the Lottery makes over two hundred thousand dollars. The Constitution of Georgia set up the Lottery fund to be a separate organization so that the General Assembly would not be able to interfere with the operations of the Lottery. Senator Seabaugh stated that private organizations and corporations have shareholders. The shareholders then hold the Board of Directors responsible. The shareholders for the Lottery Fund are the citizens of Georgia and the Georgia Lottery should have to make a budget presentation to a joint House and Senate oversight committee at the beginning of the year. This would detail their budget for the coming year, including salary and bonus plans.

SB 293 would provide for an oversight committee which would consist of nine members. Three would be appointed by the Governor, three by the President of the Senate and three by the Speaker of the House.

Senator Orrock asked Senator Seabaugh how effective is the current oversight committee. Senator Seabaugh replied that, although he does not sit on that committee, after conversations with the current chairman they want more involvement from the General Assembly.

Senator Douglas asked whether the lottery corporation is a state agency.

Senator Seabaugh replied that the lottery commission is a quasi-corporation, but it operates like an agency.

Senator Douglas asked if the legislature is not appropriating funds, are we setting a precedent by legislating what a Lottery employee's bonuses can be and what their salaries must be.

Senator Seabaugh stated that this bill establishes a separate organization to help provide accountability and transparency. It would take a constitutional amendment to change the structure of the corporation. He also felt that the Lottery is a separate entity and would not set precedents for other private corporations.

Senator Lester Jackson asked if the percentage of money given to the HOPE scholarship has declined and if so where has the money gone.

Senator Seabaugh responded that the money has gone to operating costs and payouts, but he did not have the exact details of the costs.

Senator Seabaugh thanked the Committee for their time.

Chairman Harp then requested that Margaret DeFrancesco, CEO, Georgia Lottery, address the Committee.

Ms. DeFrancesco stated that the Lottery Corporation is about to start two national lotteries, which will hopefully bring in more money for HOPE. The Lottery Corporation was founded in 1995 as an entrepreneurial endeavor. It does not receive any state money and none of the employees are state employees. She mentioned that the Georgia Lottery is one of the most successful in the nation because of the great legislation in this state. Many other lotteries have failed, when Georgia's has succeeded. Their aim is to maximize revenue for education. There is a Board of Directors for the Lottery, whose main responsibilities are to choose a CEO and make sure profits are maximized. The employees are highly motivated because there is a base salary and a bonus system. In the last year, the Georgia Lottery Commission has raised over 2.3 million dollars per day for HOPE. She mentioned that she understands that the Georgia Lottery Commission has to be transparent and open, and that the Commission has open records now and has complied with all regulations.

Senate Higher Education Committee
Page 3 of 3
February 2, 2010

Chairman Harp asked if there were any questions of the CEO.

Senator Orrock asked if there are any charts to see how the money is being spent.

Ms. DeFrancesco supplied the Committee with charts which showed the percentage of money collected and the percentage of HOPE funds. She stated that the percentage is going down, but that the total money is going up. She stated that there are two reasons why the Lottery Commission works so well, the first being the visibility and nature of helping education and the second being the flexibility the Commission has because of the way it is set up.

Chairman Harp asked for final comments and questions. He stated that he will wait for more input before [SB 293](#) is brought to a vote in the committee.

There being no further business, Chairman Harp adjourned the meeting at 3:29 p.m.

Respectfully submitted,

/s/ Douglas of the 17th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE HIGHER EDUCATION COMMITTEE

The Senate Higher Education Committee met in Room #125 of the State Capitol on February 4, 2010 at 1:00 p.m.

The following Senators were present:

Harp of the 29th
Cowser of the 46th
Douglas of the 17th
Chance of the 16th
Crosby of the 13th

Note: Golden of the 8th, Jackson of the 2nd, Orrock of the 36th and C.Thompson of the 5th were absent.

Chairman Harp called the meeting to order at 1:12 p.m.

SB 340 (Harp, 29th)

Reporting systems for determining HOPE eligibility

Chairman Harp presented **SB 340** stating that this legislation would revise the law to require that eligibility for the HOPE GED Grant include Georgia residency. He said as background that the HOPE GED Grant is the only HOPE program that does not require that a student must be a Georgia resident. Georgia Student Finance Commission is requesting that the requirements for this program be conformed to match the requirements of the HOPE Grant program. Those requirements are that students be a resident of Georgia for 12 months in order to be eligible for the HOPE GED Grant. He further stated that the consequence of not pursuing this statutory change would be that a person who is a non-resident of Georgia would be eligible to receive the \$500.00 GED Grant. Senator Harp further explained that this legislation adds a new subsection which requires private and public schools to adopt a reporting system for determining HOPE eligibility for freshman, sophomores, and junior high students. Schools must report the complete high school transcript which includes courses, non weighted grades, any state tests, and the grading scale used by the school. The Commission will use these transcripts to calculate a grade point average and notify parents and high schools of potentially eligible students.

Senator Cowser asked if this was an unfunded mandate and if there had been any feedback from this legislation. Chairman Harp stated that there had been none.

Senate Higher Education Committee
Page 2 of 2
February 4, 2010

Senator Chance made a motion that **SB 340** “do pass”. Senator Douglas seconded the motion. [SB 340](#) passed 4-1. Senator Cowsert opposed the legislation.

[SB 341](#) (Harp, 29th)

HOPE GED vouchers

Chairman Harp presented **SB 341**, the HOPE GED vouchers legislation. He stated that this legislation sets out the residency requirements for eligibility for HOPE GED vouchers. The requirements for private and public postsecondary institutions will be created by the Georgia Student Finance Commission. The public institution requirements will be based on the in-state tuition policies and guidelines set by the board of regents and the Technical College System of Georgia.

Senator Douglas asked what the current requirements for this program include.

Chairman Harp asked Fatimot Ladipo, Legislative Liaison for the Georgia Student Finance Commission, to address this question and any others pertaining to this legislation.

Ms. Ladipo stated that there are no requirements at this time and this is why this legislation is so seriously needed. She also stated that all other HOPE recipients were required to have a one year residency for the grant and a two year residency requirement for the scholarship. She stated that the one year requirement is currently being enforced, but there is no legislation backing this requirement. This legislation would become effective July 1st, 2010.

Senator Cowsert made a motion that [SB 341](#), “do pass”. Senator Chance seconded the motion. **SB 341** passed by unanimous vote.

There being no further business, Chairman Harp adjourned the meeting at 1:20 p.m.

Respectfully submitted,

/s/ Douglas of the 17th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE HIGHER EDUCATION COMMITTEE

The Senate Higher Education Committee met in MEZZ 1 of the State Capitol on February 16, 2010 at 3:00 p.m.

The following Senators were present:

Harp of the 29th
Cowsert of the 46th
Douglas of the 17th
Crosby of the 13th
Jackson of the 2nd

Note: Chance of the 16th, Golden of the 8th, Orrock of the 36th and C.Thompson of the 5th

Chairman Harp called the meeting to order at 3:03 p.m.

SB 293 (Seabaugh, 28th)

Georgia Lottery Corporation

Chairman Harp reminded the committee that this legislation had a hearing on February 2, 2010. He stated that it was his understanding that the Georgia Lottery Commission and Senator Seabaugh had worked through differences and that the substitute **LC 38 0993S** to **SB 293** would provide for a review and suggestions regarding any bonuses or incentive packages recommended by the chief executive office. The substitute also stipulates the preparation of a budget which shall include a detailed accounting of all bonuses and incentive packages proposed by the corporation. This is to be reviewed by the legislative oversight committee. The legislation also provides for the composition of the oversight committee members appointment.

Chairman Harp opened the floor for discussion. There being none, the Chairman called for a motion.

Senator Douglas made a motion that **SB 293**, “do pass by substitute”. Senator Cowsert seconded the motion. **SB 293** passed by unanimous vote.

Senate Higher Education Committee
Page 2 of 2
February 16, 2010

There being no further business, Chairman Harp adjourned the meeting at 3:35 p.m.

Respectfully submitted,

/s/ Douglas of the 17th, Secretary

/s/ Vicki Gibbs, Recording Secretary

OFFICE OF LIEUTENANT GOVERNOR
240 State Capitol
Atlanta, Georgia 30334

Casey Cagle
Lieutenant Governor

March 17, 2010

The Honorable Bob Ewing
Secretary of the Senate
353 State Capitol
Atlanta, GA 30334

Dear Bob:

Please let this letter serve as official notice that Senator Dan Moody, 56th, is hereby appointed to the Senate Committee on Higher Education as an Ex-Officio Member.

This appointment is effective immediately.

Please contact my office if you have any questions or concerns.

Sincerely,

/s/ Casey Cagle
Lieutenant Governor

SENATE HIGHER EDUCATION COMMITTEE

The Senate Higher Education Committee met in MEZZ 1 of the State Capitol on March 17, 2010 at 1:00 p.m.

The following Senators were present:

Cowsert of the 46th
Douglas of the 17th
Crosby of the 13th
*Moody of the 56th
C.Thompson of the 5th

Note: Senators Harp of the 29th, Chance of the 16th, Golden of the 8th, Jackson of the 2nd, and Orrock of the 36th were absent.

Chairman Harp being unable to attend the meeting requested that Vice-Chairman Cowsert officiate. **Also, by official notice of the Office of the Lieutenant Governor, Senator Dan Moody of the 56th was appointed as an Ex-Officio member of the Senate Committee on Higher Education.*

Vice-Chairman Cowsert called the meeting to order at 1:14 p.m.

SB 496 (Hill, 4th)

Establish the HOPE need-based scholarship

Senator Jack Hill presented **SB 496**. He outlined the need for a need-based scholarship. He stated that to be eligible for a HOPE college opportunity grant, students must meet certain residency requirements including being classified as a legal Georgia resident under the institution's in-state tuition policy; students who were legal Georgia residents at the time they graduated high school must have met the residency requirements for at least 12 months prior to the first day of classes for which the HOPE grant is to be awarded; for non-Georgia residents, this term is 24 months; and dependent children of military personnel stationed in Georgia who graduate from a Georgia high school or home study program will be deemed Georgia residents.

Senator Jack Hill also stated that the other requirements would include that students must also be a Pell Grant recipient during any term they seek a HOPE college opportunity grant. The legislation also states that students must be full-time students attending eligible public postsecondary institutions and must meet enrollment standards and maintain satisfactory academic progress.

Senate Higher Education Committee
Page 2 of 4
March 17, 2010

Senator Jack Hill further stated that he would call this program the “stay in college grant” because it is based on family income and so many of these students fall below the poverty level. He said that the legislation instructed the Georgia Student Finance Commission to check year by year for a student’s need and contained broad language for Student Finance to use their jurisdiction. He stated student finance assisted in drawing the legislation. Senator Jack Hill further stated that this is for degree seeking students, not an entitlement program.

Chairman Cowsert asked Senator Jack Hill if everything is the same as the HOPE scholarship, except the academic eligibility. He also asked what was required to receive a Pell Grant.

Senator Jack Hill replied that a Pell Grant is based on family income, while HOPE is not and a Pell Grant is not tied to grades, while HOPE is academically awarded.

Senator Douglas asked if legal residents of Georgia meant that they are paying state income tax, especially in regards to military personnel.

Senator Jack Hill responded that yes they are tax paying residents of Georgia.

Chairman Cowsert then recognized Tom Daniel, Senior Vice-Chancellor, University System of Georgia Board of Regents, to speak to the bill.

Mr. Daniel stated that he appreciated Senator Jack Hill introducing **SB 496** and that they were in favor of passage.

Senator Douglas made a motion that [SB 496](#) “do pass by substitute”. Senator Curt Thompson seconded the motion. **SB 496** passed by unanimous vote.

[SB 404](#) (Powell, 23rd)

**Academic Credit for Instruction Received
During Military Service**

Senator Powell presented **SB 404**. He stated that this legislation allows for veterans attending the University System of Georgia institutions to be granted academic credit for education instruction received while in military service.

Tom Daniel stated that he felt the Board of Regents might have trouble administering such a program.

Senate Higher Education Committee
Page 3 of 4
March 17, 2010

Senator Douglas questioned both Senator Powell and Mr. Daniel about the legislation, in particular whether this legislation is needed and if the Board of Regents can handle the guidelines. Mr. Daniels replied yes and that the Board of Regents have used the Ace Military Guide to establish guidelines for over 50 years. He stated that these courses are occupational experiences, so they are independently evaluated by a board.

Senator Douglas asked Mr. Daniel if the Board of Regents is already doing what the legislation specified and Mr. Daniel stated that he believed they were.

Senator Douglas asked if we needed to pass this legislation and Mr. Daniel replied no.

Senator Douglas made a motion that **SB 404**, “do not pass”. There was no second to the motion.

Senator Curt Thompson made a motion that [SB 404](#) “be tabled”. Senator Douglas seconded the motion. **SB 404** was tabled by unanimous vote.

[SB 405](#) (Powell, 23rd)

Tuition Payments by Veterans

Senator Powell presented **SB 405**. He stated that this legislation would cover the lapse between the Veterans Administration benefits and their beginning school. He stated that a veteran cannot be denied attendance due to inability to pay.

Mr. Daniels stated that the University System already allows veterans to begin and pay their fees when they receive them. He stated that the Board of Regents allows students who have verifiable third party funding, such as Pell Grant or VA, to enroll in classes while pending payment. He stated that sometimes the VA payment is late, which can cause some problems for the next semester, but that it is not a widespread problem and the University System works with the veterans.

Senator Crosby stated that it is imperative that we encourage a quick transition from military into college and anything we can do to help, we should do.

Senator Moody asked if students get approval from the VA, do they always pay. Mr. Daniel stated that had been his experience.

Senate Higher Education Committee
Page 4 of 4
March 17, 2010

Senator Curt Thompson asked if the VA is always late with their payments and Mr. Daniel stated that it is not a widespread problem and that the Board of Regents is "military friendly".

Senator Douglas made a motion that [SB 405](#) "**be tabled**". Senator Curt Thompson seconded the motion. **SB 405** was tabled by a vote of 4-1. Senator Crosby opposed the motion.

[SR 1145](#) (Chapman, 3rd)

**Urging State Board of Technical and
Adult Education**

Senator Chapman presented **SR 1145**. This resolution urges the State Board of Technical and Adult Education to develop courses and pilot programs to train people in the field of ecological employment.

Laura Gammage, Assistant Commissioner, Georgia Department of Technical and Adult Education, stated that their institutions are already doing this.

Senator Moody stated that there is a spelling error on line 6 of the legislation and suggested that this be corrected in committee.

Chairman Cowser stated that he can accept the changes as a friendly amendment.

Senator Crosby made the motion that [SR 1145](#), "**do pass by substitute**". Senator Douglas seconded the motion. **SR 1145** passed by unanimous vote.

There being no further business, Chairman Cowser adjourned the meeting at 1:46 p.m.

Respectfully submitted,

/s/ Douglas of the 17th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE HIGHER EDUCATION COMMITTEE

The Senate Higher Education Committee met in MEZZ 1 of the State Capitol on March 30, 2010 at 3:00 p.m.

The following Senators were present:

Harp of the 29th
Cowser of the 46th
Douglas of the 17th
Crosby of the 13th
Golden of the 8th
Jackson of the 2nd
Orrock of the 36th

Note: Senators Chance of the 16th, Moody of the 56th and C.Thompson of the 5th were absent.

Chairman Harp called the meeting to order at 3:08 p.m.

HB 1402 (Rep. O'Neal, 146th)

Service Cancelable Loans

Representative O'Neal presented **HB 1402**. He stated that under this legislation service cancelable loan programs administered by the commission whose purpose is to attract undergraduate students into the engineering profession must provide for deferment of repayment for any period the recipient serves as a Peace Corps volunteer.

Senator Orrock questioned if this only affects the engineering profession. Representative O'Neal replied yes.

Senator Orrock asked if this legislation could be amended to strike the effective date. Representative O'Neal stated that this is budget sensitive. Fatimot Ladipo, Legislative Liaison, Georgia Student Finance Commission, stated that this bill is only directed to Mercer University.

Senator Douglas asked why there is a Mercer limitation.

Chairman Harp pointed out that Mercer University's tuition is substantially higher than other state schools.

Senator Crosby made the motion that **HB 1402 "do pass"**. Senator Lester Jackson seconded the motion. **HB 1402** passed by a vote of 4-2; Senator Cowser and Senator Douglas voted against the legislation.

HB 1128 (Rep. Ehrhart, 36th) **Writing Off Small Amounts Due the State**

Chairman Harp presented **HB 1128** for Representative Ehrhart. He stated that the benefits to the Technical College System of Georgia (TCSG) are twofold:

- (1) The bill extends the sunset provision for the write-off of receivables (which have been deemed uncollectible) and this relates primarily to student receivables and will have no fiscal impact on the State. Some of the receivables on TCSG books are up to 20 years old and the chances of collecting are slim to none. This provision of the bill simply allows these collectibles to be removed from their books to prevent the overstatement of revenue; however, the students' accounts will be flagged indefinitely.
- (2) The second and most important provision in the bill allows the department to continue to carry-forward revenues collected from continuing education, contract training and the technology fee from one fiscal year to the next. HB 1128 extends the sunset provisions for an additional three years and adds tuition to the list of allowable carry-forward funds.

Chairman Harp stated that both components of this legislation have a sunset provision of June 30, 2013, which will allow TCSG to re-evaluate in three years and will provide the legislature the opportunity to ensure that TCSG is accountable for these funds.

Chairman Harp concluded by stating that the timely write off of uncollectible accounts receivable is necessary to report financial information accurately. Only amounts up to \$3,000 may be written off, after all efforts to collect the funds have been unsuccessful, including referral to a collection agency. Notwithstanding any write-off provision for financial purposes, the University System institutions retain records for all outstanding amounts, in the event the student desires to return to school, needs a transcript, etc., in which case the student is required to pay the outstanding balance, before receiving these services.

Chairman Harp stated that the committee substitute changes the effective dates from 2010 to 2013 and changes the amount of revenue from tuition that shall not lapse under this Code section not to exceed 15 percent of the tuition collected. The former amount was 3 percent.

Senate Higher Education Committee
Page 3 of 3
March 30, 2010

Senator Douglas made a motion that [HB 1128](#), “do pass by substitute”.
Senator Orrock seconded the motion. **HB 1128** passed by unanimous vote.

There being no further business, Chairman Harp adjourned the meeting at 3:36
p.m.

Respectfully submitted,

/s/ Douglas of the 17th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE HIGHER EDUCATION COMMITTEE

The Senate Higher Education Committee met in MEZZ 1 of the State Capitol on April 13, 2010 at 4:30 p.m.

The following Senators were present:

Harp of the 29th
Cowser of the 46th
Douglas of the 17th
Crosby of the 13th
Orrock of the 36th

Note: Senators Chance of the 16th, Golden of the 8th, Jackson of the 2nd, Moody of the 56th and C.Thompson of the 5th were absent.

Chairman Harp called the meeting to order at 4:40 p.m.

HB 301 (Rep. Hembree, 67th) Technical Colleges, change of name

Chairman Harp presented **HB 301** in the absence of Representative Hembree. He stated that this legislation changes the name of the State Board of Technical and Adult Education to the State Board of Technical College Systems of Georgia.

Senator Douglas made a motion that **HB 301** “do pass”. Senator Cowser seconded the motion. **HB 301** passed by unanimous vote. Senator Harp was designated as the Senate sponsor.

NOTE: Senator Chance joined the meeting.

HB 311 (Rep. Hembree, 67th) Tuition Equalization Grants

Chairman Harp presented **HB 311** in the absence of Representative Hembree. Senator Harp read a letter from the Governor’s office stating the purpose for this legislation which was mainly budget driven. He stated that this bill amends the definition for a qualified proprietary institution as it relates to Tuition Equalization Grants. Current law requires otherwise qualified institutions to be in existence for ten years, and this bill would require the institutions to be in existence for fourteen years. These changes were put forth in the committee substitute **LC 28 5225S**.

Senator Cowser made a motion that **HB 311** “do pass by substitute”. Senator Orrock seconded the motion. **HB 311** passed by unanimous vote. Senator Crosby was designated as the Senate sponsor.

Senate Higher Education Committee
Page 2 of 2
April 13, 2010

There being no further business, Chairman Harp thanked the committee for their efforts to the betterment of Higher Education in the State of Georgia. Chairman Harp adjourned the meeting at 4:50 p.m.

Respectfully submitted,

/s/ Douglas of the 17th, Secretary

/s/ Vicki Gibbs, Recording Secretary

May 7, 2010

Mr. Robert Ewing
Secretary of the Senate
353 State Capitol
Atlanta, GA 30334

Dear Mr. Ewing:

The following bills remained in the Senate Higher Education Committee at the close of the 2010 session.

[SR 84](#)
[SB 220](#)
[SB 221](#)
[SB 404](#)
[SB 405](#)
[SR 422](#)
[HB 294](#)

Respectfully submitted,

/s/ Vicki Gibbs
Recording Secretary