

# Jim Hackworth State Representative



Meet the Hackworth Family

## *Rep. Jim Hackworth - House District 33* 2008 Accomplishments

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IMMEDIATE RELEASE

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### **House Ends 105th General Assembly with Focus on Working Families**

**Expansion in K-12 and scholarship funding, as well as  
major long-term care reform, mark productive legislative session**

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NASHVILLE (May 30) – With nearly 12,000 additional lottery scholarships and long-term care reform for Tennessee seniors in the books, House Democrats ended another productive General Assembly that focused on working families.

“As gas prices continue to climb and the national economy continues to sour, we as legislators must make sure we’re doing all we can to provide the best services possible while at the same time balancing our state budget,” said **Representative Jim Hackworth** (D-Clinton). “While these past two years have been as different as night and day, going from a booming economy to an economy in recession, the common theme for both years has been our goal of taking care of working families.”

For House members, the significant achievement of 2008 came when a bill designed to expand college scholarship opportunities to nearly 12,000 Tennessee students passed both chambers by overwhelming margins. The new legislation places \$359.5 million of lottery reserve funds into an endowment that is expected to produce recurring revenues of over \$27.5 million a year. These revenues will fund the expansion of Tennessee’s HOPE Scholarship.

“We must do all we can to ensure that the next generation of Tennesseans have a quality college education that doesn’t leave them bankrupted with thousands of dollars in debt,” **Hackworth** said. A percentage of the recurring funds will also go to pay for the thousands of Tennessee students who will get to keep their HOPE Scholarship this fall thanks to a reduction in the

retention GPA requirement. Current figures show that over 70% of incoming freshmen lose their HOPE Scholarship in the first year. By adjusting the retention GPA from a cumulative 3.0 to a 2.75 for the first three years of college, students will have a better opportunity to finish college and not have to make the difficult choice of dropping out or being saddled with college debt thanks to one bad semester.

“Now students who may have a difficult time transitioning to college, or have to work while maintaining a full-time schedule, can have a little more grace when it comes to keeping their HOPE Scholarship,” **Hackworth** said. “Thanks to the new GPA retention requirements, fewer Tennessee students will be faced with the difficult choice of having to drop out of school or take on thousands of dollars in college loans.”

### **Long-Term Care Legislation Passes Unanimously in the House**

In addition to an expansion of the scholarship funding, House Democrats led the charge in enacting major reforms to Tennessee’s long-term care system.

“For a long time many of us have been looking for ways to help Tennessee’s seniors stay home longer and not have families be forced to make the difficult choice of placing their loved one in a nursing home,”

**Hackworth** said. “Now Tennesseans have a choice when it comes to long-term care.”

The “Long Term Care Community Choices Act” creates a long-term care system designed to promote home and community-based services. Under the new legislation, older Tennesseans will now receive long-term care information from one primary office controlled by Tennessee’s regional agencies on aging and disabilities. These primary care centers would advise seniors of available long-term care services and their specific eligibility.

“One of the biggest hurdles seniors have in Tennessee is a lack of available information,”

**Hackworth** said. “By educating the public and advising them of their choices, more seniors and their families can make better decisions on how to choose what long-term care options are right for them.”

The new legislation also coordinates Medicaid funding to allow for funds to go beyond just nursing homes and creates one place for seniors and their families to go to find out the best information possible when it comes to their options. It also requires the implementation of consumer-directed care options that allow family members, friends or local neighbors to be hired as in-home caregivers and provide seniors with the ability to remain at home. Those unable to live at home can now have more choices beyond the standard nursing home, including companion care, family-care homes and assisted living facilities.

**Additional highlights from the House Democratic Caucus during the 105th General Assembly include:**

#### **Helping Heroes, Need-Based Grants and Non-Traditional Student Scholarships**

Besides revising GPA retention requirements to Tennessee’s HOPE Lottery Scholarship, House Democrats this year also created new scholarship opportunities including the “Helping Heroes Act

of 2008.”

The “Helping Heroes Act of 2008” provides \$1,000 per semester for up to eight semesters to any Tennessee soldier returning from duty in Iraq and Afghanistan who attends one of Tennessee’s public four-year colleges. These funds help bridge the gap between the current GI Bill funding level and the actual cost of attending college.

The new lottery scholarship legislation also provides funding for 5,000 Tennessee Student Assistance Corporation (TSAC) need-based grants designed to help students, regardless of educational status, with the overwhelming cost of higher education. The bill also revises the non-traditional student qualifications of the HOPE Scholarship, reducing the minimum age from 25 to 23, and cutting the required class hours paid by the student from 24 to 12.

### **K-12 Funding Increase and Pre-K Expansion**

Last year Tennessee’s local school districts received nearly \$350 million in new funding thanks to the state’s revised basic education program called “Schools First,” or BEP 2.0.

BEP 2.0 now pays for 100 percent of student enrollment growth at local schools, plus at-risk student programs and English language-learner curricula. The state now also picks up 75 percent of teacher salary funding, with starting salaries raised last year from \$36,700 to \$38,000.

Under the accountability guidelines for public schools set when BEP 2.0 was enacted last year, the state Department of Education can take over failing schools at least two years earlier than was previously possible. Principals face stricter performance standards under the new system, but have also been given more power over school budgets and administrative staffing. Teacher competency that in the past was accessed twice every 10 years is now accessed once every two years.

The “Schools First” program also augments the pre-graduation gateway examination given to high school seniors with three new mandatory assessment examinations. Students in grades 8, 10 and 11 take the tests to evaluate their mathematics, reading and critical thinking skills.

In addition, last year more than 250 new Pre-K classrooms were added statewide, bringing the total Pre-K investment to \$95 million and nearly 1,000 classrooms in 2007.

### **Fiscal Responsibility**

One theme remained constant during the 105th General Assembly. Whether it was a surplus or a deficit, House Democrats exercised fiscal responsibility and made sure a balanced budget with no new taxes was passed.

In 2007, at the height of what looked to be an economic upturn, Tennessee residents of the state’s 95 counties had to spend a little less at the supermarket when lawmakers permanently reduced the sales tax on food from 6 percent to 5.5 percent.

Many elderly and disabled homeowners across Tennessee were able to save on their property taxes thanks to new legislation passed during the 105th General Assembly. Under the legislation,

homeowners over the age of 65 with annual incomes of less than \$24,000 can apply to have their property taxes frozen at their current rates. Veterans who are 100 percent disabled from active duty military service may also apply for the tax rebates.

In addition to the property tax freeze, all Tennesseans received three “Back to School” sales tax holidays during the 105th General Assembly, and will receive another in August of this year. The 72-hour events remove sales tax for certain school and art supplies, clothing with a retail price of \$100 or less, and computers priced \$1,500 or less.

At the same time they were cutting taxes, House Democrats took the initiative to tuck away an additional \$250 million into the “Rainy Day Fund,” putting the total balance at over \$750 million. These funds were not necessary for the current fiscal shortfall, leaving the entire balance available should the current economic slowdown continue next year.

### **AT&T and Cable Compromise on Statewide Franchising**

Lawmakers passed sweeping legislation to provide for more competition amongst cable providers to allow for more choice and possibly lower prices for Tennesseans.

After a bill to allow statewide franchising rights in video and Internet services stalled late in the first session of the 105th General Assembly, House and Senate leaders buckled down with representatives from AT&T, Tennessee’s cable companies and the Tennessee Municipal League to create and pass in 2008 the “Competitive Cable and Video Services Act.”

Under the new legislation, competitors would be able to obtain a ten-year state franchise certificate from the Tennessee Regulatory Authority (TRA) with the requirement that the company must build-out to at least 30% of their existing service area within 3.5 years. Companies would also be required to expand 25% of their total new services to underserved and low-income areas. Failure to meet either of these goals would result in substantial financial penalties.

The new legislation also takes steps to protect local interests, specifically the power of local government. Under the new bill local franchise fees paid to local governments will remain in effect and any construction of right-of-ways will be under local regulation and approval.

### **Tougher Illegal Immigration Legislation Passes House**

In both 2007 and 2008, House Democrats were lead sponsors of legislation designed to strengthen state laws that combat the issue of illegal immigration.

Last year the House overwhelmingly passed the “Tennessee Immigration Compliance Act,” a bill that would have denied certain local, state or federal public benefits to illegal immigrants. It also required law enforcement to check the citizenship of any person charged with a felony. Unfortunately, the measure was never taken up in the State Senate and never became law.

This year, Democrats again presented a tough bill on illegal immigration on the floor of the House, this time mirroring similar laws passed in the state of Oklahoma. The “Tennessee Taxpayer and Citizen Protection Act of 2008” would have made Tennessee one of the toughest states in the

country when it comes to the issue of illegal immigration.

As with the previous bill, it passed the House of Representatives overwhelmingly, but was never acted upon by the Senate.

### **Public Safety**

During the 105th General Assembly, state representatives passed much tougher legislation to strengthen public safety laws that ensure the well being of Tennessee's children.

Last year lawmakers passed "Jessica's Law," a bill named after Jessica Lunsford who was raped and murdered by a previously convicted sexual offender. The new law dramatically increases the amount of time child predators spend in jail. The new law also approves funding for Global Positioning System (GPS) devices to be worn by child sex offenders at all times.

In addition to "Jessica's Law," last year lawmakers also passed legislation increasing prison sentences to those who use guns in committing felonies. The "Crooks with Guns" legislation set aside \$38 million for tough crime-fighting initiatives, including increased mandatory prison sentences for perpetrators who use guns in specific violent crimes. The new law also increases mandatory prison sentences from three to 10 years if guns are discharged during a criminal act if the offenders have prior convictions.

Lawmakers also approved funding for 32 new district attorneys and 19 public defenders statewide. The enacted budget also includes \$3.7 million for additional parole and probation officers.

### **Scrap & Precious Metal Theft Legislation**

Recognizing the escalating problem of scrap metal and precious metal theft in Tennessee, legislators implemented new regulations to curb the black market trade.

With the price of copper and other common metals soaring, many Tennesseans began noticing an unusual spike in crimes committed on local homes and cars where precious metals were readily available. This problem, lawmakers learned, has escalated into a widespread epidemic in both rural and urban areas.

To combat the growing crisis, lawmakers enacted tougher new regulations to help keep an eye on the problem. Under the new legislation, scrap metal dealers may not buy or otherwise acquire metal from anyone who does not present a valid state or federally issued photo ID and may not sell to anyone under 18 years old. Dealers must also require a thumbprint record of a person who wishes to sell scrap metal to the dealer. Dealers will also need to register with the Department of Commerce. First and second violations will result in a Class A misdemeanor charge, with a third violation resulting in a Class E Felony.

### **Consumer Protection from Predatory Proprietary Schools & Insurance Companies**

With the cost of education continuing to rise, House Democrats passed new regulations to help

protect potential students from predatory proprietary schools.

Under new legislation passed this year, proprietary schools will now be required to provide complete tuition costs, job placement data and graduation rates to any prospective or current student both in writing and online. If the school is under any form of probation, students must also be made aware of the probationary status. The schools will also be required to meet the same transferability criteria as any current public college in the state of Tennessee, meaning classes taken at the school must be transferable to a traditional public institution.

House Democrats also implemented new safeguards to protect consumers with insurance claims from being denied appropriate assistance.

Taking effect January 1, The “Tennessee Unfair Trade Practices and Unfair Claims Settlement Act of 2009” defines and regulates “unfair trade practices” in the business of insurance within present law. Under the new definitions, insurance providers will be required to follow stricter guidelines with regards to claims requests, approvals and denials and will be subject to greater scrutiny under the law for questionable denial practices.