

# The Research Review

PUBLISHED BY THE RESEARCH DIVISION OF THE TENNESSEE HOUSE OF REPRESENTATIVES

March 22, 2007



The annual "Ag Day on Capitol Hill" was observed on Tuesday this week in recognition of the importance of agriculture on Tennessee's economy.

**The Research Division  
Rachel Jackson Building  
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Nashville, TN 37243**

## Photo of the week:



Governor Phil Bredesen fills the tank of a University of Tennessee "Flexible Fuel Vehicle" with ethanol, a biofuel made from cellulosic plant materials including switchgrass and corn. The vehicle, selected from the UT motor pool, can run on a mixture of gasoline and up to 85% ethanol. UT is working with the Oak Ridge National Laboratory as part of its new Biofuels Initiative.

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# Agriculture

Jeremy Maxwell

Tuesday was the Annual Legislative AG Day on the Hill with displays, livestock and a biofuel vehicle present for everyone to enjoy. The Agriculture Committee met to hear four presentations. Hannah and Emily Nave, 4-H Cannon County, talked about growing up on a farm and the animals they tend. They were also designated honorary members of the committee and were able to sit in with the members. Commissioner Ken Givens, Department of Agriculture, gave an overview on the current status of agriculture in Tennessee. Dr. Joe DiPietro, Vice President for Agriculture at UT, and Mr. Ken Goddard, UT Extension Agent in Henry County, gave testimony on the switchgrass project. Researchers and environmental experts are enthusiastically looking to switchgrass as being a serious alternative to fossil fuels in the near future. Mr. Goddard spoke about UT's five fields of switchgrass in Benton and Henry counties and the investigative results that have come from them.



Biofuels, livestock, forestry, plant-based products, new agricultural technology and other topics were all part of "Ag Day on Capitol Hill" on Tuesday.



## Children & Family Affairs

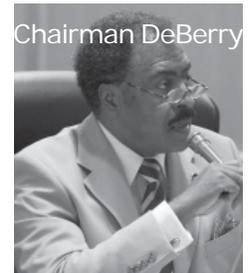
Amelia Mitchell

The **Children & Family Affairs Committee** met Wednesday, March 21, and passed the following bills to Calendar & Rules:

The following bills were passed to **Calendar & Rules**:

**HB 400 Rep. Sherry Jones** requires the child support guidelines to be reviewed by the Department of Human Services every three years and further requires the Department to make reports regarding the child support guidelines to the Tennessee Supreme Court, House Children and Family Affairs Committee, and Senate General Welfare Committee.

person in contempt of court, and hearings for juvenile traffic offenders, be open to the general public. This bill also removes statutory authorization for juvenile courts to temporarily exclude the child from the hearing and removes the prohibition against changing, modifying, or vacating an order committing a delinquent child based on changed circumstances and where the change, modification, or vacation is in the child's best interests. It specifically prohibits modification of an agreed order from resulting in a child being placed into the custody of the Department of Children's Services without a dependent and neglect petition having been filed, which alleges the child to be dependent, neglected, abused, unruly, or delinquent.



Chairman DeBerry

**HB 1031 by Rep. John DeBerry** as amended adds juvenile and general session courts with domestic relations jurisdiction as courts that may be presented with a petition for grandparent visitation, in addition to circuit and chancery courts in matters involving children born out of wedlock.

**HJR 98 by Rep. Lois DeBerry** designates "Safe Kids Week," April 28- May 6 2007

The following bills were passed to **Finance Ways and Means**:

**HB 318 by Rep. John DeBerry** entitles children to representation by legal counsel at any hearing in which the child is in jeopardy of being removed from the home. It also changes the financial qualifications for a juvenile to qualify for court appointed counsel from "a person who, at the time of requesting counsel, is unable without undue financial hardship to provide for full payment of legal counsel and all other necessary expenses for representation" to "a person who does not possess sufficient means to pay reasonable compensation for the services of a competent attorney."

**HB 319 by Rep. John DeBerry** requires that the



Rep. Hackworth

**HB 545 by Rep Hackworth** as amended classifies failure of any employer to pay income withheld to the appropriate agency for child support collection a breach of a fiduciary duty to the child support obligor, thereby giving the obligor a cause of action to sue the employer for the omission. The statute of

limitation for any suit brought pursuant to this bill is one year from the date of the omission or one year from the date the omission was discovered or reasonably should have been discovered. No suit could be brought pursuant to this bill more than three years after the date on which the omission occurred, except where there is fraudulent concealment on the part of the defendant; in which case the action could be commenced within one year after the alleged breach or violation is, or should have been, discovered.

**HB 320 by Rep. John DeBerry** clarifies present law by specifying that the Tennessee Rules of Civil Procedure apply to termination proceeding held in chancery and circuit courts for purposes of obtaining service of process. This bill codifies Rule 27 of the Tennessee Rules of Juvenile Procedure, which authorizes juvenile court judges to exclude the public from any juvenile or paternity proceeding and requires that juvenile hearings be bifurcated into an adjudicatory hearing and a dispositional hearing. It also removes the present law requirement that hearings to declare a



## Children & Family Affairs

Amelia Mitchell

state, through the Administrative Office of the Courts, pay for expenses for a guardian ad litem in juvenile court cases involving dependency, termination of parental rights, or delinquent or unruly children.

The following bills were deferred one week:

**HB 776 by Rep. Vaughn**  
**HB 1498 by Rep. Coleman**  
**HB 1614 by Rep. Overbey**  
**HB 321 by Rep. John DeBerry**

The following bill was deferred two weeks:

**HB 401 by Rep. Sherry Jones**

The following bill was deferred three weeks:

**HB 2206 by Rep. John DeBerry**

The **Domestic Relations Subcommittee** met on Tuesday, March 20<sup>th</sup> and the following bills were deferred one week:

**HB 793 by Rep. Campfield**  
**HB 1523 by Rep. Campfield**  
**HB 822 by Rep. Hood**  
**HB 546 by Hackworth**  
**HB 1307 by Rep. West**

The following bill was deferred two weeks:

**HB 1631 by Rep. Baird**

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The **Family Justice Subcommittee** met on Tuesday, March 20<sup>th</sup> and the following bill was passed to full committee.

**HB 490 by Rep. Sontany** adds that if a petition alleging that a juvenile is an unruly child was filed by law enforcement, and if the court finds that it is in the best interest of the child, then the court may order that the juvenile and the juvenile's parent or guardian participate in any counseling or other services provided by the petitioning law enforcement agency, if available. If the court orders counseling by the law enforcement agency, and if the parent or guardian willfully fails to attend, then the parent or guardian would commit the offense of contributing to the delinquency or unruly behavior of a child, which is a Class A misdemeanor.

The following bills were deferred one week:

**HB 179 by Rep. Cooper**  
**HB 351 by Rep. Miller**  
**HB 594 by Rep. Fincher**  
**HB 1263 by Rep. Lynn**



# Commerce

**Matt Barnes**

The **Commerce Committee** met Tuesday with seven bills on calendar. The last bill, HB 1421, was on calendar for hearing purposes only.

**HB 390 (Crider)** requires a telemarketer to make calls from a telephone registered to a physical address and to use reasonable methods to make available to caller identification the soliciting entity’s telephone number and name. The TRA is authorized to initiate proceedings for violations, the penalties for which include a fine of up to \$2,000 per knowing violation. After a discussion on whether political solicitations would fall under the auspices of the bill, Rep. Hackworth offered an oral amendment to ensure such solicitations would be included. The bill was rolled so the amendment could be drafted. [*rolled one week*]

**HB 735 (Curtiss)** exempts plumbers from being licensed as a limited licensed plumber for installing or doing general maintenance work to home appliances and kitchen and bathroom fixtures. The original bill required the work not exceed \$200; however, an amendment to the bill increases that amount to \$500 and clarifies that the limit is for labor only, not for the cost of the appliance. [*passed to Calendar & Rules as amended*]

**HB 753 (Curtiss)** requires the seller of a piece of property to disclose known percolation tests or soil absorption rates prior to contracting with the buyer. [*rolled for three weeks*]

**HB 898 (Ford)** establishes a joint study committee to review the opportunities available for small business development and retention. [*passed to Finance, Ways & Means*]



**HB 1856 (Litz)** requires county mutual insurance companies to pay a premium tax in accordance with the general law taxing gross premiums instead of setting the tax at the rate of 2 ½ percent of gross premiums. Rep. Litz said this bill is simply a correction of a bill passed last year. [*passed to Finance, Ways & Means*]

**HB 1919 (Rinks)** requires accountants practicing in this state under reciprocity agreements with other states to cease practicing if their license becomes invalid in the issuing state. [*passed to Calendar & Rules*]

**HB 1421 (McDaniel)**, as Chairman Curtiss explained, was on calendar for hearing purposes only. The intent is to have hearings on the bill in full committee after other bills are heard, allowing both sides to speak for as long as necessary, before sending the bill to the Utilities and Banking Subcommittee. This week, representatives from AT&T spoke on the bill and answered questions until time expired. After bills are heard next week, the committee will take up where it left off with member questions, allowing the opposition to speak on the bill also.



Enacting the “Competitive Cable and Video Services Act,” the bill requires any entity seeking to provide cable or video service to apply with the secretary of state for a state-issued certificate of franchise authority, as opposed to seeking franchise authority with local governments and municipalities.

Marty Dickens, president of AT&T for Tennessee, and Joelle Phillips, legal counsel for AT&T, spoke in favor of the bill after being introduced by Rep. McDaniel. Phillips emphasized the bill would bring “real competition” for the cable industry in Tennessee, resulting in lower prices and better products. She detailed the following differences in this bill versus the bill from last session:

- 1) franchise fee payments go directly to cities;
- 2) franchise fees remain the same and could actually increase;
- 3) right-of-way authority for locals is preserved; and
- 4) public, educational, and governmental (PEG) programming is preserved.



# Commerce

Matt Barnes

## Industrial Impact Subcommittee

The **Industrial Impact Subcommittee** met Wednesday to hear 11 bills. Chairman Shepard recognized former state representative and Industrial Impact chair Bob McKee, now with the Motor Vehicle Commission, and State Fire Marshal Emmett Turner. He also announced that the subcommittee would hear the blasting bills on April 4 and the mandate calendar in late April.

**HB 360 (Rowland)** requires copies of subdivision or deed restrictions and homeowners association bylaws to be attached to the Tennessee Residential Property Condition Disclosure Form, which present law requires be given to a buyer of residential property. [*sent to summer study committee*]

**HB 1482 (Fincher)** extends the period of time for continuation of group insurance coverage that has been terminated because of divorce or death of the insured spouse. [*rolled one week*]

**HB 223 (Moore)** requires all fire services curricula offered through the Tennessee Fire Services and Codes Enforcement Academy to be approved by the Tennessee Commission on Fire Fighting Personnel Standards and Education. Rep. Moore asked that if any members had any concerns over the bill to call him. [*taken off notice*]

**HB 232 (Moore)** requires the valuation of a total loss claim of a privately owned, insured motor vehicle resulting from collision, fire or water damage to be no less than the average of two nationally recognized automotive valuation assessments. [*taken off notice*]

**HB 221 (Moore)** requires motor vehicle dealers to provide a clear title to a seller within 30 days of transfer if not provided at time of transfer and satisfy all liens on vehicles accepted without title within 30 days of such transfer. [*taken off notice*]

**HB 352 (Winningham)** authorizes a certificate of deposit be submitted for security in lieu of maintaining an improvement care trust fund for the operation and maintenance of a cemetery. [*rolled three weeks*]

**HB 2234 (DeBerry, L.)** revises provisions governing the disclosure of information obtained under the Controlled Substance Monitoring Act. [*rolled one week*]

**HB 1319 (West)** requires that each company have its own workers' compensation experience rating based on the nature of the company and its workers' compensation claims. [*failed for lack of motion*]

**HB 1854 (Litz)** requires health insurers to cover certain benefits for breast cancer patients including minimum in-hospital stays, secondary consultation coverage, and radiation therapy under certain circumstances. [*rolled to mandate calendar*]

**HB 2231 (Cobb)** extends the records retention requirement for real estate appraisers from three years to the longer of five years or at least two years following the disposition of any legal proceeding involving an appraisal assignment or report. [*passed to full committee*]

**HB 2285 (Curtiss)** adds Tennessee to the list of states entered into the Interstate Insurance Product Compact, the purpose of which being to enact uniform regulation of insurance products and advertisements. [*passed to full committee*]

## Utilities, Banking and Small Business Subcommittee

Formerly the Utilities and Banking Subcommittee, the **Utilities, Banking and Small Business Subcommittee** met Tuesday to hear seven bills. Chairman Curtiss announced the name change was to allow several bills to move over from the Industrial Impact Subcommittee, which had received nearly all

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## Commerce

Matt Barnes

of the bills sent in sessions past to the now-defunct Small Business Subcommittee. The list of transferred bills was announced at session Wednesday.

**HB 259 (Bone)** updates the electric safety code for supply stations from the 2001 version to the 2006 version. An amendment delays the effective date to January 1, 2008. [*passed to full committee as amended*]

**HB 260 (Bone)** exempts from plumber licensing dealers of liquefied petroleum gas who perform plumbing work related to providing such gas in any residential or commercial building. An amendment further exempts natural gas dealers. [*passed to full committee as amended*]

**HB 2043 (Shaw)** clarifies that the Department of the Treasury is to administer the small and minority-owned business assistance program. [*rolled three weeks*]



**HB 2238 (Pitts)** removes the exemption from the Check Cashing Act for licensed money transmitters and registered industrial loan and thrift companies. An exemption in the bill applies to those entities whose check cashing operations are incidental to their business and not exceeding 5% of the gross receipts from the retail sale of goods and services.

[*passed to full committee*]

**HB 2239 (Pitts)** clarifies that if the commissioner of Financial Institutions does not return an application for a certificate of authority to the applicant for corrections within the 10-day period after receipt, the application is deemed to have been filed. [*passed to full committee*]

**HB 1226 (Gilmore)** requires refund anticipation loan contracts entered into between federal tax return preparers and consumers to contain the annual percentage rate of interest on the loan and to state the average time required for the consumer to receive such refund electronically. [*rolled one week*]





# Conservation & Environment

Jeremy Maxwell

The Conservation and Environment Committee met Wednesday to consider three bills and to hear a presentation. The following bills were **referred to Calendar and Rules**:

**HB 196 (Hensley)** names Davy Crockett Long Hunters Shooting Range at David Crockett State Park in Lawrence County in honor of late Donald "Hopsing" Pilkinton.

**HJR 83 (Hensley)** urges federal approval of the extension of the Lewis and Clark Historic National Trail.

**HJR 157 (Cooper)** was rolled one week. This joint resolution creates special joint committee to study feasibility of establishing a residential school or summer camp for disadvantaged youth at T.O. Fuller State Park.

The committee also heard a presentation by Henry Lamb, associate of Environment Conservation Organization, regarding the State's acquisition of land. The state's future possible purchase of the Bowater land in the Cumberland Plateau was at the center of discussion. He opposes federal and state governments, who already own huge tracts of land, from buying up more land. He argued that it has negative impacts on local governments' tax revenue and that it takes away all the opportunities from those who might have benefited from the land. Tim Schwarz and Marie Stringer, both with the Department of Environment and Conservation, gave counter arguments to Mr. Lamb's. They stated that the Bowater purchase will be good for both sides as well as the local governments affected by it.

## Wildlife Subcommittee

Wildlife Subcommittee met Tuesday to consider three bills. The following bills were **referred to full committee as amended**:

**HB 1156 (Buck)** prohibits possession of fish or wildlife knowing that such fish or wildlife was acquired, taken, or transported from the state or country of origin in violation of such state's or country's law; a violation is a Class A misdemeanor.

**HB 966 (Overbey)** provides that veterans with 30 percent or more service-connected disability, instead of more restrictive 30 percent or more combat-related disability, are eligible for free sport fishing and hunting license.

The following bill was **referred to full committee**:

**HB 1157 (Buck)** requires property declared contraband to be destroyed or delivered to the commissioner of general services and sold in the same manner as surplus property instead of destroyed or advertised and sold at the courthouse of the county where the property was seized.

## Parks and Tourism Subcommittee

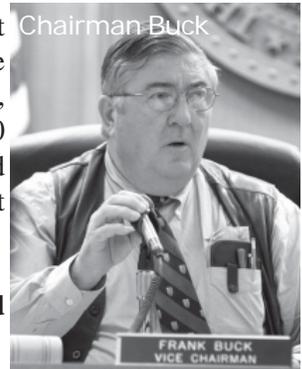
Parks Subcommittee met Tuesday to consider one bill, which was **referred to full committee**. **HB 1811 (Tidwell)** adds Bon Aqua Woods as a Class I—scenic-recreational area and Dry Branch as a Class II—natural-scientific area; revises acreage of Rugby scenic-recreational area from 323 to 445 acres.

## Environment Subcommittee

The Environment Subcommittee met Wednesday to consider five bills and to hear a presentation. The following bills were **referred to full committee as amended**:

**HB 224 (Moore)** requires governor, in consultation with state departments, to develop a comprehensive state energy conservation plan.

**HB 1935 (Rinks)** expands West Tennessee River Basin Authority's geographical area to include certain creek and river basins flowing into the Tennessee River from the east.



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## Conservation & Environment

Jeremy Maxwell

The following bills were taken off notice:

**HB 884** (Litz) clarifies that the prohibition from knowingly advertising or marketing for sale a residence as having more bedrooms than are permitted by the residence's subsurface sewage disposal system permit applies only to newly constructed residences.

**HB 1739** (McDonald) authorizes the division of water supply in TDEC to compile statewide water system plan and create a revolving loan fund for rural water supply.

**HB 1300** (West) was rolled one week. This bill exempts certain properties with existing septic tank from obtaining a new subsurface sewage disposal system permit when constructing a residence on such property.

The committee also heard a special presentation on water fluoridation. Suzanne Hayes, State of Tennessee Department of Health, stated that fluoride used in drinking water is a safe and effective health method that does not pose adverse health risks. Dr. Sanmi Areola, Metro Public Health Department Toxicologist, testified that fluoride in community water used at the level to prevent tooth decay does not present a significant public health risk. Dr. Walter Owens, Assistant Professor at Meharry Medical College and also a dentist, spoke on the negative impact on underserved minorities, especially children, if fluoride was removed from community water.



Rep. Litz, Rep. Rinks



# Consumer & Employee Affairs

Lucy Wilson

## Consumer Affairs Subcommittee

Of the four (4) bills heard in **Consumer Affairs Subcommittee**, two (2) passed to the full committee and two were rolled one week.

**HB 288 by Moore** clarifies it is prohibited for mattress manufacturers, wholesalers, or retailers whose sole business is selling mattresses – to the exclusion of any and all other items – to sell secondhand mattresses. An amendment, which follows the bill to full committee, defines “sole business;” defines the penalties for selling secondhand mattresses; and makes clear that although it is illegal to offer a comfort exchange policy, the buyers right to return a defective mattress pursuant to the warranty.



**HB 24 by Shepard** passed to full committee. This bill permits consumers to freeze and control third party access to their credit report information under certain circumstances. The consumer reporting agency will temporarily lift the freeze when the consumer provides their unique PIN of password that has been provided them by the consumer reporting agency. A fee of up to \$12 can be charged unless the consumer is a victim of identity theft, in which case he/she is exempt from the fee. The bill identifies the circumstances in which the consumer reporting agency may release information and sets forth penalties for violating the bill.

The following two bills were rolled one week:

**HB 55 by Turner M** requires a retailer issuing a gift certificate to permit the recipient of the gift certificate to redeem fifty percent (50%) of the face value of the certificate in cash. The sponsor is working on an amendment to adjust the percentage.

**HB 700 by McCord** specifies that the limitation on selling a residence with more bedrooms than are permitted by the sewage disposal system applies to new construction only.

## Employee Affairs Subcommittee

The **Employee Affairs Subcommittee** heard six (6) of the nine (9) bills on calendar. Three bills were rolled two weeks: **HB 1301 by West** would authorize an employer or employee to request an appeal hearing before the Board of Review; **HB 212 by Brown** would exclude wages paid to certain felons for the Work Opportunity Tax Credit from the employment security premium; and **HB 454 by Hackworth** would limit the ability to negotiate medical fees that are lower than the workers’ compensation medical fee schedule.

The following bills passed to the full committee.

**HB 1983 by DuBois** adds local law enforcement agencies to the Department of Labor and Workforce Development as agencies that enforce the statute prohibiting the hiring of illegal immigrants.

**HB 1274 by Lynn** prohibits the use of an individual taxpayer identification number as a form of identification in proving immigration status. An amendment follows the bill that excludes any financial institution that is subject to Section 326 of the USA Patriot act.

**HB 2241 by Turner M** authorizes the use of a delivery service as an alternative to certified mail when the Commissioner of Labor and Workforce Development issues a citation for a violation of occupational health and safety provisions.

**HB 2265 by Turner M** revises the premium rate chart for unemployment compensation for non-governmental employers.

**HB 2305 by Turner M** authorizes employees who receive wages in lieu of notice to also receive unemployment compensation, and removes the requirement that a person who receives a back pay award must repay unemployment benefits.





# Consumer & Employee Affairs

Lucy Wilson

## **Full Committee**

The full committee, **House Consumer & Employee Affairs Committee**, moved **HB 1303 by West** to Calendar and Rules. This bill would exempt from paying the \$50 charitable solicitations registration fee any bona fide Indian organization in existence over 20 years whose sole purpose is to assist and promote the welfare of Indians.

**HB 1737 by Winningham** was passed out of committee to Finance, Ways and Means. This bill specifies the duties of the Division of Adult Education in the Department of Labor and Workforce Development. In addition to established duties, this bill would require the Division to provide 1) GED certificate testing fees, 2) program improvements including part-time teacher salary adjustments, 3) technology upgrades, and 4) department-approved adult education programs.

**HBs 66 and 74 by Turner M** both address immigration issues. They are being held in committee to be heard on the same day as all other immigration bills that pass to the full committee.

**HB 200 by Odom**, which enacts the Credit Security Act of 2007 was rolled one week.

**HB 2139 by Pruitt** makes it a Class B misdemeanor to violate the Fundraising for Catastrophic Illnesses statute and adds a Class B misdemeanor offense to distribute trust funds raised for catastrophic illness. Additionally, the bill adds record keeping, inspection, and enforcement provisions applicable to charitable organizations soliciting funds. **HB 2139** was rolled one week.



# Education

Pam Mason

## Full Committee

The Education Committee met on Wednesday and took the following actions on its calendar.

Referred to Calendar & Rules:

**HB 2066 – (Maddox)** allows state colleges and universities to provide free Internet service on campuses.

**HB 2068 – (Maddox)** allows the board of trustees of the Baccalaureate Education System Trust program to contract with any other such program that meets requirements under section 529 of the Internal Revenue Code. The bill further allows the option of rolling BEST funds into another qualified tuition program when a request is made in writing and that request is due to a contract terminating or the BEST plan being ended.

**HB 567 – (McCormick)** authorizes credit for JROTC to be substituted for Lifetime Wellness in public schools. The bill allows for class size limits in JROTC to be exceeded.

Referred to Finance, Ways & Means:

**HB 922 – (McCormick)** creates a study committee to study the need for driver education curriculum in public secondary schools. The 12 member committee shall present its final report to the senate and house of representatives education committees no later than February 1, 2008.

Deferred 1 week:

**HB 2147 – (Coley)**

Deferred 2 weeks:

**HB 1996 – (Jones, U.)**

Deferred 3 weeks, with amendment:

**HB 905 – (Hill)**

## Higher Ed Subcommittee

The Higher Ed Subcommittee met on Wednesday. Action on its calendar follows:

Referred to Full Committee:

**HB 1966 – (Armstrong)** allows members of the State School Bond Authority to appoint designees to serve in member's place as a trustee of the Chairs of Excellence Endowment Trust Fund.

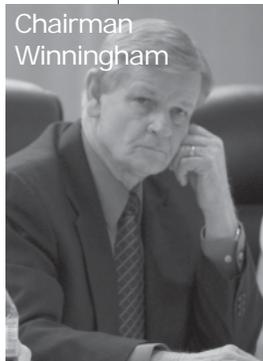
**HB 445 – (Winningham)** changes the age for dependent children of prisoners' of war, MIAs and soldiers killed during periods of armed conflict who receive a tuition waiver at public colleges and universities from 21 to 24.

**HB 124 – (Windle)** extends tuition discount of 25 percent at any state-supported institution of higher learning to children, up to age 24, of retired teachers.

**HB 2075 – (Maddox)** extends tuition discount of 25 percent at any state-supported institution of higher learning to children, up to age 24, of full-time employees in any public school system.

**HB 1733 – (Winningham)** allows public school teachers to enroll in one course per term at any state-supported institution of higher learning without paying tuition.

**HB 932 – (Winningham)** requires that the percentage increase of tuition at public higher education institutions not exceed the consumer price index.



Chairman  
Winningham



Rep. Maddox

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## Education

Pam Mason

**HB 1257 – (Fitzhugh)** requires the university of Tennessee system and the Tennessee board of regents to develop policies to lessen the cost of textbooks.

**HB 1945 – (Winningham)** creates the “Tennessee student assistance program account” in the state treasury. The account will be for the deposit of funds appropriated for the Tennessee student assistance awards. The bill also provides that these monies not revert to the state general fund at the end of any fiscal year.

Deferred 1 week:

**HB 14 – (Curtiss)**

**HB 15 – (Curtiss)**

**HB 761 – (Matheny)**

**HB 886 – (Montgomery)**

**HB 1362 – (Kernell)**

Taken off notice:

**HB 369 – (Cobb)**

**HB 1965 – (Armstrong)**

**HB 310 – (Briley)**

**HB 1732 – (Winningham)**

**HB 836 – (McCormick)**

**HB 853 – (Pitts)**

**HB 357 – (Winningham)**

**HB 1360 – (Kernell)**

### K-12 Subcommittee

The K-12 Subcommittee met on Tuesday and considered its calendar. Action follows:

Referred to Full Committee:

**HB 1467 – (Fitzhugh)** creates the “Local Education support Group Financial Accountability Act of 2007.” This legislation addresses funds raised by a group in a school’s name.

**HB 99 – (Winningham)** creates process for establishment of cooperative programs in high schools and public colleges and universities.

**HB 1069 – (Winningham)** requires the state to contribute not less than 45 percent of total participation cost of basic insurance for employees of LEAs.

**HB 1731 – (Winningham)** requires each local school system to pay at least 30 percent of health insurance premiums for support personnel from its BEP medical insurance component.

**HB 1734 – (Winningham)** requires LEAs to pay at least 50 percent of health insurance premiums for eligible employees.

**HB 1866 – (Hensley)** requires the commissioner of education to annually report to the education committees of both houses the number of homeless children who enrolled in public schools without immunizations and the average length of time required for these children to be immunized or obtain such records.

**HJR 200 – (Winningham)** directs the education oversight committee to hold hearings on health-care issues in Tennessee public schools.

**HB 2073 – (Maddox)** allows volunteer school personnel to administer anti-seizure medications to a student in an emergency situation.

**HB 1863 – (Swafford)** outlines criteria to perform diabetes care tasks for students.

Referred to Full Committee, if amended:

**HB 2070 – (Maddox)** allows children of teachers who live outside the state to attend school in district where parent is employed with no tuition charge.

Deferred 1 week:

**HB 1312 – (West)**

Deferred 2 weeks:

**HB 615 – (Turner, M.)**



# Finance, Ways & Means

**Julie Travis & Patrick Boggs**

## **The Full Committee**

The House Finance, Ways, and Means Committee met on Tuesday, March 20<sup>th</sup> and Wednesday, March 21<sup>st</sup> to hear budget presentations. On Tuesday, the committee heard from the Tennessee Bureau of Investigation and the Department of Tourist Development. Wednesday's hearings were justice related, including the Administrative Office of the Courts, the Post Conviction Defenders Office, the District Public Defenders Office, and the District Attorney Generals Office. Scheduled to be heard on Thursday are the Department of Transportation and the Tennessee Commission on Aging and Disabilities.

There were no bills to be heard on Tuesday's Calendar. Budget hearings continue next week. We will continue to reserve extra seating in the front of the room for legislators who are non-committee members and who wish to attend the hearings. Hearings can also be accessed through the Legislature's website <<http://www.legislature.state.tn.us>>, under the video streaming portion of the House of Representatives section of the website. They can be watched during the term of the budget hearing or at any other time after their conclusion.

## Next Week's Scheduled Hearings (Current as of March 21, 2007):

### Tuesday March 27, 2007

Department of Agriculture

Commissioner Ken Givens

Department of Labor and Workforce Development

Commissioner Jim Neeley

Office of the Attorney General and Reporter

Attorney General and Reporter Robert E. Cooper, Jr.

### Wednesday March 28, 2007

Department of Health

Commissioner Susan Cooper

Department of Human Services

Commissioner Gina Lodge

### Thursday March 29, 2007

Department of Education (K-12)

Commissioner Lana Seivers

Tennessee State Board of Education

Dr. Gary Nixon, Executive Director



# Finance, Ways & Means

Julie Travis & Patrick Boggs

## **The Budget Subcommittee**

The Budget Subcommittee met on Wednesday to consider the forty-eight bills that it had on its calendar. Among these bills were several that designate sections of state highways or bridges or overpasses on state highways after notable individuals. The leadership of the committee has expressed a desire to return to state funding of these bills. Some bills were rolled behind other bills with a similar nature, so that the sponsors may work on passing a single piece of legislation that deals with and funds the topic at hand. These cases are noted below.

### Bills passed to the Full Committee:

**HB 6 (Bone):** “Sgt. Claude R. Walls Memorial Highway” on U.S. 231 in Wilson County. The committee amended this bill to have the state pay for the signage.

**HB 7 (Bone):** “Edsell Cordell Floyd Bridge” spanning Round Lick Creen on U.S. 70 in Wilson County. The committee amended this bill to have the state pay for the signage.

**HB 335 (Brooks, K.):** “Veterans Memorial Highway” segment of APD 40 bypass in City of Cleveland and Bradley County. The committee amended this bill to have the state pay for the signage.

**HB 202 (Dean):** “Fred Pruett Memorial Bridge” spanning South Creek on U.S. 41/76 in Hamilton County. The committee amended this bill to have the state pay for the signage.

**HB 281 (Dean):** “Jack Sharp Memorial Bridge” spanning I-75 on U.S. 41/76 in Hamilton County.

**HB 385 (Dean):** “Deputy Donald Bond Memorial Highway” segment of S.R. 320 in Hamilton County.

**HB 1465 (Fitzhugh):** This bill preserves the ability of a taxpayer who has not filed a property tax appeal before the deadline to have a reasonable cause hearing even if the hearing period does not commence until the following tax year.

**HB 1474 (Fitzhugh):** This bill restricts refunds of hearing costs assessed against a taxpayer filing an appeal of a property tax ruling to those instances in which the appeal is withdrawn or settled at least one week prior to a hearing.

**HB 1776 (U. Jones):** This bill shifts the responsibility for imposing civil penalties for ethics violations committed by employees of the General Assembly to the speakers of the House and Senate, and to the leadership of the executive department or agency if that person is employed in the executive branch.

**HB 210 (Lundberg):** “Anderson Street Memorial Bridge” spanning Norfolk Southern Railway on U.S. 421 in City of Bristol. The committee amended this bill to have the state pay for the signage.

**HB 900 (Maggart):** “Cpl. Lance Tyler Overstreet Memorial Bridge” spanning East Fork of Station Camp Creek on S.R. 174 in Sumner County.

**HB 937 (Maggart):** “Korean Veterans Memorial Bridge” S.R. 386 in Sumner County. The committee amended this bill to have the state pay for the signage.

**HB 913 (Maggart):** Authorizes referendum on legalizing liquor-by-the-drink in the portion of Goodlettsville in Sumner County without affecting liquor-by-the-drink licenses in the portion of Goodlettsville that is in Davidson County.

**HB 227 (Moore):** Increases from \$100 to \$150 the fine for the unauthorized use of parking spaces reserved for persons with disabilities. Requires the Commissioner of Finance & Administration to report every five years to the Chief Clerk of both houses of the General Assembly the percentage change in the Consumer Price Index, for the purpose of adjusting the statutory fine for this offense.

**HB 216 (Odom):** Increases from \$5,000 to \$10,000 the bid limit for which newspaper advertisements are required for county purchases.



# Finance, Ways & Means

Julie Travis & Patrick Boggs

**HB 1606 (Odom):** This legislation changes the start of the registration year for lobbyists and employers of lobbyists from October 1<sup>st</sup> to January 1<sup>st</sup>; permits employers of lobbyists to download the Ethics Commission Manual for Lobbyists and Employers of Lobbyists from the commission's website to fulfill their registration requirement.

**HB 872 (Rinks):** This bill authorizes the cities of Gilt Edge and Burlison, in Tipton County, to fix the date of municipal elections to coincide with the regular November election.

**HB 1930 (Rinks):** "Clay Wagoner Highway" segment of S.R. 224 in McNairy County. The committee amended this bill to have the state pay for the signage.

**HB 101 (Winningham):** This, as amended by Education, creates the Jason Flatt Act of 2007 to require that a portion of teachers' annual in-service training is dedicated to prevention of suicide.

**HB 102 (Winningham):** "Frank B. Halsell Memorial Highway" segment of S.R. 53 in Clay County. The committee amended this bill to have the state pay for the signage.

**HB 103 (Winningham):** "Joe A. Clark Memorial Highway" segment of S.R. 53 in Clay County.

#### Bills Placed Behind the Budget:

HB 1521 (Coleman)  
HB 1836 (Coleman)  
HB 181 (Cooper, B.)  
HB 8 (Curtiss)  
HB 1466 (Fitzhugh)  
HB 42 (Fraleley)  
HB 262 (Fraleley): This bill was linked to HB 174.  
HB 76 (Litz)  
HB 1270 (Lynn)  
HB 150 (McDaniel)  
HB 151 (McDaniel)  
HB 267 (Odom)

HB 174 (Overbey): This bill was linked to HB 262.  
HB 820 (Rowland)  
HB 64 (Turner, M.)  
HB 68 (Turner, M.): This bill was linked to HB 2281, the administration bill on Streamlined Sales Tax.  
HB 356 (Winningham)  
HB 934 (Winningham)

#### Bills Rolled:

HB 460 (Fitzhugh): Rolled 1 week  
HB 1504 (Fitzhugh): Rolled 2 weeks  
HB 83 (Harmon): Rolled 2 weeks  
HB 205 (Hawk): Rolled behind HB 2243, the administration bill on paid military leave for state employees or employees of political subdivisions who are military reservists.  
HB 1315 (West): Rolled 2 weeks  
HB 100 (Winningham): Rolled 2 weeks. This bill was linked to HB 359.  
HB 359 (Winningham): Rolled 2 weeks. This bill was linked to HB 100.

#### Bills placed in the Study Committee Subcommittee of the Budget Subcommittee:

HB 405 (Todd)

#### Bills taken Off-Notice:

HB 752 (Curtiss)



# Government Operations

Kristina Ryan

The Government Operations Committee convened on Wednesday morning to consider its calendar. **HB 623** by Representative Mike Turner was rolled to the last calendar, **HB 1200** by Representative Pinion was taken off notice, **HB 1186** by Representative Sherry Jones was rolled for two weeks and **HB 1481** by Representative Matheny was rolled for one week.

The following bills were in committee for rulemaking purposes only and were sent to the appropriate standing committees with a positive recommendation:

- HB 1892** – by Rep. John DeBerry – Health and Human Resources
- HB 1281** – by Rep. Lynn – State and Local Government
- HB 0626** - by Rep. Mike Turner – State and Local Government
- HB 2269** – by Rep. Mike Turner – State and Local Government
- HB 1004** – by Rep. Curtiss – Education
- HB 817** – by Rep. McCord – Commerce
- HB 896** – by Rep. Sargent – Health and Human Resources
- HB 1321** – by Rep. West – Commerce
- HB 1735** – by Rep. Winningham – Education
- HB 1955** – by Rep. Armstrong – Education
- HB 1957** – by Rep. Armstrong – Education

The following sunset bills were sent to the Calendar and Rules Committee:

- HB 526** by Rep. Kernell – Southeast Community Service Agency – June 30, 2011
- HB 533** by Rep. Kernell – Northeast Community Service Agency – June 30, 2011
- HB 2010** by Rep. Kernell – Committee for the Blind and Other Severely Disabled – June 30, 2011
- HB 2031** by Rep. Kernell – Board for Respiratory Care – June 30, 2011

## Other Committee Action:

**HB 65** by Representative Mike Turner was reviewed and referred to the Consumer and Employee Affairs Committee with no recommendation. This legislation enacts the “Pay Equity Workplace Act of 2007”, which would prohibit salary or wage discrimination on the basis of sex. The Department of Labor and Workforce Development would be responsible for promulgating rules and regulations for the implementation of this legislation. In addition, the bill authorizes the Economic Council on Women to conduct a wage disparity study between men and women.

The committee reviewed and referred **HB 625** by Representative Mike Turner to the Consumer and Employee Affairs Committee with no recommendation. This bill enacts the “Tennessee Minimum Wage Act,”

which will increase Tennessee’s minimum wage to the federal minimum wage. The Commissioner of Labor and Workforce Development will be authorized to promulgate rules in order to enforce the provisions of this bill.

**HB 1276** by Representative Lynn was reviewed and referred to the State and Local Government Committee with a positive recommendation. As amended, the “Regulatory Flexibility Act of 2007” will require all agencies to conduct a review of whether a proposed rule affects licensees or small business.



Rep. Lynn



# Health & Human Resources

Judy Narramore

## Full Committee

The **Health & Human Resources Committee** met Tuesday, March 20, 2007, with eight bills on calendar.

Five bills were *referred to Calendar & Rules*:

**HB 0699 (McCord)** requires hospitals to report statistics for a full 12 month period unless the hospital was not open for a full 12 months, in which case the hospital would report statistics for the entire period it was open.

**HB 1169 (Windle)** as amended defines the scope of practice for surgical technologists. The amendment clarifies two phrases in the printed bill and adds language to clarify that the provisions of the legislation will not prohibit licensed health care providers from performing duties in a surgical setting.

**HB 0633 (Ferguson)** as amended requires physicians, health care facilities, community centers and pharmacies to post on a sign a statement that a teen involved in a relationship that includes dating violence may call a national toll-free hotline, with that number printed. The amendment also requires the Departments of Health and Commerce & Insurance to notify providers about the provisions of the legislation through routine correspondence and the departments' web sites and through the various boards to initial licensees.



Rep.  
Ferguson

**HB 1346 (Shepard)** requires hospitals to offer inpatients an immunization for influenza and pneumonia each year from October 1 through March 1 prior to discharging any patient who is 65 years of age or older.

**HB 1527 (Odom)** authorizes a licensed hospice to provide palliative care services to a person who is not a hospice patient.

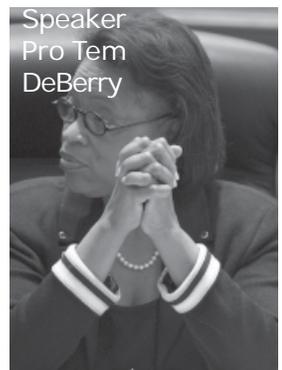
Three bills were *referred to Finance, Ways & Means*:

**HB 0237 (Overbey)** as amended authorizes the Department of Health to study the effectiveness of pulse oximetry screening for newborns in a pilot project at hospitals in one grand division of the state. The amendment adds a religious exemption from the provisions of the printed bill.

**HB 0270 (Mumpower)** as amended abolishes the Board of Occupational and Physical Therapy Examiners and creates a separate board for these two professions, i.e., Board of Occupational Therapy and Board of Physical Therapy. The amendment authorizes the Board of Occupational Therapy to deny, restrict or condition the licensure of a person, or take disciplinary action against a person, based upon disciplinary action against such person by another state.

**HB 0121 (L. DeBerry)** as amended requires a pharmacist to notify and receive documented consent from the prescribing physician, physician assistant, or nurse practitioner and the patient prior to the interchange of an anti-epileptic drug. A violation of the provisions of this legislation would subject the pharmacist to sanctions available under existing statute. The bill as amended was referred 14-5 on a roll call vote to FW&M.

After completing the calendar, the committee heard a presentation from Colonel Richard Briggs, MD. Colonel Briggs' PowerPoint presentation described medical care in the battlefield, with actual video from his tours of duty in Afghanistan and Iraq.



Speaker  
Pro Tem  
DeBerry

## Professional Occupations Subcommittee

The **Professional Occupations Subcommittee** met Tuesday afternoon, March 20<sup>th</sup> to consider eight bills, referring two to full committee. **HB 1183 (S. Jones)** as amended requires licensed health care practitioners to report known or suspected cases of domestic violence or domestic abuse to the Department of Health, Office of Health Statistics, on a monthly basis. The



## Health & Human Resources

Judy Narramore

provisions of this legislation would sunset on June 30, 2009. **HB 1679 (Eldridge)** revises existing statute relative to employment qualifications for surgical technologists to allow a person to be employed as a surgical technologist if such person was either employed as a surgical technologist for 18 months in the three years preceding this bill's effective date in a hospital, medical office, surgery center, or accredited school of surgical technology or in training to be a surgical technologist prior to this bill's effective date and the training will be completed within three years.

In other action, **HB 0033 (J. DeBerry)** that expands the scope of practice for dentistry and dental hygiene to include impressions for making a cosmetic metal apparatus to be worn in the mouth, i.e., grills, was discussed and subsequently rolled one week for consideration of additional amendatory language requested by Chairlady Favors. **HB 0364 (Rowland)**, **HB 1306 (West)**, and **HB 1310 (West)** were rolled two weeks at the request of the respective sponsor. **Rep. Moore** requested that **HB 0286** be taken off notice. Lastly, testimony was presented from proponents and opponents of **HB 0964 (Overbey)** before the bill was rolled one week. **HB 0964** revises existing statute relative to referral requirements for physical therapy services.

### Health Care Facilities Subcommittee

The **Health Care Facilities Subcommittee** did not meet Wednesday, March 21, 2007. The only bill on calendar, **HB 1550 (Hackworth)**, was taken off notice prior to the meeting.

### Public Health & Family Assistance Subcommittee

The **Public Health & Family Assistance Subcommittee** met Wednesday afternoon, March 21<sup>st</sup> to consider 11 bills, referring two to full committee. Chairlady Pruitt again rolled **Rep. Cooper's** bills, **HB 0184** and **HB 1406**.

Prof. Occ.  
Chairlady  
Favors



At the request of **Rep. Coleman**, **HB 2250** was rolled two weeks. At the request of **Rep. M. Turner**, **HB 0650** was rolled three weeks. **Rep. Moore** requested that **HB 0443** be taken off notice. After brief remarks, **Rep. Kernell** rolled **HB 1370** ("Community Choices Act of 2007") three weeks. **Rep. Rowland** presented **HB 0488** (continuing education requirements for persons licensed by the Board of Cosmetology). After discussion and questions from several subcommittee members, **Rep. Rowland** rolled **HB 0488** three weeks. **Rep. L. DeBerry** requested that the subcommittee hear all cosmetology bills at one time. **Rep. Odom** presented, and responded to questions on, **HB 2261**, an administration bill that creates a Class E felony for a TennCare enrollee to "doctor shop" for controlled substances. At the request of **Rep. Favors**, **Rep. Odom** rolled **HB 2261** two weeks. **HB 1557 (Shepard)** as amended that revises existing law provisions of the Uniform Anatomical Gift Act was referred to full committee. **HB 2318 (L. DeBerry)** as amended that revises existing law relative to the Temporary Assistance to Needy Families (TANF) Program, i.e., Families First, was referred to full committee. As testified by DHS Commissioner Gina Lodge, this legislation is needed to incorporate changes in federal regulations related to Families First and to streamline components of the Families First Program. **Rep. S. Jones** rolled **HB 1383** one week for drafting of amendatory language.

*Chairman Armstrong announced on the House floor today that the Public Health & Family Assistance Subcommittee will meet immediately following full committee next week.*



## Judiciary

Jamie Wyatt

### The Full Judiciary Committee

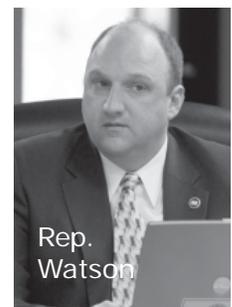
The Full Judiciary Committee had thirty bills on the calendar. HB 35 by Rep. Hackworth was rolled for two weeks.

The following bills were approved for passage to the Calendar and Rules Committee:



Chairman  
Briley

- **HB 50 by Rep. M. Turner**, as amended, allows a person authorized to carry a handgun pursuant to the law to carry a handgun while hunting big game with a bow and arrow during archery-only deer season if the person wears at least 500 square inches of the daylight fluorescent orange color on the upper portion of the body and head visible from the front and back, and carries no additional firearms. Violation of this bill will result in handgun carry permit ineligibility and possible revocation for a period of two years.
  - **HB 98 by Rep. DuBois**, as amended, authorizes any local bar association except Davidson County to bring a civil action against any person's unauthorized practice of law.
  - **HB 156 by Rep. Hawk**, as amended, allows each peace officer appointed or designated by the owner of a category I nuclear facility to use deadly force to protect it when all lesser means fail or can't be reasonably employed and certain conditions exist such as the following: when deadly force appears reasonably necessary to protect a peace officer who reasonably believes to be in imminent danger of death or serious bodily injury; to prevent imminent infliction of death or serious bodily harm or sabotage of an occupied facility by explosives; to prevent theft, sabotage, or unauthorized control of a nuclear weapon, nuclear explosive device or special nuclear material from the facility; or when deadly force is reasonably necessary to apprehend or prevent the escape of person who committed
- one of the above acts or escaping by use of weapon, or who otherwise poses an imminent danger of death or serious bodily injury to the peace officer or others. This bill is really directed at the Nuclear Fuel Services, Category 1, nuclear facility in Erwin Tennessee.
- **HB 640 by Speaker Naifeh** exempts a healthcare research institution, defined narrowly, from liability for loss caused by, arising out of, relating to the design, development, clinical testing or investigation or manufacture of a vaccine unless it has resulted from willful misconduct by the healthcare research institution or its employees. This bill is directed at the St. Jude Children's Research Hospital.
  - **HB 734 by Rep. McManus**, as amended, removes social security numbers from the order appointing the guardian ad litem in an attempt to prevent identity theft. However, the court may release a social security number to a third party upon a showing of good cause if the court deems appropriate.
  - **HB 1384 by Rep. S. Jones**, as amended, increases the amount of a surety bond needed by a notary public from \$10,000 to \$25,000.
  - **HB 1385 by Rep. S. Jones** requires a notary public to notify the county clerk of the county from which the notary was elected and commissioned if the notary's surname changes or if he moves. This change will cost \$7.00. Also, the county clerk is to notify the secretary of state of the change of address or name change and forward \$2.00 of the \$7.00 fee.
  - **HB 1404 by Rep. Sontany** expands the offense of escape from a penal institution to include escape by persons being held for a civil matter.
  - **HB 1410 by Rep. Watson** authorizes the director or a full time employee of the Tennessee Emergency Management Agency to carry a handgun.



Rep.  
Watson



## Judiciary

Jamie Wyatt

- **HB 1415 by Rep. Watson**, as amended, makes criminal impersonation of a police officer for the purposes of engaging in law enforcement type activity or causing another to believe the person is a law enforcement officer a Class B misdemeanor.
- **HB 1540 by Rep. Watson** changes the cease date for the Tennessee White Water Rafting Responsibility Act from July 1, 2008 to July 1, 2010.
- **HB 1622 by Rep. Overbey** makes various technical changes to the current law regarding trustees and charitable trusts.
- **HB 1627 by Rep. Overbey** expands the perfection timeframe for a purchase money security interest from 20 days to 30 days.
- **HB 1775 by Rep. U. Jones** requires a person convicted of promoting prostitution to submit to an HIV test.
- **HB 1916 by Rep. Rinks** states that information regarding absentee voting requests and applications are confidential and not subject to the Open Records Law until the end of the early voting period.
- **HB 2151 by Rep. Briley** deletes the requirement that the Division of Claims Administration provide copies with supporting documents to the district attorney's office and to the offender of the New Criminal Injuries Compensation Act claims. The bill also removes the requirement for CIC compensation for Tennessee residents injured due to acts of terrorism abroad. Coverage is provided federally.
- **HB 2174 by Rep. Bell** creates a misdemeanor offense for a person who removes an electronic or radio transmitting

collar from a dog without the permission of the owner of the dog with the intent to prevent or hinder the owner from locating the dog.

### The following bills were approved for passage to the Finance, Ways, and Means Committee:

- **HB 458 by Rep. Sontany** authorizes the court to order a person sentenced to supervised probation to undergo an alcohol and drug assessment, treatment or both at the discretion of the judge.
- **HB 1502 by Rep. Coleman**, as amended, increases the maximum prior service credit for the practice of law used to determine the entry level compensation of an assistant attorney general or for the district public defenders from 7 to 12 years.
- **HB 1777 by Rep. U. Jones** includes elder abuse in offenses ineligible for judicial diversion.
- **HB 1868 by Rep. Hensley** expands the definition of exploitation to mean the improper use by a caretaker of funds that have been paid by a governmental agency or a private source to an adult or caretaker for use and care of an adult as it relates to the Tennessee Adult Protection Act.
- **HB 2092 by Rep. Maddox** allows Carroll County to opt into levying a local litigation tax of up to \$25.00 for civil and criminal cases.

### Rolled 1 week:

HB 182 by Rep. B. Cooper  
HB 299 by Rep. Overbey  
HB 600 by Rep. M. Turner  
HB 668 by Rep. Swafford  
HB 1188 by Rep. S. Jones  
HB 1351 by Rep. Coleman  
HB 1753 by Rep. Todd



# Judiciary

Jamie Wyatt

## Civil Practice & Procedure Subcommittee

The Civil Practice & Procedure Subcommittee met to discuss twenty-one bills this week. HB 187 by Rep. Fincher was taken off notice.

The following bills were approved for passage to the Full Judiciary Committee:

**HB 123 by Rep. Overbey**, as amended, makes Rule 60.01 of the TN Rules of Civil Procedure as it relates to clerical mistakes in judgments, orders or other parts of the record applicable to general sessions courts. The mistake can be corrected by the court anytime on its own initiative or on motion of any party. Also, the bill makes Rule 60.02 as it relates to mistakes, inadvertence, excusable neglect, fraud, or other similar reasons set out in the rule, applicable to courts of general sessions. The Rule allows the court, upon a motion, to relieve a party from a final judgment, order or proceeding for those types of errors. The bill stipulates that a motion under Rule 60.02 must be filed within 10 days of judgment and it shall toll the 10 day period for seeking a de novo review in the circuit court until disposition of the motion. Currently, the motion for Rule 60.02 problems must be made within a reasonable time only and if there is a mistake, inadvertence, surprise, or excusable neglect or fraud, no longer than a year after the judgment, order or proceeding was entered or taken.

- **HB 312 by Rep. Briley**, as amended, increases the fee the supreme court clerk and deputy clerks of the supreme court can collect from \$4.00 to \$6.00 provided that these fees assessed to the state in criminal appeals be limited to amounts chargeable prior to July 1, 2007 (\$4.00)
- **HB 209 by Rep. Lundberg** requires junk dealers to keep a book of the names of all persons from whom they buy or get used catalytic converters.

- **HB 2262 by Rep. Odom** limits the scope of review regarding state procurement contracts that are appealed to the Chancery Court to the record made before the review Committee. The scope of review shall involve only an inquiry into whether the Review Committee exceeded its jurisdiction, followed an unlawful procedure, or acted illegally, fraudulently, or arbitrarily without material evidence to support the action.



- **HB 394 by Rep. Coleman** allows three days notice by a landlord to a tenant for termination of rental agreement suffice for the purpose of eviction in a housing authority if the tenant or another on the premises with the tenant's consent intentionally commits a violent act, or is engaged in any drug related activity, or behaves in a manner that constitutes or threatens to be a real and present danger to the health, safety, or welfare of the life or property of other tenants, the landlord, or other persons on the premises.
- **HB 2321 by Rep. Coleman**, as amended, provides records of the department of environment and conservation concerning radioactive materials regulated by the U.S. Nuclear Regulatory Commission or by a state under an agreement with the commission pursuant to the Atomic Energy Act, or disclosing the specific location of threatened, endangered, or rare species, that are confidential under federal law must be confidential and not open for public inspection.



# Judiciary

Jamie Wyatt

## Rolled 1 week:

HB 106 by Rep. Shepard  
 HB 107 by Rep. Shepard  
 HB 108 by Rep. Shepard  
 HB 548 by Rep. Shepard  
 HB 40 by Rep. Fraley  
 HB 1828 by Rep. Todd  
 HB 1269 by Rep. Lynn  
 HB 584 by Rep. DuBois  
 HB 2000 by Rep. U. Jones  
 HB 2248 by Rep. Ferguson  
 HB 1222 by Rep. Gilmore



## Rolled 3 weeks:

HB 1857 by Rep. Hackworth  
 HB 592 by Rep. Fincher  
 HB 758 by Rep. Matheny

## Criminal Practice & Procedure Subcommittee

The Criminal Practice & Procedure Subcommittee met to discuss **fifty sex offender bills**. There were a large number of bills on the calendar that were either the same or similar. This resulted in the large number of bills taken off notice. HB 2144 by Rep. Campfield was sent to the House Judiciary Committee's Summer Study Committee. HB 284 by Rep. Overbey and HB 662 by Hill both failed for a lack of a second. HB 1099 by Rep. Buck failed for a lack of a motion.

## The following bills were approved for passage to the Full Judiciary Committee:

- **HB 2 by Rep. Maddox** makes information on the sexual offender registration form public information regardless of the date of the conviction.
- **HB 105 by Rep. Shepard** reclassifies incest from a sexual offense to a violent sexual offense. This reclassification will require an offender to register with the sexual offender registry four times a year rather than annually.

Also, the offender will be on the registry for life.

- **HB 956 by Rep. Maggart** requires a sexual offender to report a change to his registering agency within forty-eight hours of changing employment or vocational status including being terminated involuntary, voluntarily terminating employment or vocation, taking different employment or same employment at a different location, changing shifts or substantially changing the offender's hours of work at the same job, taking additional employment, reducing it, or any other status that differs from the offender's original information. Also, the bill has reporting requirements for an offender who is from another state and who is not a resident.
- **HB 1480 by Rep. Buck** expands the definition of conviction for the purposes of sexual offender registry to include sex offenders put on diversion and sex offenders who have been convicted but not yet sentenced.
- **HB 178 by Rep. Harwell** increases the punishment for statutory rape by an authority figure from a Class C felony to a Class B felony.
- **HB 252 by Rep. Harwell** creates a class of child sexual predators made up of persons convicted of certain sexual offenses, which requires that upon a second or subsequent conviction the offender serves 100%.
- **HB 2169 by Rep. Maddox** provides that a person convicted of aggravated kidnapping, aggravated robbery, rape, aggravated sexual battery, statutory rape by an authority figure, aggravated child abuse and aggravated child neglect or endangerment or certain controlled substance violations will not be eligible for probation.
- **HB 2314 by Rep. Odom** sets the minimum incarceration period for rape of a child at 25 years instead of 15 years.



## Judiciary

Jamie Wyatt

- **HB 175 by Rep. Harwell**, as amended, clarifies the age distinction for statutory rape. It states the victim must be at least 13 years, but less than 15 years of age and the defendant is at least 4 years older than the victim but less than 10 years older than the victim or the victim is at least 15 years but less than 18 years of age and the defendant is more than five years older than the victim, but less than 10 years older than the victim.
- **HB 194 by Rep. Maggart** prohibits a sexual offender from threatening, harassing, annoying, intimidating or alarming by telephone, in writing, or by electronic mail, internet services, or by any other form of electronic communication the offender's former victims or the immediate family of the victims if the communication is for no legitimate purpose.
- **HB 563 by Rep. Harwell** expands the group of persons required to furnish DNA samples for testing to include any misdemeanor offense that requires the offender to register with the sexual offender registry.
- **HB 713 by Rep. Tindell**, as amended, expands the list of offenses prohibiting a defendant from being eligible for probation if convicted to include sexual exploitation of a minor, aggravated sexual exploitation of a minor and especially aggravated sexual exploitation of a minor. Also, the bill expands the list of offenses that are not release eligible for the offender. The offender must serve 100% of the sentence less credit earned. Credits shall not reduce the sentence by more than 15%.
- **HB 1100 by Rep. Buck** creates a new Class D felony offense of sexual servitude of a minor if the victim is at least 13 years old, but less than 18 years old and the defendant did not use force. Also, the bill creates a new Class D felony sentenced within Range II offense of sexual servitude of a minor if the victim is at
- less than 13 years old and the defendant did not use force, it is a Class C felony. It becomes a Class B felony if force is used.
- **HB 1819 by Rep. Rowland** requires the Tennessee Bureau of Investigation to notify persons residing within 1,000 feet of a sexual offender or violent offender's proposed residence or relocation. TBI may utilize or contract with a company to utilize a reverse 911 calling system.
- **HB 2097 by Rep. Maddox** expands the list of offenses requiring a judge to revoke bail upon conviction. The bill requires a judge to revoke the bail of a defendant convicted of rape, aggravated child abuse, statutory rape by an authority figure, or stalking.

### Rolled 1 week:

HB 601 by Rep. M. Turner

### Off Notice:

HB 177 by Rep. Harwell  
HB 412 by Rep. Todd  
HB 414 by Rep. Todd  
HB 954 by Rep. Maggart  
HB 1028 by Rep. Todd  
HB 1029 by Rep. Todd  
HB 955 by Rep. Maggart  
HB 147 by Rep. McDonald  
HB 427 by Rep. DuBois  
HB 552 by Rep. Windle  
HB 714 by Rep. Tindell  
HB 849 by Rep. Eldridge  
HB 1184 by Rep. S. Jones  
HB 2187 by Rep. Borchett  
HB 189 by Rep. Fincher  
HB 176 by Rep. Harwell  
HB 300 by Rep. Harwell  
HB 784 by Rep. Campfield  
HB 1816 by Rep. Hood

CONTINUED ON NEXT PAGE.



## Judiciary

Jamie Wyatt

HB 2106 by Rep. Maddox  
HB 1628 by Rep. Sontany  
HB 908 by Rep. Tindell  
HB 912 by Rep. Tindell  
HB 957 by Rep. Maggart  
HB 1034 by Rep. J. DeBerry  
HB 1477 by Rep. Sontany  
HB 1743 by Rep. Tindell  
HB 2107 by Rep. Maddox  
HB 2110 by Rep. Maddox  
HB 2108 by Rep. Maddox



# State & Local Government

Lawrence Hall, Jr.



Chairman Jones

This week in **State and Local Government** full committee, twenty-two bills were on the calendar for consideration. Ten bills were passed to Calendar and Rules, seven were passed to Finance, Ways, and Means, and the others were rolled or taken off notice.

### *Calendar and Rules:*

**-HJR 158 by Odom** – This resolution urges the President and Congress to address the problem of illegal immigration.

**-HB 1472 by Fitzhugh** - Specifies that local government joint venture entities are required to report their revenue and expenses to the comptroller instead of requiring the local government entities that create the joint venture entity to make such reports.

**-HB 1469 by Fitzhugh** – Enacts the “Local Government Instances of Fraud Reporting Act.”

**-HB 1203 by Pinion** – This bill modifies the procedures for the Department of Transportation’s disposition of real property that was intended for use as right-of-way property.

**-HB 2244 by Bone** – Revises the maximum age provisions regarding the termination of a National Guard officer’s appointment. This bill also sets the age limits in line with the federal government regarding certain rankings.

**-HB 158 by DuBois** – This bill authorizes property rights voting in municipal elections in Spring Hill, Tennessee.

**-HB 1865 by Shaw** – This bill changes the date that state government entities are required to submit their

annual Title VI compliance reports and plans from June 30 to October 1.

**-HB 575 by Sontany** – This bill authorizes the Nashville Zoo to sell alcoholic beverages for consumption on premises.

**-HB 133 by Bell** – This bill prohibits a state agency from terminating the use of American Indian symbols, names and mascots.

**-HJR 170 by U. Jones** – This resolution names June 19, 2007 as “Juneteenth Day.”

### *Finance, Ways, and Means:*

**-HB 95 by Winningham** – This bill allows the state to increase its contribution to local governments for human resources from \$90,000 to \$120,000.

**-HB 157 by Curtiss** – Provides property tax relief for veterans permanently and totally disabled from service-connected activities.

**-HB 738 by Curtiss** – Increases the maximum amount that can be paid to a police officer who completes in-service training from \$600 to \$800.

**-HB 1757 by J. DeBerry** – This authorizes Shelby County to bring their county official within the scope of regulation by the Tennessee Ethics Commission.

**-HB 1280 by Lynn** – This bill requires those counties with computerized voting systems to have a printout of all eligible voters and an electronically scanned signature from the voter’s registration application at the polling place.

**-HB 290 by Sargent** – This bill sets the annual in-service training pay bonus supplement for eligible firefighters and police at \$600.



Rep. DuBois



Rep. Sargent

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# State & Local Government

Lawrence Hall, Jr.

**-HB 717 by Tindell** – This bill increases the maximum dollar amount of per diem that may be paid to utility district commissioners for attending meetings of the utility district's board of commissioners up to \$300 per meeting.

*Rolled 1 Week:*

**-HB 379 by Briley** – This bill requires the Tennessee Ethics Commission to be subject to the open meetings and public records statutes.

**-HB 1240 by Coley** – This bill allows members of the ethics commission to hold or qualify for judicial office with no waiting period.

**-HB 923 by McCormick** – This bill permits taxpayers of commercial property in Hamilton County to appeal tax valuations directly to the state board of equalization with the written consent of the assessor of property.

*Rolled 2 Weeks:*

**-HB 1473 by Fitzhugh** – This requires a two thirds approval of the county legislative body for an industrial development corporation to negotiate annual payments in lieu of taxes that are less than an amount equal to property taxes available to schools.

*Off Notice:*

**-HB 1305 West** – Requires municipally owned water systems operating within metropolitan government boundaries to offer leak adjustments over a period of at least two billing cycles.

## **State Government Subcommittee**

The **State Government** subcommittee considered twenty-six bills this week. Seventeen bills were passed to full committee for consideration next week and all others were rolled to a later date.

*Full Committee:*

**-HB 1560 by Curtiss** – This bill requires full-time, part-time, or volunteer firefighters that are hire or accepted on or after July 1, 2007, to meet certain minimum training requirements.



**-HB 1741 by Curtiss** –

Require salary supplements for highway patrol officers who receive certification from the peace officers standards and training commission.

**-HB 1464 by Fitzhugh** – This bill revises the conflict of interest provisions that are applicable to career service employees.

**-HB 1471 by Fitzhugh** – This bill authorizes municipalities having charter provisions or private act requirements governing competitive bidding and purchasing to establish exemptions to the competitive bidding process by ordinance as an alternative to establishing the exemptions by charter amendment only.

**-HB 850 by Eldridge** – This bill permits inmates who received a specified degree prior to July 1, 2006 to receive the same 60 days of educational good time credit authorized for those inmates receiving degrees after such date.

**-HB 1170 by Windle** – This bill requires an adjutant general of the state's military department to be a federally recognized general officer and member of the National Guard.

**-HB 815 by McDaniel** – Extends the initial reporting deadline for the special joint committee to study open government laws until December 1, 2007. The bill also extends the final reporting deadline until February 1, 2008.



# State & Local Government

Lawrence Hall, Jr.

**-HB 572 by Rowland** – This bill requires municipal governments to provide notice to a person prior to forwarding unpaid parking tickets to a collection agency.

**-HB 622 by M. Turner** – This bill makes it a Class E felony for any person to knowingly provide a public servant with any false documentation for the purpose of receiving any public benefit.

**-HB 648 by M. Turner** – This bill prohibits the commissioner of correction and other prison contractors from accepting out-of-state prisoners unless the sending state agrees to accept the prisoner back upon such prisoner's release.

**-HB 1910 by Rinks** – Requires that mass mailings by a member of the general assembly to persons in the member's district that are mailed within 30 days of an election to be paid out of the member's campaign account.

**-HB 407 by Todd** – This bill requires state agencies to verify the immigration status prior to receiving state benefits.

**-HB 1758 by Todd** – This bill authorizes counties that create county-wide fire districts to include performance-based criteria in interlocal agreements and contracts for fire protection services.

**-HB 287 by Moore** – Includes the employees of the Department of Agriculture's division of forestry to those eligible to receive firefighter educational incentive pay.

**-HB 444 by Moore** – This bill requires the comptroller to conduct annual audits of Tennessee Municipal League and Tennessee County Services Association.

**-HB 2235 by Litz** – This bill authorizes the Department of Correction to spend funds from the confiscated cash fund for accepted investigative techniques and interdiction efforts to combat drug trafficking.

**-SJR 106 by Herron** – This resolution designates March 28, 2007 as "TISL Day at the Legislature."

## *Rolled, Off Notice, or Failed:*

- HB 466 by Fitzhugh – 1 Week
- HB 840 by Favors – 1 Week
- HB 1172 by Windle – 1 Week
- HB 620 by M. Turner – 1 Week
- HB 621 by M. Turner – Last Calendar
- HB 492 by Moore – Off Notice
- HB 870 by Moore – Off Notice
- HB 2312 by Moore – Off Notice
- HB 2309 by Bass – 1 Week

## **Local Government Subcommittee**

This week in **Local Government** subcommittee there were thirty bills on the calendar. The committee passed sixteen bills to full committee to be considered next week and the others were either rolled or taken off notice.

## *Full Committee:*

**-HB 722 by Winningham** – This bill establishes a minimum statutory base amount of \$12,000 to be appropriated annually to each county to aid the counties in carrying out their statutory duties regarding emergency management.

**-HB 1736 by Winningham** – This bill allows Oliver Springs to enact a hotel-motel tax by adoption of an ordinance by a two-thirds vote.

**-HB 327 by Tidwell** – This bill expands the Tennessee River Resort District Act to include Humphreys and Stewart counties.

**-HB 382 by Rowland** – Authorizes a municipal corporation to obtain a temporary easement to construct or provide maintenance to water or sewer lines on private property if the municipal corporation enters into a hold-harmless agreement with the owner of the property.



# State & Local Government

Lawrence Hall, Jr.

**-HB 1433 by M. Turner** – This bill will provide a funding source for the expansion of the Gaylord Opryland Hotel.

**-HB 1564 by Rowe** – This bill authorizes the Shelby County mayor to appoint a board of directors to govern the county’s emergency communications district.

**-HB 1760 by Moore** – This bill allows an assessor to correct forced assessment of tangible personal property if it is determined that the taxpayer was not in business as of the assessment date.

**-HB 1761 by Moore** – Authorizes assessors to set a date within which a taxpayer or owner may seek concurrence to directly appeal valuation of certain property to the state board of equalization.

**-HB 1762 by Moore** – This bill will allow taxpayers to return a schedule of tangible personal property used in the taxpayer’s business or profession to the assessor on March 1 of each year.

**-HB 1763 by Moore** – This bill clarifies that a schedule of tangible personal property may be amended by the taxpayer if it is timely filed with the assessor.

**-HB 1809 by Pruitt** – This bill authorizes the Nashville Metro council to implement a funding mechanism to be used to finance a new convention center.

**-HB 1909 by Rinks** – This bill adds Decatur County to the list of counties where taxpayers may not appeal directly to the state board of equalization.

**-HB 1784 by U. Jones** – Authorizes certain counties to establish and operate emergency medical services and to charge fees or rates for such services.

**-HB 845 by Eldridge** – Adds Madison County to the Community Redevelopment Act of 1998.



Rep. Rowe

**-HB 947 by Hood** – This bill requires the state to reimburse a county for incarcerating a person upon revocation of the person’s probation.

**-HB 947 by Hood** – This bill requires the state to reimburse a county for incarcerating a person upon revocation of the person’s probation.

**-HB 1785 by U. Jones** – This bill authorizes the county mayor to appoint the county fire chief with the approval of the county legislative.

### *Bills Rolled or Taken Off Notice:*

- HB 632 by Overbey – 1 Week
- HB 760 by Matheny – 3 Weeks
- HJR 190 by Sontany – 1 Week
- HB 1079 by M. Turner – 3 Weeks
- HB 1080 by M. Turner – 3 Weeks
- HB 1187 by S. Jones – 1 Week
- HB 1180 by S. Jones – 2 Weeks
- HB 433 by DuBois – 2 Weeks
- HB 2214 by Crider – 1 Week
- HB 1304 by West – 2 Weeks
- HB 1610 by Miller – 1 Week
- HB 229 by Moore – Off Notice
- HB 1549 by Moore – Off Notice
- HB 1678 by Montgomery – 2 Weeks

### **Elections Subcommittee**

This week in **Elections Subcommittee** twelve bills were on the calendar. One bill was sent to full committee to be considered next week.

**-HB 419 by S. Jones** – This bill revises statutory language to replace “handicapped voter” with “voter with a disability” or “voters with disabilities.”



# State & Local Government

Lawrence Hall, Jr.

*Bills Rolled or Taken Off Notice:*

- HB 1171 by Windle – 4 Week
- HB 666 by Baird – 1 Week
- HB 554 by Crider – 1 Week
- HB 1442 by Dunn – 1 Week
- HB 1374 by Kernell – 4 Weeks
- HB 17 by Shepard – 1 Week
- HB 21 by Shepard – 1 Week
- HB 408 by Todd – 2 Weeks
- HB 409 by Todd – 2 Weeks
- HB 1279 by Lynn – 1 Week
- HB 1929 by Rinks – 4 Weeks

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## Transportation

Jeremy L. Elrod

The **House Transportation Committee** convened on March 20, 2007 to consider twenty-three bills. **HB2050** (Armstrong) was rolled for one week. **HB129** (Bell) was deferred two weeks. **HB1001** (Curtiss) was taken off notice. **HB2254** (Fraley) was referred to the **Calendar and Rules Committee**. It adds HELP truck operators to list of state employees to whom state's standard business hours do not apply.

The following bills were referred to the **Finance, Ways and Means Committee**:

**HB1220** (McDonald) – As amended, after January 1, 2008 allows license plates to be turned in for recycling. The Department of Revenue is directed to create a program promoting recycling old or used license plates with a site for them at each county courthouse. Information of the program will be sent with renewal of registration notice. The department may partner with non-profit organizations to aid in this recycling program.

**HB2208** (H. Brooks) – “Zane Daniel Highway” highway signs on a segment of State Route 131 in Knox County.

**HB2209** (H. Brooks) – “W.I. Daniel Overpass” highway signs spanning U.S. Highway 25E on U.S. Highway 11W in Grainger County

**HB848** (Eldridge) – As amended, mandates license revocation for drivers with learner's permits or intermediate driver licenses who contribute to an accident involving serious bodily injury or death.

**HB404** (J. Cobb) – “Aubrey J. ‘Red’ Wagner Memorial Bridge” highway signs on a bridge spanning Watts Bar Dam and Lock on State Route 68. An amendment was adopted that the signs would only be placed on the bridge if TVA approves them.

**HB1906** (Rinks) – States explicitly that sales tax exemption for gasoline and diesel fuel used for agricultural purposes also applies to gasoline and diesel fuel used by loggers for off-road purposes.

**HB1335** (Briley) –Increases penalties for violations of rights of way that result in serious personal injury or death. As amended, a violation of the right of way that results in serious bodily injury is a Class B misdemeanor punishable by a fine up to \$250 and a possible driver license suspension of up to six months. If a death results, the offense is a Class A misdemeanor punishable by a fine up to \$500 and a possible driver license suspension of up to one year.

**HB580** (DuBois) – Creates new criminal offense of aggressive driving. Any person commits aggressive driving who is a hazard to another person or intends to harass, intimidate, injure, or obstruct another person, and commits three or more of the following violations during one episode of continuous driving:

- 1) Overtaking on the right
- 2) Overtaking and passing in no passing zones
- 3) Following too closely
- 4) Failing to yield for emergency vehicles
- 5) Failing to yield to pedestrians
- 6) Failure to turn signal
- 7) Speeding
- 8) Stopping, standing, or parking in prohibited places
- 9) Following fire trucks
- 10) Failure to follow HOV lane markers.

Aggressive driving would be a Class B misdemeanor unless the offender intended to injure another person, in which case a violation would be a Class A misdemeanor. A court can sentence the offender to any available driver education course, in addition to incarceration and a fine.

**HB289** (M. Turner) – “Ed Walsh Pike” highway signs on a segment of State Route 265 in Davidson County

**HB1827** (M. Turner) – Removes provisions for certificates of driving. The bill provides for temporary driver licenses for persons whose





# Transportation

Jeremy L. Elrod

presence in the U.S. has been authorized by the federal government. A temporary driver license would be valid only during the period of time the applicant is authorized to stay in the United States, and it would be issued for at least one year and not less than five years. An amendment was adopted to clean up the bill's language and made no change to the substance of the bill. The bill also:

- 1) Authorizes the Department of Safety to adopt rules and regulations promulgated by the Department of Homeland Security.
- 2) Removes the present law prohibition on the department issuing a tank endorsement unless the applicant has been licensed for, and has regularly driven for not less than one year, the vehicle or combination of vehicles covered by the license classification on which the tank endorsement will be placed.
- 3) Exempts persons applying for reinstatement of a cancelled, suspended or revoked driver license from taking an eye test if the license has not been expired in excess of one renewal cycle.
- 4) Extends the provision whereby an applicant who completed a driver education and training course offered for Class D vehicles by a public school, a public institution of higher learning, or a commercial driver training school is deemed to have satisfactorily completed the department's examinations to make the provision applicable to a person who completed a course offered by non-public schools in categories 1, 2, or 3.

**HB1196** (Fraley) – Adds Cowan Railroad Museum in Franklin County as an official state railroad museum.

**HB1035** (C. Cobb) – “Donny Ray Hudson Memorial Bridge” high-ways signs on the newly constructed bridges spanning Elk River on U.S. Highway 64 in Lincoln County

**HB669** (Swafford) – Effective July 1, 2007, redesignates cultural plates for qualified Holders of the Purple Heart, which currently cost \$25.00, as memorial plates, which are issued free of charge.

**HB294** (Dean) – Prohibits drivers from operating vehicles in inattentive manner caused by distracting activity that results in the unsafe operation of a vehicle, with the penalty a Class C misdemeanor. As amended, if committed in a posted special school zone, when a warning flasher or flashers are on and while children are present, the offense is a Class B misdemeanor with up to a \$100 fine.



The following bills were passed by the committee and will but put into the **Omnibus Special License Plate bill**:

**HB1870** (Sargent) – As amended, authorizes issuance of Historic Franklin new specialty earmarked license plates. The bill allocates 50 percent of funds derived from the sale of the plates to go to *Franklin Tomorrow*.

**HB570** (McCormick) – As amended, authorizes issuance of *For a Lifetime* new specialty earmarked license plates. Funds derived from sale go to the commission on aging and disability.

**HB32** (DuBois) – Authorizes retired firefighters to receive firefighter license plates upon proof of retirement in good standing from firefighting unit.

**HB1721** (McDaniel) – Authorizes issuance of *Civil War Preservation* new specialty earmarked license plates. The bill allocates 50 percent of funds raised to the Tennessee Civil War Preservation Association.

**HB1893** (P. Johnson) – Authorizes issuance of *101st Airborne* new specialty license plates.



# Transportation

Jeremy L. Elrod

## Public Safety & Rural Roads Subcommittee

The **Public Safety & Rural Roads Subcommittee** met March 20, 2007, to consider fourteen bills. HB1915 (Rinks) was deferred for three weeks. Action on **HB1101** (Buck) and **HB1154** (Buck) was deferred for two weeks. **HB1174** (Windle), **HB180** (B. Cooper), **HB183** (B. Cooper), **HB1407** (B. Cooper) and **HB1381** (S. Jones) were rolled one week. **HB491** (Gresham), **HB424** (DuBois) and **HB698** (McCord) failed.

The following bills were referred to the full **Transportation Committee**:

**HB838** (Tidwell) – Authorizes issuance of *Trout Unlimited* new specialty earmarked license plates. The bill allocates 50 percent of funds derived from sale of the plates to Trout Unlimited.

**HB851** (Eldridge) – As amended, requires written motor vehicle accident reports, including those prepared by law enforcement and those prepared by the owner or driver of a vehicle involved in an accident, to include the name and address of the insurance company of the drivers.

## Public Transportation & Highways Subcommittee

The **Public Transportation & Highways Subcommittee** met on March 20, 2007 to consider nine bills. **HB1173** (Windle) was rolled one week. **HB1416** (Watson) was deferred for two weeks. **HB1313** (West) was taken off notice.

The following bills were passed to the full **Transportation Committee**:

**HB1969** (Armstrong) – “Casey C. Jones Memorial Bridge” highway signs on a bridge spanning Norfolk-Southern railroad tracks on Magnolia Avenue (U.S. Highway 11/U.S. Highway 70/State Route 1) in Knoxville.

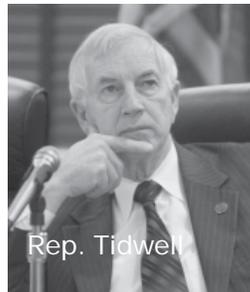
**HB1970** (Armstrong) – “Robert J. Booker Bridge” highway signs on a bridge spanning James White Parkway (State Route 158) on Summit Hill Drive in Knoxville.

**HB3** (Pruitt) – “Rosa L. Parks Boulevard” highway signs on segments of Metro Center Boulevard and 8th Avenue North (U.S. Highway 41-A, State Route 12) in Metropolitan Nashville and Davidson County.

**HB701** (McCord) – “Governor Sam Houston Memorial Highway” highway signs on a segment of U.S. Highway 411 in Blount and Sevier counties.

**HB844** (Buck) – “Colonel Bernie S. Bass Highway” highway signs on a segment of State Route 53/State Route 141 between New Middleton and Gordonsville.

**HB2335** (Harmon) – Requires transportation plan prepared by the commissioner be consistent with federal transportation planning requirements and include consideration of various types of transportation.



Rep. Tidwell

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