

Amendment No. 3 to SB3148

**Cooper J
Signature of Sponsor**

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Date _____
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Comm. Amdt. _____

AMEND Senate Bill No. 3148

House Bill No. 2953*

By deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 65-1-201, is amended by deleting the section in its entirety and by substituting instead the following:

(a) There is created the Tennessee regulatory authority consisting of four (4) directors with one (1) director to be appointed by the governor, one (1) director to be appointed by the speaker of the senate, one (1) director to be appointed by the speaker of the house of representatives and one (1) director to be appointed jointly by the governor, the speaker of the senate and the speaker of the house of representatives.

(b) The directors of the authority shall be state officers and shall serve for eight-year terms, commencing on July 1 following their appointment. However, directors appointed to serve terms commencing on July 1, 2002 shall be staggered as follows:

(1) the director appointed by the speaker of the senate and the director appointed by the speaker of the house of representatives shall serve eight-year terms commencing on July 1, 2002; and

(2) the director appointed by the governor and the director appointed jointly by the governor, the speaker of the senate and the speaker of the house of representatives shall serve four-year terms commencing on July 1, 2002, and thereafter the director appointed by the governor and the director appointed jointly by the governor, the speaker of the senate and the speaker of the house of representatives shall serve eight-year terms.

(c) No later than March 1 prior to the expiration of the terms of office of the directors, the governor, the speaker of the senate, and the speaker of the house of representatives shall each

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appoint one (1) director of the authority, and the governor, speaker of the senate and speaker of the house of representatives shall jointly appoint one (1) director of the authority. However, appointments made prior to the effective date of this act shall be valid unless rescinded by a joint resolution adopted by both houses of the general assembly. Appointments made for directors whose terms commence on July 1, 2002, shall be made prior to July 1, 2002.

(d) All such appointments shall be confirmed by joint resolution adopted by each house of the general assembly prior to the commencement of the term of office to which such director is appointed.

(e) Any vacancy on the authority shall be filled by appointment by the original appointing authority for such position to serve the unexpired term and such appointment shall be confirmed in the same manner as the original appointment. However, if the general assembly is not in session and a vacancy occurs, the appropriate appointing authority shall fill such vacancy by appointment and the appointee to such vacancy shall serve the unexpired term unless such appointment is not confirmed within thirty (30) days after the general assembly convenes following the appointment to fill such vacancy.

(f) Directors shall serve until their successors are appointed and confirmed in accordance with the provisions of this section.

SECTION 2. Tennessee Code Annotated, Section 65-1-204, is amended by deleting the section in its entirety and by substituting instead the following:

(a) A majority of the Tennessee regulatory authority shall constitute a quorum for the transaction of business, and shall elect one (1) of its directors chair of the authority for a two-year term. The term of the chair shall commence on July 1.

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(b) Decisions pursuant to the provisions of this title shall be made by three (3) director panels of the authority. The directors serving on each such panel shall be randomly selected. On the last business day of each month the chair of the authority shall place the names of each director in a bowl in a manner which does not reveal the name of the directors and the chair shall select three (3) names from the bowl. The three (3) directors so selected shall serve as the hearing panel for the ensuing month at the end of which a different panel shall be randomly selected as provided in this subsection.

(c) The authority, with the advice of the executive secretary, shall establish policies for the efficient and economical internal management of the authority to be administered by its executive secretary.

(d) Policies established by the authority shall be communicated to the executive secretary by the chair, and the chair shall be responsible for ensuring that policies established by the authority are fully executed by the executive secretary.

SECTION 3. Tennessee Code Annotated, Section 65-1-205(b), is amended by deleting the language "three (3)".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.