



# THE WEEKLY REVIEW

APRIL 14, 2011



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# Commerce

## Labor & Agriculture Committee

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The Commerce, Labor and Agriculture Committee met on Tuesday, April 12th, 2011 and heard presentations by the Departments of Economic and Community Development and Labor and Workforce Development on their budgets. The Committee moved both Departments with a positive recommendation to the Finance Committee. The Committee then considered its regular calendar.

### Bills Passed to Calendar:

#### **SB 0393 by \*Bell** (\*HB 0338 by \*Brooks K)

Nuisances - As introduced, declares those dealing in antique, used or scrap jewelry and precious metals to be a nuisance if such dealers fail to comply with all requirements of the scrap jewelry and metal dealers law; allows a temporary injunction to be granted until such dealer provides an inventory to the court and agrees to comply with such law. - Amends TCA Title 29, Chapter 3, Part 1 and Title 38, Chapter 1, Part 2.

#### **SB 1173 by \*Berke** (HB 1595 by \*Floyd)

Insurance Companies, Agents, Brokers, Policies - As introduced, requires that for purposes of determining the maximum dollar amount of an insurance policy when converting an insurance policy, the amount of such policy shall be rounded up to \$20.00 instead of \$10.00. - Amends TCA Title 56.

#### **SB 1009 by \*Campfield** (HB 1760 by \*Curtiss)

Landlord and Tenant - As introduced, revises Uniform Landlord and Tenant Act. - Amends TCA Title 66, Chapter 28.

#### **SB 0594 by \*Finney L** (HB 1127 by \*Naifeh, DeBerry L, Shaw, Turner M, Pitts, Sargent, Haynes, Coley, Montgomery, Stewart, Favors, Armstrong, Cooper B, Shepard, Todd, Dean, Harrison, Lollar, Ramsey, Matlock, Swann)

Telecommunications - As introduced, adds state government telephone subscribers to do not call registry. - Amends TCA Title 65, Chapter 4, Part 4.

#### **SB 1785 by \*Ketron** (\*HB 2047 by \*Brooks H, Eldridge)

Workers Compensation - As introduced, changes the evidence requirement from a preponderance of the evidence to clear and convincing evidence for rebutting the presumption that drugs or alcohol were the proximate cause of an injury from a drug test result or the refusal to submit to a drug test. - Amends TCA Title 50, Chapter 6 and Title 50, Chapter 9.

#### **SB 1464 by \*Overbey** (\*HB 1779 by \*Curtiss, Ramsey, Pitts)

Dentists and Dentistry - As introduced, prohibits a dental insurance plan from requiring a participating dentist in the network to provide services to covered individuals at a fee set by the plan unless such services are covered services; defines covered service as one for which reimbursement is at least 50% of the dentist's prevailing fee. - Amends TCA Title 56, Chapter 7, Part 10.

**SB 1572 by \*Southerland** (\*HB 1838 by \*Hill, McDonald)

Fireworks - As introduced, makes it a Class C misdemeanor for a person to sell or possess any airborne, unmanned device capable of producing an open flame not meeting the requirements of a Class B or Class C explosive. - Amends TCA Title 68, Chapter 104, Part 1.

Passed to Finance:

**SB 0602 by \*Gresham** (\*HB 0588 by \*McDaniel)

Regional Authorities and Special Districts - As introduced, adds executive director of development district in which a megasite is located to megasite board. - Amends TCA Title 64, Chapter 6.

**SB 1962 by \*Stewart, Haile** (\*HB 1713 by \*Curtiss)

Commerce and Insurance, Dept. of - As introduced, requires the commissioner to provide a program to ensure that electrical inspection services are available throughout the state on a regional basis so that timely inspections shall be completed within three days. - Amends TCA Title 68.

Deferred to the last calendar:

**SB 0884 by \*Barnes, Finney L** (\*HB 0984 by \*Pitts)

Unemployment Compensation - As introduced, authorizes spouses of military members who leave employment due to military reassignment to qualify for unemployment benefits; requires that state pay such benefits and does not count against employer's experience rating. - Amends TCA Title 50, Chapter 7.

**SB 1712 by \*Beavers** (\*HB 1945 by \*Elam, Eldridge, Hurley, Dennis, McCormick)

Trade Regulation - As introduced, declares certain goods that are made in Tennessee are not subject to the commerce clause of the federal constitution. - Amends TCA Title 4.

**SB 0270 by \*Berke** (HB 1824 by \*Lundberg)

Consumer Protection - As introduced, creates a rebuttable presumption that price-gouging has been committed in certain situations. - Amends TCA Title 47, Chapter 18, Part 51.

**SB 1547 by \*Berke** (\*HB 1865 by \*Pitts)

Business and Commerce - As introduced, renames the position of small business advocate the small business center and transfers the function from the office of the comptroller of the treasury to the department of economic and community

development. - Amends TCA Title 4, Chapter 3, Part 7; Title 8, Chapter 4, Part 7 and Section 12-3-813.

**SB 1542 by \*Berke, Haile** (\*HB 1608 by \*McDonald)

Contractors - As introduced, exempts certain persons or entities from requirement to obtain a license as a general contractor or home improvement contractor. - Amends TCA Title 62, Chapter 6.

**SB 0401 by \*Campfield** (HB 0599 by \*Casada)

Labor - As introduced, requires certain political activities by labor organizations be funded separately through voluntary donations of members and not through regularly collected dues. - Amends TCA Title 50, Chapter 1.

**SB 0590 by \*Finney L** (\*HB 0318 by \*Fitzhugh)

Regional Authorities and Special Districts - As introduced, limits additional proximate but noncontiguous property included within megasite to 750 acres. - Amends TCA Title 64, Chapter 6.

**SB 1354 by \*Finney L** (\*HB 1381 by \*Fitzhugh)

Business and Commerce - As introduced, removes repeated language in the provisions governing the qualifications for a barber instructor. - Amends TCA Title 4; Title 7; Title 8; Title 46; Title 47; Title 48; Title 50; Title 56; Title 62; Title 63 and Title 68.

**SB 1364 by \*Finney L** (\*HB 1382 by \*Fitzhugh)

Business and Commerce - As introduced, clarifies that renewal of contractor license must be effectuated 30 days prior to expiration. - Amends TCA Title 4; Title 6; Title 7; Title 8; Title 26, Chapter 7; Title 46; Title 47; Title 48; Title 50; Title 56; Title 62; Title 63 and Title 68.

**SB 1943 by \*Finney L** (\*HB 2080 by \*Fitzhugh)

Economic and Community Development - As introduced, deletes provisions concerning Tennessee board for economic growth serving as an advisory commission to the commissioner of economic and community development as board was repealed in 2009; requires commissioner to report on job creation programs and opportunities to finance, ways and means committees. - Amends TCA Title 4; Title 49; Title 50 and Title 67.

**SB 2070 by \*Finney L** (\*HB 2119 by \*Fitzhugh)

Banks and Financial Institutions - As introduced, requires department of financial institutions, with assistance from state treasurer, to develop guide to enhance deposits of state funds into eligible community banks, and disseminate such information to banks across state. - Amends TCA Title 9 and Title 45.

**SB 1808 by \*Johnson** (\*HB 1819 by \*Lundberg)

Salaries and Benefits - As introduced, allows an employer to offset an employee's wages if the employee owes the employer money that the employer loaned or advanced the employee. - Amends TCA Title 26 and Title 50.

**SB 1557 by \*Ketron** (\*HB 1391 by \*Sargent)

Lending Agencies - As introduced, increases percentage of ownership required to be deemed in control of a deferred presentment licensee from 25 percent to 50 percent and lengthens notification requirement for changing business location or name from five days to seven days before such a change. - Amends TCA Title 45, Chapter 17.

**SB 1736 by \*Marrero** (\*HB 1911 by \*Stewart, Richardson)

Short Term Loans and Lenders - As introduced, establishes a ceiling of 100 percent for interest rates on payday loans; defines "payday loan" as short-term cash loan or funds provided to an individual in anticipation of future receipt of wages. - Amends TCA Title 45.

**SB 0551 by \*McNally** (HB 0740 by \*Sargent)

Licenses - As introduced, requires licenses issued by the department of commerce and insurance and licenses required to work as athlete agents, lobbyists, and K-12 public school teachers to be denied, suspended, or revoked, if student loans are not paid. - Amends TCA Title 3; Title 49 and Title 56.

**SB 1540 by \*Norris** (HB 2007 by \*McCormick)

Insurance Companies, Agents, Brokers, Policies - As introduced, enacts the "Amended and Restated Tennessee Captive Insurance Act." - Amends TCA Title 56, Chapter 13.

**SB 1239 by \*Southerland** (\*HB 1434 by \*Miller D)

Regional Authorities and Special Districts - As introduced, requires advisory committee, if appointed, to East Tennessee Regional Agribusiness Marketing Authority to consult with and advise the board on at least a bi-annual basis. - Amends TCA Title 64.

**SB 1988 by \*Stewart** (\*HB 1754 by \*Turner M)

Insurance, Health, Accident - As introduced, reduces utilization review of certain mental health and substance abuse claims to a ceiling of 10% of reviews from 18%; removes exemption from certain standards for certain accredited utilization review agents. - Amends TCA Section 56-6-705.

**SB 1960 by \*Stewart** (\*HB 1669 by \*Matheny)

Food and Food Products - As introduced, provides for the regulation of the sale and identification of honey products. - Amends TCA Title 44, Chapter 15 and Title 53.

**SB 1963 by \*Stewart** (\*HB 1671 by \*Matheny)

Animal Control - As introduced, prohibits local governments from placing restrictions on the keeping of honeybees in hives. - Amends TCA Title 44, Chapter 15.

**SB 1977 by \*Stewart** (\*HB 2104 by \*Turner M)

Insurance Companies, Agents, Brokers, Policies - As introduced, requires that for purposes of determining the maximum dollar amount of an insurance policy when

converting an insurance policy, the amount of such policy shall be rounded up to \$20.00 instead of \$10.00. - Amends TCA Title 56.

**SB 1420 by \*Watson** (\*HB 1827 by \*Lundberg)  
Regional Authorities and Special Districts - As introduced, enacts the "Border Region Retail Tourism Development District Act." - Amends TCA Title 7 and Title 67, Chapter 6.

Referred to the General Subcommittee:

**SB 1690 by \*Burks** (\*HB 1975 by \*Curtiss)  
Safety - As introduced, increases fine for first offense of violating "Katie Beth's Law" from fine not to exceed \$100 to fine not to exceed \$250. - Amends TCA Title 47 and Title 68, Chapter 14.

**SB 1704 by \*Burks** (\*HB 1962 by \*Williams R)  
Motor Vehicles - As introduced, requires that a person be in full compliance with the Financial Responsibility Law of 1977 prior to having vehicle registration approved or renewed. - Amends TCA Title 55, Chapter 12 and Title 55, Chapter 4.

**SB 0808 by \*Kelsey** (\*HB 0946 by \*Lollar)  
Sales - As introduced, creates pilot project in Shelby County requiring a seller of scrap jewelry or precious metals to give thumbprint on purchaser's transaction log. - Amends TCA Section 38-1-203.

**SB 1554 by \*Ketron** (\*HB 1392 by \*Sargent)  
Lending Agencies - As introduced, redefines check and defines payment instrument for the purposes of the Deferred Presentment Services Act. - Amends TCA Title 45, Chapter 17.

**SB 1349 by \*Summerville** (HB 1868 by \*Shepard)  
Insurance, Health, Accident - As introduced, permits a dependent spouse to acknowledge receipt of notice by written acknowledgement if not as provided under the Tennessee Rules of Civil Procedure. - Amends TCA Section 56-7-2366.



The Senate Education Committee Met on Wednesday, April 13th at 3:00 PM, passed the State Board of Education, Tennessee Education Lottery Corporation, and the Tennessee Department of Education Budgets and acted on the following legislation:

**Passed to Calendar Committee:**

SB714 By Sen. Woodson on virtual public schools.

SB485 by Sen Kelsey to create Equal Opportunity Scholarships for students in the largest districts in Tennessee.

SB449 by Sen. Burks W/A to prohibit teachers from being charged with a day of leave for disasters, and unexpected events closing school.

**Passed to FW&M:**

SB1674 By Sen. Tracy to allow substitute teachers to be subcontracted.

SB1671 By Sen. Tracy to regulate student athlete agents.

SB279 By Berke to create a "green" jobs curriculum within votech education.

SB1529 By Tracy W/A The governor's Lottery scholarship bill.

**Placed in General Sub:**

SB491 By Sen. Ketron

SB333 By Sen. Burks

SB1705 By Sen. Burks



# *Environment Conservation & Tourism Committee*

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The Senate Environment, Conversation and Tourism Committee met on Wednesday, April 13, 2011. Ed Carter, Executive Director for the Tennessee Wildlife Resources Agency, briefed the Committee on the Agency's budget for Fiscal Year 2011-2012. The budget was approved and passed to Finance, Ways and Means Committee. Further, the Committee took the following actions on legislation:

**Bills that Passed:**

**SB 0104 by \*Burks** (\*HB 0113 by \*Windle)

Game and Fish Laws - authorizes hunting wild hogs at all times in Overton County. - Amends TCA Section 70-4-116.

**SB 1391 by \*Finney L** (\*HB 1612 by \*Shaw, DeBerry L, Shepard)

Solid Waste Disposal - requires certain steps be followed prior to any action being taken by a county legislative body concerning the siting of a landfill. - Amends TCA Title 13 and Title 68, Chapter 211.

**SB 0753 by \*Gresham** (HB 1316 by \*Johnson P)

Zoning - defines "quarrying" as the extraction and removal of any mineral, including clay, stone, gravel, phosphate rock, metallic ore, limestone, marble, chert, sand, dimension stone and any other solid mineral or substance of commercial value found in natural deposits in the earth, for barter or sale for purposes of county and municipal zoning. - Amends TCA Sections 13-7-101 and 13-7-201.

**SB 0833 by \*Bell** (\*HB 1036 by \*Watson)

Environment and Conservation, Department of - prohibits department from promulgating rules to impose fees on public safety agencies for the registration and inspection of x-ray machines. - Amends TCA Title 68, Chapter 202, Part 5.

**SB 1837 by \*Herron** (\*HB 0584 by \*McDaniel)

Watershed Development - authorizes the Beech River watershed development authority to create the position of board member emeritus and establishes the qualifications for such position. - Amends TCA Title 64, Chapter 1.

**SB 0439 by \*Marrero** (HB 2056 by \*Richardson)

Parks, Natural Areas Preservation - designates Old Forest in Shelby County as a Class II Natural-Scientific Area. - Amends TCA Section 11-14-108.

**SJR 0178 by \*Bell**

General Assembly, Statement of Intent or Position - Relative to the release of water into the Ocoee and Caney Fork Rivers by the Tennessee Valley Authority. -

**Bills Deferred One Week to April 20, 2011:**

**SB 1140 by \*Summerville** (\*HB 0903 by \*Niceley)

Game and Fish Laws - requires TWRA to promulgate reasonable rules and regulations to promote commercial fishing activity as an economically viable commercial enterprise in Tennessee; establishes certain requirements for roe fishing; creates an advisory committee to aid TWRA in developing rules related to commercial fishing and roe fishing. - Amends TCA Title 70, Chapter 2.

**SB 1205 by \*Yager, Bell** (\*HB 1278 by \*Matheny, Powers)

Tourism - enacts the "Tennessee Adventure Tourism and Rural Development Act of 2011." - Amends TCA Title 4; Title 5; Title 6; Title 11; Title 54; Title 55; Title 67; Title 68 and Title 70.

**SB 1288 by \*Southerland** (\*HB 1473 by \*Hawk)

Mining and Quarrying - enacts the "Tennessee Rock Harvesting Act." - Amends TCA Title 59, Chapter 8, Part 2 and Title 69, Chapter 3, Part 1.

- SB 0276 by \*Berke** (HB 0532 by \*Stewart)  
Hazardous Materials - prohibits certain waste processors from processing radioactive waste. - Amends TCA Title 68, Chapter 202, Part 1.
- SB 1608 by \*Herron** (\*HB 1524 by \*Turner M, Richardson)  
Environmental Preservation - requires native grasses to be used to cover landfill sites that have been filled or closed to further operations. - Amends TCA Title 68, Chapter 211.
- SB 1997 by \*Stewart** (\*HB 1277 by \*Matheny)  
Recycling - creates grant program to assist processors of recycled plastic to be used as raw material in manufacturing. - Amends TCA Title 68, Chapter 211.

#### **Bills Placed in General Subcommittee:**

- SB 1591 by \*Marrero** (\*HB 1853 by \*Richardson)  
Gas, Petroleum Products, Volatile Oils - requires notice and opportunity to be heard, as well as appeals process, for issuance of permits for drilling oil and natural gas. - Amends TCA Title 60, Chapter 1 and Section 69-3-105.
- SB 1499 by \*Southerland** (\*HB 1667 by \*Hawk)  
Boats, Boating - increases from 30 to 45 days the period of time in which a person cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer. - Amends TCA Title 69.
- SJR 0092 by \*Yager**  
General Assembly, Statement of Intent or Position - Directs TWRA to restore slot/length limit for small mouth bass on Norris Lake to five per day with a minimum length of 18 inches. -
- SB 0593 by \*Finney L** (\*HB 0237 by \*Eldridge)  
Dams - requires the department of environment and conservation to conduct, or have conducted, a study of dams in this state that are currently exempt from regulation under the Safe Dams Act because they are diversion weirs, farm ponds or wastewater impoundment barriers. - Amends TCA Title 64, Chapter 1; Title 64, Chapter 3 and Title 69, Chapter 11.

#### **Bills Deferred to Next Year:**

- SB 0946 by \*Johnson** (HB 1438 by \*Casada)  
Gas, Petroleum Products, Volatile Oils - increases from 10 to 20 days the time period in which a supervisor may grant or deny a mineral test hole permit. - Amends TCA Title 60.



# *Finance*

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## *Ways & Means Committee*

The **Finance, Ways and Means Committee** met on Tuesday, April 12th. During Tuesday's meeting committee members heard presentations from and approved the budgets of the Department of Revenue, the Department of Finance and Administration, and Cover Tennessee. The committee also considered the following legislation:

### **Passed to Calendar Committee**

**SB 31 by Senator Tracy**, authorizes TDOT to sell sponsorship space on TDOT HELP trucks.

**SB 32 by Senator Tracy**, authorizes TDOT to sell sponsorship time on the Tennessee 511 system.

**SB 483 by Senator Overbey**, enacts the Annual Coverage Assessment Act which establishes an annual coverage assessment on hospitals.

**SB 1225 by Senator Yager**, authorizes local legislative bodies to call for a run-off election in the event of a tied election to a county or civil district office.

**SB 1710 by Norris**, delays implementation of the procurement act of 2010.

### **Deferred to April 19<sup>th</sup>**

**SB 725 by Ramsey**, abolishes certain legislative oversight committees and assigns their responsibilities to legislative standing committees.

**SB 775 by Ketrone**, specifies procedures by which the POST commission may issue state and federal firearm carry permits.

**SB 1284 by Southerland**, replaces "non-residential methadone treatment facility" with "non-residential substitution-based treatment center for opiate addiction" in the Tennessee Health Services and Planning Act.

### **Deferred to April 26<sup>th</sup>**

**SB 1083 by Woodson**, increases penalty for speeding in school zone.

### **Deferred to Last Calendar**

**SB 1188 by Woodson**, requests the Department of Revenue to explore the possibility of developing an on-line filing system which would permit automatic deduction from the a collector's business account for the payment of the tax due on sales of mixed drinks and setups.

**SB 1570 by Ketrone**, directs the Department of Revenue and the Department of Finance and Administration to furnish certain information required for the state funding board to estimate revenues for the upcoming fiscal year.



# *General Welfare Health & Human Resources Committee*

The Senate General Welfare, Health and Human Resources Committee met on April 13th at 10:00am and heard budget presentations from the Department of Children's Services and Department of Mental Health. The committee also considered the following bills:

**Deferred one week:**

SB 1853 by Chairman Rusty Crowe, changes the name of the association that nominates members for the governor to appoint to the board of optometry.

SB 1109 by Senator Doug Overbey, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home beds until June 30, 2013.

SB 1110 by Senator Doug Overbey, extends for two years the nursing home privilege tax and restricts the use of such tax revenues to the funding of nursing home rates.

SB 72 by Senator Doug Overbey, requires the governor to designate one day each year as Autism Awareness Recognition Day.

SB 1039 by Senator Bill Ketron, requires the health related boards and the boards attached to the division of regulatory boards to develop a procedure to expedite the licensing or certification of persons who were licensed or certified in another state and accompanied their spouse, who is the subject of a military transfer, to Tennessee.

SB 2073 by Senator Ken Yager, establishes five-year statute of limitations for disciplinary actions against physicians by the board of medical examiners, and against osteopathic physicians by the board of osteopathic examination.

SB 494 by Senator Joe Haynes, expands statute providing for a prescription drug label that indicates the condition for which the drug is prescribed from applying only to elder persons to apply to any patient.

SB 1921 by Senator Jamie Woodson, requires that certain employers check the department of health abuse registry prior to hiring applicants.

SB 96 by Senator Jim Tracy, prohibits persons convicted of a felony drug offense on and after July 1, 2011, from being eligible for receiving Families First benefits [TANF].

SB 1145 by Senator Doug Henry, provides that any market comparisons used by an independent appraiser in determining the fair market value of a medical practice subject to repurchase shall be commercially reasonable.

SB 1784 by Senator Doug Overbey, establishes certain requirements for electronic prescribing and electronic prescribing software.

SB 1065 by Senator Doug Overbey, adds new requirements governing audits of pharmacies by pharmacy benefit managers

SB 608 by Senator Doug Overbey, authorizes court ordered assisted outpatient treatment in certain circumstances.

SB 909 by Senator Doug Overbey, requires that 50% of funds expended for in-home visitation programs be expended on evidence-based programs for the fiscal year 2011-2012 and 75% for each year thereafter and specifies research methods that show a program is evidence-based.

SB 611 by Senator Doug Overbey, revises provisions governing restrictive covenants for health care providers.

SB 1457 by Senator Doug Overbey, authorizes the board for licensing health care facilities to establish rules and regulations concerning the operation and licensing of pain management facilities.

SB 595 by Senator Lowe Finney, requires reports to and by the select committee on long-term care concerning recent long-term care reform legislation.

SB 1935 by Senator Randy McNally, establishes requirements for the supervision of nurses and physician assistants by certain physicians when engaged in interventional pain management.

SB 616 by Senator Brian Kelsey, encourages bureau of TennCare and hospitals to adopt certain procedures for the care of premature infants.

SB 1824 by Senator Roy Herron, establishes procedures for pharmacies to transfer Schedule II prescriptions in accord with certain federal and state requirements.

SB 1300 by Senator Jack Johnson, enacts the "Prescription Integrity Act of 2011," which regulates therapeutic substitution of medications.

SB 1309 by Senator Jack Johnson, requires that on or after July 1, 2011, if any private act hospital authority operates ambulance service and such ambulance service carries forward a net operating deficit for two consecutive calendar years, such ambulance service shall be subject to general procurement laws.

SB 1178 by Senator Andy Berke, directs the commissioner of health to develop a plan for ensuring that 90 percent of pregnant women in this state have access to prenatal care and to report concerning such plan to the house health and human resources committee and the senate general welfare, health and human resources committee by February 1, 2012.

SB 1703 by Senator Charlotte Burks, establishes requirements for home health companies to provide assistance with medication to clients; requires background checks of employees, recordkeeping, and waiver.

SB 2072 by Senator Charlotte Burks, states that a person who provides personal support services to clients living in their own private residence must, prior to assisting the client with medication, have received training in medication assistance developed by a registered nurse.

SB 522 by Chairman Rusty Crowe, redefines "trauma system" to include all Level IV trauma centers.

SB 817 by Chairman Rusty Crowe, requires hospitals to have certain persons authenticate verbal orders.



# Government Operations Committee

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THE GOVERNMENT OPERATIONS COMMITTEE MET ON WEDNESDAY, APRIL 13, 2011 AND CONSIDERED THE FOLLOWING LEGISLATION:

PASSED TO CALENDAR COMMITTEE:

SB 193 BY WATSON

SUNSET LAW – AMENDED TO EXTEND THE COMMISSION ON AGING TO JUNE 30, 2016.

SB 1878 BY KYLE, WATSON

ADMINISTRATIVE PROCEDURE (UAPA) - AS INTRODUCED, REQUIRES NEW FEES OR FEE INCREASES CREATED BY STATE AGENCIES THROUGH THE PROMULGATION OF A RULE TO TAKE EFFECT ON JULY 1 FOLLOWING THE DATE OF FILING OF THE RULE WITH THE SECRETARY OF STATE. AMENDED TO CHANGE THE EFFECTIVE DATE TO JULY 1, 2012.

SB 192 BY WATSON

SUNSET LAWS - AS AMENDED, EXTENDS THE CIVIL SERVICE COMMISSION TO JUNE 30, 2016.

SB 209 BY WATSON

SUNSET LAWS - AS AMENDED, EXTENDS THE DEPARTMENT OF HUMAN RESOURCES TO JUNE 30, 2016.

SB 211 BY WATSON

SUNSET LAWS - AS INTRODUCED, EXTENDS THE OIL AND GAS BOARD TO JUNE 30, 2016.

SB 208 BY WATSON

SUNSET LAWS - AS INTRODUCED, EXTENDS THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT TO JUNE 30, 2015.

DEFERRED ONE WEEK:

SB 1571 BY KETRON

STATE GOVERNMENT - AS INTRODUCED, CREATES THE TENNESSEE INTERAGENCY CASH FLOW COMMITTEE.

SB 1643 BY WATSON, BELL

ADMINISTRATIVE PROCEDURE (UAPA) - AS INTRODUCED, REQUIRES AGENCIES FILING RULES WITH THE SECRETARY OF STATE PROVIDE A COST-BENEFIT ANALYSIS ON STATE AND LOCAL GOVERNMENTS OF SUCH RULES.

DEFERRED TO THE LAST CALENDAR:

SB 424 BY CROWE

HEALTH, DEPT. OF - AS INTRODUCED, CLARIFIES THAT WHEN CONTINUING, RESTRUCTURING, OR REESTABLISHING A BOARD, COMMISSION, COMMITTEE, AGENCY OR OTHER GOVERNMENTAL ENTITY UNDER THE DIVISION OF HEALTH RELATED BOARDS THAT SUCH ACTIVITY BE DONE IN ACCORD WITH THE REQUIREMENTS OF TITLE 63 AND THE UNIFORM ADMINISTRATIVE PROCEDURES ACT.

SB 1876 BY KYLE

PROFESSIONS AND OCCUPATIONS - AS INTRODUCED, CREATES A SPECIAL COMMITTEE OF PUBLIC CITIZENS TO REVIEW WHICH LICENSED OR CERTIFIED PROFESSIONS CAN BE DEREGULATED.



The Judiciary Committee met on Tuesday, April 12 and considered the following legislation:

**Passed to Finance:**

**SB 1265 by Senator Beavers**, as amended, expands the definition of child endangerment to include exposing a child to initiation of the manufacture of methamphetamine.

**Passed to Calendar:**

**SB 1432 by Senator Harper, Haynes, Johnson**, as introduced, clarifies counties to which certain court jurisdictional provisions of the Governmental Tort Liability Act apply.

**Deferred to Next Available Calendar:**

**SB 1028 by Senator Ketron**, as amended, enacts the "Material Support to Designated Entities Act of 2011."

**SB 764 by Senator Ketron**, as amended, removes a statutory reference to notice provisions of the Governmental Tort Liability Act that are no longer in existence.

**SB 299 by Senator Ketron**, as introduced, adds roach clips, rose and pen combinations, cocaine spoons, certain tobacco products, and other items to list of items that are considered drug paraphernalia.

**SB 1033 by Senator Ketron**, as introduced, prohibits certain union and employee organization activities.

**SB 419 by Senator Crowe**, as introduced, increases qualification for office of constable to include possessing high school diploma or GED rather than present requirement of ability to read and write

**SB 1852 by Senator Crowe**, as introduced, revises conditions under which grandparent visitation can be awarded.

**SB 1658 by Senator Tracy**, as introduced, authorizes person to be candidate for sheriff upon being certified as completing functional equivalent training as is provided by P.O.S.T. commission, as alternative to present requirement of P.O.S.T. certification or examination.

**SB 1740 by Senator Johnson**, as introduced, permits uses of gambling devices or records by the manufacturer if those uses are ancillary to the manufacturing process.

**SB 464 by Senator Johnson**, as introduced, clarifies that order of protection issued pursuant to title 36, chapter 3, part 6, may require respondent to immediately and temporarily vacate a residence shared with the petitioner pending a hearing on the matter.

**SB 391 by Senator Henry, McNally**, as introduced, provides that any revenue generated by county litigation tax for victim-offender mediation shall be used for the purpose of victim-offender mediation or other community mediation matters.

**SB 1266 by Senator Beavers**, as introduced, specifies that knowingly exposing a child to the making of methamphetamine is aggravated child endangerment.

**SB 1267 by Senator Beavers**, as introduced, authorizes enhanced penalties for promoting the manufacture of methamphetamine or initiating the process of manufacture of methamphetamine in a school zone.

**SB 1845 by Senator Finney**, as introduced, enacts the "Prohibition of Covenants Providing for Transfer Fees Act of 2011."

**SB 1844 by Senator Finney**, as introduced, authorizes local government entities to file motions to prevent litigation opponents from using the Public Records Act in lieu of discovery.

**SB 939 by Senator Kelsey**, as introduced, enacts uniform standards regarding claims of prohibited employment actions



The Senate State and Local Government Committee met on Tuesday, April 12th, and discussed the following legislation:

The committee approved four budgets: Department of Corrections with amendment, Tennessee Housing Development Authority, Registry of Election Finance/Ethics Commission, and Department of Human Resources.

### **PASSED TO CALENDAR**

**SB 1203 by \*Yager** (\*HB 0386 by \*Dunn, Hurley, Campbell, Evans)

Election Laws - As introduced, implements the Tennessee Voter Confidence Act only if the general assembly includes a specific recurring appropriation in the general appropriations act for the 2011-2012 fiscal year to cover all increased costs to counties directly attributable to the Voter Confidence Act. - Amends TCA Title 2.

**\*SB 0845 by \*Burks** (HB 1142 by \*Sexton)

Utilities, Utility Districts - As introduced, creates a mechanism for a municipality or county to file a petition with the utility management review board to dissolve a utility district in certain circumstances. - Amends TCA Title 7, Chapter 82.

**SB 0756 by \*Beavers** (HB 1119 by \*Todd)

Election Laws - As introduced, clarifies necessity, requirement and statutory responsibility of the county to fund all county election commission expenses including compensation of its employees and election officials, expenses incurred in holding elections, and all fees incurred due to the filing or defense of a lawsuit. - Amends TCA Section 2-12-109.

**SB 1872 by \*Kyle** (\*HB 0472 by \*Pitts)

Election Laws - As introduced, requires the state election coordinator to study the feasibility of permitting registered voters who reside outside the precinct listed as their permanent residence on their permanent voter registration card to vote only for candidates running for statewide office; the study will not address property rights voting; the coordinator must report the results of the study to the general assembly by February 28, 2012. -

**\*SB 0720 by \*Berke** (HB 1854 by \*Campbell, Turner M, Moore, Miller L, Jones S, Matheny, Richardson, Todd, Shipley, Hurley, Evans, Dean, Watson, Coley, Parkinson, Stewart, Maggart)  
Public Employees - As introduced, creates a presumption that an infectious disease acquired by a firefighter, paramedic, emergency medical technician, or emergency medical technician advanced was suffered in the line of duty unless the contrary is shown by competent evidence. - Amends TCA Title 7, Chapter 51, Part 2.

**SB 2017 by \*Stewart** (\*HB 1046 by \*Matheny)

Wine & Wineries - As introduced, authorizes licensure and regulation of businesses where customers can make wine for personal, home consumption. - Amends TCA Section 39-17-703 and Title 57.

**SB 0822 by \*Gresham** (\*HB 0424 by \*Marsh)

Public Records - As introduced, makes all records pertaining to licensure or registration by owners of security systems held or kept by a governmental entity confidential; includes all information, photos, presentations, schematics and surveys. - Amends TCA Title 10, Chapter 7.

**SB 1665 by \*Tracy, Gresham, Harper** (\*HB 1539 by \*Sparks, Alexander, Todd, Marsh, Gotto, Rich)

Emergency Communications Districts - As introduced, makes 911 calls and transmissions of such calls confidential. - Amends TCA Title 7, Chapter 86, Part 1 and Title 10, Chapter 7, Part 5.

**SB 1559 by \*Ketron** (\*HB 1484 by \*Harrison)

Taxes, Ad Valorem - As introduced, authorizes the acceptance of partial payment of delinquent property taxes by the county trustee under certain circumstances. - Amends TCA Section 67-5-2001.

**SB 0875 by \*Gresham** (\*HB 1081 by \*McCormick)

Election Laws - As introduced, to conform our laws with the federal Uniformed and Overseas Citizens Absentee Voting Act, clarifies that the federal postcard application will be accepted for all elections not just the federal elections. - Amends TCA Title 2.

**\*SB 1405 by \*Gresham** (HB 2017 by \*Holt)

Flags - As introduced, requires that P.O.W.-M.I.A. flag be displayed at state capitol and each county courthouse and city or town hall on any day U.S. flag is displayed at such buildings. - Amends TCA Title 58, Chapter 4, Part 3.

**SB 0472 by \*Woodson** (\*HB 0376 by \*Haynes)

Election Laws - As introduced, changes the timing and manner in which members of the county election commission are required to inspect new voter registration forms. - Amends TCA Section 2-2-120.

**SB 0473 by \*Woodson** (\*HB 0377 by \*Haynes)

Election Laws - As introduced, exempts the purging of a person's voter registration after a change of name due to a divorce. - Amends TCA Section 2-2-106.

**SB 0474 by \*Woodson** (\*HB 0378 by \*Haynes)

Election Laws - As introduced, removes election officials legislative district residency requirement to serve but requires such officials to reside in the county in which they are appointed to serve. - Amends TCA Section 2-4-103.

**SB 1910 by \*Woodson, McNally** (\*HB 1131 by \*Brooks H)

State Symbols - As introduced, adopts "Tennessee" by John R. Bean as an official state song. - Amends TCA Title 4, Chapter 1, Part 3.

### **PASSED TO FINANCE**

**SB 1334 by \*Berke, Watson** (\*HB 1554 by \*McCormick, Favors)

Industrial Development - As introduced, authorizes industrial development corporations located in municipalities in which urban brownfield redevelopment projects are located to prepare and submit economic impact plans for the development of such projects. - Amends TCA Title 7, Chapter 53.

**SB 1996 by \*Stewart, Barnes, Gresham** (\*HB 1716 by \*Brooks K, McDonald, Moore)Public Employees - As introduced, broadens authorized leave of absence for required duty or training for army and air national guard public employees to apply to private sector guardsmen, and also to state guardsmen and civil air patrolmen who are public or private employees. - Amends TCA Title 8, Chapter 33, Part 1.

### **ROLLED ONE WEEK**

**SB 1805 by \*Bell** (\*HB 0414 by \*Casada)

Election Laws - As introduced, repeals the Tennessee Voter Confidence Act. - Amends TCA Title 2, Chapter 1, Part 1; Title 2, Chapter 20.

**SB 0741 by \*Yager** (\*HB 0876 by \*Haynes)

Utilities, Utility Districts - As introduced, revises various provisions regarding utility districts, water systems and wastewater systems including provisions governing a required bond and annual audit. - Amends TCA Title 7, Chapter 82 and Title 68, Chapter 221, Part 10.

**\*SB 0830 by \*Summerville** (HB 1295 by \*Hensley)

Utilities, Utility Districts - As introduced, requires commissioners of certain water utility districts in Lawrence County to be elected by the customers of the utility district. - Amends TCA Section 7-82-307.

**\*SB 0477 by \*Beavers, Gresham** (HB 1252 by \*Dunn)

Election Laws - As introduced, requires terms of county administrators of elections to expire when the commission's term expires and allows county election commissions to consider political party affiliation, knowledge and experience when hiring administrators; prohibits county from revising or restricting line items in the election commission's budget. - Amends TCA Title 2, Chapter 12.

**SB 0478 by \*Beavers, Gresham** (\*HB 0453 by \*Weaver)

County Government - As introduced, restricts the ability of a county legislative body to eliminate line items included in a budget submitted by the administrator of elections. - Amends TCA Title 2, Chapter 12, Part 1 and Title 5.

**\*SB 0411 by \*Barnes, Finney L** (HB 0980 by \*Pitts)

Veterans - As introduced, clarifies that property tax relief must be extended to surviving spouses of veterans whose combat-related casualties were from hostile or non-hostile causes. - Amends TCA Section 67-5-704.

**\*SB 1019 by \*Barnes** (HB 1383 by \*Fitzhugh)

General Assembly - As introduced, prohibits a committee of either house from considering, or the chief clerk from referring, a general bill concerning revenue unless it limits statutory changes to only one part of title 67. - Amends TCA Title 3, Chapter 2, Part 1 and Title 9, Chapter 4, Part 51.

**\*SB 1399 by \*Bell** (HB 2086 by \*Shipley, Turner M)

Public Records - As introduced, removes confidentiality of certain nonprofit entity records concerning contractors. - Amends TCA Title 8 and Title 10.

**\*SB 0870 by \*Bell** (HB 1093 by \*Hurley, Rich, Alexander)

Emergency Communications Districts - As introduced, allows state board to grant exceptions or waivers to certain employment requirements for emergency call takers and public safety dispatchers. - Amends TCA Section 7-86-205.

**SB 0929 by \*Norris** (\*HB 0793 by \*McCormick)

Election Laws - As introduced, changes date of presidential preference primary from February to March and the qualifying deadline to the second Thursday in December. - Amends TCA Section 2-13-205 and Section 2-5-101.

**SB 0599 by \*Norris** (\*HB 0612 by \*McCormick)

Election Laws - As introduced, changes date of presidential preference primary from first Tuesday in February to first Tuesday in March. - Amends TCA Title 2.

**SB 1360 by \*Finney L** (\*HB 1731 by \*Tindell, Armstrong)

Election Laws - As introduced, allows person age 65 or older who is unable to obtain copy of such person's birth certificate to vote by executing affidavit of identity. - Amends TCA Title 2, Chapter 7.

**\*SB 1387 by \*Finney L** (HB 1919 by \*Stewart)

Election Laws - As introduced, allows early voting for regular November election starting August 15 instead of 20 days before election day. - Amends TCA Title 2, Chapter 6, Part 1.

**SB 0042 by \*Faulk** (\*HB 0049 by \*Lundberg)

Alcoholic Beverage Commission - As introduced, requires all fees, fines, and other penalties be paid to commission before license renewal for distillers, wholesalers, retailers, liquor-by-the-drink establishments, wineries, collectors, and direct shippers; authorizes commission to assess actual and reasonable costs of any hearing held in accordance with the contested case provisions. - Amends TCA Title 57, Chapter 3; Title 57, Chapter 4, Part 2 and Title 57, Chapter 1.

**\*SB 0081 by \*Faulk, Southerland, Burks** (HB 0298 by \*Roach, Dennis, Hawk) State Employees - As introduced, reinstates certain pay and retirement benefits for commissioned officers transferred from department of safety to department of revenue. - Amends TCA Title 4, Chapter 7, Part 2 and Title 8, Chapter 36, Part 2.

**\*SB 0115 by \*Campfield** (HB 0284 by \*Dennis) Newspapers and Publications - As introduced, creates a pilot project in Knox County to allow legal notices to be posted on the Internet rather than in a newspaper. - Amends TCA Title 8, Chapter 21.

**\*SB 0055 by \*Campfield** (HB 1214 by \*Hall) Annexation - As introduced, requires municipality to notify affected property owners by mail of proposed extension of corporate limits under certain circumstances. - Amends TCA Title 6, Chapter 51 and Title 6, Chapter 58, Part 1.

**SB 1952 by \*Haynes** (\*HB 1740 by \*Sontany, Jones S) Municipal Government - As introduced, makes a lien filed by a municipality for the cost of maintaining real property that is not being maintained the same priority of lien as a lien for property taxes. - Amends TCA Title 6, Chapter 54, Part 1.

**SB 0489 by \*Ketron** (\*HB 0385 by \*Marsh) Public Contracts - As introduced, increases the amount the superintendent of an urban type public facility may purchase without approval of the governing authority from \$500 to \$10,000 and increases the amount of construction contracts from \$2,000 to \$10,000 for which the superintendent must advertise for bids. - Amends TCA Section 5-16-105.

**\*SB 0771 by \*Ketron** (HB 1268 by \*Sparks) Election Laws - As introduced, revises the pilot project requirements for convenient voting centers in certain municipal elections. - Amends TCA Title 2, Chapter 3.

**\*SB 0772 by \*Ketron** (HB 1115 by \*Todd) Election Laws - As introduced, revises various election law procedures concerning registration notification forms, times for appointment of election officials, lessening early voting period by two days, inclusion of voter's date of birth on application to vote absentee, and establishing a mechanism for non-resident property owners to vote absentee by mail. - Amends TCA Section 2-12-111(a); Section 2-2-107(a); Section 2-2-115(b); Section 2-4-102(a); Section 2-5-211(b); Section 2-6-102(a)(1); Section 2-6-102(b); Title 2, Chapter 6, Part 2 and Section 2-6-202(a)(3).

**\*SB 1045 by \*Ketron** (HB 1701 by \*Hill) Election Laws - As introduced, prohibits county election commissions from asking administrator of elections to employ certain family members in addition to current law which prohibits county election commissions from hiring such members; makes conforming change to ensure administrator

cannot employ certain family members of the administrator as clerical assistants, except in case of emergencies. - Amends TCA Title 2.

**SB 1561 by \*Ketron** (\*HB 1284 by \*Harrison)

Taxes, Exemption and Credits - As introduced, requires that all property taxes be paid in full on any property subject to the Property Tax Freeze Act. - Amends TCA Section 67-5-705.

**SB 1945 by \*Ketron** (\*HB 2109 by \*Haynes)

Public Contracts - As introduced, clarifies that there is personal liability for unauthorized purchases within legislative branch and that the amount may be recovered. - Amends TCA Title 12, Chapter 3.

**\*SB 1035 by \*Ketron** (HB 1585 by \*Ragan, Casada)

State Employees - As introduced, creates financial disclosure requirements for state employee associations. - Amends TCA Title 8, Chapter 50.

**SB 1772 by \*Ketron** (\*HB 2035 by \*Carr)

Alcoholic Beverages - As introduced, adds Cocke County to those counties where distilleries may be located without conducting an additional referendum if within the boundaries of the county both retail package sales and liquor-by-the-drink have been approved through voter referendum. - Amends TCA Section 57-2-103.

**SB 1748 by \*Ketron** (\*HB 1748 by \*Todd)

Alcoholic Beverages - As introduced, adds certain facility to the definition of premier type tourist resort for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102.

**SB 1037 by \*Ketron** (\*HB 0969 by \*Curtiss)

Beer - As introduced, applies the hours for the sale of beer on Sunday to the area of the county outside of a municipality that adopts liquor-by-the-drink in a referendum, unless the county legislative body by a 2/3 vote sets the hours for the sale of beer on Sunday in areas outside such municipality. - Amends TCA Title 57, Chapter 4 and Title 57, Chapter 5.

**\*SB 0316 by \*Ketron** (HB 0406 by \*Lundberg, Shepard, Casada, Richardson, Carr, Stewart)

Wine & Wineries - As introduced, creates an additional class of licenses allowing the sale of wine at certain retail food stores; requires person purchasing wine at certain retail food stores to present photo identification. - Amends TCA Title 57, Chapter 1 and Title 57, Chapter 3.

**\*SB 1390 by \*Finney L** (HB 1711 by \*Turner M)

State Government - As introduced, makes a one-time reduction to the total amount of health insurance benefits paid on behalf of current and former legislators, and administrative department heads and executive officials in the executive branch, by \$100 million; effective July 1, 2011, for former members and executive officials; effective at the election of 108th general assembly for current members. - Amends TCA Title 8.

**SB 1368 by \*Finney L** (\*HB 1677 by \*McDonald)

General Assembly - As introduced, requires any amount of postal and printing allowance allocated to a member who has \$20,000 in such allowance to revert back to the general fund. - Amends TCA Title 3, Chapter 1.

**SB 0950 by \*Yager** (\*HB 1114 by \*Todd, Sexton)

Election Laws - As introduced, authorizes the coordinator of elections to audit the county election commission in the administration of election laws; gives the coordinator certain powers in conducting an investigation or an audit. - Amends TCA Section 2-11-202.

**SB 0954 by \*Yager** (\*HB 1117 by \*Todd)

Election Laws - As introduced, adds to current list of persons committing felonies or sexual offenses who are never eligible to register to vote, a violation containing the same elements and designated as a felony in any other state or federal court. - Amends TCA Section 40-29-204.

**SB 1792 by \*Yager, Johnson** (\*HB 0736 by \*Casada, Sanderson)

Wine & Wineries - As introduced, authorizes Tennessee licensed wineries to conduct business at no more than two additional satellite locations after obtaining a satellite permit and paying a fee to the alcoholic beverage commission. - Amends TCA Title 57.

**SB 1243 by \*Yager** (\*HB 1457 by \*Lundberg)

Development Districts - As introduced, requires the county building commissioner to return by mail a copy of a certificate of insurance or workers' compensation policy within 15 working days, instead of 10 working days, to the person who obtained the permit. - Amends TCA Title 13.

**SJR 0122 by \*Yager**

Naming and Designating - Rare Disease Day February 28, 2011 -

**SB 1224 by \*Yager** (\*HB 0986 by \*Todd, Haynes)

Alcoholic Beverages - As introduced, decreases from two to one the number of years that an individual, shareholder, or transferee must reside in Tennessee following an application for a retail liquor store license; decreases from 10 to five the number of years that an individual, shareholder or transferee must have resided in Tennessee to receive a retail liquor store license. - Amends TCA Title 57.

**SB 1214 by \*Yager, Overbey, McNally, Finney L, Stewart** (\*HB 0773 by \*Ramsey, Curtiss, Ragan)

Jails, Local Lock-ups - As introduced, requires that a county receive no less than \$40.00 per day per state prisoner housed in such county's correctional facilities. - Amends TCA Section 41-8-106.

**\*SB 1091 by \*Beavers** (HB 1784 by \*Elam, Pody, Eldridge, Hurley, Brooks K, Dennis, McCormick)

Election Laws - As introduced, adds additional requirements to be submitted for certain candidates' names to be placed on the ballot in this state. - Amends TCA Title 2.

**\*SB 1020 by \*Barnes** (HB 1871 by \*Pitts)

State Employees - As introduced, requires certain executive branch employees to make financial disclosures. - Amends TCA Title 8.

**SB 2075 by \*Stewart** (\*HB 2124 by \*Matheny)

Naming and Designating - As introduced, names Tennessee National Guard Armory in Tullahoma in honor of Command Sergeant Major Howard Boswell. -

**SB 1563 by \*Ketron, Henry, Haynes** (\*HB 1485 by \*Armstrong, Tindell, Turner M)Alcoholic Beverages - As introduced, allows theater in Knox County to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102.

**\*SB 0321 by \*Ketron** (HB 0989 by \*Todd)

Alcoholic Beverage Commission - As introduced, requires commission to implement new licensing structure for restaurants and limited service restaurants based on liability insurance codes. - Amends TCA Title 57, Chapter 4.

**SB 1273 by \*Ketron** (\*HB 0985 by \*Todd, Sargent)

Alcoholic Beverages - As introduced, authorizes alcoholic beverages for consumption on the premises in unincorporated areas of a county if the county conducts an election and limits the election, as provided by law, to those persons residing in such unincorporated areas. - Amends TCA Title 57, Chapter 4, Part 1.

**SB 1753 by \*Ketron** (\*HB 1892 by \*Johnson C)

Beer - As introduced, redefines beer to include beverages with up to 12 percent alcoholic content; allows retail package stores to sell beer. - Amends TCA Title 57, Chapter 2; Title 57, Chapter 3; Title 57, Chapter 4; Title 57, Chapter 5; Title 57, Chapter 6 and Title 57, Chapter 9.

**SB 1372 by \*Finney L** (\*HB 1691 by \*Fitzhugh)

General Assembly - As introduced, restricts amount of per diem and mileage reimbursement to amounts set in 2010 beginning with the next general assembly. - Amends TCA Title 3, Chapter 1, Part 1.

**SB 1373 by \*Finney L** (\*HB 1679 by \*McDonald)

General Assembly - As introduced, requires any amount of postal and printing allowance of more than \$10,000 not be transferred to a new member when the former member retires, loses an election, resigns or is otherwise removed from office but revert back to the general fund. - Amends TCA Title 3, Chapter 1, Part 1.

**SB 1716 by \*Yager, Ketron** (\*HB 1075 by \*Maggart, McCormick)

County Government - As introduced, authorizes creation of design review commissions by county legislative bodies. - Amends TCA Title 5, Chapter 1, Part 1.

## **GENERAL SUB**

**SB 1495 by \*Southerland** (\*HB 1837 by \*Miller D)

Municipal Government - As introduced, authorizes a municipal electric system to provide cable and Internet related services in an area 10 miles beyond the system's service area. - Amends TCA Title 7, Chapter 52, Part 1 and Title 7, Chapter 52, Part 6.

**SB 1564 by \*Ketron, Henry, Haynes** (\*HB 1488 by \*Armstrong, Tindell, Turner M)Alcoholic Beverages - As introduced, allows theater in Knox County to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102.

### **ROLLED TO NEXT YEAR**

**SB 1868 by \*Kyle** (\*HB 1242 by \*Haynes)

State Government - As introduced, requires state departments, agencies and entities to reduce paper and paper products annually by 5 percent starting on July 1, 2012. - Amends TCA Title 4, Chapter 1, Part 4.



The Transportation Committee met on Wednesday, April 13<sup>th</sup> and the Tennessee Rail Authority presented an Analysis of a Competitive Access Rail Extension Across the Tennessee Cumberland Plateau. The Committee also considered the following legislation:

#### **Placed in Gen. Sub:**

**SB 0054 by \*Campfield** (HB 0842 by \*Ragan)

Traffic Safety - As introduced, prohibits a traffic citation in Knox County for not coming to a complete stop before turning right on red at certain intersections that is based solely on evidence from a traffic surveillance camera. - Amends TCA Section 55-8-198.

**SB 0665 by \*Henry** (HB 0934 by \*Johnson P)

Motor Vehicles - As introduced, increases the distance of the required unobstructed view of stopped vehicles upon any highway outside of a business or residential district from 200 feet to 300 feet. - Amends TCA Title 55.

**SB 1386 by \*Finney L** (\*HB 1674 by \*Shepard)

Transportation, Dept. of - As introduced, requires the department of transportation to award a safe routes to schools grant to the Tennessee contractor with the lowest bid, unless such contractor's bid is more than 10% greater than the lowest bidder. - Amends TCA Title 4, Chapter 3, Part 23; Title 49, Chapter 6, Part 21; Title 54, Chapter 1, Part 1; Title 54, Chapter 2, Part 1; Title 54, Chapter 4 and Title 55, Chapter 20.

**SB 1478 by \*Finney L** (\*HB 0238 by \*Eldridge)

Hazardous Materials - As introduced, creates new offenses involving motor fuel transporters offloading motor fuel at a retail station. - Amends TCA Title 55, Chapter 8 and Title 65, Chapter 15.

**SB 1728 by \*Tate** (\*HB 1982 by \*Gotto, Williams R)

Special License Plates - As introduced, authorizes issuance of new specialty earmarked plates for the United States Green Building Council; allocates 50% of proceeds to the United States Green Building Council. - Amends TCA Title 55, Chapter 4.

**SB 1846 by \*Henry** (\*HB 1598 by \*Harmon)

Traffic Safety - As enacted, broadens application of lighting requirements for vehicles or trailers transporting certain loads at night to apply to such loads projecting three and one-half feet or more, rather than four feet or more, beyond rear of vehicle's body. - Amends TCA Title 55, Chapter 9, Part 4 and Title 65, Chapter 15.

**Stays in Committee Did Not Receive a Motion:**

**SB 0621 by \*Campfield** (\*HB 0212 by \*Cobb)

Motor Vehicles - As introduced, requires animals be restrained while in the interior of a motor vehicle in motion. - Amends TCA Title 55, Chapter 8, Part 2.

**Deferred to first calendar next year 2012:**

**SB 0010 by \*Ketron** (HB 0454 by \*Butt, Watson)

Driver Licenses - As introduced, requires that all written examinations for a driver license or intermediate driver license be in English. - Amends TCA Title 55, Chapter 50, Part 3.

**SB 1012 by \*Faulk** (HB 1857 by \*Hawk)

Transportation, Dept. of - As introduced, enacts the "Tennessee Transportation Challenge Grant Act of 2011." - Amends TCA Title 54, Chapter 2.

**SB 1466 by \*Bell, Beavers** (\*HB 1673 by \*Matheny, Hall, DeBerry J, Todd, Watson, Hensley, McCormick, Moore, Casada, Tidwell, Brooks K)

Motor Vehicles - As introduced, authorizes persons to ride a motorcycle without a helmet if they are 21 and have at least \$15,000 of medical insurance coverage. - Amends TCA Section 55-9-302.

**SB 1633 by \*Marrero** (\*HB 1941 by \*Towns)

Traffic Safety - As introduced, removes all requirements or restrictions regarding traffic enforcement cameras. - Amends TCA Title 55, Chapter 8.

**SB 1762 by \*Ketron** (\*HB 1649 by \*Bass)

Highways, Roads and Bridges - As introduced, transfers responsibility for mowing of rights-of-way and litter collection on state highways from department of transportation to department of correction; requires TDOT to pay TDOC for use of necessary prison labor. - Amends TCA Title 54, Chapter 5, Part 1.

**Deferred one week to April 20<sup>th</sup>:**

**SB 0365 by \*Beavers** (HB 0546 by \*Elam, Pody)

Highway Signs - As introduced, designates the "Spc. Michael Lane Stansbery, Jr." bridge in Wilson County. -

**SB 0432 by \*Southerland** (HB 0523 by \*Faison)

Motor Vehicles - As introduced, authorizes department of transportation to specify by rule unpaved county roads on which the use of off-highway vehicles will be permitted. - Amends TCA Title 55 and Title 70, Chapter 9.

**SB 0436 by \*Haynes** (\*HB 0383 by \*Turner M, Jones S, Gilmore, Sontany, Stewart, Pruitt, Moore, Odom)

Motor Vehicles, Titling and Registration - As introduced, authorizes Davidson County clerk to perform vehicle inspections, and collect a fee up to \$37.50 for such inspections, prior to issuing certificate of title for a rebuilt motor vehicle. - Amends TCA Title 55, Chapter 3, Part 2.

**SB 0523 by \*Tracy, Barnes, Beavers, Berke, Southerland, Yager** (\*HB 0549 by \*Harmon, Matheny, Dean, Johnson P, Ford, Stewart, Camper, Tidwell, Sanderson, Miller D, Floyd, Hurley, Shipley, Sparks, Keisling)

Transportation, Dept. of - As introduced, creates interagency transportation coordination committee, composed of representatives of state departments, to coordinate transportation efforts of state and local government. - Amends TCA Title 4 and Title 54.

**SB 0664 by \*Tracy** (HB 0940 by \*Johnson P)

Special License Plates - As introduced, authorizes issuance of Tennessee cave salamander special license plates; funds produced from such plates deposited in wildlife resources fund for conservation of game species. - Amends TCA Title 55, Chapter 4.

**SB 0672 by \*Tracy** (HB 0914 by \*Johnson P)

Highways, Roads and Bridges - As introduced, extends time period, from current 60 days to 75 days of taking office, within which new chief administrative officer of county highway system must submit inventory of equipment to county legislative body. - Amends TCA Title 54.

**SB 0757 by \*Kelsey** (HB 1011 by \*Camper)

Motor Vehicles, Titling and Registration - As introduced, prohibits county clerk from registering or renewing registration if owner has parking tickets within such county that are more than 60 days past due. - Amends TCA Title 55, Chapter 4.

**SB 1257 by \*Yager** (HB 1621 by \*Shipley, Campbell)

Motor Vehicles, Titling and Registration - As introduced, authorizes licensing of certain all terrain vehicles (ATVs); allows local governments to authorize use of such ATVs on certain public highways. - Amends TCA Title 55.

**SB 1638 by \*Campfield** (\*HB 1874 by \*Niceley)

Safety, Dept. of - As introduced, prohibits Tennessee from participating in the implementation of the federal REAL ID Act of 2005, which mandates a national identification card for each citizen of the United States. - Amends TCA Title 4 and Title 55.

**SB 1666 by \*Ketron** (\*HB 1443 by \*Maggart)

Motor Vehicles, Titling and Registration - As introduced, adds a cross-reference in the certificate of titling sections to a definition for flood motor vehicle. - Amends TCA Title 55.

**SB 1835 by \*Herron** (\*HB 2061 by \*Fitzhugh)

Hazardous Materials - As introduced, creates new offenses involving motor fuel transporters offloading motor fuel at a retail station. - Amends TCA Title 55, Chapter 8 and Title 65, Chapter 15.

**SB 1984 by \*Stewart** (\*HB 0547 by \*Harmon)

Driver Licenses - As introduced, extends ordinary duration of driver licenses from five to eight years; increases fees for driver licenses and photo identification cards. - Amends TCA Title 55.

**SB 2026 by \*Stewart** (\*HB 0236 by \*Harmon)

Traffic Safety - As introduced, imposes requirements on municipalities and counties for operation and new locations of traffic enforcement cameras. - Amends TCA Title 55, Chapter 8.

**SB 2029 by \*Ford** (\*HB 1553 by \*Turner J)

Motor Vehicles - As introduced, requires title and registration division to search NCIC and any other government affiliated data center for vehicle information relative to abandoned motor vehicles. - Amends TCA Title 55, Chapter 16; Title 55, Chapter 21, Part 1; Title 66, Chapter 19, Part 1 and Title 66, Chapter 28, Part 5.

**SB 2068 by \*Stewart** (\*HB 2117 by \*Curtiss)

Highway Signs - As introduced, expresses intent to name appropriate bridge or section of highway in Warren County in honor of Joe DeLong. -

**SB 2069 by \*Stewart** (\*HB 2118 by \*Curtiss, Matheny)

Highway Signs - As introduced, expresses intent to name appropriate bridge or section of highway in Warren County in honor of the late Jeremy Brown. -

**SB 2077 by \*Stewart** (\*HB 2116 by \*Alexander)

Highway Signs - As introduced, expresses intent to name appropriate bridge in Franklin County in honor of the late D. Alex Stephens. -

**Passed to Calendar Committee:**

**SB 0395 by \*Overbey** (HB 0511 by \*Lundberg)

Highways, Roads and Bridges - As introduced, establishes presumptions of proximate cause of death, injury, or damage for certain motor vehicle accidents

occurring within a construction zone; establishes immunity from claims for personal injury, property damage, or death arising from certain department of transportation projects. - Amends TCA Title 8, Chapter 42; Title 12, Chapter 4; Title 29 and Title 54.

**Passed to Finance Committee:**

**SB 1023 by \*Barnes** (HB 1683 by \*Johnson P, Pitts, Johnson C)

Driver Licenses - As introduced, authorizes honorably discharged veterans to have language or a symbol indicating their military service placed on their driver license; requires the department of veterans' affairs, in consultation with the department of safety, to develop appropriate language or military symbol. - Amends TCA Title 55, Chapter 50, Part 3.

**SB 1256 by \*Yager, Summerville** (\*HB 1377 by \*Todd, Shepard)

Special License Plates - As introduced, authorizes issuance of two memorial license plates to recipients of the Distinguished Flying Cross and the Air Medal. - Amends TCA Title 55, Chapter 4.

**SB 1933 by \*McNally** (\*HB 1243 by \*Matlock)

Highway Signs - As introduced, designates segment of S.R. 68 in Monroe County as "Bob Harrill Memorial Highway." -