

# TENNESSEE GOVERNMENT *Update*

NEWS FOR THE CLIENTS AND FRIENDS OF BASS, BERRY & SIMS PLC

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**Friday, April 10, 2009**

The state's financial situation continues to deteriorate. On Wednesday afternoon, Commissioner of Finance and Administration Dave Goetz told the Senate Finance Committee that sales tax collections in February were \$106 million below estimates. Through eight months (July 2008-February 2009), sales tax collections are \$698 million in the red. April 15 is the deadline for filing corporate franchise and excise tax returns and the date on which corporate filers "true up" estimated tax payments previously made with the actual amount owed.

Following the report on franchise and excise revenue, the state Funding Board will meet May 4 to hear from experts and provide a revenue estimate for the fiscal year beginning July 1, 2009. It is on this estimate that the General Assembly has usually based its budget.

The Judicial Selection Commission, which makes recommendations to the governor for appointments to vacant judgeships, will expire June 30, 2009. Lieutenant Governor Ron Ramsey suggested this week that it should expire and that legislation be enacted to allow the governor to fill vacant seats as an interim measure. <http://www.knoxnews.com/news/2009/apr/06/vines-ron-ramsey-tennessee-governor/>

Ramsey then proposes a constitutional amendment to give voters a choice of "replace" or "retain" judges on a four-year, rather than eight-year, cycle. Such an amendment could not be on the ballot until the governor's election in 2014. Governor Bredesen suggests that the current system be retained in some form. <http://www.memphisdailynews.com/editorial/Article.aspx?id=38037>

If nothing passes by June 30, the Attorney General has opined that there will be no ability to fill judicial vacancies. <http://www.tn.gov/attorneygeneral/op/2009/OP/OP43.pdf>

Finally, Nashville is the center of proprietary healthcare in America. A group of Nashvillians, led by former healthcare executive Clayton McWhorter, has proposed a plan for universal healthcare insurance and has suggested that Tennessee be a pilot state for such a plan. <http://www.tennessean.com/apps/pbcs.dll/article?AID=2009904050369>

<http://twitter.com/TNGovNow>

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