

# TENNESSEE GOVERNMENT UPDATE

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

**March 4, 2011**

## **Education**

The big news in Tennessee government this week was education. Governor Haslam's proposal to reform Tennessee's K-12 teacher tenure law was recommended for passage by the Senate Education Committee, and Governor Haslam announced that Kevin Huffman will be Tennessee's new commissioner of education.

The tenure reform bill provides for tenure after five years rather than three years and creates a mechanism for a tenured teacher who has poor evaluations to lose tenure and revert to a probationary status. Andy Sher with the *Chattanooga Times Free Press* [reported the story](#). The House companion bill is scheduled to be heard next week in subcommittee.

Kevin Huffman, Tennessee's new commissioner of education, has been an executive with Teach for America in Washington, D.C. for a decade. He taught in the classroom for two years, graduated from law school, briefly practiced law at a large Washington, D.C. law firm, and most recently has been executive vice president for public affairs with Teach for America. [Jennifer Brooks with The Tennessean has the story](#), and the governor's [news release](#) (with You-Tube video) is available.

## **Healthcare Reform**

The finance committees of both houses approved the release of federal grant funding for "exploring options" for an insurance exchange to be operated by the State of Tennessee pursuant to the provisions of the Patient Protection and Affordable Care Act. The grant was awarded last fall, but the funding has not been released pending action by the finance committees. As a result of these actions, proposals submitted in response to two requests for proposal for planning will likely be opened and awards announced next week. No decision has been made on the underlying question of whether Tennessee will operate an exchange, though the tenor of the conversation in the Senate Finance Committee was favorable to the state assuming the responsibility.

## **Inter-Governmental Relations**

In an unusual action in what has become a party-line-vote legislature, Republicans voted with Democrats in the general subcommittee of the House Commerce Committee to defeat a measure that would prohibit local governments from imposing an "employment practice, standard, definition,

or provision which imposes or mandates health insurance benefits, a minimum wage, or family leave requirements...that deviates from, modifies, supplements, adds to, changes, or varies in any manner from state or federal statutorily imposed or recognized requirements." Two Republicans and one Independent voted with four Democrats to defeat the bill, 7-6. One Democrat voted with five Republicans in favor. The [discussion of the vote and interests involved in support and in opposition](#) is in *Tennessee Report*.

***A reminder: Governor Haslam's budget address is scheduled for March 14, a week from Monday.***



**J. Richard Lodge**  
(615) 742-6254  
dlodge@bassberry.com



**H. Lee Barfield II**  
(615) 742-6202  
lbarfield@bassberry.com



**Erica Bell Vick**  
(615) 742-7901  
evick@bassberry.com

---

150 Third Avenue South, Suite 2800 • Nashville, TN 37201 • (615) 742-6200  
The Tower at Peabody Place • 100 Peabody Place, Suite 900 • Memphis, TN 38103 • (901) 543-5900  
1700 Riverview Tower • 900 South Gay Street • Knoxville, TN 37902 • (865) 521-6200