

TENNESSEE GOVERNMENT *Update*

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

Friday, May 29, 2009

Governor Bredesen took center stage this week. First, he proposed another budget for the fiscal year beginning July 1, 2009. This budget amendment eliminates over 700 state personnel and another 700 vacant positions. <http://www.timesfreepress.com/news/2009/may/28/bredesen-proposes-laying-717-employees/> Almost half of the positions are in the Department of Mental Health and the Division of Mental Retardation Services. The proposed budget utilizes approximately \$200 million of the state's rainy day fund but leaves a balance of \$550 million as of June 30, 2010. Amendments to the appropriations bill, the technical corrections bill (addressing tax matters proposed by the administration) and the omnibus bill (addressing other budgetary issues) are expected to be available today or Monday.

Second, late Thursday afternoon, the governor vetoed the bill allowing guns in restaurants. <http://wpln.org/?p=8187> While the House sponsor promised a quick override attempt, the Senate sponsor did not immediately advocate an overturn of the veto in the Senate. The Tennessee Constitution provides that the governor's veto can be overridden by a majority of both houses, 50 of 99 votes in the House and 17 of 33 votes in the Senate.

The legislature also concluded its lengthy, vigorous debate about how judges should be selected and retained. All members of the new judicial nominating commission will be chosen by the speakers of the two houses of the General Assembly. <http://www.tennessean.com/article/20090529/NEWS0201/905290367/Election+of+judges+in+Tennessee+is+rejected> While attorneys will be a majority on the commission, the speakers may appoint without reference to nominations or suggestions from organized bar associations. With several amendments, Senate Bill 1573 passed the Senate (27-5) and the House (58-38) on Thursday, May 28, and has not yet been engrossed for signature. The Tennessee Bar Association also commented in some detail. <http://www.tba2.org/tbatoday/2009/TBAtoday05-28-2009.htm>

While a proposal to allow the sale of wine in Tennessee grocery stores will continue to be studied, the General Assembly has transmitted to the governor a bill to allow direct shipment of wine to citizens of Tennessee. <http://www.capitol.tn.gov/Bills/106/Amend/HA0253.pdf> Under the bill, only licensed vineyards [not wine clubs or other third parties] that (1) pay a \$300 initial fee and an annual license fee of \$150, (2) consent to jurisdiction and venue before the Tennessee Alcoholic Beverage Commission, (3) contract "only with common carriers which agree that any delivery of wine...shall be face-to-face delivery and that deliveries will only be made to individuals who demonstrate that such individuals are over the age of 21 years," and (4) ship no more than nine liters of wine to any individual during any calendar month nor more than 27 liters to any individual in any calendar year, may ship wine into Tennessee.

<http://twitter.com/TNGovNow>

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- Tuesday, May 26, 2009, 10:05 a.m. **John Jay Hooker testifies to the Senate Finance Ways & Means Committee on the future of the Judicial Selection Commission.**
- Tuesday, May 26, 2009, 3:49 p.m. **Commissioner Goetz will address Senate Finance Ways & Means at 8:00 a.m. CDT regarding governor's amendment to the budget.**
- Tuesday, May 26, 6:04 p.m. **Several rules were suspended on the House floor tonight to speed the consideration of bills through the committee system.**
- Tuesday, May 26, 2009, 8:44 p.m. **Commissioner Goetz will address House Finance Ways & Means at 11:00 a.m. CDT regarding governor's amendment to the budget.**
- Wednesday, May 27, 2009, 2:54 p.m. **UPDATED: Unemployment Compensation legislation moved to first bill on Monday night's calendar.**
- Wednesday, May 27, 2009, 3:35 p.m. **HB 1743 Fitzhugh regarding pole attachments, on House's Monday floor calendar.**
- Thursday, May 28, 2009, 2:00 p.m. **Governor vetos guns-in-bars bill. House Sponsor Curry Todd will make the necessary motions next week to set a veto override.**

Notes about Twitter

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