



# TACIR

The Tennessee Advisory Commission  
on Intergovernmental Relations



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## **MEMORANDUM**

**TO:** Commission Members

**FROM:** Cliff Lippard *Cliff*  
Executive Director

**DATE:** 29 May 2019

**SUBJECT:** Work Program Amendment and New Research Plans

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The amendments to the Commission's work program listed below will add studies directed by legislation passed or referred by the 111<sup>th</sup> General Assembly. Research plans for each study are attached and include copies of the legislation. Members will be asked to consider each amendment for approval. Existing projects are recapped below.

### **Status of Existing Work Program Projects:**

- Annual Public Infrastructure Needs Inventory Report. Approved at your January 2019 meeting. We are simultaneously gathering and checking survey data for next year's report.
- TVA PILOT Annual Report. The 2019 update was approved at your January 2019 meeting. We will present the annual update for your approval at the January 2020 meeting in order to meet the legislature's reporting deadline of February 28, 2020.
- Fiscal Capacity Index. We have submitted this year's index to the Department of Education and State Board of Education and will provide a recap of this year's results at this meeting. The next index will be due to the department by May 1, 2020.
- Cord Cutting and Local Government Revenues request by Commission members at its January 2018 meeting. We will present the draft report for your review and comment at this meeting and a final report at our summer meeting.

- The House Local Government Subcommittee and the Senate State and Local Government Committee requested the Commission study House Bill 2265 by Sexton and its companion, Senate Bill 2146 by Gardenhire, and research the effects of requiring municipalities in Tennessee to change the date of their municipal elections to coincide with the August or November general election. We will present the draft report for your review and comment at this meeting and a final report at our fall meeting.
- Public Chapter 952, Acts of 2018, directs the Commission to study the potential, overall effects of creating a franchise and excise tax credit for shippers with pickups or deliveries originating in, or destined to, any county having a population over nine hundred thousand (900,000) according to the 2010 federal census or any subsequent census. We will present the draft report for your review and comment at this meeting and a final report at our summer meeting.
- Public Chapter 827, Acts of 2018, directs the Commission to study and prepare a report on Global Positioning System Monitoring as a condition of bail for certain domestic abuse, sexual assault, and stalking offenses. Draft report to be presented for your review and comment at the summer 2019 meeting and a final report at our fall 2019 meeting.
- Public Chapter 819, Acts of 2018, directs the Commission to study the Act's effect on the deployment of broadband and the Act's fiscal effect on local governments; identify best practices from the perspective of stakeholders and from a review of other states; identify opportunities to advance other policy goals supported by deployment of facilities for providing wireless broadband, specifically opportunities to advance the quality of transportation in Tennessee by utilizing technological applications, sometimes referred to as "smart transportation applications"; and recommend any changes to the law based on the findings of the Commission's study. Draft report to be presented for your review and comment no later than August 2020.
- Public Chapter 228, Acts of 2017, directs the Commission to study and prepare a report updating its January 2017 report on broadband internet deployment, availability, and adoption in Tennessee. Final report due January 15, 2021.
- Senate Joint Resolution 593 directs the Commission to study the overall effects on public education relative to the laws and regulations related to the sharing of resources among school districts located in the same county and the effect of the operation within a county of municipal or special school districts in addition to

the county system. Draft report to be presented for your review and comment at the fall 2019 meeting.

- House Bill 971 by Sargent and Senate Bill 1075 by Watson, 2018, regarding state-shared taxes and local services was referred to the Commission by the House Finance, Ways and Means Committee to address the following questions:
  - What are the duties of cities?
  - What are the duties of counties?
  - What funds go from the state to cities to comply with the law?
  - What funds go from the state to counties to comply with the law?
- The project has been divided into interim reports: (1) internet sales tax, which was published in February 2019; (2) education funding and services; and (3.) all other revenue and services. The education funding and services interim draft will be presented at the fall meeting and the draft for the rest of the study will be presented at the spring 2020 meeting.

***Four amendments are submitted for your consideration:***

**Amendment One:**

Adds a study required by Senate Bill 510 by Roberts and House Bill 419 by Smith related to healthcare shopping incentive plans.

- Tennessee Right to Shop Act: Senate Bill 510 by Roberts and House Bill 419 by Smith directs the Commission to perform a study of any cost savings realized by enrollees with health plans, including private health plans and state funded health plans, in states that have adopted legislation or programs that require carriers offering health plans in those states to offer incentive programs to enrollees for shopping for health care services at lower costs, commonly referred to as “Right to Shop” legislation or programs. The study shall include, at a minimum, and examination of savings realized by such programs in Maine, New Hampshire, Florida, Arizona, and Kentucky.

Due Date: Final report due December 2020.

**Amendment Two:**

Adds a study of Senate Bill 1114 by Yarbrow and House Bill 1120 by Freeman related to extreme weather, natural catastrophes, and community resilience.

- Community Resilience: Senate Bill 1114 by Yarbro and House Bill 1120 by Freeman, would have created the state government advisory task force on extreme weather and community resilience charged with studying and developing policy recommendations regarding Tennessee's community resilience to natural catastrophes and extreme weather. The bill was referred to the Commission for study by the Senate State and Local Government Committee and the House State Committee.

Due Date: Final report due July 1, 2020.

### **Amendment Three:**

Adds a study of Senate Bill 600 by Jackson and House Bill 635 by Travis relative to online bidding to provide goods and services to local governments.

- Online Bidding and Local Governments: Senate Bill 600 by Jackson and House Bill 635 by Travis would have required local governments to provide a secure electronic interactive system for invitations to bid, requests for proposals and other offices, and exempts certain local governments. Referred to the Commission for study by the House Local Government Committee.

Due Date: Final report due January 2020.

### **Amendment Four:**

Adds a study of Senate Joint Resolution 344 by Dickerson related to illegal tire dumps.

- Senate Joint Resolution 344 directs the Commission to study the overall effects of illegal waste tire dumps within the boundaries of the State of Tennessee in an effort to better understand the adverse impacts of tire dumps on the environment, review current waste tire recycling methods, and assess potential preventative measures to curb the practice of illegal tire dumping. The 111<sup>th</sup> General Assembly adjourned without taking up the bill, but Senator Dickerson, with support from Senate energy, Agriculture, and Natural Resources Committee Chairman Steve Southerland, requested via letter dated May 5, 2019 to the Commission that a study of SJR 344 be conducted.

Due Date: Final report due January 2020.