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Public Acts and the Legislative Process in Tennessee

Dennis Huffer

Municipal Technical Advisory Service

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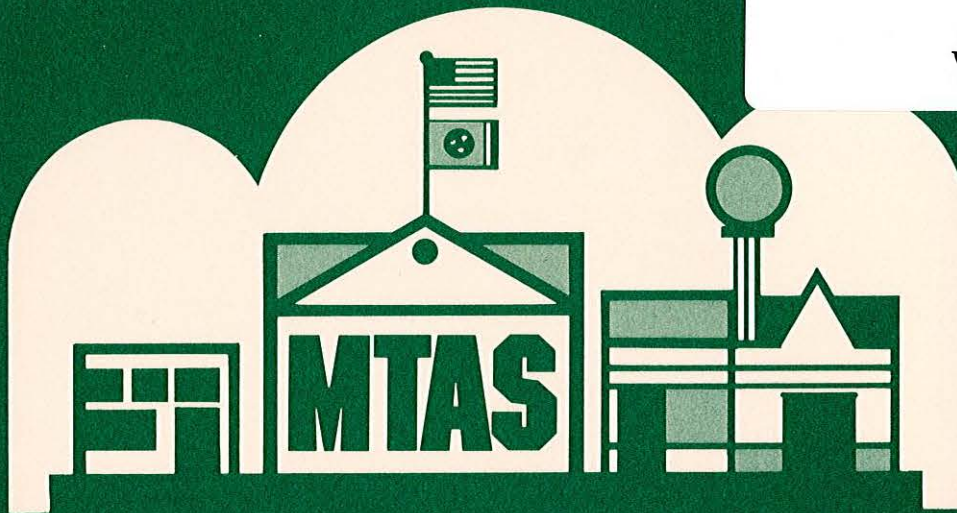
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Tenn. Municipal Law Series

PUBLIC ACTS AND THE LEGISLATIVE
PROCESS IN TENNESSEE

By Dennis Huffer
Intergovernmental Affairs Consultant

Report No. 1 January 1985

MUNICIPAL TECHNICAL ADVISORY SERVICE
The University of Tennessee
in cooperation with The Tennessee Municipal League

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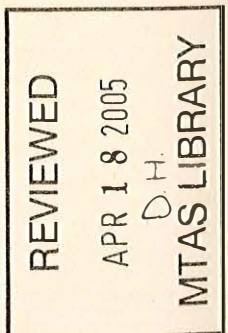
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A Statewide Agency of
The University of Tennessee's
Institute for Public Service
operated in conjunction with the
Tennessee Municipal League

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Municipal Technical Advisory Service

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January 8, 1985

Dear City Official:

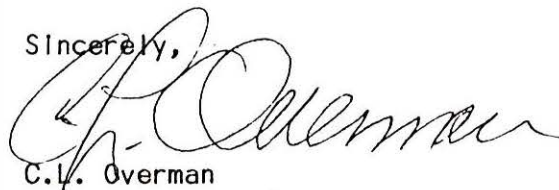
The wide spectrum of subjects that municipal officials encounter can sometimes be intimidating. In an effort to further address some of the complicated issues with which city officials must deal, the MTAS Law Consultant, Codification Consultants, and Intergovernmental Affairs Consultant, Gene Puett, Don Ownby, Dennis Huffer, and Sid Hemsley, have initiated an applied research and publication effort designated as the MTAS Municipal Law Series.

In these publications, subjects such as these will be addressed: municipal leasing in Tennessee; the state legislative process and how it works; powers of officials under the general law mayor-alderman charter; and guidelines for charter amendment. In the future, other areas of municipal law and procedure will be discussed. Hopefully, this type of information will assist Tennessee municipal officials to deal more easily with the environment in which they must work.

As always, we solicit your suggestions and ideas for improving this effort and especially for subject areas for our Municipal Law Series publications. If you have an idea for one of the Law Series publications, please just give me or one of the above mentioned MTAS consultants a call. We will work the suggestion into the publication schedule.

Your continued support of MTAS and conscientious input are greatly appreciated.

Sincerely,



C.L. Overman
Executive Director

CLO:tb

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INTRODUCTION

In the earliest and coldest months of each year, the Tennessee General Assembly begins meeting to consider legislation for the State of Tennessee. Each General Assembly lasts two years and has two sessions, one each year. Each session will usually run from January until mid-May. The organizational session of each General Assembly must be held on the second Tuesday in January, after the election of members of the House of Representatives. During this organizational session, officers of the General Assembly, such as Speakers of the two Houses, are chosen. It may last no longer than 15 consecutive calendar days, and no legislation may be passed on third reading during this period. The General Assembly must meet on the first Tuesday after the organizational session, unless by joint resolution it sets an earlier date.

The second session (or second year) of each General Assembly usually also begins in January. During each session, the General Assembly will consider approximately 2,400 bills (1,200 in each House) and will adopt approximately 500 new public acts. Of these new public acts, approximately 200 will affect municipalities and municipal officials to some degree.

Although the General Assembly meets only during the first few months of each year, preparations for the next session often must begin while the current one is still in progress and continue throughout the year. Legislation often spawns the need for more legislation. Actions of other bodies and officers may create a need for legislation. The courts or Attorney General, for example, may render decisions or opinions that are adverse to municipal interests and demand legislative correction.

Legislative bills often turn out to be complex, with many people and many groups involved in their development and preparation. Legislation dealing with municipal purchasing, for example, might involve several weeks of meetings and informal discussions among city officials, Tennessee Municipal League staff, Municipal Technical Advisory Service staff, representatives of private companies, and the staff of the Comptroller's office, and go through many revisions before agreement on the final version of the proposed bill. So legislative work is not as seasonal as one might at first expect.

The purpose of this report is to inform city officials about the legislative process and how public acts are passed. Public acts which affect cities will affect all or almost all cities or a whole group of cities (such as all cities incorporated under the Uniform City Manager-Commission Charter). Private acts, which are legislative enactments generally affecting only one city or county and requiring local approval, are not considered here. For an article by former MTAS Consultant Robert Lovelace on private acts, entitled "A Private Act Primer," see the September 1981 issue of Tennessee Town & City.

WORK WITH THE TENNESSEE MUNICIPAL LEAGUE

In all steps of the legislative process, it is important for city officials to work with the Tennessee Municipal League. The League is the eyes, ears, and voice of cities on Capitol Hill. City officials should inform the League, at the earliest possible time, of the need for legislation or the city's intent to get legislation introduced. This same advice holds true for other organizations that want to get legislation affecting cities adopted.

Many awkward situations and much embarrassment can be avoided simply by informing the League of proposed legislation. An example of what can happen when cities do not coordinate their efforts with the League:

The League drafted a general bill amending a particular section in the Tennessee Code Annotated. A city had a bill drafted and introduced which amended the same section in its entirety. The League's bill passed, and the city's bill passed afterwards. Since the League's bill amended only part of the section and the city's bill amended the whole section, the city's bill wiped out the amendment effected by the League's bill. The League had to draft and get passed similar legislation during the next legislative session.

This embarrassing incident could have been avoided by one phone call from the city to the League. In another similar situation, an organization which works for cities had legislation drafted and introduced but did not inform the League. The legislation died, partly because the League had not lobbied for it. Fortunately, there was similar legislation pending in a committee, and the League, after a plea for help from the organization and a great deal of effort, was able to aid the organization in passing that legislation. So it is extremely important to follow this rule: **INFORM THE TENNESSEE MUNICIPAL LEAGUE OF LEGISLATION YOUR CITY NEEDS OR INTENDS TO GET INTRODUCED.**

DRAFTING LEGISLATION

The drafting of legislation should be done as far in advance of the legislative session as possible. This should be done not only to ensure that deadlines are met easily, but to make sure the legislation is correct or is acceptable to other groups. The support or even lack of opposition from such groups can be crucial to passage of legislation. One way to gain support or lack of opposition is to let these interested groups or organizations review the proposed legislation beforehand and suggest any needed changes. This review process can take much time.

The larger cities in the state have their own staff attorneys who can draft legislation needed by those cities. The League or someone on the MTAS staff often drafts legislation for smaller cities and legislation affecting all cities. City attorneys also may draft legislation needed by smaller cities. No matter who does the work, though, the Tennessee Municipal League should be informed of it.

Your call to the League informing them of your city's need for a public act might relieve you of everything but calling your legislators to ask them to vote for the bill. The League can have the bill drafted, jacketed, and introduced, and can shepherd the bill through the legislative process. Your call also might reveal that no legislation is needed or that a private, as opposed to a public, act is required.

INTRODUCTION OF THE BILL

After the bill is drafted in final form, it must be jacketed before being given to its sponsor. Jacketing a bill merely means stapling a bill into a special folder provided by the Office of Legislative Administration. These folders are color-coded, with one color for the House and another for the Senate. Extra copies of bills also must be placed in the folder. These copies are for the news media, the Office of Legal Services, etc. The caption of the bill must be pasted on the outside of the folder so it is readily apparent what the bill is about.

After a bill has been jacketed, it is ready to be given to a sponsor. The sponsors are members of the Senate and House who agree to help pass the bill. They are the people who must explain the bill in committee hearings and on the floors of the respective Houses. The choosing of a sponsor can be very important to the passage of a bill.

Different legislators have different interests. Some legislators know a great deal about fiscal and tax matters and therefore like, or are at least willing to sponsor, bills dealing with those subjects. Others are interested in agriculture, conservation, and a whole range of other subjects. There are some legislators who are particularly interested in and favorable to cities. Knowing which legislators are interested in what is one of the keys to getting good sponsors.

A sponsor must be obtained for each bill in each House. Obtaining a sponsor means going to the legislators selected to sponsor a bill, explaining the bill, and asking them to sponsor it. Often they agree; sometimes they do not. Sometimes they agree if certain changes are made. When they do not agree to sponsor the bill for some reason or ask for too many changes, other sponsors must be found.

Once a willing sponsor has been found, he or she must file the bill with the clerk of the House of which he or she is a member. The clerk assigns the bill a number. In the Senate the number of the first bill introduced will be SB 1 (short for Senate Bill No. 1) and in the House HB 1 (short for House Bill No. 1), and so on. Each bill in one House should have an identical, or companion, bill in the other House. The companion bills, although identical, will not usually have the same bill numbers. It should be pointed out here that each House, in its rules, sets deadlines, or bill cutoff dates, for the introduction of general bills. These deadlines make it imperative to have all bills drafted by the beginning of each legislative session. Bills may be prefiled before the beginning of each session, however, in accordance with Tennessee Code Annotated, §§ 3-2-108 and 109 (see Appendix B). Prefiling a bill simply means dropping it in the legislative hopper before the session starts.

Bills must be passed on three different days in order to become law. The first two considerations are usually routine, and bills are passed en masse. The third consideration is the one at which the bill, if it makes it that far, will get individual scrutiny. Before getting to the floor for third consideration, however, the bill must be considered by at least one standing committee and scheduled for floor action by the calendar committees of each House. The Calendar Committee in the Senate merely schedules bills for floor action if they have been approved by the proper standing committee. In the House, the Calendar and Rules Committee exercises greater authority and may schedule the bill, defeat the bill, or send it back to the committee from which it came.

THE COMMITTEE PROCESS

Once a bill has been passed routinely on first and second consideration, the Speaker will assign the bill to a committee on the basis of its subject matter. Bills affecting cities often go to the State and Local Government Committees of the two Houses. Bills dealing with local taxes, and other bills

dealing only with finances, generally will go directly to the Finance, Ways and Means Committees. Any bill having a large fiscal impact (the exact dollar figure is set in the rules of each House for each session) no matter what its subject, must go to the Finance, Ways and Means Committees after it has received approval by the standing committee which deals with the subject matter. Thus, bills with a large fiscal impact often must be approved by two standing committees -- the committee dealing with the subject matter and the committee dealing with finances.

Bills in committee are set for hearing by the chair, in consultation with the vice chair and secretary. In the Senate committees, bills generally are placed on committee calendars automatically, but the chair and those with whom the chair consults must take into consideration the necessity and importance of the legislation in determining how early or late to place bills on the calendar. In House committees, bills requested by the sponsors to go on the calendar generally are placed on the calendar first.

The calendar, or list of bills which a committee will be considering, is published in advance of each committee meeting. The calendar for the meetings of each committee must be reviewed by local government lobbyists and others to determine which bills in what committees affect local governments. All committees must be monitored because the interest of municipalities are so wide-ranging that legislation in any committee in either House can affect them.

Once it has been determined that a bill affects municipalities, it must be determined whether the effect is good, bad, or neutral. Although this determination is not always as easy as it sounds, it has to be made, often in a short amount of time. If a bill is bad, local government lobbyists will lobby against the bill. If a bill is good, local government lobbyists generally will lobby for the bill. If a bill is moderately positive for cities, and it is known that one of the members of the committee, who is a friend of cities and can help cities later, is strongly opposed to the bill, it might be determined not to lobby for the bill at the risk of upsetting a friend. The calculations that determine legislative action can be very complex.

(Lobbying, by the way, means trying to persuade legislators to vote the way one wants them to vote or to do what one wants them to do. Local government lobbyists do this by marshaling facts and figures to support their positions and by using logic and reason and appeals to fairness and common sense. In order to help make lobbying decisions and assignments and to coordinate their efforts, local government lobbyists have formed a lobbying group which has been informally named the "Metro Mafia." The group is made up of lobbyists from the Tennessee Municipal League, the Tennessee County Services Association, and the larger cities in Tennessee. Occasionally other lobbyists, such as those for the County Officials Association of Tennessee, also join the group. The Metro Mafia meets each day when the legislature is in session to go over the next day's calendars and to plan legislative strategy.)

When a bill is considered in committee, the sponsor must come before the committee to explain the bill and to answer any questions committee members have. For the legislator to be able to do this, the group or organization which initiated the bill will have to provide the sponsoring legislator with information regarding the bill and its effects. Sometimes legislators will ask for specific information about the need for or effects of a bill in order to prepare for committee hearings. If no group has lobbied against a bill and the sponsor does a good job of explaining it, the committee hearing generally will go smoothly.

If there is opposition to a bill, the committee hearings are usually where it surfaces. Several legislators might indicate opposition to the bill, ask difficult questions, or indicate the need to change the bill before they can vote for it. Legislators might propose specific amendments to the bill and ask the sponsor whether the amendments are acceptable. If it becomes clear that there are not enough votes to pass the bill out of committee without some change, the sponsoring legislator often will ask to put the bill off for future consideration so the two or more sides can reach a compromise. The indications of opposition, the questions, and the proposed changes to the bill

in this example were, of course, the result of lobbying by a group or groups opposed to the bill. This lobbying will result in either killing the bill altogether or in producing a bill both sides find acceptable.

Sometimes the difficult questions legislators in committee hearings ask are not the result of lobbying but of 'the legislators' own concerns. Legislators are not shy in asking about a bill if they find it objectionable or if they do not understand it. It is impossible to anticipate every question someone might ask about a bill or every argument they might use against it. Therefore, when TML or other city bills are before a committee, there is always someone from the TML staff or another local government lobbyist in the room who can help the sponsor if he or she needs it. Also, if any amendments are proposed by committee members, the staff person can signal the sponsor and committee whether the amendments are acceptable or whether the sponsor should ask to put the bill off until a later date so proposed amendments can be reviewed and options explored.

Options, when opposition amendments have been proposed, include accepting the amendments, making counter proposals relative to amendments, making some other trade-off relative to the bill, withdrawing the bill, or attempting to pass the bill without amendments. Decisions on these options depend on the importance of the bill, relative strength of support for and opposition to the bill, and the effects passage of this bill would have on other TML bills and TML's relationships with different legislators. Again, the complexity of the legislative process manifests itself.

Once a bill has been passed by the committee, it must go to the Calendar Committee (Senate) or Calendar and Rules Committee (House) for scheduling for floor action, unless the bill has a large fiscal impact (these bills first must go to the Finance, Ways and Means Committee and be approved there). As noted earlier, the Calendar Committee in the Senate merely schedules bills for floor action. The Calendar and Rules Committee in the House may delay or kill a bill or schedule it for floor action.

FLOOR ACTION

Much the same procedure takes place on the floor of the two Houses as in committees. The floor calendar is published in advance. Lobbyists do their work. At the time for hearing the bill, the sponsor will be recognized to explain the bill and answer questions. Any amendments that have been added to the bill in committee also must be approved. The rules provide that the chair (or designee) of the committee that added the amendments shall explain any committee amendments. Usually the chair designates the sponsor of the bill. Amendments also may be proposed from the floor. Amendments are voted upon first, then the bill. To pass on third consideration, the bill must receive the votes of a majority of all members to which each House is entitled (50 in the House of Representatives and 17 in the Senate).

Bills must pass both Houses in identical form. The process described above for committee action and floor action does not occur simultaneously in both Houses. A bill may work its way through the Senate, for example, weeks or even months before consideration in the House. Often, by the time a bill has passed the first House, all parties concerned with the bill have been heard and all amendments have been made. Thus, the amended version of the bill passes one House while an unamended version gets to the floor of the second. When this happens, the version that passed first is substituted for the version still on the floor of the second House. This is done by the sponsor in the second House making a motion to "substitute and conform" the bill to the one that already has passed. The motion to substitute and conform generally is approved, and the same version of the bill thus passes both Houses.

Sometimes, however, different amendments are added to a bill in the committees or on the floor of the two Houses. If two different version do pass the two Houses, each House must approve amendments added by the other. On rare occasions where the two Houses cannot agree, a conference committee,

composed of members of both houses, may be created to reconcile differences. The recommendations of the conference committee also must be approved by the two Houses. Once the bill is passed in identical form by both Houses, it is signed by the Speakers of the House and Senate and sent to the Governor for consideration.

GOVERNOR'S ACTION

If the Governor signs the bill when it is presented, it becomes law. If he/she vetoes the bill, the Governor must return the bill, with written objections, to the House in which it originated. For the bill to become a law, the veto must be overridden in both Houses by a majority of the elected members. If the Governor fails to take any action on a bill within 10 calendar days (Sundays excepted) after it has been presented, it becomes law without his/her signature.

APPENDIX A - PERTINENT PROVISIONS FROM THE TENNESSEE CONSTITUTION

From Article 2

Sec. 8. Legislative sessions -- Governor's inauguration. The General Assembly shall meet in organizational session on the second Tuesday in January next succeeding the election of the members of the House of Representatives, at which session, if in order, the Governor shall be inaugurated. The General Assembly shall remain in session for organizational purposes not longer than fifteen consecutive calendar days, during which session no legislation shall be passed on third and final consideration. Thereafter, the General Assembly shall meet on the First Tuesday next following the conclusion of the organizational session unless the General Assembly by joint resolution of both houses sets an earlier date.

The General Assembly may by joint resolution recess or adjourn until such time or times as it shall determine. It shall be convened at other times by the Governor as provided in Article III, Section 9, or by the presiding officers of both Houses at the written request of two thirds of the members of each House.

Sec. 17. Origin and frame of bills. Bills may originate in either House; but may be amended, altered or rejected by the other. No bill shall become a law which embraces more than one subject, that subject to be expressed in the title. All acts which repeal, revive or amend former laws, shall recite in their caption, or otherwise, the title or substance of the law repealed, revived or amended.

Sec. 18. Passage of bills. A bill shall become law when it has been considered and passed on three different days in each House and on third and final consideration has received the assent of a majority of all the members to which each House is entitled under this Constitution, when the respective

speakers have signed the bill with the date of such signing appearing in the journal, and when the bill has been approved by the Governor or otherwise passed under the provisions of this Constitution.

Sec. 19. Rejection of bill. After a bill has been rejected, no bill containing the same substance shall be passed into a law during the same session.

Sec. 20. Style of laws -- Effective date. The style of the laws of this state shall be, "Be it enacted by the General Assembly of the State of Tennessee." No law of a general nature shall take effect until forty days after its passage unless the same or the caption thereof shall state that the public welfare requires that it should take effect sooner.

From Article 3

Sec. 18. Bills to be approved by the governor -- Governor's veto -- Bills passed over governor's veto. Every bill which may pass both Houses of the General Assembly shall, before it becomes a law, be presented to the Governor for his signature. If he approves, he shall sign it, and the same shall become a law; but if he refuses to sign it, he shall return it with his objections thereto, in writing, to the house in which it originated; and said House shall cause said objections to be entered at large upon its journal and proceed to reconsider the bill. If after such reconsideration, a majority of all the members elected to that House shall agree to pass the Bill, notwithstanding the objections of the Executive, it shall be sent, with said objections, to the other House, by which it shall be likewise reconsidered. If approved by a majority of the whole number elected to that House, it shall become a law. The votes of both Houses shall be determined by yeas and nays, and the names of all the members voting for or against the Bill shall be entered upon the journals of their respective Houses.

If the Governor shall fail to return any bill with his objections in writing within ten calendar days (Sundays excepted) after it shall have been presented to him, the same shall become a law without his signature. If the General Assembly by its adjournment prevents the return of any bill within said ten-day period, the bill shall become a law, unless disapproved by the Governor and filed by him with his objections in writing in the office of the Secretary of State within said ten-day period.

Every joint resolution or order (except on question of adjournment and proposals of specific amendments to the Constitution) shall likewise be presented to the Governor for his signature, and on being disapproved by him shall in like manner, be returned with his objections; and the same before it shall take effect shall be repassed by a majority of all the members elected to both houses in the manner and according to the rules prescribed in case of a bill.

The Governor may reduce or disapprove the sum of money appropriated by any one or more parts of items in any bill appropriating money, while approving other portions of the bill. The portions so approved shall become law, and the items or parts of items disapproved or reduced shall be void to the extent that they have been disapproved or reduced unless repassed as hereinafter provided. The Governor, within ten calendar days (Sundays excepted) after the bill shall have been presented to him, shall report the items or parts of items disapproved or reduced with his objections in writing to the House in which the bill originated, or if the General Assembly shall have adjourned, to the office of the Secretary of State. Any such items or parts of items so disapproved or reduced shall be restored to the bill in the original amount and become law if repassed by the General Assembly according to the rules and limitations prescribed for the passage of other bills over the executive veto.

APPENDIX B - PERTINENT PROVISIONS FROM THE TENNESSEE CODE ANNOTATED

3-2-102. Presentation to governor. Every bill, joint resolution, or order, except on questions of adjournment and proposals of specific amendments to the Constitution, shall, after the same has been passed, enrolled, and signed by the speakers of both houses of the general assembly, be presented by the committee on enrolled bills of that house wherein such bill, joint resolution, or order originated, to the governor for his signature; and said committee shall report that they have presented the bill, joint resolution, or order to the governor for his signature, and the date of such presentation, which report shall be entered on the journal of that house to which such committee belongs; provided, that no bill, joint resolution, or order shall be presented to the governor until the time for moving a reconsideration shall have expired, unless expressly ordered by that house wherein such bill, joint resolution, or order originated; and provided further, that the speaker of the senate shall first sign all bills and joint resolutions originating in the senate, and the speaker of the house of representatives shall first sign all bills and joint resolutions originating in the house of representatives.

3-2-103. Approval of governor. If the governor approve the bill, joint resolution, or order, he shall write upon the same, to the left of and below the signatures of the speakers of the two houses, the fact and date of his approval, as follows: "Approved _____, 19____," and shall sign the same as follows: "____, Governor."

3-2-104. Failure of governor to return. If, while the general assembly remains in session, the governor shall fail to return any bill, joint resolution, or order, with his objections, within ten (10) days (Sundays excepted) after it shall have been presented to him, it shall be the duty of the committee on enrolled bills of that house wherein such bill, joint resolution, or order originated to cause said bill, joint resolution, or order forthwith to be reenrolled; and the same shall thereupon be signed by the respective speakers of each house, who shall annex and sign the following certificate:

"This bill (joint resolution or order) having been presented to the governor for his signature on the _____ day of ____, and the Governor having failed to returned it within the time prescribed by law, the same is hereby declared to have become a law (or, in case of a joint resolution or order, the same is hereby declared to have taken effect). This _____ day of ____, 19__.

"_____, Speaker of the House of Representatives.

"_____, Speaker of the Senate."

3-2-105. Filing with secretary of state. When any bill, joint resolution, or order shall have been returned duly signed by the governor, or shall have been passed over his veto, or shall otherwise become a law, the committee on enrolled bills of that house wherein such bill, joint resolution, or order originated, shall forthwith file the same in the office of the Secretary of State, and shall report the fact and date of such filing, which report shall be entered upon the journal.

3-2-106. Preservation of original acts. The original acts and resolutions passed by the general assembly, and enrolled and filed in the office of the secretary of state, shall be bound together and preserved in that form in said office, and the secretary of state shall cause the same to be done.

3-2-107. Fiscal notes for revenue bills -- Cumulative fiscal notes while legislature in session -- Preparation and content. (a) Fiscal notes shall be provided for all general bills or resolutions increasing or decreasing state or local revenues, making sum-sufficient appropriations, or increasing or decreasing existing appropriations or the fiscal liability of the state or of local governments of the state. Not more than seven (7) days following the introduction of any such bill or resolution, the fiscal review committee shall furnish to the chief clerk of the house or houses of introduction a statement of analysis of the fiscal effect of such bill or resolution and shall prepare and distribute copies of the statement to members of the general assembly. Within seven (7) days following receipt of a request from a member of the general assembly for a fiscal note on any proposed bill or resolution requiring

a fiscal note, the fiscal review committee shall prepare a fiscal note statement to accompany such proposal at the time of introduction. Within twenty-four (24) hours following a request by the sponsor of an amendment to any pending measure on which a fiscal note is required by this section, the fiscal review committee shall prepare for the sponsor a fiscal note showing what effect the amendment would have on the estimates made in the fiscal note which applies to the bill or resolution. In regard to any bill or resolution affecting local government, the director of the division of local finance in the office of the comptroller is directed to provide to the fiscal review committee, upon request, the information necessary to determine the fiscal effect of such bill or resolution.

The fiscal note shall, if possible, include an estimate in dollars of the anticipated change in revenue, expenditures, or fiscal liability under the provisions of the bill or resolution. It shall also include a statement as to the immediate effect and, if determinable or reasonably foreseeable, the long-range effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to the effect setting forth the reasons why no dollar estimate can be given. The fiscal note statement shall include an explanation of the basis or reasoning on which the estimate is founded, including any assumptions involved.

No comment or opinion shall be included in the fiscal note regarding the merits of the measure for which the note is prepared; however, technical or mechanical defects may be noted.

(b) A cumulative fiscal note shall be prepared weekly by the fiscal review committee and a copy shall be distributed to each member of the general assembly each week while the general assembly is in session. The cumulative fiscal note shall show the cumulative increase or decrease of revenue or expenditures as caused by legislation enacted from the beginning of the session then convened.

3-2-108. Prefiling bills or resolutions -- Time -- Manner. (a) At the time specified in this section and § 3-2-109, members of the legislature are hereby authorized to prefile legislative bills and resolutions for introduction in the next succeeding regular legislative session.

(b) Bills and resolutions may be prefiled at the following times:

(1) In the case of both senators and representatives, from the time that a member-elect has received his certificate of election until the next succeeding regular legislative session.

(2) In the case of both senators and representatives, from the adjournment of the regular legislative session in odd-numbered years until the convening of the regular legislative session in even-numbered years.

(3) In the case of senators, from the date of each general election of representatives at which senators are not regularly elected until the next succeeding regular legislative session.

(c) Bills and resolutions which are prefiled under the provisions of this section and § 3-2-109 shall be in such final and correct form for introduction in the legislature as is required by the constitution, laws, and rules of the respective houses of the legislature.

(d) The original copy of every bill and resolution prefiled shall be inspected by an attorney for the legislative drafting service.

(e) Any bill or resolution prefiled under this section and § 3-2-109 shall be mailed to the chief clerk of either house by registered or certified mail, return receipt requested, or by personal delivery by a member of the legislature who is one of the authors of the bill or resolution, and in the case of personal delivery the office of the chief clerk of either house shall deliver a signed receipt therefor to such author.

(f) Any standing committee may prefile any bill or resolution at any time when a senator or representative is authorized to prefile bills and resolutions under this section. Bills or resolutions filed under authority of this subsection (f) shall be filed by the chairman or vice-chairman of the standing committee in the same manner as such chairman or vice-chairman would prefile a bill of which he was the author, or in the event neither the chairman nor vice-chairman desires to sign said bill any member of the committee voting with the majority of the committee may introduce same. Before prefiling any bill or resolution under authority of this subsection, the chairman or vice-chairman shall be authorized to make such prefiling by a majority vote of the members of his committee.

(g) The chief clerk of either the senate or the house of representatives shall number the bill or resolution and note thereon the date of the prefiling and the date of the first day of the next session of the general assembly on which it will be first considered and passed. The procedures for printing and distribution shall be the same for prefiled bills and resolutions as if the general assembly were in regular session.

3-2-109. Placing prefiled bill or resolution on calendar -- Failure to comply procedurally. Immediately upon the convening of the next succeeding regular session of the legislature all bills and resolutions prefiled, in accordance with § 3-2-108 and this section shall be deemed properly introduced and shall be placed upon the calendar on the first legislative day for the first consideration and passage in the same manner as bills and resolutions introduced after the convening of the legislature.

When any prefiled bill or resolution is placed on the calendar for first consideration and the same is passed, any prior failure to comply with any of the procedural requirements of § 3-2-108 and this section shall have no effect on the validity of such bill or resolution.

APPENDIX C - STANDING COMMITTEES OF THE SENATE
AND THE HOUSE OF REPRESENTATIVES

Standing committees are established in the rules of each House. Since these standing committees are not likely to change, those established in the Senate and House rules for the latest General Assembly are listed here.

Senate

1. Commerce, Labor and Agriculture.
2. Education.
3. Energy and Natural Resources.
4. Finance, Ways and Means.
5. General Welfare, Health and Human Resources.
6. Government Operations.
7. Judiciary.
8. State and Local Government.
9. Transportation.

House of Representatives

1. Agriculture.
2. Commerce.
3. Conservation and Environment.
4. Education.
5. Finance, Ways and Means.
6. General Welfare.
7. Government Operations.
8. Judiciary.
9. Labor and Consumer Affairs.
10. State and Local Government.
11. Transportation.

APPENDIX D - IMPORTANT LEGISLATIVE PHONE NUMBERS

In order to discuss needed or pending legislation; to find out the state of legislation; or to get copies of legislation, these phone numbers are provided:

Tennessee Municipal League	(615) 255-6416	(Nashville)
Municipal Technical Advisory Service	(615) 255-6418	(Nashville)

If these lines are busy or for some other reason not accessible, call this number to find out the status of legislation:

Office of Legislative Services	(615) 741-3511	(Nashville)
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If a bill has passed both Houses and been sent to the Governor, and you are not able to contact the Tennessee Municipal League or Municipal Technical Advisory Service to find out whether the bill has been signed and given a public chapter number, you may call this number to find out:

Secretary of State	(615) 741-2816	(Nashville)
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When asking for information about pending legislation, city officials should, if at all possible, know the senate or house bill numbers.

Municipal Technical Advisory Service
The University of Tennessee
891 Twentieth Street
Knoxville, Tennessee 37996-4400

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