



**State of Tennessee**  
**PUBLIC CHAPTER NO. 765**

**SENATE BILL NO. 2341**

**By Bell**

Substituted for: House Bill No. 2518

By Cobb, Shipley, Rich

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 68, Chapter 201, Part 1, relative to the air pollution control board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (59) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-236(a), is amended by adding the following as a new, appropriately designated subdivision:

( ) Air pollution control board, created by § 68-201-104;

SECTION 3. Tennessee Code Annotated, Section 68-201-104, is amended by deleting subdivision (b)(1) in its entirety and by substituting instead the following:

(b)(1) The members of the board shall be the Commissioner of Environment and Conservation, the Commissioner of Economic and Community Development, and twelve (12) other members who shall be appointed by the governor, as follows:

(A) One (1) shall be a registered professional engineer as defined in Title 62, Chapter 2, who shall have at least five (5) years' experience in the field of air pollution control;

(B) One (1) shall be a physician, licensed in compliance with Title 63, Chapter 6, who shall be experienced in the health effects of air contaminants;

(C) One (1) shall be engaged in a field which is directly related to agriculture or conservation;

(D) One (1) shall be actively engaged in the management of and with current full-time employment in a private manufacturing concern and have a college degree and eight (8) years of combined technical training and experience in permit compliance for Title 5 or Non-Title 5 sources for a manufacturing facility permitted in the State of Tennessee, and may be appointed from lists of qualified persons submitted by interested manufacturing groups including, but not limited to, the Tennessee Chamber of Commerce and Industry.

(E) One (1) shall be a county mayor or chief executive officer of a Tennessee county who may be appointed from lists of qualified persons submitted by interested county services groups including, but not limited to, the Tennessee county services association;

(F) One (1) shall be engaged in municipal government who may be appointed from lists of qualified persons submitted by interested municipal groups including, but not limited to, the Tennessee Municipal League;

(G) Two (2) shall be from Tennessee industry and with current full-time employment with a private manufacturing concern and have a college degree in engineering or equal and eight (8) years of combined technical training and experience in air pollution abatement for either a Title 5 permit holder or a Non-Title 5 permitted source in the State of Tennessee, and may be

appointed from lists of qualified persons submitted by interested manufacturing groups including, but not limited to, the Tennessee Chamber of Commerce and Industry.

(H) One (1) shall be involved in the program of an institute of higher learning in the state involved in the conducting of training in air pollution evaluation and control;

(I) One (1) who may be appointed from lists of nominees submitted to the governor by interested conservation groups including, but not limited to, the Tennessee Conservation League;

(J) One (1) shall be a small generator of air pollution who may be appointed from lists of qualified persons submitted by interested automotive groups including, but not limited to, the Tennessee Automotive Association; and

(K) One (1) may be appointed from lists of qualified persons submitted by interested environmental groups including, but not limited to, the Tennessee Environmental Council.

SECTION 4. Tennessee Code Annotated, Section 68-201-104, is further amended by adding the following new language immediately preceding subdivision (b)(2) and by redesignating the subsequent subdivision accordingly:

(b)(2) The governor shall consult with interested groups including, but not limited to, the organizations listed in subdivision (b)(1) to determine qualified persons to fill positions on the board.

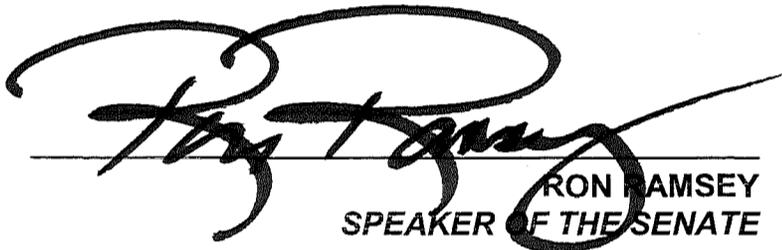
SECTION 5. Tennessee Code Annotated, Section 68-201-105, is amended by adding the following new language, to be designated as subsection (e):

(e) The board shall adopt and implement rules and regulations to create a conflict of interest policy for board members. The policy shall mandate annual written disclosures of financial interests, other possible conflicts of interest, and an acknowledgement by board members that they have read and understand all aspects of the policy. The policy shall also require persons who are to be appointed to the board to acknowledge, as a condition of appointment, that they are not in conflict with the conditions of the policy.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 2341

PASSED: April 2, 2012

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 19<sup>th</sup> day of April 2012

  
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BILL HASLAM, GOVERNOR