



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



4

226 Capitol Boulevard Bldg., Suite 508
Nashville, Tennessee 37243-0760
Phone: (615) 741-3012
Fax: (615) 532-2443
www.tn.gov/tacir

MEMORANDUM

TO: Commission Members

FROM:  Lynnisse Roehrich-Patrick
Executive Director

DATE: 19 June 2013

SUBJECT: Major Achievements, Fiscal Year 2012-13

The attached list of the Commission's major achievements for fiscal year 2012-13 is provided for your information. It will be incorporated into the Commission's next biennial report, which will be submitted for approval next year.

Major Achievements in Fiscal Year 2012-13

Responded to Studies Referred by the General Assembly:

- Completed the study on House Bill 472, which would have required the state election coordinator to study the feasibility of permitting registered voters who reside outside the precinct listed as their permanent residence at the time of an election to vote in statewide elections only.
 - The report concluded that current law already provides voters who temporarily reside outside their counties several options for casting their ballots. Voting at a place of temporary residence may not be feasible now but likely will be in the future; further study may be warranted as the technology required to safeguard a system that would allow out-of-county voting becomes less expensive and more feasible.
 - A copy of the final report was sent to the House State and Local Government Committee.
- Completed a report on dealing with blighted properties in Tennessee's communities.
 - The report concluded that there are a number of laws already on the books in Tennessee that seem to be adequate in dealing with blight. The difficulty that most communities have is finding the resources to use these laws successfully. Four laws, the Neighborhood Preservation Act, the Residential Rental Inspection law, the Vacant Properties Acquisition Act, and the Local Enterprise Zones law, apply in only certain communities. It may be advantageous to make these laws applicable statewide.
 - A copy of the final report was sent to the Senate and to the House State and Local Government Committee.
- Completed a report on eminent domain in Tennessee.
 - The report made several recommendations including that property owners should not have the power to force local governments into binding arbitration to resolve disputes over the price to be paid for condemned property, and that mediation should always be considered before arbitration. It also recommends removing language from the law that allows local governing bodies to delegate the authority to approve redevelopment plans to housing authorities, ensuring that such agencies could not approve the plans themselves and use them as a basis for condemnation without the oversight of the local governing body. The report notes that many stakeholders interviewed supported the idea of giving property owners a right of first refusal in all condemnation cases. It recommends adoption of the Tennessee Department of Transportation's right of first refusal model, including limiting the right of first refusal to ten years from the date of

condemnation, limiting it to the former property owner only, and setting the price based on appraisals of fair market value. The report also suggests that efforts should be made to better inform property owners about their eminent domain rights.

- A copy of the final report was sent to the Senate Finance Ways and Means Committee, the House State Government Subcommittee, and the House Local Government Subcommittee.
- Completed a report on Tennessee Valley Authority payments in lieu of taxes and the effect of the Electric Generation and Transmission Cooperative Act of 2009 as amended in 2010.
 - The 2013 report concluded that the Commission sees no immediate need for further legislative changes; however, future concerns are noted.
 - A copy of the final report was sent to the Chairs of the Senate Finance, Ways and Means Committee; Senate Commerce, Labor and Agriculture Committee; House Finance, Ways and Means Committee; and House Commerce Committee.

Published eight reports, briefs, or web publications:

- 📖 *Building Tennessee's Tomorrow: Anticipating the State's Infrastructure Needs*—Commission Report, August 2012
- 📖 *Increasing Voter Access: Exploring Options*—Staff Report, September 2012
- 📖 *Intergovernmental Challenges and Achievements*—Biennial Report Fiscal Years 2010-11 and 2011-12, September 2012
- 📖 *Dealing with Blight: Strategies for Tennessee's Communities*—Commission Report, November 2012
- 📖 *Eminent Domain in Tennessee*—Commission Report, February 2013
- 📖 *Charting a Course to Tennessee's Future*—Staff Report, February 2013
- 📖 *Tennessee Valley Authority's Payments in Lieu of Taxes: Annual Report to the Tennessee General Assembly*—Commission Report, February 2013
- 📖 *The Impact of the Recession on Employment in the US and Tennessee: A Long Road Back to Normal*—Web Publication, April 2013

Provided the following presentations:

"Facts, Fear, and the Future" at the Tennessee County Services Association Annual Conference (October 2012)

The Role of the Tennessee Advisory Commission on Intergovernmental Relations to the House Local Government Committee (February 2013)

Responded to Requests for Information:

- Responded to requests for information and assistance from members of the General Assembly and legislative committees.
- Responded to requests for information and assistance from local government officials, state agencies, lobbyists, the public, and the media.

Administered 12 contracts:

- Nine development districts—support the public infrastructure needs inventory
- Tennessee Department of Finance and Administration—shared administrative support services
- Middle Tennessee State University—economic indicators website
- Tennessee State University—sustainable competitiveness for Tennessee’s counties

Achievements by Policy Area

Fiscal and Tax Policy Research:

- Continued to monitor and published a report on the Tennessee Valley Authority's payments in lieu of taxes and the effect of the Electric Generation and Transmission Cooperative Act of 2009 as amended in 2010 (Public Chapter 1035, Acts of 2010).
- Completed a web publication on the effect of the recession on employment in the United States and Tennessee.

Education Finance:

- Completed the fiscal year 2013-14 fiscal capacity model.

Land Use, Transportation, and Growth Policy

- Continued to monitor the implementation of Public Chapter 1101, Acts of 1998 Tennessee's growth policy law.
- Completed a report to the legislature on eminent domain in Tennessee.
- Continued study by University of Memphis on relationship between school-siting and land-use planning.
- Completed a report to the legislature on dealing with blighted communities in Tennessee.
- Drafted a report to the legislature on land use issues in Tennessee.

Infrastructure:

- Continued annual Public Infrastructure Needs Inventory. Collected information from 136 school systems, 95 counties, 347 municipalities, and 255 other entities.
- Completed annual report to the legislature on Tennessee's public infrastructure needs.

Other Research:

- Completed biennial report for fiscal years 2010-11 and 2011-12.
- Completed a web publication on the effect of property value declines on future reappraisals and taxable assessments.
- Continued study of government transparency for a report to the legislature.

- Completed a report to the legislature of House Bill 472 [Senate Bill 1872] on increasing voter access.
- Continued study on fire service funding.
- Monitored intergovernmental tax, fiscal, and education legislation.

Using Technology for Public Information

- Implemented an interface to display the Public Infrastructure Needs Inventory data on the University of Tennessee's State Data Explorer website (<http://ctasgis02.psur.utk.edu/credapopulation/>).
- Disseminated most reports electronically and maintained detailed focus sections on continuing research (<http://www.tn.gov/tacir/pubs.html>).
- Updated the major public information enhancement, *Tracking Tennessee's Economic Recovery*, (<http://capone.mtsu.edu/berc/tacir/tacir.html>) in partnership with Middle Tennessee State University.
- Updated the agency's Facebook page notifying the public of new reports, elaborating on topics of interest, and pointing out relevant research by other organizations (<https://www.facebook.com/TN.ACIR>).
- Increased functionality of the agency's website (<http://www.tn.gov/tacir>).