



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard *Cliff*
Executive Director

DATE: 15 June 2022

SUBJECT: Work Program Amendment and New Research Plans

The amendments to the Commission's work program listed below will add studies directed by legislation passed or referred by the 112th General Assembly and requests by members of the Commission. Research plans for each study are attached and, for those requested or referred by the General Assembly, 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 (PINI). Approved at your January 2021 meeting. We are simultaneously gathering and checking survey data for next year's report. Additionally, so staff can respond to legislatively requested projects, work has been postponed on the PINI special staff project, which is focused on the effects of social disruptions and economic downturns from the global pandemic on public infrastructure needs.

TVA PILOT Annual Report. The 2022 update was approved at your January 2022 meeting. We will present the annual update for your approval at the January 2023 meeting to meet the legislature's reporting deadline of February 28, 2023.

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, 2023.

Public Chapter 497, Acts of 2021. This Act directs the Commission to study the effects of non-fish-and-game related recreational activities—such as paddle boarding,

canoeing, kayaking, and tubing—on Tennessee’s waterways and strategies to fund, manage and protect water and land resources affected by these activities. We will present the draft report for your review and comment at the summer 2022 meeting and the final report at our fall 2022 meeting.

Public Chapter 503, Acts of 2021. This Act directs the Commission to conduct a comprehensive evaluation on the socioeconomic effect childhood obesity has in Tennessee and its short- and long-term effects. We will present the draft report for your review and comment at the summer 2022 meeting and the final report at our fall 2022 meeting.

Rights-of-Way. Speaker of the Senate Randy McNally and Speaker of the House Cameron Sexton requested the Commission study Senate Bill 1604 by Bailey and House Bill 366 by Williams related to right-of-way. The bill would require local governments to pay property owners if they take possession of rights-of-way. The final report will be presented at this meeting for Commission approval.

Electric Vehicles. Commission members, at their January 7, 2021 meeting, directed staff to study electric vehicles and other issues affecting road and highway funding. We will present the draft report for your review and comment at the summer 2022 meeting and the final report at our fall 2022 meeting.

Post-Award Grants. Chairman Yager requested, and the Commission approved, a review of the post-award and implementation process for state grants to local governments, including whether any changes are warranted to streamline those processes so grants may be more effectively utilized. We will present the draft report for your review and comment at the summer 2022 meeting and the final report at our fall 2022 meeting.

Litter. Vice Chairman Brooks requested, and the Commission approved, a comprehensive study of litter in Tennessee at the June 2021 commission meeting. The Commission determined that the study would not focus on policies that impose deposits on bottles or bans on plastic bags, which have been adopted in other states. An update of the research will be presented at this meeting; a draft for Commission review and comment at the fall 2022 meeting; and a final report at the winter 2022 meeting.

Personal Property Tax. Senator Lundberg requested, and the Commission approved, a study of Tennessee’s personal property tax at the January 2022 commission meeting, including a specific list of questions to be addressed. We will present the draft report for your review and comment at the summer 2022 meeting and the final report at our fall 2022 meeting.

Five amendments are submitted for your consideration

The first amendment would add two studies requested in bills passed by both chambers of the General Assembly. The second, third, and fourth would each add studies requested in bills that passed the Senate but were either referred for summer study or taken off notice in the House. The fifth amendment would add a study of a bill that was referred by the House Criminal Justice Subcommittee. That bill was not calendared in the Senate.

Amendment One:

Adds a study combining two separate but related pieces of legislation, Public Chapters 1114 and 1124, Acts of 2022. Both relate to a passenger rail service linking the major cities in each of the grand divisions of the state:

- Public Chapter 1114, Acts of 2022, directs the Commission to study the potential for passenger rail service linking the major cities in each of the grand divisions of the state.

Due Date: July 1, 2023.

- Public Chapter 1124, Acts of 2022, directs the Commission survey projects initiated over the past ten (10) years involving the initiation of new state-sponsored Amtrak intercity passenger rail as part of a study of the feasibility, cost, and infrastructure of expanding passenger rail service

Due Date: No date specified.

The study and report are to address several questions, which are included in the research plan with Tab 5A of the docket book

Adds a study required by Public Chapter 1043, Acts of 2022, related to the overall effects of utility-scale solar energy development in Tennessee.

- Directs the Commission to perform a study of the overall effects of utility-scale solar energy development in this state. The study must focus on several issues outlined in the research plan, which is located with Tab 5B of the docket book.

Due Date: September 30, 2023.

Amendment Two:

Adds a study directed by Senate Bill 2330 by Hensley and House Bill 2456 by Sparks related to the effects of health insurance prices when reference-based pricing is used.

This bill passed the Senate but was referred to summer study by the House Finance, Ways & Means Subcommittee.

Due Date: January 31, 2023

Amendment Three:

Adds a study requested by Senate Bill 2827 by Hensley and House Bill 2729 by Ogles related to the routing and storage of emergency communications on colleges and universities in the state. This bill passed the Senate but was referred to summer study by the House Finance, Ways & Means Subcommittee.

- Requests the Commission to evaluate:
 - the ability of the institution to store data and recordings relating to emergency communications and the ability to store and retrieve complaints of criminal activity alleged to have occurred on campus; and
 - best policies and procedures, and consistency of messaging in this state, with respect to improving the ability of colleges and universities to store data and recordings relating to emergency communications.

Due Date: No due date specified.

Amendment Four:

Adds a study requested by Senate Bill 2262 by Briggs and House Bill 2419 by Mannis related to restaurants licensed or permitted or both, under title 57, chapter 4 or 5. This bill passed the Senate but was taken off notice in the House.

- Directs the Commission to review:
 - liquor-by-the-drink and similar taxes and for on-premise consumption of alcoholic beverages and beer;
 - licensing, permitting, and other fees under title 57, chapters 4 and 5 for the restaurant industry;
 - staffing challenges with respect to server permits, wages, and applicable training necessary to operate such restaurants; and
 - other barriers to entry for such restaurants that may be minimized or mitigated, as identified by TACIR in conducting the study.

Due Date: January 1, 2024.

Amendment Five:

Adds a study requested by House Bill 1892 by Haston related to earmarking driving under the influence fines collected in Perry County for use by the county-operated ambulance service. This bill was referred by the House Criminal Justice Subcommittee but its companion bill, Senate Bill 1964 by Jackson, was not calendared in the Senate.

Due Date: No due date specified.