

Tennessee Legislative Skills Briefing

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TENNESSEE LEGISLATIVE PROCESS: Basic Background Information

You do not have to be an expert on the legislative process to be a part of that process. And you won't be an expert after reading these reflections. But these facts and observations may help you become an effective part of the legislative process. This process could benefit greatly from the active participation of citizens and groups working for the common good.

The Tennessee Legislature: Some facts you should know

Tennessee's state legislature is known as the General Assembly. It can add, repeal or modify (amend) our existing laws. Together with the executive and judicial branch, the legislative branch is our state government.

The General Assembly consists of the Senate and the House of Representatives.

The Senate has 33 members who serve 4-year terms. The terms are staggered with half of the seats being up for election every two years. This year odd numbered seats are up for election. The Senate elects the Lieutenant Governor. The Lieutenant Governor appoints committees and committee officers.

The House has 99 members who serve 2-year terms. Each House member's seat is on the ballot every two years. The House elects the Speaker. The Speaker appoints committees and committee officers.

The legislature meets annually from mid-January to May or June (normally), depending on circumstances of politics and agendas. Legislators are part time with limited staff.

Senate and House districts are population-based. Redistricting occurs after each federal census.

Legislators have two primary roles, leading and representing. One can argue that these roles are often in conflict.

Committees

Persons learning about the legislative process are often surprised to learn how crucial committees are. The main reason is that no bill can progress to the next committee or to the whole body (the floor) until it is recommended by the committee(s) to which it is assigned. With rare exceptions, a bill must get a majority of the committee members' votes or it is dead or stalled. **Committee votes control; they don't just advise!** The implications are staggering.

The Speaker, based upon a bill's subject matter, assigns each bill to a standing committee. Sometimes a "caption bill" is not assigned but held by the speaker for later assignment. A "caption bill" is a place holder bill dropped in to beat the bill-filing deadline in case the sponsor or group asking the sponsor for the bill needs to develop a bill in response to later developments.

In the House, committee chairs similarly assign bills to subcommittees. The Senate has traditionally not had many subcommittees of substantive importance, although that is changing a little.

Fiscal impact bills sometimes go to a substantive standing committee and then to the Finance Committee. Sometimes, such as when the main topic is taxes or fiscal policy, they just go to Finance.

In the House, the Calendar & Rules committee must approve and schedule for floor action each bill after it emerges from other required committees with a positive action. This committee occasionally holds or kills bills it doesn't like on the merits.

At each of the above-described committees and subcommittees, the bill sponsor appears to speak for and explain the implications of the bill. **Most of the actual discussion and amendment of bills takes places in these committees, not on the House and Senate floor.** At the request of a committee member a non-legislator may be asked to address the committee on the bill.

These committee meetings are open for the public to attend, but are not exactly public hearings in that non-legislators do NOT have the "right" to speak. In fact legislators not on the committee don't usually get to speak. Citizens and lobbyists are not given the opportunity to speak unless the sponsor or a committee member requests. Normally, this is worked out beforehand with the committee chair.

Implications of the system for citizen lobbyists and volunteers

Groups seeking to pass or defeat legislation may feel overwhelmed by the task of convincing the whole state legislature of their position. While it is not easy to pass a bill, especially one that means something and is therefore likely to have opposition, it is not impossible. Remember these concrete steps and opportunities:

- *find an interested sponsor willing to work for the bill
 - *provide the sponsor with good information and fact sheets
 - *be at committee meetings to speak as a resource if asked
- (and arrange to be asked beforehand if you and the sponsor think it advisable)
- *focus advocacy on the committee, not the whole body
- (until the bill gets past committee (s), then broaden the targets)

Stopping a bill is easier. A bill has to pass subcommittees, committees and both the House and Senate as a whole. The steps listed above are important in defeating bills as well. But the burden of passing a bill is on supporters, not opponents.

Tennessee Legislators, post 2008 election

There are 18 new legislators in the Tennessee General Assembly this year. But the change is more profound than this 13% change would indicate. The 2008 election in Tennessee resulted in a

partisan upheaval that has changed the make-up and political climate of the TN legislature in major ways. There are now 19 Republicans and 14 Democrats in the Senate and the leadership and agenda of that body is firmly in the hands of Republicans. All of the Senate committees are now chaired by Republicans. Republicans have also taken control of the House and hold a 50 to 49 member majority. The House speaker's position was surprisingly filled by Rep. Kent Williams, a moderate east Tennessee Republican who received unanimous Democratic support. He appointed House members of both parties to lead committees. There is a considerable amount of uncertainty about what his election means. Senator Ramsey was re-elected Lt. Governor by the Senate. Majorities of each committee will also be Republican. This legislature is the first one since 1869 that both Houses have been majority Republican.

A major result of this party shift is that the state's 3 constitutional officers were replaced. The Secretary of State, the Treasurer and the Comptroller of the Treasury are elected by a joint session of the House and Senate. The incumbents were Democrats. The new officers are Republicans.

For More Information

For good free information see www.legislature.state.tn.us for the increasingly useful state legislative web page. Included are brief legislative bios and photos, legislative calendars, bill search capacity by bill number and subject matter, and lots of other good stuff.

Another critically important reference is Willy Wirehand, the unofficial title of the legislative photo/contact info book published by the Tennessee Electric Cooperative Association. Can be bought from TECA. It is updated yearly and no professional or volunteer lobbyist goes to the legislative plaza without one. Call 615.367.9284 for ordering information.

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