

TACIR Work Program Calendar Year 2015

This work program includes mandated and other projects carried forward from the amended calendar year 2014 work program. The staff will prepare an amendment to this work program at the end of the 2015 meeting of the 109th General Assembly adding any new requests referred to the Commission by the legislature.

108th General Assembly Requests: 2014

MUNICIPAL BOUNDARY CHANGES AND COMPREHENSIVE GROWTH PLANS (PUBLIC CHAPTER 707, ACTS OF 2014)

STATUS: Draft report presented for review and comment November 2014. Final report to be presented for Commission approval January 2015.

Annexation by Referendum

- Public Chapter 707: Eliminated cities' authority to annex by ordinance and extended the Commission's comprehensive review of municipal boundary changes and comprehensive growth plans initiated under Public Chapter 441.

Signed by the Governor on April 15, 2014.

Due Date: February 15, 2015.

Plan of Services

- Senate Bill 1054 (Kelsey)/House Bill 1263 (Carr, D.): Sections 5 and 6 of the original bill were deleted from the amended version of the bill, which became Public Chapter 462, Acts of 2013. The sections removed would have added some requirements for the plan of services including standards for delivering the services and information on the financial ability of the city. These bill sections were not referred to the Commission but are related to the annexation issues the Commission is studying.

Due Date: None specified.

ALTERATION OF SCHOOL BOARD ADMINISTRATIVE BUDGET PROPOSALS

STATUS: Draft report presented for review and comment November 2014. Final report to be presented for Commission approval January 2015.

- Senate Bill 1935 by Johnson (House Bill 2250 by Casada). The bill would have granted local legislative bodies the power to alter or revise school board administrative budget proposals when administrative spending exceeds 10% of the total proposed budget. Debt service requirements and other expenditures required by law would be excluded from the calculation of the 10% threshold.

Referred by the Senate State and Local Government Committee. It was recommended by the House Local Government Committee and placed on the House Education Committee calendar, but no further action was taken.

Due Date: The second committee meeting of the 2015 legislative session.

TAXATION OF PROPERTY TAX CREDITS FOR AFFORDABLE HOUSING

STATUS: Draft report presented for review and comment November 2014. Final report to be presented for Commission approval January 2015.

- House Bill 1390 by Faison and Senate Bill 1671 by Southerland. The bill would have prohibited local property assessors from considering the value of the federal Low Income Housing Tax Credit (LIHTC) when determining a property's assessed/appraised value.

Referred for summer study by the House Finance, Ways and Means Subcommittee and by the Senate Finance, Ways and Means Committee.

Due Date: 2015 session of the 109th General Assembly.

HOMEOWNERS ASSOCIATIONS

STATUS: Draft report presented for review and comment November 2014. Final report to be presented for Commission approval January 2015.

- House Bill 2070 by Farmer (Senate Bill 2110 by Bowling). The bill would have required sellers to disclose whether their property is located in a planned unit development (PUD) and, if so, whether the PUD is complete.

Referred by the House Local Government Subcommittee. It was recommended by the Senate State & Local Government Committee as amended and placed on the Senate Regular Calendar, but no action was taken.

Due Date: None specified.

- House Resolution 0170 (Moore): Directed TACIR to study homeowners associations' rules and regulations and the responsibility of homeowners associations to insure their obligations.

Resolution passed by House of Representatives of the 107th General Assembly. Study incorporated into report on House Bill 2070.

CIVIL CAUSES OF ACTION FOR INVASIONS OF PRIVACY

STATUS: Draft report presented for review and comment November 2014. Final report to be presented for Commission approval January 2015.

- House Bill 1855 by Ryan Williams (Senate Bill 1840 by Norris). The bill would have created a new cause of action for capturing or attempting to capture an image or recording through the use of a visual or auditory enhancing device. It would also have strengthened existing law in certain cases by creating harsher penalties for physically trespassing with the intent to capture an image or recording; assaulting or falsely imprisoning someone for the purpose of capturing

an image, recording, or physical impression of the plaintiff; and directing or inducing another person to do one of the above, including the new cause of action.

- Referred by the House Civil Justice Committee. The bill was assigned to the General Subcommittee by the Senate Judiciary Committee.

Due Date: January 2015.

UNINSURED MOTORIST IDENTIFICATION

STATUS: Draft report presented for review and comment November 2014. Final report to be presented for Commission approval January 2015.

- House Bill 2457 by Lundberg (Senate Bill 2517 by Ketron). The bill would have created the Uninsured Motorist Identification Database Program, administered by the Department of Revenue with the assistance the cooperation of the departments of safety and commerce and insurance, and maintained by a contractor. The Department of Safety would use the database to enforce compliance with the state's Financial Responsibility Law, which requires drivers to have insurance or other coverage (including a cash deposit or bond held by the Department of Safety).

Referred for summer study by the House Transportation Subcommittee. The Senate Commerce and Labor Committee created a separate summer study committee for the companion bill.

Due Date: 2015 session of the 109th General Assembly.

ABUSIVE CONDUCT IN THE WORKPLACE

STATUS: Draft policy presented for review and comment November 2014. Final policy to be presented for Commission approval January 2015.

- The Healthy Workplace Act, Public Chapter 997, Acts of 2014, requires the Commission to consult with the Department of Human Resources and municipal and county organizations including but not limited to the Tennessee Municipal League, the Tennessee County Services Association, the Municipal Technical Advisory Service, and the County Technical Assistance Service to create a model policy for employers to prevent abusive conduct in the workplace. The policy would help employers recognize and respond to abusive conduct in the workplace and prevent retaliation against any employee who has reported such conduct. If a state agency or local government adopts the model policy or one that conforms to the requirements set out in §50-1-503(b), then the employer is immune from suit for any employee's abusive conduct that results in negligent or intentional infliction of mental anguish.

Due Date: March 1, 2015.

FUNDING FOR EMERGENCY-911 SERVICES

STATUS: Draft report to be presented for review and comment no later than January 2017.

- Public Chapter 795, Acts of 2014, replaces the current two-tier funding system characterized by different 911 surcharge rates for wireline phones to fund local emergency communications districts (ECD) and wireless phones to fund the Tennessee Emergency Communications Board (TECB) and its support to local ECDs with a flat-rate surcharge of \$1.16, effective January 1, 2015. The surcharge will apply to wireline, wireless, and prepaid wireless services. Emergency communications districts will receive a distribution based on the amounts they received from the TECB and from direct remittances for fiscal years 2010, 2011, and 2012. ECDs that had a local surcharge in effect as of July 1, 2011, that was less than the maximum allowed can apply to the TECB for an increase in their base amount. The TECB will also distribute a minimum of fifty percent (50%) of any revenue collected in excess of its annual fiscal requirements to the emergency communications districts in accordance with policies adopted by the board.

Due Date: The Act requires the Commission to study funding, functionality, and other effects of the changes and report conclusions to the Joint Committee on Government Operations on or before September 15, 2017.

Recurring Mandates

- Commission Meetings
Conduct four commission meetings as required by T.C.A. § 4-10-105 and any other meetings of the commission or its committees, as necessary.
- Education Fiscal Capacity
Study the fiscal capacity of local governments to fund education; produce the fiscal year 2015-16 fiscal capacity model, as required by T.C.A. § 49-3-356.
- Public Infrastructure Needs Inventory
As required by T.C.A. § 4-10-109, compile and maintain an inventory of needed infrastructure within the state; present inventory of statewide public infrastructure needs and cost for provision of adequate and essential public infrastructure to the General Assembly at its next regular annual session following completion of the inventory each year.
- Public Chapter 1101, Acts of 1998
Monitor implementation of Tennessee's Growth Policy Act and periodically report findings and recommendations to the General Assembly, as required by T.C.A. § 6-58-113.
- Electric Generation and Transmission Cooperatives
As required by T.C.A. § 4-10-112, monitor whether the current wholesale power supply arrangements between the TVA and municipal utilities and electric cooperatives are likely to change in a way that could affect PILOTs from the TVA to the state and to its local governments and report annually to the commerce and labor committee of the senate, the business and utilities committee of the house of representatives, the finance, ways and means committee of the senate, and the finance, ways and means committee of the house of representatives.

- Basic Education Program Review Committee (BEPRC)
Serve on the State Board of Education's BEPRC, as required by T.C.A. § 49-1-302.
- Strategic Planning and Performance Based Budgeting
Maintain strategic plan and report performance in compliance with state requirements as required by T.C.A. § 9-4-5606.

Research Support

Provide research support based on TACIR initiative and requests from the General Assembly, the Executive Branch, and local government.

Note: It is difficult to anticipate the amount of research support that will be requested in any given year. TACIR normally receives numerous such requests each year, primarily from the General Assembly and other state agencies. Many of these requests require relatively little staff work, though some require extensive effort.

Inter-Agency Coordination

- Serve on the Tennessee Department of Environment and Conservation's Water Resources Technical Advisory Committee.
- Participate with the development districts in a workshop to provide training at the Tennessee Development District Association's annual conference.
- Work with representatives from other agencies assigned to the BEPRC, providing input, feedback, and research support as needed.

Research

- Weekly Economic Updates
Continue to provide Dr. Kyle's weekly economic summaries and analyses to Commission members.
- Tracking Tennessee's Economy
Continue the partnership with Middle Tennessee State University's Business and Economic Research Center to provide a web site featuring key economic indicators for the state and its metropolitan statistical areas.
- Sustainable Competitiveness for Tennessee's Counties
Complete collaboration with Tennessee State University studying strategies supporting local economic development and quality of life.
- Fiscal Federalism
Continue research on potential impacts of federal fiscal policies on state and local governments.

- **Local Government Fiscal Challenges**
Study the fiscal challenges facing local governments in a recovering economy.
- **Rural Interstate Highway Congestion**
Complete analysis of strategies for addressing congestion on rural, intercity interstate highways.
- **County Profiles**
Continue to expand analysis of county profiles to better understand the policy implications of local fiscal and economic conditions across the state.
- **Education Finance Equity**
Update analysis of education finance equity in Tennessee.
- **Rurality**
Analyze existing measurements of rurality and develop comprehensive rurality measurement for Tennessee.
- **County Status Indexes**
Update Fast Fact series on local economic activity, personal and family economic well-being, and human capital indexes for Tennessee counties; develop companion index measuring quality of life.
- **Financing Water Infrastructure**
Study existing and potential alternatives for financing needed improvements to state and local water infrastructure.

Technology

- Expand use of GIS in TACIR analyses.
- Provide web-based public access to tables and data from the Public Infrastructure Needs Inventory.
- Maintain a database of consolidated reference data to support research and analysis.

Administrative

- Effectively manage budget.
- Efficiently manage all contracts.
- Efficiently manage procurement process, ensuring fiscal responsibility as well as adequate oversight and controls.

Professional Development

- Effectively utilize staff training opportunities.
- Attend Tennessee Municipal League and Tennessee County Services Association conferences and staff booths promoting TACIR's research.