# TCV Calendar Week of 3.27.2017

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| Mon 3/27/17 2:30pm - LP 12, Senate Energy, Agriculture & Natural Resources Committee | | |
| Final Calendar. The committee may also convene on Wednesday, March 29 to finish the calendar. MEMBERS: CHAIR S. Southerland (R); VICE CHAIR F. Niceley (R); M. Bell (R); S. Dickerson (R); M. Green (R); D. Gresham (R); L. Harris (D); K. Yager (R); B. Massey (R) | | |
| 6. | [SB466](https://tls.mleesmith.com/2017-2018/pdf/SB0466.pdf)  Bell M. | [**Boundaries on the Duck River.**](https://tls.mleesmith.com/2017-2018/pdf/SB0466.pdf) Caption for Ocoee. ***Amendment Summary:*** House Agriculture & Natural Resources Subcommittee Amendment 1 (005574) rewrites the bill by creating a new chapter under Title 11 called the "Ocoee River Recreation and Economic Development Fund Act." The Ocoee River recreation and economic development fund is established as a special agency account in the state general fund. All revenue collected from the Ocoee River recreation fee shall be deposited into the development fund. The Ocoee River recreation and economic development fund board shall be established, consisting of 11 specifically-chosen, voting members. The members shall serve four-year renewable terms and shall receive no compensation for their board service. Any county that occurs costs for the management of the Ocoee River management zone shall submit a financial statement and justification for costs incurred to the board, and they shall be reimbursed. The commissioner is authorized to issue permits to commercial operations conducting business within the Ocoee River management zone and levy a recreation fee, which is 10% of the annual gross revenue generated by the commercial activities. The fee will be deposited into the development fund. ***Fiscal Note:*** (Dated January 23, 2017) NOT SIGNIFICANT  HB74 - D. Howell - 03/23/17 - Set for House Agriculture & Natural Resources Committee 03/28/17. |
| 13. | [SB818](https://tls.mleesmith.com/2017-2018/pdf/SB0818.pdf)  Southerland S. | [**Report on implementation of a secure web portal for the submittal of online permit applications.**](https://tls.mleesmith.com/2017-2018/pdf/SB0818.pdf) Expected to be negative caption bill. ***Fiscal Note:*** (Dated February 11, 2017) NOT SIGNIFICANT  HB1014 - D. Hawk - 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17. |
| 17. | [SB899](https://tls.mleesmith.com/2017-2018/pdf/SB0899.pdf)  Bell M. | [**Scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977.**](https://tls.mleesmith.com/2017-2018/pdf/SB0899.pdf) Increases the time within which an administrative judge must hold a scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977 from 30 days to 35 days. ***Amendment Summary:*** House Agriculture & Natural Resources Subcommittee Amendment 1 (004469) rewrites the bill. Related to concentrated animal feeding, the part related to the department adopting a more stringent definition of "concentrated animal feeding" per permit requirements and regulations adopted by the board in accordance with the Uniform Administrative Procedures Act. Also deletes "The construction, installation or operation of a concentrated animal feeding operation" in TCA 69-3-108(b)(7) and replaces it with "The actual discharge of a pollutant from a concentrated animal feeding operation." ***Fiscal Note:*** (Dated February 11, 2017) NOT SIGNIFICANT  HB1017 - D. Hawk - 03/23/17 - Set for House Agriculture & Natural Resources Committee 03/28/17. |
| 18. | [SB1336](https://tls.mleesmith.com/2017-2018/pdf/SB1336.pdf)  Bailey P. | [**Wind farm sites.**](https://tls.mleesmith.com/2017-2018/pdf/SB1336.pdf) Urges the department of environment and conservation to study energy facility siting laws in other states that apply specifically to wind projects. Within ninety (90) days from the conclusion of any study, the department shall submit a written summary of those laws that require or allow a state to regulate wind energy facility siting to the agriculture and natural resources committee of the house of representatives and the energy, agriculture and natural resources committee of the senate. ***Fiscal Note:*** (Dated February 28, 2017) NOT SIGNIFICANT  HB1021 - C. Sexton - 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17. |
| 21. | [SB794](https://tls.mleesmith.com/2017-2018/pdf/SB0794.pdf)  Dickerson S. | [**Property Assessed Clean Energy Act.**](https://tls.mleesmith.com/2017-2018/pdf/SB0794.pdf) Authorizes local governments to impose assessments to repay the financing of qualified projects on real properties located in a region. Specifies that such assessments shall only occur after entering into a written contract with the record owner of the real property and providing notice to each lien holder. Specifies that the assessment may include costs of material in labor, fees associated with program application and administration, and third party fees such as the costs to the property owner. Establishes the procedures for the creation of a PACE program by a local government. (15pp). ***Fiscal Note:*** (Dated March 15, 2017) Increase Local Revenue – Exceeds $5,000/Permissive/Each PACE Project Increase Local Expenditures – Exceeds $5,000/Permissive/Each PACE Project  HB464 - R. Staples - 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17. |
| 23. | [SB686](https://tls.mleesmith.com/2017-2018/pdf/SB0686.pdf)  Yager K. | [**Enabling Tennessee to obtain primacy over the regulation of surface coal mining and reclamation within its territorial jurisdiction.**](https://tls.mleesmith.com/2017-2018/pdf/SB0686.pdf) Primacy. ***Amendment Summary:*** House Agriculture and Natural Resources Subcommittee Amendment 1 (004848) rewrites the bill. This amendment enacts the Primacy and Reclamation Act of Tennessee. This amendment implements multiple provisions related to coal mining including requiring the Department of Environment and Conservation (TDEC) to serve as the state regulatory authority for surface coal mining and reclamation operations, requiring TDEC to adopt rules by emergency rulemaking within 90 days of the effective date of the act, designating the Board of Water Quality, Oil and Gas as the Board of Natural Resources, requiring the addition of two members to the Board representing stakeholders in surface coal mining, while requiring the Board to promulgate rules consistent with federal law and regulations, requiring the state to seek primacy after bill is enacted and the Governor to seek any federal funding available, creating Class E Felony offenses for violations of certain provisions of this Act and declaring that this Act takes effect upon becoming a law for purposes of rulemaking, and eight months after the state is granted primacy over the regulation of surface coal mining and reclamation operations within its territorial boundaries for all other purposes. Authorizes the Commissioner of TDEC to expend money from the surface mining reclamation fund. Authorizes permittees to hear appeals who are or may be adversely affected by orders, determinations, rules, permit terms, or rulings of the Commissioner that in any way affect surface coal mining and reclamation operations in this state. Requires the acreage fee shall be paid annually as prescribed in rules promulgated by the board. Requires a coal mining permit to be $250 and a coal exploration permit to be $150. Defines “business day” as any day other than a Saturday, Sunday, or legal holiday. Requires permittees to establish and maintain appropriate records, make monthly reports to the commissioner, install, use, and maintain any necessary monitoring equipment or methods, evaluate results in accordance with the methods, locations, intervals, and manner that the board prescribes, and provide other information relative to surface coal mining and reclamation operations that the board deems reasonable and necessary under the board. ***Fiscal Note:*** (Dated March 19, 2017) Increase State Expenditures - $8,200/One-Time  HB571 - D. Powers - 03/23/17 - Set for House Agriculture & Natural Resources Committee 03/28/17. |
| Mon 3/27/17 4:00pm - Senate Chamber, Senate Floor | | |
| 23. | [SB1371](https://tls.mleesmith.com/2017-2018/pdf/SB1371.pdf)  Johnson J. | [**Decreases number of publications required of air quality regulations.**](https://tls.mleesmith.com/2017-2018/pdf/SB1371.pdf) Caption. ***Amendment Summary:*** Senate Amendment 1 (003638) rewrites this bill to make certain changes to present law concerning local air pollution control regulations. Present law authorizes local governments to adopt air pollution control regulations that are no less stringent than the state's air pollution control standards. Before a local air pollution control regulation takes effect, the local government must apply for and receive from the air pollution control board a certificate of exemption. Present law requires the board to grant the certificate of exemption if the board determines that the local government has enacted provisions for the control of air pollution not less stringent than state law and that such local regulations are being, or will be, adequately enforced. This amendment makes the granting of a certificate of exemption by the board permissive rather than mandatory and provides a list of factors for the board to consider when deciding whether to issue the certificate. This amendment also prohibits local governments from: (1) Including land use or zoning requirements in its air pollution control regulations or the local government's certificate of exemption; and (2) Requesting that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency. ***Fiscal Note:*** (Dated March 15, 2017) NOT SIGNIFICANT  HB1405 - K. Keisling - 03/23/17 - Set for House Agriculture & Natural Resources Subcommittee 03/29/17. |
| Tue 3/28/17 8:30am - LP 12, Senate Finance, Ways & Means Committee | | |
| MEMBERS: CHAIR B. Watson (R); VICE CHAIR J. Stevens (R); R. Tate (D); M. Norris (R); B. Ketron (R); J. Hensley (R); T. Harper (D); F. Haile (R); T. Gardenhire (R); S. Dickerson (R); D. Overbey (R) | | |
| 8. | [SB1221](https://tls.mleesmith.com/2017-2018/pdf/SB1221.pdf)  Norris M. | [**Returned revenue related to liquefied gas used.**](https://tls.mleesmith.com/2017-2018/pdf/SB1221.pdf) Changes to July 20 from July 25 the date by which a commercial user of a vehicle propelled by liquefied gas or compressed natural gas must submit the report of miles traveled and tax due for that year. Part of Administration Package. ***Amendment Summary:*** Improve Act. ***Fiscal Note:*** (Dated February 16, 2017) NOT SIGNIFICANT  HB534 - G. Casada - 03/23/17 - Set for House Local Government Committee 03/28/17. |
| Tue 3/28/17 9:00am - LP 31, House Local Government Committee | | |
| MEMBERS: CHAIR T. Wirgau (R); VICE CHAIR D. Howell (R); C. Sexton (R); J. Sexton (R); A. Parkinson (D); L. Miller (D); M. Gravitt (R); J. Eldridge (R); J. Crawford (R); B. Cooper (D); D. Carr (R); D. Alexander (R) | | |
| 1. | [HB534](https://tls.mleesmith.com/2017-2018/pdf/SB1221.pdf)  Casada G. | [**Returned revenue related to liquefied gas used.**](https://tls.mleesmith.com/2017-2018/pdf/SB1221.pdf) Changes to July 20 from July 25 the date by which a commercial user of a vehicle propelled by liquefied gas or compressed natural gas must submit the report of miles traveled and tax due for that year. Part of Administration Package. ***Amendment Summary:*** Improve Act. ***Fiscal Note:*** (Dated February 16, 2017) NOT SIGNIFICANT  SB1221 - M. Norris - 03/23/17 - Set for Senate Finance, Ways & Means Committee 03/28/17. |
| Tue 3/28/17 10:30am - LP 31, House Agriculture & Natural Resources Committee | | |
| MEMBERS: CHAIR C. Halford (R); VICE CHAIR A. Holt (R); J. Windle (D); R. Tillis (R); J. Shaw (D); J. Reedy (R); B. Mitchell (D); S. McDaniel (R); J. Matheny (R); P. Marsh (R); R. Lollar (R); B. Hulsey (R); D. Hawk (R) | | |
| 1. | [HB1017](https://tls.mleesmith.com/2017-2018/pdf/SB0899.pdf)  Hawk D. | [**Scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977.**](https://tls.mleesmith.com/2017-2018/pdf/SB0899.pdf) Increases the time within which an administrative judge must hold a scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977 from 30 days to 35 days. ***Amendment Summary:*** House Agriculture & Natural Resources Subcommittee Amendment 1 (004469) rewrites the bill. Related to concentrated animal feeding, the part related to the department adopting a more stringent definition of "concentrated animal feeding" per permit requirements and regulations adopted by the board in accordance with the Uniform Administrative Procedures Act. Also deletes "The construction, installation or operation of a concentrated animal feeding operation" in TCA 69-3-108(b)(7) and replaces it with "The actual discharge of a pollutant from a concentrated animal feeding operation." ***Fiscal Note:*** (Dated February 11, 2017) NOT SIGNIFICANT  SB899 - M. Bell - 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17. |
| 4. | [HB74](https://tls.mleesmith.com/2017-2018/pdf/SB0466.pdf)  Howell D. | [**Boundaries on the Duck River.**](https://tls.mleesmith.com/2017-2018/pdf/SB0466.pdf) Rewrites language that requires the department of environment and conservation to establish boundaries on the duck river, based upon the consent of the owner of any affected private lands. (Broadly Captioned) ***Amendment Summary:*** House Agriculture & Natural Resources Subcommittee Amendment 1 (005574) rewrites the bill by creating a new chapter under Title 11 called the "Ocoee River Recreation and Economic Development Fund Act." The Ocoee River recreation and economic development fund is established as a special agency account in the state general fund. All revenue collected from the Ocoee River recreation fee shall be deposited into the development fund. The Ocoee River recreation and economic development fund board shall be established, consisting of 11 specifically-chosen, voting members. The members shall serve four-year renewable terms and shall receive no compensation for their board service. Any county that occurs costs for the management of the Ocoee River management zone shall submit a financial statement and justification for costs incurred to the board, and they shall be reimbursed. The commissioner is authorized to issue permits to commercial operations conducting business within the Ocoee River management zone and levy a recreation fee, which is 10% of the annual gross revenue generated by the commercial activities. The fee will be deposited into the development fund. ***Fiscal Note:*** (Dated January 23, 2017) NOT SIGNIFICANT  SB466 - M. Bell - 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17. |
| 8. | [HB571](https://tls.mleesmith.com/2017-2018/pdf/SB0686.pdf)  Powers D. | [**Enabling Tennessee to obtain primacy over the regulation of surface coal mining and reclamation within its territorial jurisdiction.**](https://tls.mleesmith.com/2017-2018/pdf/SB0686.pdf) Primacy Act. ***Amendment Summary:*** House Agriculture and Natural Resources Subcommittee Amendment 1 (004848) rewrites the bill. This amendment enacts the Primacy and Reclamation Act of Tennessee. This amendment implements multiple provisions related to coal mining including requiring the Department of Environment and Conservation (TDEC) to serve as the state regulatory authority for surface coal mining and reclamation operations, requiring TDEC to adopt rules by emergency rulemaking within 90 days of the effective date of the act, designating the Board of Water Quality, Oil and Gas as the Board of Natural Resources, requiring the addition of two members to the Board representing stakeholders in surface coal mining, while requiring the Board to promulgate rules consistent with federal law and regulations, requiring the state to seek primacy after bill is enacted and the Governor to seek any federal funding available, creating Class E Felony offenses for violations of certain provisions of this Act and declaring that this Act takes effect upon becoming a law for purposes of rulemaking, and eight months after the state is granted primacy over the regulation of surface coal mining and reclamation operations within its territorial boundaries for all other purposes. Authorizes the Commissioner of TDEC to expend money from the surface mining reclamation fund. Authorizes permittees to hear appeals who are or may be adversely affected by orders, determinations, rules, permit terms, or rulings of the Commissioner that in any way affect surface coal mining and reclamation operations in this state. Requires the acreage fee shall be paid annually as prescribed in rules promulgated by the board. Requires a coal mining permit to be $250 and a coal exploration permit to be $150. Defines “business day” as any day other than a Saturday, Sunday, or legal holiday. Requires permittees to establish and maintain appropriate records, make monthly reports to the commissioner, install, use, and maintain any necessary monitoring equipment or methods, evaluate results in accordance with the methods, locations, intervals, and manner that the board prescribes, and provide other information relative to surface coal mining and reclamation operations that the board deems reasonable and necessary under the board. ***Fiscal Note:*** (Dated March 19, 2017) Increase State Expenditures - $8,200/One-Time  SB686 - K. Yager - 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17. |
| Tue 3/28/17 10:30am - LP 12, Senate State & Local Government Committee Regular Calendar | | |
| MEMBERS: CHAIR K. Yager (R); VICE CHAIR R. Briggs (R); P. Bailey (R); T. Gardenhire (R); J. Johnson (R); B. Ketron (R); M. Norris (R); J. Yarbro (D); E. Jackson (R) | | |
| 16. | [SB464](https://tls.mleesmith.com/2017-2018/pdf/SB0464.pdf)  Bell M. | [**Open records requests.**](https://tls.mleesmith.com/2017-2018/pdf/SB0464.pdf) Rewrites language to require a records custodian that requires a request for copies of public records to be in writing, to accept handwritten request, mail request, email request, and provide an electronic form request that shall be developed by the office of open records counsel, as expeditiously as possible. Also requires persons who wish to view or copy public records, to present a valid form of identification to a records custodian. ***Amendment Summary:*** House Amendment 1 (004892) deletes and replaces language of the bill such that the only substantive changes are: (1) to delete the ability of individuals to submit open records requests by all official modes of communication; (2) to authorize governmental entities to require a request for copies of public records to be submitted on a form developed by the agency to comply with the requirements pursuant to Tenn. Code Ann. § 10-7-503(c); and (3) to establish two circumstances when records custodians would be authorized to deny access to public records. ***Fiscal Note:*** (Dated February 11, 2017) NOT SIGNIFICANT  HB58 - C. Rogers - 03/20/17 - House passed with amendment 1 (004892). |
| Tue 3/28/17 1:30pm - LP 29, House Transportation Committee | | |
| MEMBERS: CHAIR B. Doss (R); VICE CHAIR C. Rogers (R); J. Zachary (R); J. Windle (D); S. Whitson (R); T. Weaver (R); J. Turner (D); R. Travis (R); E. Smith (R); J. Sexton (R); B. Sanderson (R); B. Mitchell (D); K. Keisling (R); T. Hill (R); B. Dunn (R); B. Cooper (D); D. Carr (R); D. Alexander (R) | | |
| 17. | [SJR59](https://tls.mleesmith.com/2017-2018/pdf/SJR0059.pdf)  Beavers M. | [**Federal transportation funding to the states.**](https://tls.mleesmith.com/2017-2018/pdf/SJR0059.pdf) Urges President Donald J. Trump and Congress to distribute federal transportation funding to the states by block grant. ***Fiscal Note:*** (Dated February 1, 2017) NOT SIGNIFICANT |
| Wed 3/29/17 10:30am - LP 31, House Agriculture & Natural Resources Subcommittee | | |
| Please note: By suspension of the rules on the House floor on March 23, 2017, HB1014, HB1405, HB700, HB702, HB362, HB1084, and HB1359 have been added to the calendar. MEMBERS: CHAIR R. Lollar (R); C. Halford (R); A. Holt (R); B. Mitchell (D); J. Reedy (R); J. Shaw (D); R. Tillis (R) | | |
| 5. | [HB464](https://tls.mleesmith.com/2017-2018/pdf/SB0794.pdf)  Staples R. | [**Property Assessed Clean Energy Act.**](https://tls.mleesmith.com/2017-2018/pdf/SB0794.pdf) Authorizes local governments to impose assessments to repay the financing of qualified projects on real properties located in a region. Specifies that such assessments shall only occur after entering into a written contract with the record owner of the real property and providing notice to each lien holder. Specifies that the assessment may include costs of material in labor, fees associated with program application and administration, and third party fees such as the costs to the property owner. Establishes the procedures for the creation of a PACE program by a local government. (15pp). ***Fiscal Note:*** (Dated March 15, 2017) Increase Local Revenue – Exceeds $5,000/Permissive/Each PACE Project Increase Local Expenditures – Exceeds $5,000/Permissive/Each PACE Project  SB794 - S. Dickerson - 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17. |
| 9. | [HB1021](https://tls.mleesmith.com/2017-2018/pdf/SB1336.pdf)  Sexton C. | [**Wind farm sites.**](https://tls.mleesmith.com/2017-2018/pdf/SB1336.pdf) Urges the department of environment and conservation to study energy facility siting laws in other states that apply specifically to wind projects. Within ninety (90) days from the conclusion of any study, the department shall submit a written summary of those laws that require or allow a state to regulate wind energy facility siting to the agriculture and natural resources committee of the house of representatives and the energy, agriculture and natural resources committee of the senate. ***Fiscal Note:*** (Dated February 28, 2017) NOT SIGNIFICANT  SB1336 - P. Bailey - 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17. |
| 16. | [HB1014](https://tls.mleesmith.com/2017-2018/pdf/SB0818.pdf)  Hawk D. | [**Report on implementation of a secure web portal for the submittal of online permit applications.**](https://tls.mleesmith.com/2017-2018/pdf/SB0818.pdf) Expected to be a negative caption bill. ***Fiscal Note:*** (Dated February 11, 2017) NOT SIGNIFICANT  SB818 - S. Southerland - 03/23/17 - Set for Senate Energy, Agriculture & Natural Resources Committee 03/27/17. |
| 17. | [HB1405](https://tls.mleesmith.com/2017-2018/pdf/SB1371.pdf)  Keisling K. | [**Decreases number of publications required of air quality regulations.**](https://tls.mleesmith.com/2017-2018/pdf/SB1371.pdf) Caption. ***Amendment Summary:*** Senate Amendment 1 (003638) rewrites this bill to make certain changes to present law concerning local air pollution control regulations. Present law authorizes local governments to adopt air pollution control regulations that are no less stringent than the state's air pollution control standards. Before a local air pollution control regulation takes effect, the local government must apply for and receive from the air pollution control board a certificate of exemption. Present law requires the board to grant the certificate of exemption if the board determines that the local government has enacted provisions for the control of air pollution not less stringent than state law and that such local regulations are being, or will be, adequately enforced. This amendment makes the granting of a certificate of exemption by the board permissive rather than mandatory and provides a list of factors for the board to consider when deciding whether to issue the certificate. This amendment also prohibits local governments from: (1) Including land use or zoning requirements in its air pollution control regulations or the local government's certificate of exemption; and (2) Requesting that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency. ***Fiscal Note:*** (Dated March 15, 2017) NOT SIGNIFICANT  SB1371 - J. Johnson - 03/24/17 - Set for Senate Floor 03/27/17. |
| 20. | [HB362](https://tls.mleesmith.com/2017-2018/pdf/SB0295.pdf)  Zachary J. | [**Permits issued by the department of environment and conservation.**](https://tls.mleesmith.com/2017-2018/pdf/SB0295.pdf) Prohibits the department of environment and conservation from issuing any permit that has not first been reviewed by the general assembly in the same manner as a rule under the Uniform Administrative Procedures Act.  SB295 - R. Briggs - 02/06/17 - Referred to Senate Energy, Agriculture & Natural Resources Committee. |