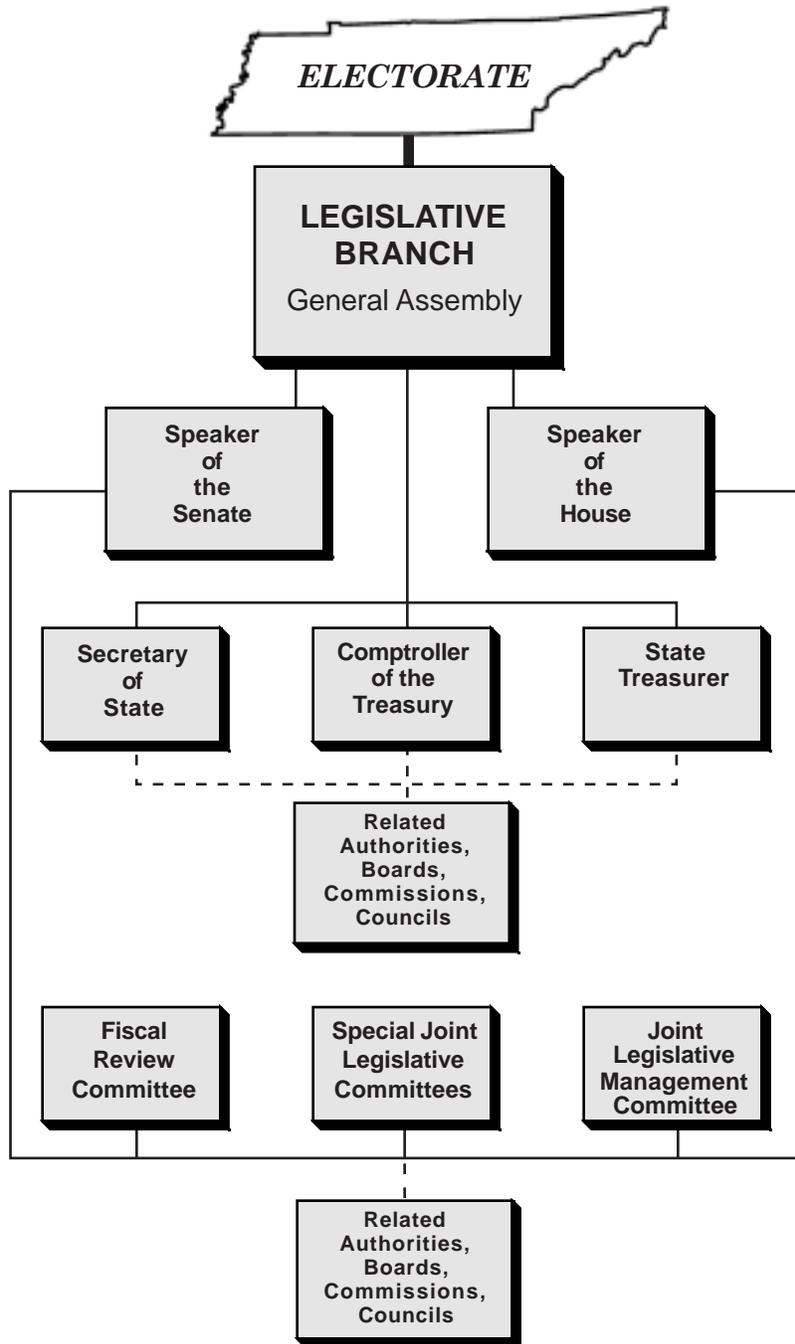


SECTION I



Legislative Branch



INTRODUCTION

Tennessee's legislative branch of government is dominated by a bicameral General Assembly consisting of both a Senate and House of Representatives. This structure has existed since the Assembly's first meeting in Knoxville in the winter of 1796, following which Tennessee became the 16th state in the Union. Members of the General Assembly, or Legislature, are elected by popular vote from communities all over the state. Legislators are part-time lawmakers who, coming from each district, know the problems and aspirations of the people of those districts.

The primary function of the General Assembly is lawmaking. The Legislature enacts laws, provides a forum for debate, and secures financing for the operation of state government. The Tennessee Constitution requires that the annual budget of state government be balanced—spending no more money than it takes in. Thus, the legislative and executive branches must work together to balance the budget. The General Assembly reviews and revises the governor's proposed budget and passes tax laws to provide needed revenue. The Constitution of the state specifies the size of the Assembly by mandating ninety-nine members for the House and providing that Senate membership not exceed one-third of the House membership. The Senate, therefore, has thirty-three members. Of the other forty-eight bicameral state assemblies (Nebraska is the only state with a unicameral legislature), representation may vary from between 20-67 senators and 40-400 representatives.

The General Assembly convenes in the State Capitol in Nashville on the second Tuesday in January of each odd-numbered year. The body may take up to fifteen consecutive calendar days to organize. During the organizational session, many preparations for the deliberative sessions are accomplished: the election of the officers of each house; the election of constitutional officers; naming of committee chairmen and committee membership by the speakers of the House and Senate; the election of the clerk, assistant clerk and engrossing clerk in the House and the appointment of persons for these positions in the Senate by the speaker of the Senate; and the inauguration of the governor, when appropriate.

The constitutional officers—so designated because their offices are specifically set out in the Tennessee Constitution—are the secretary of state, comptroller of the treasury, and the state treasurer. A joint convention of the House and Senate, meeting in the chamber of the House of Representatives, elects the secretary of state to a four-year term and the comptroller of the treasury and the state treasurer to two-year terms each.

Having organized, the General Assembly is required by the Constitution to begin its session the following Tuesday and is limited to ninety legislative days over a two-year period. Thus, after completing its legislative work in an odd-numbered year, the body is adjourned by the speaker to a specified date the following year. When work is completed in the second year of a General Assembly, it adjourns *sine die*. The assembly may be called into Extraordinary Session by the governor, or by the two speakers at the request of two-thirds of the members of each house. In such a session the Legislature may consider only such matters as have been predetermined and placed on the agenda.

Legislation may originate in either the House or the Senate, but may be amended, rejected, or ignored by the other. General legislation is introduced in the form of a bill and is subject to a time limit. Bills must be introduced by the tenth legislative day of the session unless an extension is granted by two-thirds of the originating body. However, after the third legislative day, senators are restricted to the introduction of no more than nine bills. For a bill to become a law, it must be considered and passed on three different legislative days in each house. On the third and final consideration, any bill must receive approval of a majority of the members to which each house is entitled, or fifty votes in the House and seventeen in the Senate. When this occurs, the legislation is signed by each speaker and then sent to the governor for his signature. The governor may veto such legislation, returning it to the house from which it originated, stating his reasons for disapproval in writing. Each house, by a simple majority vote, can override a veto and the bill will become law.

If the governor receives a bill passed by the General Assembly and does not act upon it within ten days, not including Sundays, the legislation becomes law without his signature. Should the General Assembly adjourn within the ten-day period, the bill will become law unless the governor files his objections with the secretary of state within the ten-day limit.

Legislative districts are apportioned by the state Legislature on the basis of population and must be substantially equal. The U.S. Supreme Court has stated that “as nearly as is practicable, one man’s vote is to be worth as much as another’s.” Reapportionment is required by both the U.S. Constitution and the Tennessee Constitution at ten-year intervals following the national census, and at other such times when required by the federal courts on evidence of malapportionment.

There are several ways to accomplish reapportionment. Most states use national census data to redraw congressional and legislative districts. In addition, some states utilize computer technology, private consultants, or reapportionment commissions. In Tennessee, both the House and Senate direct a committee or legislative staff to draw district lines based upon census data. The respective plans are then submitted to each house for approval.

The legislative body of Tennessee has a distinguished history. A number of its former members have achieved national political prominence and positions of high authority in the nation. Of the three presidents Tennessee has provided the country—Andrew Jackson (1767-1845), James K. Polk (1795-1849), and Andrew Johnson (1808-1875)—two were former state Legislators. Polk began his public career when elected to the state Legislature in 1823, and Johnson was mayor of Greeneville before being elected to several terms in the state Legislature.

David Crockett (1786-1836), famed pioneer and soldier, was elected to the state Legislature in 1821; Joseph W. Byrns (1869-1936) was elected to the state House of Representatives in 1895 and served as speaker during a third term in 1899. He was elected to the U.S. Congress in 1909, where he served fourteen terms and was elected speaker of the House by the 74th Congress. Cordell Hull (1871-1955), who served as U.S. secretary of state longer than any other man in American history, began his political career as a member of the Tennessee House in 1892. In more recent times, the late Congressman Joe L. Evins of Smithville, the late Congressman Howard Baker, Sr. of Huntsville, former Congressman James H. Quillen of Kingsport, former Congressman Harold Ford, Sr. of Memphis, the late Ray Blanton of Adamsville, William Boner of Nashville, Congressman John Tanner of Union City, Congressman Lincoln Davis of Pall Mall, and Congresswoman Marsha Blackburn of Brentwood are among those who have gone to Congress after service in the Tennessee General Assembly.

How a Bill Becomes a Law in the General Assembly

