

SENATE BILL 1800

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 43, Chapter 30, relative to the viticulture advisory board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-30-102, is amended by deleting the section and substituting instead the following:

(a) There is created the viticulture advisory board to be composed of eleven (11) members as follows:

(1) The governor shall appoint:

(A) One (1) member who is a representative of the Tennessee Viticultural and Oenological Society;

(B) One (1) member who is a representative of the Tennessee Farm Winegrowers Association;

(C) One (1) member who is a representative of the University of Tennessee college of agricultural sciences and natural resources;

(D) One (1) member who is a representative of the department of agriculture;

(E) One (1) member who is a representative of the department of tourist development;

(F) Two (2) members with a commercial interest in the growing of grapes; and

(G) Two (2) members with a commercial interest in the processing of grapes;

(2) The speaker of the house of representatives shall appoint one (1) member of the house of representatives; and

(3) The speaker of the senate shall appoint one (1) member of the senate.

(b)

(1)

(A) The term of office of each non-legislative board member shall be four (4) years, with terms to be staggered in accordance with the original appointments that began on July 1, 1991. Non-legislative board members are eligible to succeed themselves, but not for more than two (2) four-year terms; provided, that representatives of the college of agricultural sciences and natural resources, the department of agriculture, and the department of tourist development may succeed themselves for not more than four (4) four-year terms.

(B) The governor shall fill any vacancy occurring in an office of a non-legislative board member that occurs prior to the expiration of the member's term in the same manner as a regular appointment for the remainder of the unexpired term.

(2)

(A) Legislative board members shall be appointed for two-year terms and shall serve only so long as they remain members of the general assembly.

(B) Any legislative vacancy on the board shall be filled by appointment by the appropriate speaker, for the purpose of serving out the remainder of the unexpired term. If, at the expiration of the term of any legislative board member, a successor is appointed, the appointment shall be made during the organizational session of the general assembly.

(C) Notwithstanding the selection of legislative board members during the organizational session as provided in subdivision (b)(2)(B), the initial speaker appointments shall begin on July 1, 2016.

(c) All board members shall serve without compensation; provided, that:

(1) Non-legislative board members shall be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter; and

(2) Legislative board members shall be entitled to expenses in accordance with § 3-1-106, for each day a board member attends a meeting of the board; provided, that no board member shall receive additional legislative compensation when the general assembly is in session or if a board member is being paid any other payments on the same dates for attendance on other state business.

(d) Board members may be removed for cause by the respective appointing authorities.

(e) The board shall elect a chair, a vice chair, and a secretary from among the non-legislative board members appointed pursuant to subdivision (a)(1), and adopt rules of procedure for governing the board's deliberations. The terms of the officers shall be for one (1) year.

(f) The board shall meet at the call of its chair, at the request of a majority of its membership, at the request of the governor, at the request of the commissioner of agriculture, or at such times as may be prescribed by its rules.

(g) Six (6) board members shall constitute a quorum for all purposes, and an act affected by a majority at any properly constituted meeting shall be an official act of the board.

SECTION 2. For purposes of appointing legislative board members, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2016, the public welfare requiring it.