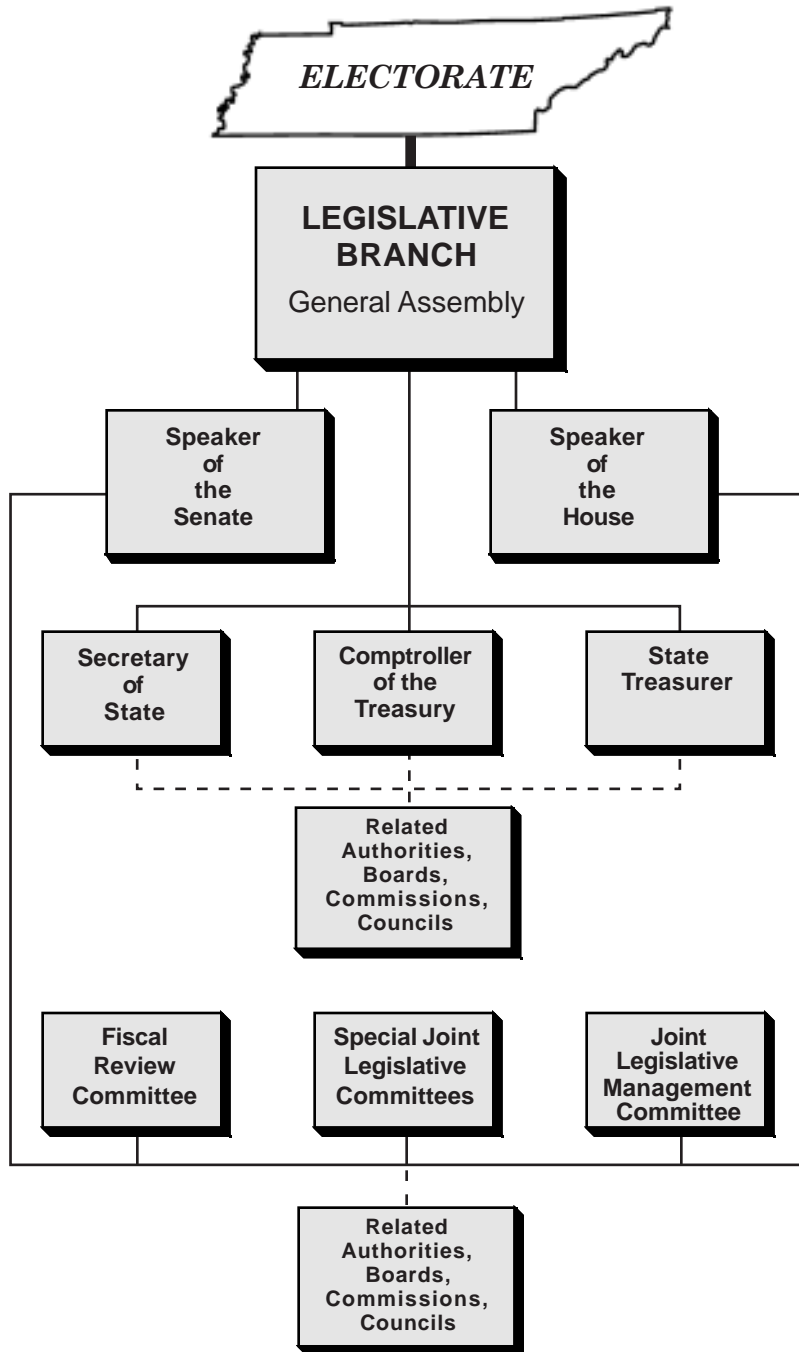


SECTION I



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.

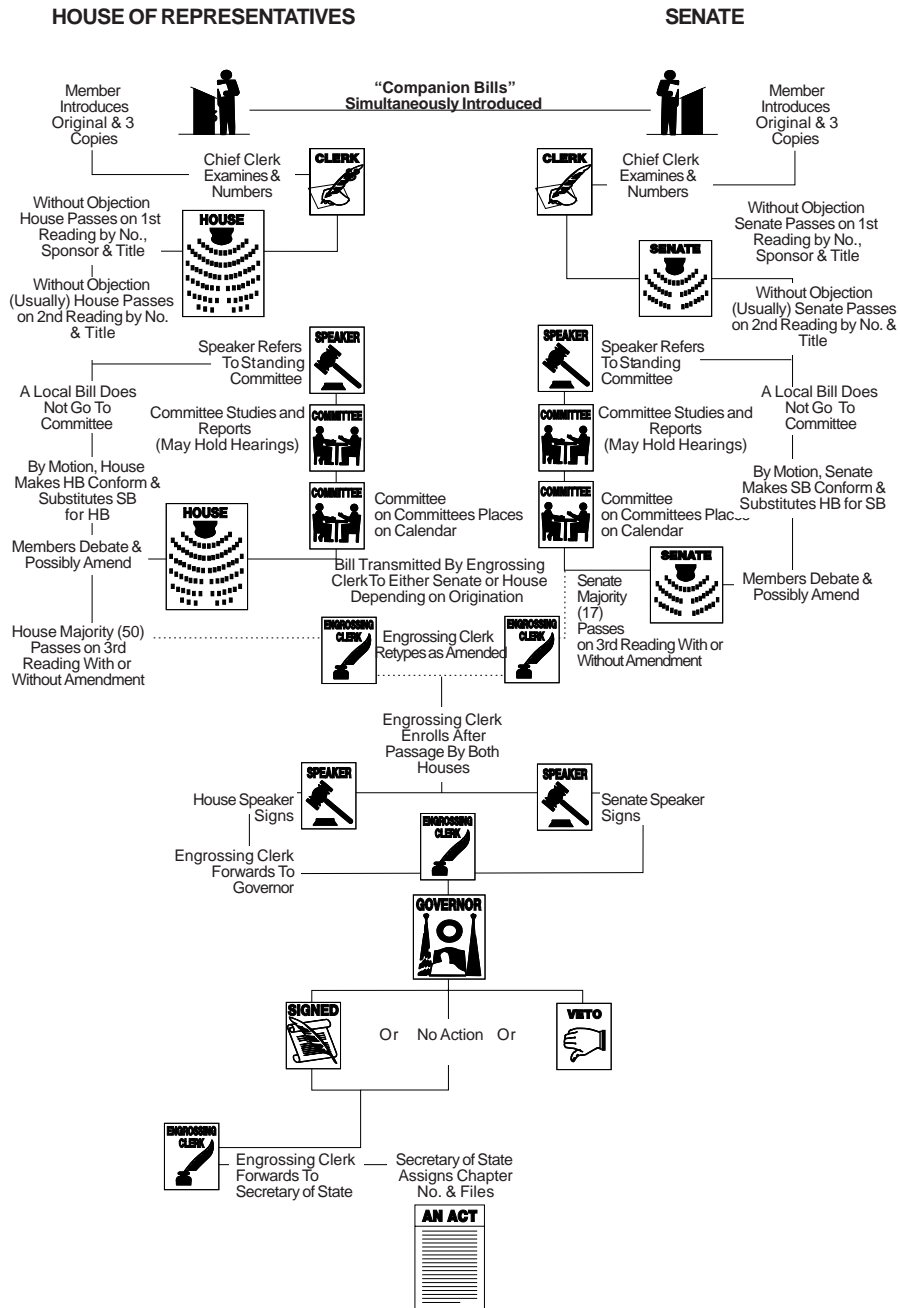
Legislative districts are apportioned by the state Legislature on the basis of population and must be substantially equal. The U.S. Supreme Court has stated that “as nearly as is practicable, one man’s vote is to be worth as much as another’s.” Reapportionment is required by both the U.S. Constitution 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.

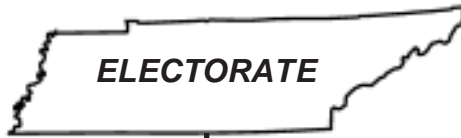
How a Bill Becomes a Law in the General Assembly



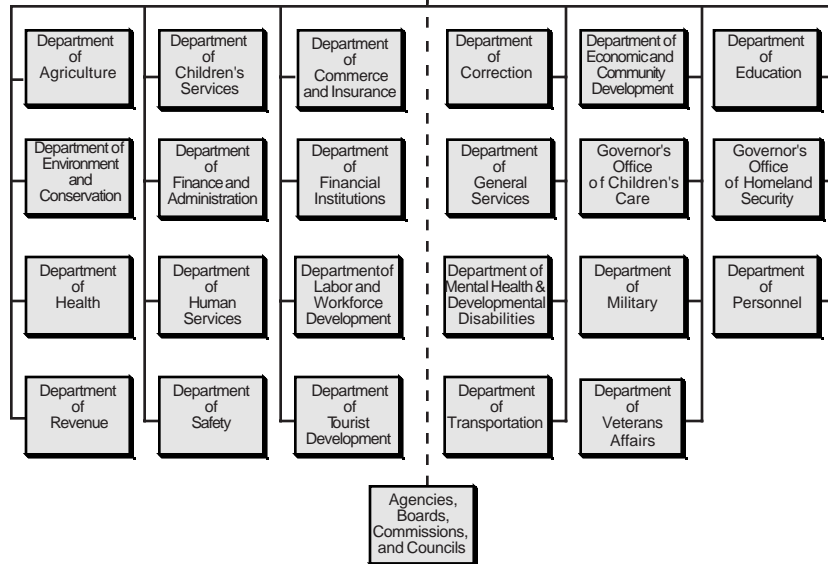
SECTION II



Executive Branch



**EXECUTIVE
BRANCH**
Governor



INTRODUCTION

When you think of “state government” in Tennessee, many different images may come to mind. You may think of the state highway near your home, or the state park your family is planning to visit, or one of the state colleges or universities. State government delivers many different kinds of services and touches our lives in many ways.

The following pages describe the major departments and agencies that make up the executive branch of state government in Tennessee. These administrative components of the government are run by the governor and his appointees.

The state constitution divides the powers of the total state government into three distinct branches—the legislative, the executive and the judicial. The legislative authority of the state is vested in a General Assembly, and the judicial power of the state is vested in a Supreme Court and a system of other courts established by the Legislature.

In the case of the executive branch, the constitution places the “Supreme Executive Power” of the state with the governor. “Executive” means empowered to administer or to carry out certain duties or functions. While the General Assembly enacts laws and creates new programs by statute and the courts interpret those laws, the governor and his executive branch agencies “execute” or administer those laws and carry out the programs they mandate.

The executive branch of state government delivers a wide range of services to the people of Tennessee. To do that effectively and as efficiently as possible, it employs more than 39,000 people in twenty-four Cabinet-level departments and other agencies.

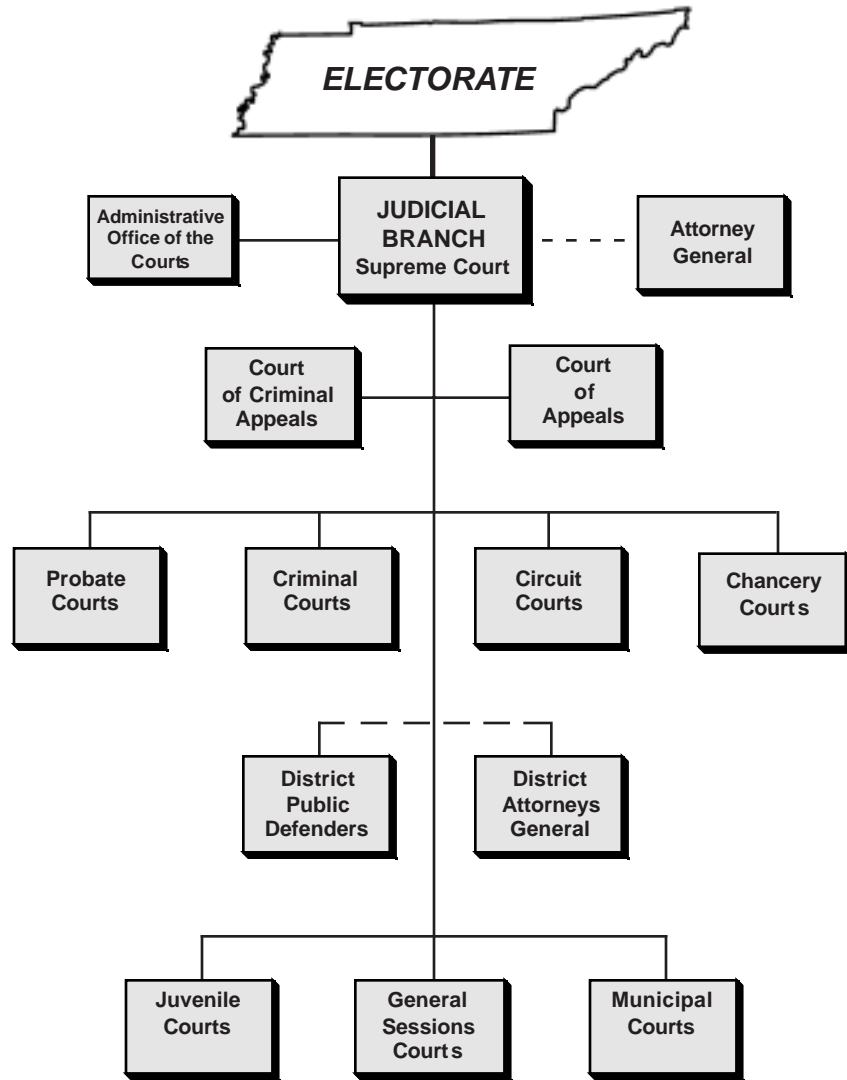
On the following pages you will see how such a large organization fits together. You will also find addresses and phone numbers for the agencies and programs with services about which you may want to learn more.



SECTION III



Judicial Branch



INTRODUCTION

The judicial branch, one of the three basic divisions of state government, serves as a check on the powers of both the legislative and executive branches. Through the power of judicial review, the courts rule on the constitutionality of legislation passed by the General Assembly and consider the legality of administrative policies and regulations.

Tennessee's judicial system is derived from a constitutional foundation: "The judicial power of this state shall be vested in one Supreme Court and in such Circuit, Chancery, and other inferior courts as the legislature shall from time to time ordain and establish ..." (Article VI, Section 1, Constitution of the State of Tennessee).

Although not a part of the court system, the offices of the attorney general, district attorneys general, and district public defenders are associated with the judicial branch of state government. The attorney general represents the interests of the state in civil litigation. The thirty-one district attorneys serve as prosecuting counsel in criminal cases. Public defenders and court-appointed private attorneys represent indigent defendants, primarily in criminal cases.

The Supreme Court is the highest court in the state. The five justices are nominated by the Judicial Selection Commission, appointed by the governor and retained by a "yes-no" vote for eight-year terms. The majority of this court's workload consists of cases appealed from lower state courts.

The Intermediate Appellate Courts—the Court of Appeals and Court of Criminal Appeals—hear civil and criminal cases appealed from the trial courts.

The state's Trial Courts include Chancery, Criminal, Circuit, and Probate Courts. Judges in these courts are chosen by popular election within their judicial districts.

The fourth level of courts in Tennessee is composed of the Courts of Limited Jurisdiction—General Sessions, Juvenile, and Municipal Courts. These courts are funded by their respective counties.