



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

Number 45

**AN ORDER ESTABLISHING THE GOVERNOR'S ADVISORY COMMITTEE
ON THE TRANSFER OF CHIEF EXECUTIVE POWERS**

WHEREAS, the Tennessee Constitution and law do not provide for the transfer of the governor's chief executive powers to another individual during such time periods when the governor is incapacitated and therefore unable to exercise the powers or discharge the duties of the office; and

WHEREAS, other states have developed constitutional provisions and laws providing for various methods of transferring the powers and duties of the governor to another individual in the event the governor is incapacitated; and

WHEREAS, this Administration is committed to addressing this issue in order to ensure continuity in the operation of state government in the event of gubernatorial incapacity; and

WHEREAS, this Administration seeks to review comprehensively the constitutional provisions, laws and practices of Tennessee and other states in this area and to determine any needed actions.

NOW THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct the following:

1. The Governor's Advisory Committee on the Transfer of Chief Executive Powers ("Committee") is hereby established. The Committee is charged with conducting a comprehensive review of any current Tennessee constitutional provisions, laws and practices related to the transfer of the powers of the governor. The committee is also charged with reviewing the constitutional provisions, laws and practices used by other states to ensure continuity in the operation of state government in the event a governor were to be incapacitated. Following this review, and on or before October 1, 2007, the Committee shall provide a written report to the governor detailing its findings. This report shall include drafts of any constitutional amendments and any related joint resolutions or bills proposed for introduction in the General Assembly.
2. The Committee shall have eight (8) members consisting of the following individuals:
 - a. Robert E. Cooper, Jr., Attorney General and Reporter;
 - b. Ron Ramsey, Speaker of the Senate;
 - c. Jimmy Naifeh, Speaker of the House of Representatives;
 - d. Adolpho A. Birch, Jr., Former Chief Justice of the Tennessee Supreme Court;
 - e. Ned R. McWherter, Former Governor of Tennessee;
 - f. Glenn H. Reynolds, Professor of law at the University of Tennessee College of Law;

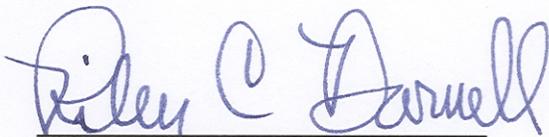
- g. Steven E. Elkins, Legal Counsel to the Governor; and
 - h. Kim McMillan, Senior Advisor to the Governor
3. The Committee shall be attached to the Office of the Governor for administrative purposes.
 4. The attorney general and reporter shall serve as chairperson of the Committee.
 5. The Committee shall convene for its initial meeting on or before April 16, 2007, at a place and time to be determined by the chairperson. Thereafter, the Committee shall meet at such times and places as determined by the chairperson.
 6. Non-legislative members of the Committee shall receive no compensation for their service on the Committee but may be reimbursed for those expenses allowed by the provisions of the comprehensive travel regulations as promulgated by the Department of Finance and Administration and approved by the attorney general and reporter. Members of the General Assembly shall be reimbursed in the same manner as they are paid for attending legislative meetings pursuant to Tennessee Code Annotated, Section 3-1-106.
 7. All Executive branch departments, agencies, boards and commissions, and any other divisions of state government shall fully cooperate with the Committee in carrying out the mandates of this Executive Order and shall provide staff support and any other assistance as requested.
 8. The Committee shall cease to function following the presentation of its report.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 20th day of March, 2007.



GOVERNOR

ATTEST:



SECRETARY OF STATE

