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## Sullivan commission soundly defeats proposal to weaken Sunshine Law

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BLOUNTVILLE — The Sullivan County Commission on Monday soundly rejected a proposal to seek a change to Tennessee’s “Sunshine Law.”

With a vote of 16 “no,” three “yes,” two “pass,” and two absent, the commission went on record against the proposed change, which, if approved by the Tennessee General Assembly, would make it legal for groups of local elected officials to meet in private, without public notice, and discuss public business.

The commission’s vote represented an apparent change of heart by several commissioners, who had voted to endorse the proposed change when the issue was discussed by the commission’s committees earlier this month.

Commissioner Bill Kilgore, lead sponsor of the push to seek the changes, continued right up to the vote to say every county resident he’d been able to personally give an explanation to supported the concept.

Other commissioners, however, said they’d had a lot of negative feedback from the public.

Commissioner Eddie Williams, who earlier this month went on record in favor of seeking to change the Sunshine Law, said there is an incorrect perception among the public — and some elected officials — about what the law really prohibits or allows.

Williams said the law permits elected officials, such as commissioners, to “discuss without prejudice ... but that’s not the image most people have. I’ve thought about it a lot and had some phone calls, and I don’t think we should do anything right now.”

Williams was among those who voted “no” on the resolution Monday.

Commissioner Joe Herron said he, too, had received input from the public on the issue — and his constituents had sent him a clear message they are opposed to the changes. Herron, along with Commissioner Ed Marsh, passed on the vote.

Commissioner Wayne McConnell, who voiced opposition to Kilgore's resolution when it was first publicly discussed early this month, again spoke against weakening the "Sunshine Law" prior to the vote Monday.

McConnell said local government should not operate on a partisan basis. McConnell said provisions in state law that permit members of the Tennessee General Assembly to gather and discuss issues — as long as a quorum isn't present — allow partisan caucuses to meet, and that shouldn't be a consideration at the county level.

Voting in favor of the proposal to ask state legislators to change the law were Kilgore and Commissioners Terry Harkleroad and Michael Surgenor.

Surgenor was co-sponsor of the resolution.

Tennessee lawmakers passed what is known as the state Sunshine Law governing public records and meetings in the aftermath of the Watergate scandal in 1974.

Tennessee's Sunshine Law requires public notice prior to meetings of two or more members of a group that makes decisions or recommendations on public policy.

Kilgore introduced a resolution last month asking the County Commission to go on record in favor of changing state law to eliminate that requirement.

The County Commission does not have authority to actually change state law. Kilgore's resolution seemed to mimic others that have been introduced in other Tennessee counties in recent weeks.

Both Kilgore and Surgenor are members of the board of directors of the Tennessee County Commissioners Association — a statewide lobbying organization for county commissioners.

That group's former president, Williamson County Commissioner Bob Barnwell, is cited in published reports at the person who got the ball rolling by urging county commissions across the state to endorse resolutions asking their local state representatives and senators to support the measure when the General Assembly reconvenes in January. Barnwell reportedly has already secured a sponsor for the proposed change in the General Assembly.

Gov. Bill Haslam said earlier this month that he opposes efforts to water down the state's open meetings law.

The Republican governor said his previous experience as mayor of Knoxville gave him little reason to think an overhaul was necessary.

"Those rules actually worked and led to better discussions at city council meetings," Haslam said.