

RESOLUTION

A Resolution requesting the Tennessee Legislature to amend an existing act T.C.A. 49-2-201 allowing Sevier County, Tennessee School Board Candidates to run at the same time as Sevier County, Tennessee Commissioners Candidates in the May primary and on a non-partisan basis.

WHEREAS: T.C.A. 49-2-201 is an existing act concerning the election or appointment of boards of education; and

WHEREAS: T.C.A. 49-2-201 (e) (1) & (2) allows for the election for members of boards of education to have a non-partisan primary election for these members in a county which conducts a county primary; and

WHEREAS: Sevier County, Tennessee will have a May 2002 non-partisan primary election; and

WHEREAS: The Sevier County Governing Body and Board of Education together endorse these school board candidates running in this May 2002 primary; and

NOW THEREFORE, Be it Resolved by the Sevier County Commission that this Governing Body does hereby respectfully request that the State of Tennessee Legislature amend T.C.A. 49-2-201 and specifically subsection (e) to include Sevier County, Tennessee so that board of education candidates can run on a non-partisan basis in the May 2002 primary.

Done this 17 day of December, 2001

Larry Waters
Larry Waters, County Executive

Attest:

Joe T. Keener II
Joe T. Keener II, County Clerk

Motion was made by Ray Ogle and duly seconded by Ben Clabo to adopt the resolution. The motion carried by a voice vote, and the Clerk instructed to enter the same upon the minutes of this Court.

DECEMBER 17, 2001

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RESOLUTION

A Resolution adopting an amended act T.C.A. 49-2-201 allowing Sevier County, TN School Board Candidates to run at the same time as Sevier County, TN Commission Candidates in the May primary and on a non-partisan basis.

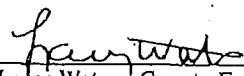
WHEREAS: The Sevier County Commission passed a Resolution requesting the Tennessee General Assemble to amend an act (T.C.A. 49-2-201) allowing Sevier County, TN School Board Candidates to run at the same time as Sevier County, TN Commission Candidates in the May primary and on a non-partisan basis; and

WHEREAS: The Tennessee General Assembly has adopted and approved the Resolution requested for Sevier County, TN in SB2165 and HB2104; and

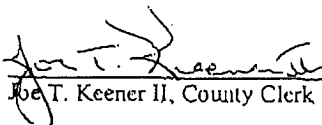
WHEREAS: This Private Act(s) must have the approval of the Sevier County, TN Governing Body; and

NOW THEREFORE, BE IT RESOLVED BY THE Sevier County Commission that the Private Act(s) as stated above in this Resolution be adopted and approved and that any and all communication necessary be made in relation to this matter.

Done this 11th day of February, 2002, in Sevier County, Tennessee.


Larry Waters, County Executive

Attest:


Joe T. Keener II, County Clerk

Motion was made by Gary Cole and duly seconded by Ben Clabo to adopt the resolution. A roll call was made as follows:

AYES: 23

Fred A. Atchley
Beecher Baker
Gene Byrd
J. Paul Cannon
Ben Clabo
Gary Cole
Rex Delozier
Donnie Galyon
Ray Godfrey
Austin Green
Tim Hurst
Warren Hurst

Riley King
Darrell Lee
Charles McGaha
David Norton
Bill Oakes
Ray I. Ogle
Tony Proffitt
James Temple
Max Watson
Jerry Wear
Ronnie Whaley

ABSENT: 2

Jeffrey McCarter
Carroll Rauhuff

The motion carried, and the Clerk instructed to enter the same upon the minutes of this Court.

FEBRUARY 11, 2002

XI

Chapter No. 73J

PRIVATE ACTS, 2002

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CHAPTER NO. 73

HOUSE BILL NO. 2104

By Representative Montgomery

Substituted for: Senate Bill No. 2165

By Senator Clabough

AN ACT to authorize Sevier County to conduct nonpartisan school board elections during the county primary election.

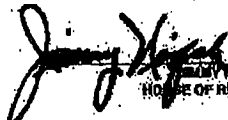
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Notwithstanding any provision of law to the contrary, beginning with the election for members of boards of education to be held in the year 2002, the Sevier County legislative body may conduct a nonpartisan primary election for members of the school board at the county primary election. If one (1) candidate for a board of education election receives a majority of votes cast in the nonpartisan primary, then such candidate's name shall appear on the ballot in the general election. If no candidate for a board of education election receives a majority of votes cast in the nonpartisan primary, then the two (2) candidates receiving the two (2) highest vote totals shall run against one another in the regular election.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sevier County. Its approval or nonapproval shall be proclaimed by the presiding officer of Sevier County and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

PASSED: February 5, 2002


AMY HARPER, SPEAKER
HOUSE OF REPRESENTATIVES

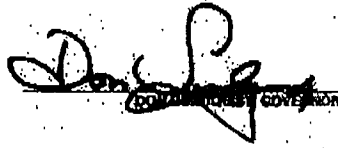

JOHN B. WILDER
SPEAKER OF THE SENATE

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PRIVATE ACTS, 2002

[Chapter No. 73

APPROVED this 6th day of February 2002



A handwritten signature in black ink, appearing to be 'D. P.', is written over a horizontal line. Below the line, the text 'COMMISSIONER OF REVENUE' is faintly visible.

Private Signed

Act	Date	Description	Senate	House	Pages
			Bill	Bill	
60	6/19/2001	GILES COUNTY - Create and establish an Authority for and on behalf of the County of Giles, the South Giles Utility District, the Minor Hill Utility District, Fairview Utility District and Tarpley Shop Utility District to be known as the "Southern Water Authority"	1990	2026	12
61	6/19/2001	HUMBOLDT, CITY OF - Relative to the Charter	1985	2022	12
62		MILAN SPECIAL SCHOOL DISTRICT - Authorize and empower the school district to issue and sell school bonds in an aggregate principal amount, et al	1984	2021	5
63	6/27/2001	MARYVILLE, CITY OF - Relative to	1962	1997	3
64	6/27/2001	TRENTON, CITY OF - Relative to the charter	1963	2000	3
65	6/27/2001	PARIS SPECIAL SCHOOL DISTRICT - Relative to	1987	2019	2
65	6/27/2001	RUTHERFORD COUNTY - Relative to the regulation of dogs and cats	1994	2031	3
67	6/29/2001	LEBANON, CITY OF - Relative to the Charter	1995	2033	3
68	6/29/2001	MAURY COUNTY - Enact the "Curfew for Maury County Minors Act of 2001"	1997	2035	3
69		FAYETTE COUNTY - Authorize the Fayette County Adequate Facilities Tax	1988	2024	6
70	2/6/2002	MEDINA, CITY OF - Relative to the charter	2003	2042	2
71	2/6/2002	SEVIER COUNTY - Relative to providing for an elected clerk of the General Sessions Court and the assignment of clerking duties for the General Sessions Court	2061	2103	2
72	2/6/2002	COLUMBIA, CITY OF - Relative to the office of assistant city manager, personnel director, and director of grants and planning	2019	2056	2
73	2/6/2002	SEVIER COUNTY - Authorize the county to conduct municipal elections during the county primary election	2165	2104	2
74	2/7/2002	SEVIER COUNTY - Divide the County into school districts and provide for the number, election and terms of members of the Board of Education	2858	2631	2
75	2/14/2002	WEAKLEY COUNTY - Relative to the Highway Commission	2017	2057	3
76	2/14/2002	CARTER COUNTY - Divide the county into school districts and to provide for the number, election, and terms of the Board of Education	2191	2190	2
77	2/20/2002	LAFAYETTE, CITY OF - Relative to the charter	2885	2567	2
78	2/20/2002	COFFEE COUNTY - Relative to the Highway Commission	2597	2117	3
79	2/20/2002	LAUDERDALE COUNTY - Divide the county into school districts and provide for the number, election and terms of members of the Board of Education	2408	2130	2
80	2/20/2002	WEAKLEY COUNTY - Divide the county into nine school districts and provide for the number, election, and terms of members of the Board of Education	2495	2358	2
81	2/20/2002	RUTHERFORD COUNTY - Relative to the Purchasing Committee	2322	2373	2
82	2/20/2002	MURFREESBORO, CITY OF - Relative to the charter	2320	2374	2
83	2/20/2002	SEQUATCHIE COUNTY - Divide the county into school districts and to provide for the number, election and terms of the Board of Education	2882	2552	2
84	2/20/2002	SMITH COUNTY - Divide the county into school districts and to provide for the number, election and terms of members of the Board of Education	3169	2683	2
85	2/20/2002	HICKMAN COUNTY - Relative to the highway commission and road superintendent	2902	2704	2
86	2/20/2002	SCOTT COUNTY - Divide the county into school districts and to provide for the number, election and terms of members of the Board of Education	2991	2773	2
87	2/20/2002	BENTON COUNTY - Divide the county into school districts and to provide for the number, election and terms of members of the Board of Education	3145	2775	3
88	2/20/2002	GRUNDY COUNTY - Divide the county into school districts and to provide for the number, election and terms of members of the Board of Education	2850	2817	3

*If Date is missing, the bill was not signed by the Governor.

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Chapter No. 74]

PRIVATE ACTS, 2002

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CHAPTER NO. 74

SENATE BILL NO. 2858

By Clabough

Substituted for: House Bill No. 2631

By Montgomery, Mr. Speaker Naifah

AN ACT To repeal Chapter 380 of the Private Acts of 1927; as amended by Chapter 351 of the Private Acts of 1939; Chapter 539 of the Private Acts of 1941; Chapter 178 of the Private Acts of 1943; Chapter 484 of the Private Acts of 1947 and Chapter 150 of the Private Acts of 1949, and all other acts amendatory thereto; and to divide Sevier County into school districts and provide for the number, election, and terms of members of the Sevier County Board of Education.

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

SECTION 1. Chapter 380 of the Private Acts of 1927; as amended by Chapter 351 of the Private Acts of 1939; Chapter 539 of the Private Acts of 1941; Chapter 178 of the Private Acts of 1943; Chapter 484 of the Private Acts of 1947 and Chapter 150 of the Private Acts of 1949, and all other acts amendatory thereto, is hereby repealed.

SECTION 2. Sevier County shall be divided into five (5) school board districts of substantially equal population, which shall be established by resolution of the county legislative body from time to time, pursuant to Tennessee Code Annotated, Section 49-2-201(a)(1).

SECTION 3. The Sevier County Board of Education (the Board) shall consist of five (5) members, with one (1) member of the Board being elected by the qualified voters in each school board district on a non-partisan basis. Board members shall be elected to staggered four-year terms. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. The Board shall have the same powers, duties, and privileges and qualifications as the Board of Education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sevier County. Its approval or nonapproval shall be proclaimed by the presiding officer of Sevier County and certified to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.

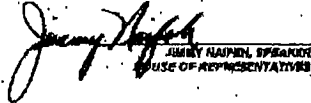
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PRIVATE ACTS, 2002

[Chapter No. 74

PASSED: February 7, 2002


JOHN B. HILDNER
SPEAKER OF THE SENATE


JIMMY NAPIER, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of February 2002


DON SIEGEL
GOVERNOR