

CHAPTER NO. 89

HOUSE BILL NO. 3280

By Representatives McCord, Kerr

Substituted for: Senate Bill No. 3267

By Senator Clabough

AN ACT to amend Chapter 510 of the Private Acts of 1919; as amended by Chapter 620 of the Private Acts of 1921; Chapter 340 of the Private Acts of 1967; Chapter 1 of the Private Acts of 1969; Chapter 85 of the Private Acts of 1971; Chapter 144 of the Private Acts of 1977 and Chapter 145 of the Private Acts of 1996; and any other acts amendatory thereto, relative to the Charter for the City of Alcoa, Tennessee.

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

SECTION 1. Chapter 510 of the Private Acts of 1919, and any other acts amendatory thereto, is amended in Section 1 of Article 2 by deleting such section in its entirety and by substituting instead the following:

Section 1. General city elections shall be those transitional city elections held on the first Saturday in June in odd-numbered years for the transitional elections provided in Article 3, Section 1, and Article 19, Section 5, and those subsequent city elections held on the date of general state elections which fall on the first Tuesday following the first Monday in November of even-numbered years.

SECTION 2. Chapter 510 of the Private Acts of 1919, as amended by Chapter 620 of the Private Acts of 1921, Chapter 340 of the Private Acts of 1967, Chapter 85 of the Private Acts of 1971, and any other acts amendatory thereto, is amended in Section 1 of Article 3 by deleting such section in its entirety and by substituting instead the following:

Section 1. The governing body of the City of Alcoa shall be a Board of Commissioners which shall consist of five (5) members who have been elected by the qualified voters of the city and whose terms of office shall be four (4) years, except for the transitional terms as provided herein. The two (2) members of the present Board of Commissioners elected to four (4) year terms of office in the general city election held on the first Saturday in June, 1997, and whose terms expire in 2001, and the three (3) members of the present Board of Commissioners elected to four (4) year terms of office in the election held on the first Saturday in June, 1999, and whose terms expire in 2003, shall complete their terms of office. On the date of the general city election held on the first Saturday in June, 2001, two (2) commissioners shall be elected for transitional terms which expire on the date of the first regular meeting of the Board following the date of the general state election held on the first Tuesday following the first Monday in November, 2004. On the date of the general city election held on the first Saturday in June, 2003, three (3) commissioners shall be elected for transitional terms which expire on the date of the first regular meeting of the Board following the date of the general state election held on the first Tuesday following the first Monday in November, 2006. Thereafter, the dates of general city elections shall be the dates of general state elections held on the first Tuesday following the first Monday in November of even-

numbered years. At each and every such general city election on those dates, the commissioners shall be elected to four (4) year terms of office.

SECTION 3. Chapter 510 of the Private Acts of 1919, as amended by Chapter 620 of the Private Acts of 1921, and any other acts amendatory thereto, is amended in Section 2 of Article 3 by deleting such section in its entirety and by substituting instead the following:

Section 2. The commissioners at their first regular meeting following each general city election shall elect one (1) of their number mayor for a term that shall expire at the first regular meeting of the Board occurring after the next general city election.

SECTION 4. Chapter 510 of the Private Acts of 1919, as amended by Chapter 620 of the Private Acts of 1921, and any other acts amendatory thereto, is amended in Section 9 of Article 3 by deleting such section in its entirety and by substituting instead the following:

Section 9. Any vacancy in the office of commissioner shall be filled by the appointment of a person meeting the qualifications of commissioner under this Charter, by the remaining members of the Board. The appointee shall hold office until the first regular meeting following the next general city election occurring after the appointment. The remainder of the vacating Commissioner's term, if any, extending past the date of the first regular meeting following the next general city election shall be filled at that election. However, in the event the vacancy occurs within one hundred eighty (180) days of the next general city election, the appointee shall hold office for the entirety of the vacating Commissioner's term.

SECTION 5. Chapter 510 of the Private Acts of 1919, as amended by Chapter 620 of the Private Acts of 1921, and any other acts amendatory thereto, is amended in Section 10 of Article 3 by deleting such section in its entirety and by substituting instead the following:

Section 10. At the first meeting of the Board following each general city election, the Board shall choose from its membership a Vice-Mayor. The Vice-Mayor shall act as the Mayor during any temporary absence of, inability of or failure to act by the Mayor. Whenever a vacancy occurs in the office of Mayor, the Vice-Mayor shall become Mayor and hold office for the entirety of the unexpired term of the vacated Mayor. The Board shall then appoint another Vice-Mayor from its membership.

SECTION 6. Chapter 510 of the Private Acts of 1919, as amended by Chapter 1 of the Private Acts of 1969, Chapter 145 of the Private Acts of 1996, and any other acts amendatory thereto, is amended in Section 4 of Article 19 by deleting such section in its entirety and by substituting instead the following:

Section 4. Selection of Board Members. The members of the Board of Education shall be elected from the city from districts for four (4) year staggered terms, by the qualified voters of the City of Alcoa at general city elections, as defined in Article 2, Section 1.

SECTION 7. Chapter 510 of the Private Acts of 1919, as amended by Chapter 1 of the Private Acts of 1969, Chapter 145 of the Private Acts of 1996, and any other acts amendatory thereto, is amended in Section 5 of Article 19 by deleting such section in its entirety and by substituting instead the following:

Section 5. Terms. The three (3) members of the present Board of Education elected to four (4) year terms of office in the general city election held on the first Saturday in June, 1997, and whose terms expire on the same date in 2001, and the two (2) members of the present Board of Education elected to four (4) year terms of office in the general city election held on the first Saturday in June, 1999, and whose terms expire in 2003, shall complete their terms of office. On the date of the general city election held on the first Saturday in June, 2001, three (3) members of the Board of Education shall be elected for transitional terms that expire on the date of the general state election held on the first Tuesday following the first Monday in November, 2004. On the date of the general city election held on the first Saturday in June, 2003, two (2) members of the Board of Education shall be elected for terms which expire on the date of the general state election held on the first Tuesday following the first Monday in November, 2006. Thereafter, the dates of general city elections shall be the dates of general state elections held on the first Tuesday following the first Monday in November of even-numbered years. At each and every such general city election, members of the Board of Education shall be elected to four (4) year terms of office.

SECTION 8. Chapter 510 of the Private Acts of 1919, as amended by Chapter 1 of the Private Acts of 1969, Chapter 145 of the Private Acts of 1996, and any other acts amendatory thereto, is amended in Section 6 of Article 19 by deleting such section in its entirety and by substituting instead the following:

Section 6. Beginning of Terms and Organization of Board. The term of each Board member shall begin on the second Thursday of December following the election at which said member was elected, upon which date the members of the Board shall meet for organization or re-organization. At such organizational meeting the Board shall elect from its number a Chairman and a Vice-Chairman who shall serve for a term of two (2) years and shall also elect a Secretary for the same term who may or may not be a member of said Board. The Chairman (and Vice-Chairman in the Chairman's absence) shall have the right to make or second motions and to vote upon all motions before the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business. The members of the Board shall be inducted into office in the same manner and shall take the same oath of office as is required by the Charter in respect to members of the Board of Commissioners.

SECTION 9. Chapter 510 of the Private Acts of 1919, as amended by Chapter 620 of the Private Acts of 1921, Chapter 85 of the Private Acts of 1971, Chapter 144 of the Private Acts of 1977, Chapter 145 of the Private Acts of 1996, and any other acts amendatory thereto, is amended in Section 2 of Article 7 by adding the following language to the end of subsection (h), immediately preceding the final period:

“; provided, however, the City Manager may name another person to carry out the duties and responsibilities of this position”

SECTION 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of Commissioners of the City of Alcoa. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of Commissioners of the City of Alcoa and certified to the Secretary of State.

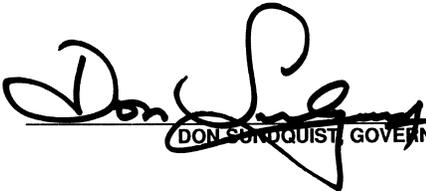
SECTION 11. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 10.

PASSED: February 28, 2000


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 2nd day of March 2000


DON SUNDQUIST, GOVERNOR