

RESOLUTION NO. 2002-18

TO URGE THE GENERAL ASSEMBLY TO ENACT A PRIVATE ACT PROVIDING FOR A NEWLY-CONSTITUTED BOARD OF EDUCATION FOLLOWING REAPPORTIONMENT OF THE COUNTY

WHEREAS, the voting districts for the Board of County Commissioners of Weakley County have been reapportioned following the 2000 Federal Census with the number of districts being reduced from ten (10) to nine (9); and

WHEREAS, members of the Weakley County Board of Education are elected from districts based on the district boundaries established for Board of County Commissioners and the Board of County Commissioners of Weakley County has determined it to be in the best interest of Weakley County to continue to use these districts for both the Board of County Commissioners and the Board of Education; and

WHEREAS, the present Board of Education is constituted by private act and can be repealed by private act; and

WHEREAS, the Board of County Commissioners of Weakley County have determined it to be in the best interest of Weakley County to provide for the number, election and terms of the members of the Weakley County Board of Education by private act, with all other matters being governed by general law;

NOW, THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the county legislative body of Weakley County, Tennessee in Special session in *Dresden, Tennessee* on this 23rd day of October, 2001, that the members of the General Assembly representing Weakley County are urged to introduce and work for the passage of the private act attached hereto which would divide Weakley County into nine (9) school districts identical to the county commissioner districts established through re-apportionment by resolution of the county legislative body and would provide for one (1) member of the Board of Education to be elected from each of the nine (9) school districts to staggered four (4) year terms; and

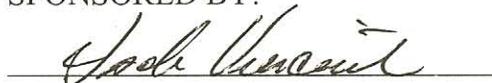
BE IT FURTHER RESOLVED, that copies of this resolution be mailed by the County Clerk to the members of the General Assembly representing Weakley County.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:


Chairman, Rules Committee

Motion made by Commissioner Phebus that the foregoing resolution be adopted:

Motion seconded by Commissioner Stewart.

Upon being put to a roll call vote, Motion Carried by a vote of 20 Yeas, 0 Nays,
0 Passed and 0 Absent.

APPROVED:



Ron Gifford, County Executive

ATTESTED:



Pat Scarborough, County Clerk

This the 23rd Day of October, 2001

AN ACT to repeal Chapter 128 of the Private Acts of 1994, and all other acts amendatory thereto; to divide Weakley County into school districts; and to provide for the number, election and terms of members of the Weakley County Board of Education.

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

SECTION 1. Chapter 128 of the Private Acts of 1994, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Weakley County shall be divided into nine (9) school districts of substantially equal population, which shall be identical to the county commissioner districts established by resolution of the county legislative body from time to time.

SECTION 3. The Weakley County Board of Education (the "Board") shall consist of nine (9) members, with one member of the Board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of roughly one-half the members of the Board shall expire, with the odd-numbered districts expiring at the same time, and the even-numbered districts expiring at the same time. 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. During the transition from ten (10) districts, as provided for under prior law, to the nine (9) districts provided for in this Act, all incumbent Board members shall remain on the Board until the expiration of their current terms. In order to maintain a board with districts staggered into four (4) year terms as evenly as possible, the Board shall be elected from the newly designated school board districts as follows: At the August 2002 general election, one member shall be elected from each of Districts 2, 4, 6, and 8 to four (4) year terms. At the August 2004 general election, one member shall be elected from each of Districts 1, 3, 5, 7, and 9 to four (4) year terms. Thereafter, all Board members shall be elected to four (4) year terms at the appropriate August general election.

SECTION 5. The Weakley County Board of Education shall have the same powers, duties, privileges and qualifications as the Board of Education established pursuant to Title 49, *Tennessee Code Annotated*, except as may be otherwise provided herein.

SECTION 6. 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 this

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

SECTION 8. 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 upon being approved as provided in Section 7.

PETITION

TO THE HONORABLE ROY B. HERRON AND MARK MADDOX:

We the undersigned County Commissioners, hereby request you to propose legislation amending Private Acts of 1933, Chapter 224 as amended in the 102nd General Assembly.

Alan Sicular

Woodell Verdell

George Brunsell

Tommy Hunt

Roy Howard

Selden Tucker

Earl Wright

David Pool

James H. [unclear]

John [unclear]

Sonny Jones

Paul [unclear]

Jack [unclear]

John [unclear]

Ed [unclear]

Mae Buckley

[unclear]

[unclear]

Bennie W. Castleman

Kevin Morgan

Dated this 23rd day of October, 2001.

Pat Scarborough

Ron Gifford

Pat Scarborough,
Weakley County Clerk

Ron Gifford,
Weakley County Executive

EDUCATION - SCHOOLS

BOARD OF EDUCATION

PRIVATE ACTS OF 1994

CHAPTER 128

SECTION 1. Chapter 224 of the Private Acts of 1933, as amended by Chapter 270 of the Private Acts of 1955, Chapter 216 of the Private Acts of 1972, Chapter 99 of the Private Acts of 1975, Chapter 174 of the Private Acts of 1978, Chapter 195 of the Private Acts of 1982, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Weakley County shall be divided into ten (10) school districts of substantially equal population, which shall be identical to the county commissioner districts established by resolution of the county legislative body from time to time.

SECTION 3. The Weakley County Board of Education shall consist of ten (10) members, with one (1) member of the Board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of one-half (1/2) the members of the Board shall expire, with the odd-numbered districts expiring at the same time, and the even-numbered districts expiring at the same time. 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. During the transition from six (6) year terms of office to the four (4) year terms provided for in this act, all incumbent Board members shall remain on the Board until the expiration of their current terms. To establish staggered four (4) year terms, beginning with the August 1994 Elections the Board shall be elected as follows: At the August 1994 General Election, one (1) member shall be elected from each of Districts 1, 3 and 5 to serve four (4) year terms. At the August 1996 General Election, one (1) member shall be elected from each of Districts 2, 6 and 10 to serve four (4) year terms, and one (1) member shall be elected from District 7 to serve a two (2) year term. At the August 1988 General Election, one (1) member shall be elected from each of Districts 4 and 8 to serve two (2) year terms, and one (1) member shall be elected from District 9 to serve a four (4) year term. Thereafter, all Board members shall be elected to four (4) year terms.

SECTION 5. The Weakley County Board of Education shall have the same powers, duties, privileges and qualifications as the board of education established pursuant to Tennessee Code Annotated, Title 49, except as otherwise provided herein.

SECTION 6. 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 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Weakley County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Weakley County and certified to the Secretary of State.

SECTION 8. 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 upon being approved as provided in Section 7.

Passed: February 28, 1994.