

HOUSE BILL 838

By Matheny

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 64, Chapter 6, relative to regional megasite authorities.

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

SECTION 1. Tennessee Code Annotated, Section 64-6-105, is amended by deleting subsection (a) in its entirety and by substituting instead the following new language:

(a)

(1) The authority shall be governed by a board of directors in which all powers of the corporation shall be vested. The membership of the board shall include the following:

(A) For each county that chooses to be a participating municipality in accordance with § 64-6-104(a), the county mayor or a designee of the county mayor of that county;

(B) The mayor or the designee of the mayor in an incorporated municipality that chooses to be a participating municipality in accordance with § 64-6-104(a);

(C) The two (2) speakers of the respective houses acting jointly after consultation with the members whose districts lie within the participating counties shall appoint one (1) member;

(D) The governor, after consultation with the mayors of the participating municipalities, shall appoint one (1) member; and

(E) The chancellor of the board of regents shall appoint one (1) member from the presidents of the community colleges that have a campus within the participating counties.

(2) For the purposes of calculating terms, members serving on a board as of January 1, 2013 shall serve until December 31, 2014. At the conclusion of such terms:

(A) Each regular term of the board member appointed jointly by the speakers beginning January 1, 2015 shall be two (2) years, to be coterminous with the terms of office of the speakers;

(B) Each regular term of the board member appointed by the governor beginning January 1, 2015 shall be four (4) years, to be coterminous with the term of office of the governor; and

(C) Each regular term of all other board members appointed in accordance with this subsection (a) beginning January 1, 2015 shall be for three (3) years.

(3) Board members shall serve until their successors are appointed. If a vacancy occurs on the board, the remainder of the term shall be filled by the respective appointing authorities in accordance with this subsection (a).

(4) Any board created pursuant to this subsection (a) shall cease to exist upon the completion of the sale of a megasite governed by such board.

SECTION 2. Tennessee Code Annotated, Section 64-6-110, is amended by deleting subsection (c) in its entirety and by substituting instead the following new language:

(c)

(1) The authority formed pursuant to this section shall be governed by a board of directors in which all powers of the corporation shall be vested. The membership of the board shall include the following:

(A) The county mayor or a designee of the county mayor of the county in which the megasite is located or, if it is located in more than one (1) county, the county in which the megasite is predominately located;

(B) The mayor or the designee of the mayor in the incorporated municipality with the largest population in a county in which the megasite

is located or, if it is located in more than one (1) county, the county in which the megasite is predominately located;

(C) The two (2) speakers of the respective houses acting jointly after consultation with the members whose districts lie within the participating counties shall appoint two (2) members;

(D) The governor shall appoint two (2) at-large members and three (3) additional members representing and residing in counties contiguous to the county in which the megasite is located. At the time of initial appointment, the three (3) additional members shall be selected from counties not otherwise represented on the board. Notwithstanding any provision of this part to the contrary, the three (3) additional members shall serve without reimbursement for their actual travel expenses;

(E) The chancellor of the board of regents shall appoint one (1) member from the presidents of the community colleges that have a campus within a county in which the megasite is wholly or partially located or within a county contiguous thereto; and

(F) The executive director of the development district in which the megasite is located.

(2) For the purposes of calculating terms, members serving on a board as of January 1, 2013 shall serve until December 31, 2014, at which time their terms shall expire. At the conclusion of such terms:

(A) Each regular term of the board members appointed jointly by the speakers beginning January 1, 2015 shall be two (2) years, to be coterminous with the terms of office of the speakers;

(B) Each regular term of the board members appointed by the governor beginning January 1, 2015 shall be four (4) years, to be coterminous with the term of office of the governor; and

(C) Each regular term of all other board members appointed in accordance with this subsection (c) beginning January 1, 2015 shall be for three (3) years.

(3) Board members shall serve until their successors are appointed. If a vacancy occurs on the board, the remainder of the term shall be filled by the respective appointing authorities in accordance with this subsection (c).

(4) Any board created pursuant to this subsection (c) shall cease to exist upon the completion of the sale of a megasite governed by such board.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.