



State of Tennessee

PRIVATE CHAPTER NO. 28

HOUSE BILL NO. 1609

By Representative Weaver

Substituted for: Senate Bill No. 490

By Senator Pody

AN ACT to amend Chapter 186 of the Acts of 1901; as amended and rewritten by Chapter 112 of the Private Acts of 1991; Chapter 53 of the Private Acts of 1993, Chapter 12 of the Private Acts of 2017; and any other acts amendatory thereto, relative to the charter of the Town of Carthage.

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

SECTION 1. Chapter 186 of the Acts of Tennessee of 1901, as amended and rewritten by Chapter 112 of the Private Acts of 1991, Chapter 53 of the Private Acts of 1993, Chapter 12 of the Private Acts of 2017, and any other acts amendatory thereto, are deleted and replaced by the following charter:

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SECTION 1: BOUNDARIES

Section 1. The inhabitants of the Town of Carthage, in the County of Smith and the State of Tennessee, are hereby constituted a body politic and corporate under the name and title of the "Town of Carthage." The corporate limits of the Town of Carthage shall be those fixed by

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Chapter 186 of the Acts of 1901, all acts amendatory thereto, and any annexations or contractions of territory made pursuant to law.

SECTION 2: GENERAL POWERS SUCCESSION

Section 2. The Mayor and Alderman of the Town of Carthage shall have perpetual succession, may sue and be sued, implead and be impleaded in all the courts of law and equity; may purchase, receive and hold real, personal, and mixed property within said town for municipal purposes, and may purchase, receive, and hold property, both real and personal, to be used for the burial of the dead, erection of water works, work house or house of correction, and may sell, lease or dispose of said property for the benefit of the Town of Carthage, and to do all other acts in and about the same as natural persons. The Mayor and Alderman or the Town of Carthage shall have the power to fix the compensation of all Town employees. They shall have and use a common seal, which may be changed at pleasure. The Town of Carthage can be referred to as the City of Carthage, where it is necessary and where historically it has been referred to as "City of Carthage".

SECTION 3: ELECTION AND ELIGIBILITY

Section 3. The officers of said town shall be a Mayor and six (6) Aldermen, who shall constitute the Town Council, to be chosen and elected by the qualified voters of the town; provided, however, any person owning property within the corporate limits of the municipality and residing outside such limits but within Smith County may register and vote in municipal elections, if such property ownership is of a residential lot size of not less than thirty-five hundred square feet (3,500 sq. ft.) or any person owning a commercial property of any size as long as there are not more than two (2) persons per deed in either property classification. Multiple floors shall count toward the total square footage residential requirement. Such nonresident shall furnish to the Registrar's office proof of ownership and lot size and location by submitting a copy of the municipality's tax notice or such other document deemed acceptable by the Registrar. Such nonresident shall not be eligible to hold any Town office or serve on any board or commission.

Those persons elected to the above-mentioned positions shall have been residents of the Town of Carthage for at least one (1) year preceding their election. Should the Mayor or any Alderman cease to be a bona fide resident of the Town of Carthage, their office shall be vacated. In the event that the election of Mayor or Alderman cannot be determined due to a tie vote, then a run-off election shall be held within forty-five (45) days for that office. The swearing in shall be within five (5) days of certification of their election by the Smith County Election Commission.

SECTION 4: TERMS OF MAYOR AND ALDERMEN

Section 4. The Mayor and Aldermen shall be elected for four-year terms and an election shall be held on the first Tuesday following the first Monday in November or all even-numbered years so as to coincide with the November general election. Nothing in this Act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which they were elected. All officers of the Town shall hold their offices until their successors are elected or appointed and qualified. All elections shall be held in accordance with the provisions of the State's general election laws.

SECTION 5: OATH OF OFFICE

Section 5. The Mayor and Aldermen, before entering upon their duties, shall each take an oath before some person qualified to administer the same, that they will honestly and faithfully discharge the duties of the office without fear, favor or affection, and to support the Constitutions of the United States and of the State of Tennessee.

SECTION 6: LEGISLATIVE POWERS OF TOWN COUNCIL:

ELECTION OF VICE-MAYOR AND FILLING VACANCIES IN THE OFFICES OF MAYOR AND ALDERMEN

Section 6.

(1) The legislative powers of the said town shall be exercised by the Town Council, consisting of the Mayor and Aldermen, over whose meetings the Mayor shall preside and cast the deciding vote in case of a tie. A majority of all the Aldermen shall constitute a quorum for the transaction of business.

(2) The Town Council shall by ordinance fix the time and place at which the regular meetings of the Town Council shall be held. Until otherwise provided by ordinance the regular meeting of the Town Council shall be held at 6:00 P.M. on the first Thursday of each month. When such day falls on a legal holiday, the meeting shall be on the next following day.

(3) The Council may determine the rules of its proceedings, subject to this Charter. It shall keep a journal of its proceedings, and the yeas and nays on every question shall be entered thereon.

(4) The office of Vice-Mayor of the Carthage Town Council is hereby created, with such duties as are prescribed by this charter.

(5) At the first meeting of the Town Council of Carthage (after each regular biennial Town election) at which newly elected members are installed, the Town Council of Carthage shall choose from its membership a Vice-Mayor of Carthage, to act in the Mayor's absence or when the Mayor is unable to fulfill the duties of the office. In the event of a tie regarding the Vice-Mayor's election by the Carthage Town Council, it shall be decided by the Mayor's vote which by this Act shall be required in order to elect a Vice-Mayor of the Town Council.

(6) In the event of the Mayor's death in office or should the office become vacant for any other cause, the Vice-Mayor of the Town Council shall become Mayor for the unexpired term of either one (1) or two (2) years with a Mayor's election required at the next biennial Town election. It shall be the duty of the Town Council to fill the vacancy, as expeditiously as possible.

(7) The vacancy in the Vice-Mayor's office due to their succession to the Mayor's office, caused by the Mayor's death or any other cause creating such vacancy, shall be filled by a majority vote of the Carthage Town Council and in case of a tie, the Mayor of Carthage shall be required to cast the deciding vote in order to elect a Vice-Mayor. In the event of the Vice-Mayor's death in office or should the office become vacant for any other cause, the vacancy of the Vice-Mayor's term of office shall be filled by a majority vote of the Town Council with the Mayor of Carthage casting the deciding vote in the event of a tie among the aldermen's efforts to elect a Vice-Mayor.

(8) Any vacancy in the office of alderman shall be filled by the remaining members of the Town Council. The Town Council shall appoint a person meeting the qualifications of alderman under this charter. The appointee shall hold office for the entirety of the vacating Council member's unexpired term. The Mayor of Carthage shall be required to convene the Carthage Town Council as expeditiously as possible to fill such vacancy.

(9) The Mayor of Carthage shall be required to cast the deciding vote in the event of a tie regarding the appointment of an alderman by the Town Council due to a vacancy during an unexpired term of office.

SECTION 7: CONDUCT AND REMOVAL OF OFFICERS

Section 7. The Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, may remove a member of the Council from office in accordance with the ouster provisions in Tennessee Code Annotated, Title 8, Chapter 47.

SECTION 8: APPOINTMENT AND COMPENSATION OF THE TOWN RECORDER,

CHIEF OF POLICE, AND OTHER OFFICERS

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Section 8.

(1) The Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, are hereby authorized, empowered, and directed to appoint some suitable person of lawful age, who may not be a member of said Council, Recorder of said town.

(2) The Recorder shall receive a salary to be fixed by the Council. The Recorder shall, by the Recorder's signature and the Town seal, attest all instruments signed in the name of the Town and all official acts of the Mayor.

(3) It shall be the duty of the Recorder to be present at all meetings of the Council and to keep a full and accurate record of all business transacted by the same, to be preserved in permanent book form.

(4) The Recorder shall have custody of and preserve in the Recorder's office, the Town seal, the public records, original rolls of ordinances, ordinance books, minutes of the Council, contracts, bonds, title deeds, certificates and papers, all official indemnity or security bonds (except the Recorder's own bond, which shall be in the custody of the Mayor), and all other bonds, oaths, affirmations and all other records, papers and documents not required by this Charter or by ordinances to be deposited elsewhere, and shall register them by numbers, dates and contents, and keep an accurate and modern index thereof.

(5) The Recorder shall provide, and when required by any officer or person, certified copies of records, papers and documents in the Recorder's office and charge therefor, for the use of the Town, such fees as may be provided by ordinance, cause copies of ordinances to be printed, as may be directed by the Council, and kept in the Recorder's office for distribution.

(6) The Recorder shall also perform any other duties imposed upon them by this Charter or by ordinance.

(7) In the event of the temporary absence or disability of the Recorder, the Council may by an instrument in writing appoint a Recorder pro tempore who shall have and exercise all the powers of the regular Recorder.

(8) Before assuming the duties of office, the Recorder shall execute a bond in an amount to be determined by the Council, but not less than ten thousand dollars (\$10,000).

(9) The Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, shall also at said times appoint a Chief of Police, and such other officers and Supervisors as they deem necessary, and may provide by ordinance and shall have power to prescribe the duties of the same, and fix the bonds of all the officers of the town. The Council may also establish Town departments, offices or agencies in addition to those created by this Charter, and may prescribe the functions of all departments, offices and agencies not inconsistent with this Charter. Departments, Offices, and Agencies created by the Council may be abolished or combined.

(10) The Council shall fix the salary of the Chief of Police. If other officers are appointed or elected under the authority given in this Act, the Council shall have full power to provide for and fix the amount of their compensation.

SECTION 9: COMPENSATION OF MAYOR AND ALDERMEN

Section 9.

(1) The Town of Carthage is authorized and empowered to fix and allow compensation to the Mayor for their service in the discharge of the Mayor's duties as such. The Mayor's salary may not be reduced during the Mayor's term of office.

(2) Each Alderman of the town shall receive a salary to be determined by the Council for serving as an Alderman.

(3) The Mayor and each member of the Board of Aldermen, acting as a Council, shall be reimbursed for their actual and reasonable business and travel expenses incurred in the performance of their duties as Council members.

(4) In addition to the salary provision in SECTION 9, subdivision (1), no member of the board of mayor and alderman may vote to alter the salary of their elected offices prior to the end of the term for which such public officers were selected.

SECTION 10: TOWN ATTORNEY

Section 10.

(1) The Town Attorney shall be an attorney at law entitled to practice in the courts of the State of Tennessee.

(2) The Town Attorney shall be appointed by the Mayor and Board of Aldermen of the Town of Carthage, acting as a Council, and shall direct the management of all litigation in which the Town is a party, including the function of prosecuting attorney in the Town courts; represent the Town in all legal matters and proceedings in which the Town is a party or interested, or in which any of its officers is officially interested; attend all meetings of the Council; advise the Council, and committees or members thereof, and the heads of all departments and divisions as to all legal questions affecting the Town's interest; and approve as to form all contracts, deeds, bonds, ordinances, resolutions and other documents to be signed in the name of or made by or with the Town.

(3) Compensation of the Town Attorney shall be as fixed by the Council.

SECTION 11: ENUMERATED POWERS OF TOWN COUNCIL

Section 11. The Council shall have power by ordinance or resolution, when appropriate, to:

(1) Assess property within the corporate limits for taxation, to levy and collect taxes for municipal purposes upon all property and privileges not exempt from taxation under the Constitution of the state;

(2) Adopt such classifications of the subjects and objects of taxation as may not be contrary to law;

(3) Contract and be contracted with;

(4) Expend the money of the Town for all lawful purposes;

(5) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge, or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the Town or State;

(6) To condemn property, real or personal or any easement, interest, or estate or use therein, either within or without the Town, for present or future public use; such condemnation to be made and effected in accordance with the terms and provisions of Tennessee Code Annotated, Title 29, Chapter 16, or in such other manner as may be provided by general law;

(7) To take and hold property within or without the Town or State upon trust; and to administer trusts for the public benefit;

(8) Acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge, or otherwise dispose of public utilities or any estate or interest therein, or any other utility of service to the Town, its inhabitants, or any part thereof;

(9) Grant to any person, firm, association, or corporation franchises for public utilities and public services to be furnished to the Town and those therein. Such power to grant franchises shall embrace the power hereby expressly conferred, to grant exclusive franchises, and whenever an exclusive franchise is granted, it shall be exclusive not only

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as against any other person, firm, association, or corporation, but also as against the Town itself. Franchises may be granted for the period of twenty-five (25) years or less, but not longer. The Council may prescribe in each grant of a franchise, to public utilities not regulated by the Tennessee Public Utility Commission, the rate, fares, charges, and regulations that may be made by the grantee of the franchise. Franchises may by their terms apply to the territory within the corporate limits of the Town at the date of the franchises, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and other thoroughfares that thereafter may be opened;

(10) Make contracts with any person, firm, association or corporation, for public utilities and public services to be furnished to the Town and those therein. Such power to make contracts shall embrace the power, expressly conferred, to make exclusive contracts; and when an exclusive contract is entered into, it shall be exclusive not only against any other person, firm, association, or corporation, but also as against the Town itself. Such contracts may be entered into for the period of twenty-five (25) years or less, but not longer. The Council may prescribe in each such contract with public utilities not regulated by the Tennessee Public Utility Commission entered into, the rates, fares, charges, and regulations that may be made by the person, firm, association, or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the Town at the date of the contract, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and thoroughfares and to any other streets, alleys and other thoroughfares that thereafter may be opened;

(11) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities and compel, from time to time, reasonable extensions of facilities for such services, but nothing herein shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (9) and (10) of this Section. Provided, however, nothing herein shall be construed to apply to public utilities whose construction, maintenance, equipment, operation and service, and extensions thereof are regulated by the Tennessee Public Utility Commission;

(12) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle, and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds and squares, bridges, viaducts, subways, tunnels, sewers, and drains within or without the corporate limits, and to regulate the use thereof within the corporate limits, and to take and appropriate property for the aforementioned uses in accordance with State law;

(13) Construct, improve, reconstruct and re-improve by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining, or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits;

(14) Pass regulations or ordinances for the improvement of the streets, sidewalks, and public ways and grounds within the Town as they may deem proper, and require the owners of property fronting on any of said streets or adjoining the same to erect and maintain sidewalks of such material and in such manner as the Council may prescribe, and fix a lien on said property for failure on the part of the owners to comply with said requirements;

(15) Pass ordinances for the removal of old and dilapidated buildings, which are deemed unsightly, dangerous, insecure, unsafe, or a nuisance to the well-being and welfare of the Town, and for the suppression of any business, building or vocation which is deemed injurious to the health, morals, or welfare of the Town, or such as constitute a nuisance, and fix a lien on said property for failure on the part of the owners to comply with said requirements;

(16) Acquire, purchase, provide for, construct, regulate, and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

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(17) Collect and dispose of drainage, sewage, offal, ashes, garbage and refuse, and to impose a compulsory service charge for such, or to license and regulate such collection and disposal;

(18) License and regulate all persons, firms, corporations, companies, and associations engaged in any business, occupation, calling, profession, or trade not forbidden by law;

(19) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege, or calling not prohibited by law;

(20) Define, prohibit, abate, suppress, prevent, and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the Town, and to exercise general police powers;

(21) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;

(22) Inspect, test, measure, and weigh any article for consumption or use within the Town, and to charge reasonable fees therefor; and to provide standards of weights, tests and measures;

(23) Establish, regulate, license, and inspect weights and measures;

(24) Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures, and to inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent the use thereof and require any alteration or changes necessary to make them healthful, clean, or safe;

(25) Provide and maintain charitable, education, recreation, curative, corrective, or detention departments, functions, facilities, instrumentalities, conveniences, and services;

(26) Enforce any ordinance, by means of fines, forfeiture, penalties, and to impose cost as a part thereof;

(27) Establish schools, determine the necessary boards, officers, and teachers required therefor, and fix their compensation, to purchase or otherwise acquire land for schoolhouses, playgrounds and other purposes connected with the schools; to purchase or erect all necessary buildings and to do all other acts necessary to establish, maintain, and operate a complete educational system within the Town;

(28) Regulate, tax, license or suppress the keeping or going at large of animals within the Town; to impound the same and in default of redemption to sell or kill the same;

(29) Establish, maintain and operate Human Resource Management Systems, group insurance plans, and retirement systems for Town employees, and to appropriate, expend and use the money of the Town therefor;

(30) Under the police power, to make all necessary and proper rules and regulations regarding the use and operation of taxi cabs and contract carriers, and the operators thereof, within the corporate limits of the Town of Carthage;

(31) To do all things necessary to provide the Town sufficient and safe water; to provide for the regulation, construction and maintenance of water works, settling basins, pumping stations, water pipes and mains and rights-of-way for the same, reservoirs and all appurtenances, whether within or without the corporate limits of the Town;

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(32) Provide for rates and assessments for water service, and to provide and fix liens or penalties and withdrawal of service for refusal or failure of the party served to pay for same;

(33) Provide for the establishment and operation of all offices, boards, divisions and departments, not herein enumerated, which may be deemed necessary or expedient in the interest of the Town;

(34) Provide for and establish a Town Planning Commission and a Board of Zoning Appeals pursuant to and consistent with the general law; and to invest such bodies with all the powers conferred by general law; and to act upon the plans, plats, decisions and recommendations made by such bodies, respectively, as in the general law provided;

(35) Call, regulate, provide for and control all municipal elections not provided by general law or this Charter;

(36) Have and exercise all powers which now or hereafter it would be competent for this Charter specifically to enumerate, as fully and completely as though said powers were specifically enumerated herein;

(37) Provide for the control of the growth of grass, weeds and vegetation and the accumulation of trash, rubbish and other deleterious or noxious matter upon any property within the Town other than agricultural property and require the owner or those in possession of said property to keep the same free from the accumulation thereof; and to charge such owner or those in possession of said property with the cost of removal of same and to impress a lien upon such property to defray the costs thereof;

(38) Adopt by ordinance or resolution all requirements governing competitive bidding and purchasing involving all purchases and leases or lease-purchase agreements involving the Town or any department or agency thereof and to adopt such regulations providing procedures for implementing such regulations. The Council shall enact such regulations and procedures by ordinance or resolution as herein authorized; and

(39) Adopt personnel rules which shall include the classification of all Town positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances; a pay plan for all Town positions; and the hours of work, attendance regulations and provisions for sick and vacation leave.

SECTION 12: EXTRATERRITORIAL JURISDICTION OF POLICE

Section 12. The jurisdiction and police authority of said town shall extend to a distance of one (1) mile beyond the corporate limits for the suppression and punishment of all disorderly acts and practices forbidden by the laws of the state and the ordinances of said town.

SECTION 13: GENERAL DUTIES OF MAYOR

Section 13.

(1) The Mayor shall be the chief executive officer in charge of supervision of all officers of the municipality;

(2) The Mayor shall see that all laws or ordinances be enforced;

(3) It shall be the duty of the Mayor to lay before the board any information needed, and recommend such measure as he/she may deem expedient;

(4) The Mayor shall examine all ordinances and resolutions passed before affixing their signature. The Mayor shall have veto power, and if the mayor refuses to approve any ordinance or resolution, the mayor shall return the same to the board at its next meeting with the reasons in writing for the refusal. The ordinance or resolution is not valid, unless the board by a two-thirds (2/3) majority vote of the Council present,

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passes the same notwithstanding the mayor's veto. If the mayor does not veto an ordinance or resolution, it shall become valid without the mayor's signature;

(5) No ordinance shall become law unless it is considered on two (2) separate days and approved on each of the two (2) days by majority of the members present unless by unanimous consent of the Council, earlier action is deemed necessary and until it is signed by the Mayor, unless the Mayor fails to veto the ordinance by the next regular meeting, and in case of such failure, the ordinance shall become law without the Mayor's signature;

(6) The Mayor may make temporary appointments to fill temporary vacancies, and he/she shall likewise have the power to make special deputies and to increase temporarily the police force;

(7) The Mayor shall call special meetings of the Council when in their judgment the good of the town requires it; he/she shall say to the Council, in writing, the purpose of such meeting which, together with the action of the Council, shall be spread on the minutes of the regular minute book;

(8) The Mayor shall have the power to suspend any Town officer for misconduct or dereliction of duty in office, reporting such action, with their reasons therefor, in writing, to an immediate special meeting of the board; and

(9) The Mayor shall countersign all warrants drawn upon the treasury by the recorder or secretary and sign all contracts to which the municipality is a party.

SECTION 14: JUDICIAL AUTHORITY OF THE MAYOR:

TOWN COUNCIL TO APPOINT TOWN JUDGE

Section 14.

(1) The Town Council shall appoint a Town Judge who shall serve at the pleasure of the Council. The Town Judge shall receive such compensation as may be provided by ordinance.

(2) The Town Judge shall try all persons charged with violation of the ordinances of the Town and shall have the power to levy fines not exceeding fifty dollars (\$50.00) for each offense, and to impose such costs authorized by State law.

(3) The Town Judge shall also have the power to administer all necessary process, to administer oaths, and to punish for contempt in the manner prescribed by state law for municipal courts.

SECTION 15. TRANSITION AND SEVERABILITY

Section 15.

(1) Gender. Whenever, in this Charter, "man, men, him, his, he," or their related pronouns may appear either as words or as parts of words, they have been used for literary purposes and are meant in their generic sense "i.e., to include all human kind, both female and male sexes."

(2) State and Municipal Laws. All Town ordinances, resolutions, orders and regulations which are in force when this charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto. To the extent that the constitution and laws of the state of Tennessee permit, all laws relating to or affecting this Town or its agencies, officers or employees which are in force when this charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto.

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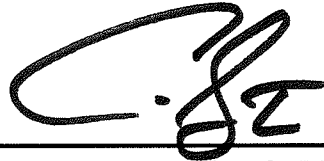
(3) Severability. If any provision of this charter is held invalid, the other provisions of the charter shall not be affected. If the application of the charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected.

SECTION 2. This act has no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Carthage within sixty (60) days of its signing by the governor. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and shall be certified by such presiding officer to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it is effective upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect upon being approved as provided in SECTION 2.

HOUSE BILL NO. 1609

PASSED: April 26, 2021



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 12th day of May 2021



BILL LEE, GOVERNOR