

CHAPTER NO. 27

HOUSE BILL NO. 1975

By Representative Maddox

Substituted for: Senate Bill No. 1939

By Senator Herron

AN ACT to amend Chapter 158 of the Private Acts of 1992; as amended by Chapter 62 of the Private Acts of 1993 and Chapter 103 of the Private Acts of 1993; and any other acts amendatory thereto, relative to the Charter of the City of Martin.

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

SECTION 1. Chapter 158 of the Private Acts of 1992, as amended by Chapter 62 of the Private Acts of 1993 and Chapter 103 of the Private Acts of 1993, and all acts amendatory thereto, is amended by deleting Section 5 in its entirety and by adding the following:

Section 5. The City shall be divided into three (3) wards which shall be designated as Ward I, Ward II and Ward III. The Board of Mayor and Aldermen by ordinance shall establish the ward boundaries, and the boundaries may be changed as population shifts or as other considerations require. The Boundaries shall be established in conformance with the one (1) person, one (1) vote, doctrine of the Fourteenth Amendment to the Constitution of the United States and shall be reviewed at least once every ten (10) years when the results of the United States Census are available.

On the first Tuesday following the first Monday in November 2002, at the regular November state election, a non-partisan election shall be held to elect, from the city-at-large, a Mayor for a four (4) year term. At the same election, one (1) individual who shall reside in Ward I, shall be elected from Ward I as Alderman for a four (4) year term; one (1) individual, who shall reside in Ward II, shall be elected from Ward II as Alderman for a four (4) year term; and one (1) individual who shall reside in Ward III, shall be elected from Ward III as Alderman for a four (4) year term. The Mayor and incumbent Aldermen, whose terms have expired on the first day of September, 2002, shall have their terms extended to 7:00 P.M. on the first Monday of December, 2002. Present incumbent Aldermen shall continue to serve for the terms to which they were elected.

On the first Tuesday following the first Monday in November, 2004, at the regular November state election, and every two (2) years thereafter, a non-partisan election shall be held. At the same election, one individual, who shall reside in Ward I, shall be elected from Ward I as an Alderman for a four (4) year term; one (1) individual, who shall reside in Ward II, shall be elected from Ward II as an Alderman for a four (4) year term; and one (1) individual, who shall reside in Ward III, shall be elected from Ward III as an Alderman for a four (4) year term. The incumbent Aldermen, whose terms would have expired on the first day of September, 2004 shall have their terms extended to 7:00 P.M. on the first Monday of December, 2004.

It is the intent of the Board of Mayor and Aldermen of the City of Martin, to have a non-partisan election every two (2) years at the regular November state election, beginning in November, 2002. The term of office of an Alderman and the Mayor shall be four (4) years. At the election held in November, 2002, there shall be elected a Mayor and one Alderman from each ward for a term of four (4) years. At the election held in November, 2004, there shall be elected an Alderman from each ward. In all elections for Mayor or for Alderman, a plurality shall determine the person elected. In case of a tie vote, the incumbent Board of Mayor and Aldermen shall determine the winner.

The terms of office of the Mayor and Aldermen shall commence at 7:00 P.M. on the first Monday of December following their election.

Any qualified resident voter of the city who is 21 years old or will be 21 years old at the time of taking office and has been a resident of the city for one (1) year immediately preceding the election may be qualified as a candidate for the office of Mayor or Alderman. Provided, however, that no person may qualify and seek the offices of Mayor and Alderman in the same election. Any person living within an annexed territory shall be entitled to the rights and privileges of citizenship, in accordance with the provisions of the annexing municipality's charter, immediately upon annexation as though such annexed territory has always been a part of the city.

Any person who is qualified to vote for members of the General Assembly and who is a resident of the city shall be entitled to vote in all elections. A non-resident, who is the owner of not less than a one-half (1/2) interest in a taxable freehold, or husband and wife who shall have owned a taxable freehold by the entireties within the city for a period of one (1) year preceding the date of such election, and who is a qualified voter for members of the General Assembly, may vote in a city election.

SECTION 2. Chapter 158 of the Private Acts of 1992, and all acts amendatory thereto, is amended by deleting Section 11 in its entirety and by adding the following:

Section 11. A Vice-Mayor shall be elected at the first meeting after each election by the Board from among the Aldermen. The term of office of the Vice-Mayor is for two (2) years. The Vice-Mayor shall perform the duties of Mayor during a temporary absence or inability to act. In case of a vacancy in the office of Mayor, the Vice-Mayor shall fill the vacancy for the remainder of the unexpired term or until the next regular city election, whichever occurs first. If the Vice-Mayor is completing a term in the office of Mayor, the position as an Alderman shall become vacant and the Board shall fill the vacancy as provided in Section 8. The Board shall select another from the Aldermen to fill out the unexpired term of the Vice-Mayor.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Martin by August 1, 2001. Its approval or nonapproval shall be proclaimed by the Mayor of the City of Martin and certified to the Secretary of State.

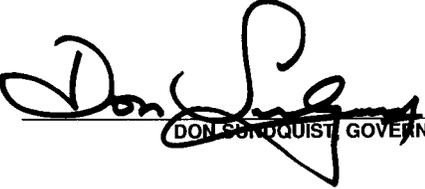
SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

PASSED: April 5, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 11th day of April 2001


DON SUNDQUIST, GOVERNOR