



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM:  Wynnis Roehrich-Patrick
Executive Director

DATE: 25 July 2013

SUBJECT: Public Chapter 441, Acts of 2013

Annexation disputes among counties, cities, and affected residents have been a recurring theme in Tennessee's history. In fact, the Commission was first directed to review annexation issues in Tennessee 20 years ago by the 98th General Assembly. This year, with passage of Public Chapter 441, the legislature again directed the Commission to study the issue of annexation as part of a comprehensive review and evaluation of the efficacy of state policies set forth in Tennessee Code Annotated Title 6, Chapters 51 (Change of Municipal Boundaries) and 58 (Comprehensive Growth Plan).

Dennis Huffer, Legal Counsel, and Sam Edwards, Executive Director, of Greater Nashville Regional Council, will present the history of Tennessee's statutes on annexation and growth policy (see attachments A [Chapter 51] and B [Chapter 58]). A detailed description of the history is available in the attached excerpts from the 1995 Commission report, *Annexation Issues in Tennessee* (attachment C) and the 1999 staff report, *Implementation of Tennessee's Growth Policy Act: The History of Public Chapter 1101 and the Early Stages of Its Implementation* (attachment D). Also included is a chart of all legislation proposed or enacted to amend annexation laws and the Growth Policy Act over the past 20 years (attachment E).

As presented in the research plan at the June meeting, the Commission will be gathering information from a series of panels. The first panel, representing various non-government points of view, includes

- Citizens for Home Rule, Inc., John Avery Emison, President;
- Homebuilders Association of Tennessee, Mitzi Spann, President;
- NAIOP Commercial Real Estate Development Association, Nathan Ridley, Attorney;
- Tennesseans Against Forced Annexations, William Haupt, Founder;

- Tennessee Association of Conservation Districts, Danny Sells, Executive Director, and Spokesperson for Citizens to Maintain Gray;
- Tennessee Association of Utility Districts, Bob Freudenthal, Executive Director;
- Tennessee Chamber of Commerce & Industry, Paul Latture, President of Rutherford County Chamber of Commerce; and
- Tennessee Farm Bureau, Rhedona Rose, Executive Vice President.

The local government panels will address the Commission at the August 21-22, 2013, meeting.