



July 22, 2024

Administration - Historical Notes

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Budget System

The following act once created a budgeting system for Lake County, but has been specifically repealed or superseded by current law. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1929, Chapter 630, created a county Finance and Budget Commission, composed of three members to make a thorough investigation of each department or branch of county government. This act was repealed in full by Private Acts of 1977, Chapter 157.

County Clerk

The following act once affected the office of county clerk in Lake County. It is included herein for historical purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1982, Chapter 373, granted all powers over probate of wills and administration of estates to the County Clerk instead of the Clerk and Master. This act was repealed by Private Acts of 1983, Chapter 115.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Lake County and are included herein for historical purposes.

1. Private Acts of 1929, Chapter 334, made the Justice of the Peace in Lake County eligible to serve on the county Board of Education. Private Acts of 1929, Chapter 334, was declared unconstitutional in Algee v. State (1956), 200 Tenn. 127, 290 S.W.2d 869, because a private act attempted to suspend the application of a general law of the State to one particular County by making members of the County Court and county officials eligible to serve on the Board of Education when T.C.A. 49-209 expressly prohibited the same.
2. Private Acts of 1929, Chapter 846, increased the per diem payments to Justices of the Peace for their attendance at meetings of the Quarterly County Court from \$1.50 to \$3.00 together with the present mileage rate.
3. Private Acts of 1970, Chapter 234, amended Private Acts of 1929, Chapter 846, by raising the per diem rate for Justices from \$3.00 to \$15.00. This Act was properly ratified by the Quarterly County Court.

General Reference

The following private or local acts constitute part of the administrative and political history of Lake County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval.

1. Public Acts of 1915, Chapter 53, amended Public Acts of 1909, Chapter 185, the General Levee and Drainage Law by limiting dredging when done by dredge boats. The terms of that 1909 law were not intended to apply to Reelfoot Lake or the Big Hatchie River although it was permissible to excavate as far north as the "Three Bridges" in the 5th Civil District of Obion County and the 4th Civil District of Lake County.
2. Public Acts of 1977, Chapter 489, amended Section 6-2614, Tennessee Code Annotated, so that a method was provided by which a member of the Board of Directors of a water utility district could be removed, or ousted. The Act applied only to water utility districts and the remedy was initiated by petition of the County Judge and moved over various steps to being approved by the customers of the utility in a referendum. Several counties, including Lake County removed themselves from the application of the act.
3. Private Acts of 1992, Chapter 183, would have required real property owners to make application for building permits to the assessor of property for certain construction and remodeling with a value of or costs \$1,000 or more. This act never received local approval.

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