



December 20, 2024

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# Administration - Historical Notes

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Dear Reader:

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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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# Administration - Historical Notes

## **Budget System**

The following acts once created a budgeting system for Chester County, but they have been specifically repealed or superseded by current law. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1939, Chapter 358, created a budget system for Chester County. This act required all county agencies having the authority to expend county funds to file budget requests for the coming fiscal year. The County Judge or Chairman was to appoint a three-member budget commission each year. This act was repealed by Private Acts of 1941, Chapter 124.
2. Private Acts of 1941, Chapter 124, repealed Private Acts of 1939, Chapter 358, and created a new budget system for Chester County. This 1941 Act was similar to the prior law. This act was repealed by Private Acts of 1983, Chapter 75 (reproduced hereinabove).
3. Private Acts of 1982, Chapter 356, would have repealed Private Acts of 1941, Chapter 124, and set up a five-member budget committee for Chester County, with a director of accounts and budgets. This act was not approved by the Chester County legislative body and never became operative.

## **County Legislative Body**

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

1. Private Acts of 1891, Chapter 91, amended Section 394 of Milliken and Vertrees' Compilation of Laws to allow an additional Justice of the Peace for the sixth civil district of Chester County, in the town of Henderson.
2. Private Acts of 1921, Chapter 172, set the compensation of Justices of the Peace in Chester County at \$3 per day, plus the mileage allowed by law for their attendance at meetings of the Quarterly County Court.
3. Private Acts of 1921, Chapter 196, was a duplicate of Private Acts of 1921, Chapter 172, summarized above.

## **County Mayor**

The references below are of acts which once applied to the office of county judge, or county executive in Chester County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1939, Chapter 437, required the county board of election commissioners to hold an election to determine the will of the voters in Chester County with regard to the creation of the offices of County Judge and County Purchasing Agent and the popular election of a road supervisor, superintendent of education, tax assessor, and county board of education.
2. Private Acts of 1951, Chapter 57, created the office of County Judge for Chester County, to be popularly elected to an eight-year term. The act states that the Judge was to be paid \$100,000 per year. An attempt was made to correct this error in Chapter 232 of the same session, summarized below. The Judge was to assume all the duties formerly held by the Chairman of the Quarterly County Court and especially all ex-officio duties once held by the Chairman. The County Judge would also be the financial officer of the County.
3. Private Acts of 1951, Chapter 232, amended Private Acts of 1951, Chapter 57, to strike "\$100.00 per annum" (which did not appear in Chapter 57) and insert instead "\$1200.00 per annum." This was an obvious attempt to correct the generous compensation of \$100,000 per year granted to the County Judge under Chapter 57.
4. Private Acts of 1957, Chapter 373, repealed Private Acts of 1951, Chapter 57, thereby abolishing the position of County Judge in Chester County.
5. Private Acts of 1975, Chapter 120, created the office of County Judge in Chester County. The County Judge was to be popularly elected to an eight-year term and would receive the same compensation as judges and chancellors. The County Judge would serve as chief administrative officer and fiscal agent, and was vested with judicial powers including juvenile and probate jurisdiction. This act failed to receive local approval and never became law.
6. Private Acts of 1976, Chapter 239, attempted to repeal Private Acts of 1975, Chapter 120, and reestablish the office of County Judge for Chester County. The act was almost identical to the 1975 act with the exception of the compensation provisions. This act failed to receive local

approval and never became effective law.

### **County Trustee**

The following act once applied to the office of county trustee of Chester County is included herein for historical purposes.

1. Private Acts of 1949, Chapter 229, relative to registration of conveyances of real property in Chester County. Counties having a population of not less than 11,100 nor more than 11,200, by the Federal Census of 1940, or any subsequent Federal Census, no conveyance of realty shall be recorded by the register of said counties until the same shall have been presented to the County Trustee of said counties. Upon presentation of such conveyance to him, the County Trustee shall note upon his tax books the names of the grantor and grantee, the acreage conveyed and the civil district in which the property is located and such other data as may be of aid in enabling the Tax Assessor of said counties to properly and adequately assess the subject of such conveyance. This act was repealed by Private Acts of 2002, Chapter 128.

### **Obion and Forked Deer River: Flood Control and Drainage Improvements**

The following acts, which were not codified, once affected flood control and drainage improvements in the Obion and Forked Deer River basin, and are included herein for historical purposes.

1. Public Acts of 1972, Chapter 807, added a new section to Public Acts of 1959, Chapter 129, providing the department of agriculture with concurrent authority and responsibility for maintenance of completed channel improvements for the Obion and Forked Deer Rivers. This act was repealed twice, first by Public Acts of 1973, Chapter 38, and again when the 1973 act was repealed by Public Acts of 1974, Chapter 415.
2. Public Acts of 1973, Chapter 38, amended Public Acts of 1959, Chapter 129, and Public Acts of 1963, Chapter 149, to transfer the authority and responsibility for the flood control and drainage improvements for the Obion and Forked Deer Rivers from the department of highways and public works to the department of agriculture. This act was repealed by Public Acts of 1974, Chapter 415.

### **Purchasing**

The following acts once affected the purchasing procedures of Chester County, but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1939, Chapter 437, authorized the County Board of Election Commissioners to call an election for the purpose of determining the will of the qualified voters of Chester County relative to the creation of the office of Purchasing Agent in said County.
2. Private Acts of 1949, Chapter 277, and any other acts amendatory thereto relative to the purchasing commission of Chester County was repealed by Private Acts of 1997, Chapter 57.

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