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# Authority to Merge

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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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# Authority to Merge

## Private Acts of 1973 Chapter 144

**SECTION 1.** Chapter 529 of the Private Acts of 1947 as amended by Chapter 380 of the Private Acts of 1951 is amended to authorize the Shelby County Quarterly Court by resolution to combine the Memphis and Shelby County Port Commission with Memphis River Front Harbor Commission to be known as the Memphis and Shelby County Port Commission.

**SECTION 2.** Pursuant to agreement with the city of Memphis, who by ordinance shall authorize the combination of the Memphis River Front Harbor Commission and the Memphis and Shelby County Port Commission, the county of Shelby by resolution of the Quarterly County Court is authorized to provide for the combining of the Memphis River Front Harbor Commission with the Memphis and Shelby County Port Commission and to increase the membership of the Port Commission from five (5) to no more than nine (9) members. The appointment, qualifications, duties, powers, and responsibilities of the new Board shall be fixed by resolution of the Quarterly County Court and all powers of the Memphis River Front Harbor Commission shall be transferred by ordinance of the city of Memphis as authorized by said charter of the city of Memphis to the Memphis and Shelby County Port Commission, who shall have general charge, supervision, management and control over the property under the jurisdiction of the Memphis River Front Harbor Commission and shall have all the powers now granted to the Memphis River Front Harbor Commission as well as the powers of the present Port Commission. Title to all parcels of property, lands or real estate in the name of the city of Memphis or in the name of Shelby County shall be continued in said body as presently titled, unless transferred by contract mutually agreed upon by the city of Memphis and the county of Shelby to the City, to the County, or to a joint ownership, and expenditures and revenues of the Memphis River Front Harbor Commission shall continue as presently provided unless changed by mutual agreement between the city of Memphis and the county of Shelby. Nothing in this act shall impair any obligations heretofore entered into by the Memphis River Front Harbor Commission or its predecessors to any persons, but all contracts outstanding heretofore made under the existing law shall be binding upon the Memphis and Shelby County Port Commission upon the transfer. Further, nothing in this act shall be construed to amend the present powers of the Memphis and Shelby County Port Commission as set forth in Chapter 500 of the Private Acts of 1947 as amended except to authorize said Board to exercise the powers of the Memphis River Front Harbor Commission pursuant to joint resolution and ordinance which may hereinafter be passed.

**SECTION 3.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 4.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Quarterly County Court of Shelby County, Tennessee, not more than one hundred twenty (120) days subsequent to its approval by the Chief Executive of this state or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State.

**SECTION 5.** This act shall take effect upon becoming a law except as otherwise provided, the public welfare requiring it.

Passed: May 4, 1973.

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