



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

Number 62

**AN ORDER AUTHORIZING THE REALLOCATION OF RECOVERY ZONE BONDS**

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") authorized the issuance of Recovery Zone Bonds to provide tax incentives and lower the costs of borrowing for the purposes of promoting job creation and economic recovery; and

WHEREAS, pursuant to ARRA, Recovery Zone Economic Development Bonds shall be used to finance qualified economic development projects in designated recovery zones, and Recovery Zone Facility Bonds shall be used to finance certain business development activities in recovery zone areas; and

WHEREAS, the United States Department of Treasury allocated to the State of Tennessee \$231,417,000 for Recovery Zone Economic Development Bonds and \$347,126,000 for Recovery Zone Facility Bonds; and

WHEREAS, the Department of Treasury has also sub-allocated specific amounts of the Bonds among the counties and cities of this State based on the decline in employment in these counties and cities in 2008; and

WHEREAS, ARRA provides that all or any portion of the allocations may be waived or deemed waived by the "Originally Awarded Localities", and upon such waiver, the State is authorized to reallocate the waived amount in any reasonable manner as it determines in good faith at its discretion; and

WHEREAS, in order to maximize the economic development potential of the Recovery Zone Bonds, it is in the best interest of the State to reallocate any unused or waived allocations from the counties and municipalities to which they were originally awarded.

NOW THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct the following:

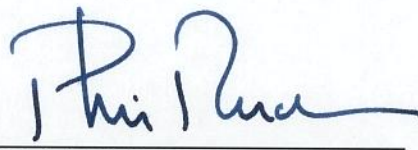
1. The Commissioner of Economic and Community Development shall conduct a survey of the counties and municipalities of this State to determine their intended use of the Recovery Zone Bond allocations and also to determine whether any of the allocations will be waived. This survey shall include a deadline for receipt of responses from the counties and municipalities. Failure by any county or municipality to respond to the survey shall be deemed a waiver of the allocation in its entirety and the original allocation shall then be reallocated at the discretion of the Commissioner.
2. The Commissioner may, at his discretion and in the best interest of the State, reallocate the original allocations of the counties and



municipalities to ensure the State receives the full benefit of this economic development incentive. The Commissioner may conduct this reallocation if, as of March 10, 2010, a county or municipality has failed to provide an Application for Bond Reservation to the Department and has failed to receive a Letter of Reservation from the Department or if a county or municipality has expressly waived its allocation.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 5th day of February, 2010.



  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE