

TENNESSEE HomeBuilder

Mar./Apr. 2007

Official Magazine of the Tennessee Home Builders Association

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105th General Assembly Directory

Begins on page 16

2nd Term Governor

Phil Bredesen

**Effective Leadership for the
Future of Tennessee**

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March/April 2007



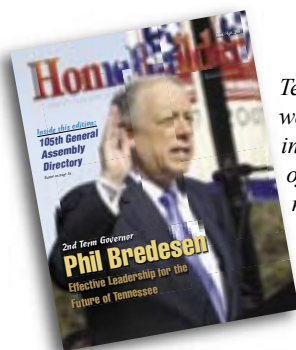
WHO WE ARE

The Home Builders Association of Tennessee (HBAT) is a not-for-profit trade association comprised of professional builders, developers and associated firms engaged directly or indirectly in home building, remodeling and light commercial construction.

MISSION STATEMENT

The Home Builders Association of Tennessee represents over 6,900 member firms as the Voice of the Housing Industry. We advocate housing affordability and availability through:

- Legislation
- Communication
- Education



In this edition of the Tennessee Home Builder, we recognize the continuing, effective leadership of second-term Governor Phil Bredesen.

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Last month we featured our newest Local Association in Greene County, Tennessee. Unfortunately, the County's name was misspelled in the article. We apologize for this mistake.



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TN HomeBuilder is the official publication for the Home Builders Association of Tennessee.

Annual subscription rate for members of the association is included in the association dues.

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Send address changes to:
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213 Fifth Avenue North
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Mid-South Advertising
(931) 379-0814

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May be sent to—
tnbuilder@comcast.net or

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P.O. Box 1916
Columbia, TN 38402
www.tnhomebuilder.com

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SUCCESSFUL BUILDING

Begins with a Successful Plan

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness...."

—Declaration of Independence

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

—US Constitution

(Adopted in its original form on September 23, 1788.)

Strategic Plans, Vision Statements and Mission Statements – these concepts have been developed to create unified visions, common goals and road maps for the future. In the first few sentences of the Declaration of Independence and the US Constitution, our founding fathers gave us a vision and set the course for the duties of our government. These words have inspired, guided and shaped the future of both Americans and free thinking people throughout the world.

It is a fact that the one thing we can all be sure of is "change." The economy, legislative issues and factors such as technology, all create a changing environment for an industry such as ours. It is so easy to get caught up in the tyranny of the urgent that many times we neglect the issue of planning. As leaders, we must be concerned with both management and guidance. Having a vision is more than a creative process with hypothetical possibilities. It is a realistic evaluation of where we are at present, and where we want to go. It is about survival and success.

In this edition of our magazine, you will find an outline concerning our Strategic Plan for the Future. I believe this plan and the vision for our future will determine the measurable success for this Association. Dwight D. Eisenhower once said, "Plans are nothing. Planning is everything." I believe it is important to understand that strategy is a process. It must become part of the interwoven fabric of our culture. Our Strategic Plan will be the process by which we accomplish our goals effectively.

I have less than a year now to be your President. But my top priority has been,



HBAT President David Parsons

and will always be, to unify our membership. There is no place in this organization for brilliant individualism. We must move, work and survive as a team. We must seek out and identify the qualified and the talented among ourselves, and we must come together behind a unified strategy to build the strongest Home Builders Association possible.

Since 1960, we have continually established ourselves as the voice of the Tennessee building industry. This is an evolving mission, being accomplished with more and more success each year.

Today, the future of the Home Builders Association of Tennessee is limited only by our ability to creatively develop our vision for the future. We will now accomplish our mission by working hard and developing our talents and resources. We will measure our successes, adapt to a changing environment, and we will leave future homebuilders a legacy of accomplishment.

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2007–2009 Strategic Plan for the Home Builders Association of Tennessee



“Where there is no vision, the people perish...”
- Proverbs 29:18

Strategic planning is the foundation of a successful future. In September of 2006, your HBAT Senior Officers and members of the 2007 Executive Committee convened for the purpose of charting the future course of the Home Builders Association of Tennessee.

The strategic plan was designed to define the goals and strategies from one to three years. It will also assist our current leadership, and the leadership of the future, to track the progress of our Association.

Our Mission Statement serves as a basic guide and branding tool:

“The mission of the Home Builders Association of Tennessee is to advocate housing affordability and availability through legislation, communication and education.”

Our leadership also developed a clear and precise Vision Statement:

The Home Builders Association of Tennessee is the principle voice and resource for Tennessee’s home building industry by:

- Promoting home ownership in Tennessee
- Helping our communities understand our significant economic contributions
- Developing leaders in our communities
- Promoting excellence in governance and serving members

There are five areas of concentration in the Plan. We have provided a broad overview of the goals and strategies within each area.



Governmental Affairs

- Monitor all legislation for potential impact on the home building industry
- Provide ongoing legislative communications to local associations to

ensure state-wide unity on all issues

- Enhance and grow Voters Voice participation
- Enhance grassroots political action programs



Education

- Become the primary source of education in

the homebuilding industry

- Develop a comprehensive curriculum of high value courses, workshops and on-line education focusing on such areas as construction techniques, codes, new products and practices, profitability, finances, business operations, succession planning, sales, etc.



Membership Recruitment and Retention

- Create a 3-year membership growth and retention plan
- Develop member benefits program



Communications/ Public Relations

- Work with the National Association of Home Builders to create consumer communication campaign

- Create one state-wide home builder logo for local association use
- Enhance HBAT communications
 - Magazine
 - Web site
 - Listserv communication

Association Infrastructure

- Review HBAT Committee structure
- Work toward 50% dues/non-dues revenue ratio





Education Opportunities

The HBAT Education Calendar can be found online at www.hbat.org.

There's information on location, dates and times for programs throughout Tennessee.



LOG ON AND LEARN!



How Legislation Affects the Homebuilding Industry

One of the questions that the staff of the Home Builders Association of Tennessee often hears is, “what does the Home Builders Association do?” Our answer is always the same: *We are here to serve and support our members, locals and the home building industry throughout the entire state of Tennessee.*

In 2007, more than 4,000 bills have been introduced to the General Assembly of Tennessee. It is the job of the HBAT to review and study these bills and determine the potential impact on our industry. It is also our responsibility to help promote those bills that will have a positive effect on homebuilding.

Our Legislative Conference in Nashville is just around the corner, and the statewide leadership of the Home Builders Association will be meeting just a few blocks from our State Capitol. In May, the National Association of Home Builders will have a national Legislative Conference where leaders will gather to address members of Congress. These Legislative Conferences are an important time for members to express the challenges they face and their concerns when it comes to homebuilding and legislative issues. A strong member turnout is always important because decisions that affect the housing sector are being made every day in the halls of government. Environmental regulations, tax policy, soaring health care costs and many other issues can add thousands of dollars to a builder’s annual operating budget. It is incumbent upon us to inform our lawmakers about the potential effects of their decisions on our industry.

When it comes to legislative decisions, your Home Builders Association is heavily involved in the decision making process. Your personal involvement, by attending a Legislative Conference, gives you the opportunity to:

- Lobby representatives to protect your business
- Establish lasting relationships with your elected officials

- Share builder concerns about legislative decisions
- Learn the latest policy developments on the key issues affecting your business
- Demonstrate your industry’s commitment to responsible policies, pragmatic reforms, effective programs and providing the resources necessary to meet our nation’s ongoing housing needs
- Network and share business strategies with your peers
- Learn how to be an effective advocate for your business and your industry
- Make your views known on Capitol Hill
- Do your part to ensure that issues of concern are heard by policymakers

A united association sends a powerful message to members of the Tennessee General Assembly and to Congress. Because housing affects all of us, it must remain a state and national priority. It’s important to attend legislative events so you can urge your lawmakers to adopt sensible policies to enable your business to thrive and allow the nation’s home builders to fulfill their mission of providing safe, decent, affordable housing to all Americans.

NAHB - STATEWIDE ADVOCACY EFFORTS (State Home Builders Associations – Working For You, Working with You)

“Many states would identify their advocacy and lobbying efforts as their #1 priority in serving members within the home building industry. Most states have full-time lobbyists and professional government affairs staff to be your “watchdog” for issues affecting your industry.

State HBAs work with public officials, housing advocates, and regulatory agencies to solve issues such as housing affordability, excessive regulations and ever-changing building codes.

State HBAs track any piece of state legislation with potential to impact the home building industry - negatively or positively. You can count on your state HBA to take an official position on such issues to en-



*Susan Ritter, HBAT
Executive Vice President*

courage lawmakers to implement policies friendly to the housing industry and defeat those which limit your ability to build safe, quality, and affordable homes.

Your state efforts are strong and have impact. But the lobbyists and staff can’t do it alone - they need your voice in representing the housing industry. Whether signing a petition, responding to a “Call To Action” to call your legislator, or contributing to a state-wide political action committee, your state HBA needs to hear from you. Be a part of the solution - let your state HBA know which issues are important to you.”

The Home Builders Association of Tennessee points out three important areas in our mission statement: **Legislation, Communication and Education**. Of these three areas, legislation is one of the highest priorities because of its potential to affect our industry. Each of our 6,900+ members has the opportunity to stand up and be heard. There is strength in numbers, and your Home Builders Association is dedicated to being on the front line of the decision making process. **Together, we will keep our industry strong!**

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for the Future of Tennessee

Governor Phil Bredesen and his Second Term

From the perspective of the Home Builders Association of Tennessee, Governor Phil Bredesen has been a catalyst for a positive business environment. The results of his leadership have kept the homebuilding industry in Tennessee on a path of success, while many areas throughout the country have seen a significant decline in home building and sales. Bringing more business opportunities to our State and the right decisions on issues concerning immigration and growth taxes can only create future success in the homebuilding industry. Governor Bredesen has always been a friend to homebuilders and businesses at every level and size. We congratulate Governor on his second term and look forward to working with him on the issues that affect our industry.

Phil Bredesen took office as Tennessee's 48th governor on January 18, 2003, delivering on a promise to leave political debates behind and focus on achieving real results for families. In November 2006, he was re-elected in a landslide victory—reportedly becoming the first governor in over a century to win all 95 counties in

Tennessee.

To recruit new industry and jobs, Bredesen led reform of Tennessee's workers' compensation system and invested in retraining programs to help laid-off employees develop new skills. Since he took office, 2,889 companies—including Nissan and International Paper—have expanded in or moved to Tennessee, bringing more than 108,000 jobs and \$12.8 billion in new business investment to the state.

Additionally, Bredesen took control of TennCare, the state's once financially troubled Medicaid expansion program, by preserving full enrollment for children and pursuing innovative care and disease management initiatives. Even after necessary reductions in adult enrollment, TennCare remains one of the most generous and comprehensive state healthcare plans in the nation. He continues to build on this foundation with Cover Tennessee, a new initiative to provide access for affordable healthcare for severely ill Tennesseans who have been denied health insurance, for uninsured children and for uninsured working adults.

Now, Bredesen begins his second term as Governor with a focus on raising high school and college graduation rates, boosting the economies of Tennessee's smaller and mid-sized communities, strengthening public education at every level and promoting access to health care and healthier lifestyles for all citizens, especially young Tennesseans.

Bredesen and his wife, First Lady Andrea Conte, are active members in the community, locally and statewide. He is a founding member of Nashville's Table, a nonprofit group that collects surplus food from local restaurants and distributes it to the city's homeless population. He also founded the Land Trust for Tennessee, a nonprofit organization that works statewide to preserve open space and traditional family farms. Conte is founder and president of **You Have the Power - Know How to Use It, Inc.**, a nonprofit organization dedicated to raising awareness about crime and justice issues.

Governor Phil Bredesen sent the following comment to the members of the Home Builders Association of Tennessee:

"Tennessee's economy has made remarkable progress in the last four years and our state's homebuilding industry has been both a key driver and an important beneficiary of that growth. We've seen the creation of 108,000 new jobs in our state during my first term and personal income growth of more than 2% in the last year alone. I see a healthy homebuilding industry as an important partner in continuing that success. Strong value in new home construction is one of the most important selling points we have in attracting new companies to our state, and I look forward to working with the Homebuilders Association to make sure that continues."

2007 STATE OF THE STATE ADDRESS

Governor Phil Bredesen recently delivered his 2007 State of the State Address to the 105th Tennessee General Assembly, proposing new initiatives to strengthen education in Tennessee at every level.

"Tennessee is ready—we're ready," Bredesen said during his address in the State Capitol's House Chambers. "We're ready to lift our sights even higher. We're ready to take the next steps to seize the future for ourselves, for our children and for our children's children. I believe that we start with education."

Moving forward, Bredesen's strategy for strengthening Tennessee's public education includes four pillars:

- Prepare every student for success
- Provide adequate funding to every district, directing all new money into the classroom
- Raise standards and expectations, demanding a return on this historic investment
- Make college more accessible and affordable

To support this comprehensive strategy, Bredesen made the following proposals to the General Assembly:

- \$120 million for at-risk students in K-12, to fully fund the state's share of these costs
- \$27 million for student growth needs in local school districts, to fully fund the state's share of these costs
- \$25 million to fund additional Pre-K classrooms statewide, bringing the state closer to Bredesen's goal of offering a

quality Pre-K education to every four-year-old in Tennessee

- \$48 million to keep tuition increases at state colleges and universities modest
- \$10 million to offer free community college tuition to high school students who make an average score of 19 on the ACT, 19 on the math component and 19 on the test's reading component
- \$9.3 million to increase Tennessee's Hope Scholarships to \$4,000 annually
- \$48 million to fund operating increases in Tennessee's higher education system
- Implementation of ACT testing for 8th and 10th grade students, to assess their academic needs early on and design individual learning plans to help them graduate on time and ready for work or college
- Establishment of a four-year math requirement in Tennessee's public high schools
- Bipartisan review of Tennessee's Lottery Scholarship program. (The Tennessee Higher Education Commission predicts that 75 percent of scholarship recipients will lose their scholarships before finishing school.)

To fund these new initiatives, Bredesen proposed using some state lottery funds, as well as a modest 40-cent increase in the state's cigarette tax. Bredesen stressed that, with or without the increase, Tennessee's budget is sound and balanced. The BEP, growth in TennCare and Cover Tennessee, funding for new Pre-K classrooms and community college scholarships and other initiatives are already proposed and funded.

"The argument for a cigarette tax is straightforward: Our schools need more money," Bredesen said. "Our cigarette tax is among the lowest in the

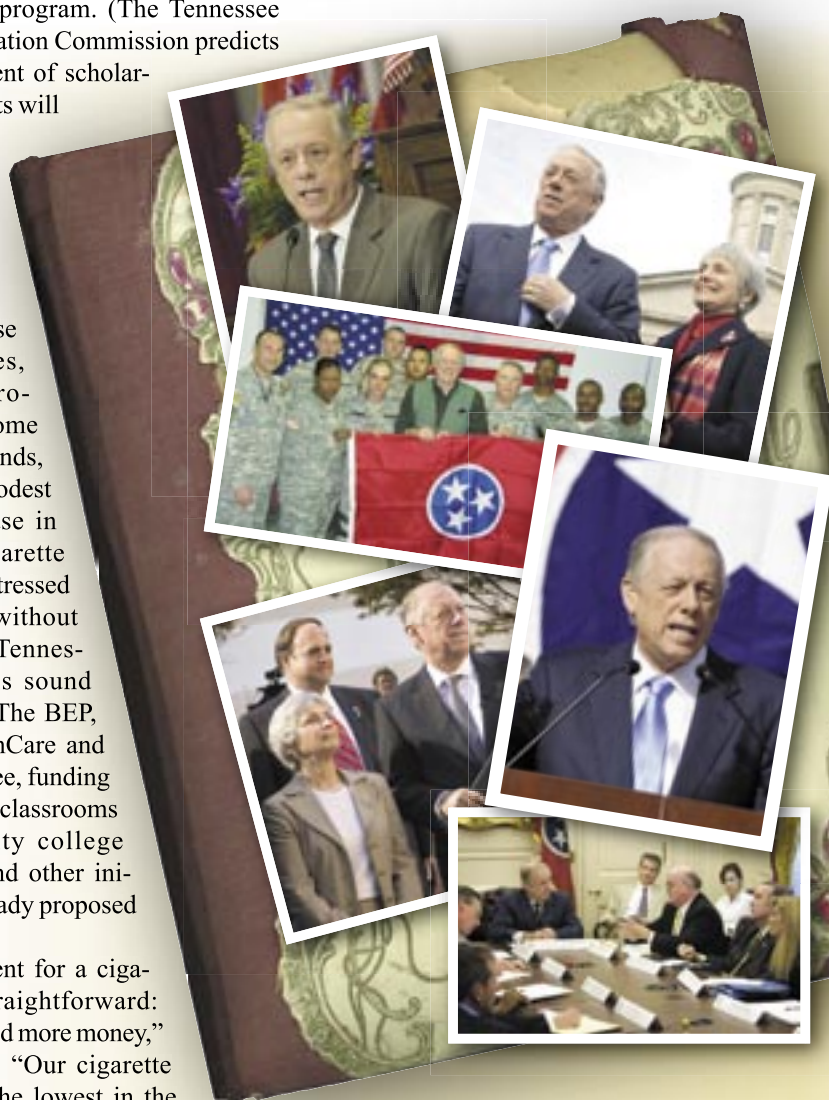
nation, it has room to grow, and even after such an increase, will still be vastly below the national average."

Ninety percent of revenue from the increase would go into education, and the remainder would fund agriculture and anti-smoking programs in Tennessee.

Bredesen made a call to Tennessee's General Assembly to put aside "politics as usual" and instead make a bipartisan commitment to the education of Tennessee's children.

"As I look out over this chamber tonight, I am proud indeed that bipartisanship is not a new idea in Tennessee; that we have been practicing it and getting results for our state for a long time," Bredesen said. "To all of you from both sides of the aisle, thank you for putting the needs of our state first."

The Tennessee HomeBuilder magazine would like to thank Governor Phil Bredesen for his dedication and leadership! ♦





Senate Votes in New Speaker & Lieutenant Governor

Legislative Review
by HBAT lobbyist, Jay West

What does that mean for Home Builders?

On January 9, the Tennessee State Senate voted to replace Lieutenant Governor John Wilder with Blountville Republican Senator, Ron Ramsey. Wilder, who is 85 years old, is from Somerville and held the position of Speaker and Lieutenant Governor since 1971. **What does this mean for Home Builders?**



Senator Ron Ramsey

First, Ramsey, a real estate broker and auctioneer, has a keen knowledge of the real estate industry and is past president of the Bristol, TN-VA Association of Realtors. He

has always been knowledgeable of HBAT issues and supportive on many occasions. Next, the Speaker of the Senate has the power of appointing the senate committee chairs and committee members. One of the most important committees to Homebuilders on Capitol Hill is the Senate Commerce Committee. Ramsey has named Morristown Republican, Steve Southerland as Chair of this committee. Southerland represents Cocke, Greene, Hamblen and Unicoi counties. It is important to note that he is a real estate mortgage broker. He understands HBAT issues and has been helpful in the past. The vice-chair of the committee is freshman Senator, Paul Stanley, from Memphis. He previously served in the House of Representatives,

where he was a member of the Commerce Committee as well. Senator Stanley has been very helpful on HBAT issues and is close to the Memphis Area Home Builders Association.



Sen. Ketron

Another committee to watch is the State and Local Committee that is being chaired for the first time by Senator Bill Ketron, a Republican from Murfreesboro. His district includes Lincoln, Marshall, Maury and part of Rutherford counties. Senator Ketron owns an insurance agency in Murfreesboro. He has previously worked closely with the Rutherford County Home Builders Association and was president of the National Exchange Club in 1995.

Speaker Ramsey has named Tim Burchett as his Deputy Speaker. Burchett has a great relationship with the Greater Knoxville Home Builders Association. He has been a sponsor of various HBAT legislation over the years.



Sen. Norris

With the elevation of Ramsey from majority leader to lieutenant governor, Senate Republicans elected Collierville senator, Mark Norris, to serve as the GOP's new majority leader. Norris, an attorney and farmer, has always been accessible to discuss HBAT issues.

As speaker, Ramsey has the power to shape state policy, and possibly even state Supreme Court nominations through his ability to name appointees to some 53 state boards and commissions. In the instance of the Judicial Selection Commission,



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Ramsey and House Speaker Jimmy Naifeh each name eight members while the 17th member is a joint appointment. Speaker Ramsey says he plans to have more conservative Appellate Judicial nominations recommended to the Governor through his future appointments to that commission.

In the past HBAT members, as well as the public in general, have voiced frustration over access to voting records on the General Assembly's website. Both Speaker Naifeh and Lieutenant Governor Ramsey have announced that both floor votes, as well as committee votes, will now be available on-line. Public advocacy groups immediately expressed approval of the move, stating that this is a step towards making the government more "transparent." You can access the General Assembly's website at www.legislature.state.tn.us/.



A bill is simply an idea that someone would like to see become law. It could be anything from the penalty for committing a crime to the amount of money that can be spent on a state program.

The idea can come from anyone, but only a Representative or Senator can take that idea and guide it to final passage through the General Assembly. A bill must be introduced in both houses.

Drafting a bill simply means putting the idea into legal language. The actual drafting is done by the LEGISLATIVE LEGAL SERVICES.

Introduction of a bill can be made by any member of the House or Senate, and more than one legislator can sponsor a bill. A bill is given to the Chief Clerk of the House or the Chief Clerk of the Senate and assigned a number. The sponsor(s) of a bill signs the original copy.

Without objections, the House & Senate pass the bills on 1st and 2nd readings simply by Sponsor and Titles. After the 2nd reading, the Speaker assigns it to a standing committee. A local bill does not have to go to committee. There are twelve Standing Committees in the House and nine similar Standing Committees in the Senate.

During legislative sessions, committees usually meet on Tuesdays and Wednesdays. Committees generally are where public comments are gathered on

proposed legislation. During a committee hearing, the Senator or Representative sponsoring a bill will explain the measure and often will bring in expert testimony as support. Those who oppose a bill will also present their case, and frequently the committee will hold public hearings.

Committee action is crucial to the legislative process. A committee's responsibility is to examine a bill carefully and make one of three recommendations: "Pass," "Pass as Amended," or "Do Not Pass."

When the committee has completed its deliberations, the bill is put in final form with or without amendments and placed on the Calendar. The bill is now ready to be read a third time, debated and voted on by the entire membership of the House or Senate. It is up to the bill's sponsor to bring it up for final consideration.

Bills are passed by a majority vote (50 in the House; 17 in the Senate). After passing either the House or the Senate it can be substituted by the other body for passage.

If it passes both houses it is sent to the Governor for action. If the Governor signs the bill it becomes law. If the Governor vetoes the bill it goes back to the General Assembly to determine if the veto can be overridden.



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105th General Assembly



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Attorney



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Small Businessman



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Farmer



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105th General Assembly



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Nurse



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Architect



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Insurance Agent



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Lawyer



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*Current information as of January 2007

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REPRESENTATIVES

105th General Assembly



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D - Covington
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 Businessman



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 Insurance Manager



REP. WILLIAM A. BAIRD
R - Jacksboro
 District 36 - Campbell and Union County
 202 War Memorial Bldg.
 Nashville, TN 37243-0136
 Phone: (615) 741-3335
 Farmer/Businessman



REP. EDDIE BASS
D - Prospect
 District 65 - Giles and Marshall Counties
 109 War Memorial Bldg.
 Nashville, TN 37243-0165
 Phone: (615) 741-1864
 Former Small Business Owner and Retired Sheriff



REP. MIKE BELL
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 Businessman, Farmer



REP. ROBERT BIBB
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 Economic Development



REP. STRATTON BONE, JR.
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 Farming/Residential Construction



REP. WILLIE BUTCH BORCHERT
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 Retired Businessman



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 Lawyer



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 Retired/Legislator



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 Public Relations, Conference Management



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 Attorney/Farmer



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 Real Estate Redeveloper/Businessman



REP. GLEN CASADA
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 Sales



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 Owner/Broker/Auctioneer



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 Army, Nuclear Power, Real Estate



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 Attorney



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 Teacher



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 Banker



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 Manufacturing



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 Retired Police Officer, Mayor



REP. JOHN J. DEBERRY, JR.
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 Marketing, Advertising, Training and Public Relations Executive



REP. LOIS DEBERRY
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 District 91 - Part of Shelby County
 15 Legislative Plaza
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 Education



REP. J. THOMAS DUBOIS
R - Columbia
 District 64 - Part of Maury County
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 Nashville, TN 37243-0164
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 Attorney/City Judge



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 District 16 - Part of Knox County
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 Certified Arborist



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 Insurance Agent/Farming



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 Consultant/RN/Health Administrator



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 Businessman



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 Attorney



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 Banker/Lawyer



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 Farmer, Retired MLB Umpire



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105th General Assembly



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 Director of Business Development



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 Former Associate Professor



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 Haberdasher



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 Physician



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 Retired Bank Marketing



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 Small Business Owner



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 Membership Director



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 Legislator



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 Farmer



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 Business Manager, Military



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 Technology Coordinator



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 Small Business Owner



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 Security/Private Investigation



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 Business Owner



REP. JOE McCORD
R - Maryville
 District 8 - Parts of Blount and Sevier Counties
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 Nashville, TN 37243-0108
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 Businessman



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 Commercial Real Estate Broker



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 Businessman



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 Educator/Farmer



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 Investment Advisor



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 Fireman



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 Retired from Oak Ridge National Lab



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 Firefighter/EMT



REP. JASON MUMPOWER
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 103 War Memorial Building
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 Phone: (615) 741-2050
 Public Relations



REP. EDDIE NEAL
D - Memphis
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 Masonry Contractor



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 Phone: (615) 741-4419
 Farmer



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 18A Legislative Plaza
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 Phone: (615) 741-4410
 Executive Director



REPRESENTATIVES

105th General Assembly



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District 20 - Part of Blount County
201 War Memorial Building
Nashville, TN 37243-0120
Phone: (615) 741-0981
Attorney



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Phone: (615) 741-0718
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Nashville, TN 37243-0167
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Retired Educator



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Teacher, Coach, Farm Owner



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Phone: (615) 741-1898



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Phone: (615) 741-2804
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Pharmacist



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Phone: (615) 741-2264
Chief Deputy Assessor



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202 War Memorial Building
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Phone: (615) 741-7098
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33 Legislative Plaza
Nashville, TN 37243-0113
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Nashville, TN 37243-0184
Phone: (615) 741-2189
Business Entrepreneur and Former College Instructor

REPRESENTATIVES



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 Phone: (615) 741-6954
 Owner of Larry Turner and Associates Realty Company



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 Phone: (615) 741-3229
 Firefighter/EMT



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D - Kingsport
 District 2 - Part of Sullivan County
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 Phone: (615) 741-6867
 Insurance Agent



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 Law Enforcement



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 Attorney and Former Assistant District Attorney General



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 36 Legislative Plaza
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 Educator



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C.H.A.M.P. UPDATE:

The Tennessee Department of Commerce & Insurance and the C.H.A.M.P. Program

Last year, the March/April edition of the Tennessee HomeBuilder magazine introduced you to the Tennessee Department of Commerce and Insurance. We focused on the Commissioner of this important, regulatory department and discussed the new Contractor/Homeowner Accountability Program, or CHAMP. A year later, there have been several important changes.

First, Commissioner Leslie A. Newman has replaced Paula Flowers as the leader of this department. A native of Dallas, Texas, Commissioner Newman was formerly an attorney with the Municipal Technical Advisory Service (MTAS) of the University of Tennessee, Institute for Public Service. She served with the Metropolitan Nashville Department of Law, and in her private legal

practice since 2000, has focused on land use, zoning, urban and municipal law, and governmental relations.

Since the CHAMP program is of great importance to the homebuilding industry, we asked Jim Gallery, the mediator and supervisor of the program, to give us the following update:

In February, 2005, the Division of Consumer Affairs began CHAMP, a mediation process which allowed home owners and contractors to agree on making repairs and/or resolving construction issues in good faith. Since then, over 800 complaints have been handled by the CHAMP program.

Questions from contractors about CHAMP, its mission and its methods, occur but several seem to occur frequently:

Do all the items on the repair list from the state inspector have to be done to satisfy the complaint?

When a complaint is filed with CHAMP a request is made to the Regulatory Board Inspection Section for a state inspector to be sent to the home of the complainant. The inspector is not a mediator, and thus, the inspection is done with only the homeowner present. The repair list is developed based on the homeowner's statements and the inspector's observations. There may be some items on the repair list that the contractor disputes. To satisfy the State, the contractor needs to respond to the CHAMP program by addressing the items on the repair list. That response may involve doing all the repairs, some of the repairs or none of the repairs. The latter two responses require an explanation as to why the contractor does not feel responsible for the needed repairs. This response needs to be written, so that any future reference to the file will have the contractor's reply to the complaint.

What causes a contractor to be put on the Problem Contractor's List, and how can a contractor have his name removed from that list?

The CHAMP program has been called

a "friendly mediation" program. The only way a contractor is placed on the Problem Contractor's List (PCL) is no response or not working with CHAMP in good faith. As long as a contractor responds to efforts by the CHAMP office to mediate, the contractor, whether doing the repairs or not, will not be placed on the PCL. If a contractor has been put on the PCL and wishes to be removed from the list, he needs to contact the CHAMP office. Under normal circumstances, when a contractor starts responding and acting in good faith, his name can be removed from the PCL.

What is the difference between CHAMP and the Board for Licensing Contractors?

CHAMP is a part of the Division of Consumer Affairs. Mediation on behalf of the consumer is the focus of this division's work. The Board for Licensing Contractors is a regulatory agency, under the Division of Regulatory Boards with power to issue and revoke contractor licenses, and to fine contractors not performing up to standard.

Many of the complaints initiated with the Board for Licensing Contractors are forwarded to CHAMP for mediation. On some occasions, mostly at the request of unhappy homeowners, complaint files will be sent to the BLC for review. The Board's attorney reviews the case to determine whether further action needs to be taken.

CHAMP has been instrumental in resolving many homeowner/contractor conflicts saving both parties the anguish and cost of litigation. Sometimes successful resolution is not accomplished. However, with the good faith efforts of all parties involved, CHAMP provides a helpful hand to homeowner and contractor alike.

The Tennessee HomeBuilder magazine would like to welcome Commissioner Newman to her new position, and sincerely thank Jim Gallery for the excellent information he provided on the CHAMP program.



COMING SOON!!! The New HBAT Offices

The new offices are currently being renovating, located near the Legislative Plaza in Downtown Nashville. The Grand Unveiling will be featured in the May/June issue of the Tennessee Home Builder magazine!



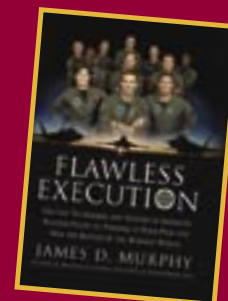
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“IN THEIR OWN WORDS”

Views on Immigration

The Question:

The Tennessee Home Builder magazine is dedicated to bringing you informative information on the subjects that affect the building industry. We recently spoke with Rep. Gary Odom and Rep. Jason Mumpower about the issue of immigration. Here is what they had to say in “their own words.”

While many might argue that immigration matters can only be addressed on the federal level, what do you see as the impact on small businesses in Tennessee and in particular home builders with regard to immigration legislation that likely will be introduced in the upcoming General Assembly?



REP. GARY ODOM
House Majority Leader
D - Nashville
District 55 - Part of Davidson County

As I traveled across the state last year, it became obvious that immigration was a key issue in many legislative races. While I have always viewed the problem of illegal immigration as an issue which must be addressed by the Federal Government, it is clear that Tennesseans are angry about the issue. It is for that reason that I believe the Tennessee General Assembly will try to do some things to address the issue during this session.

We plan to abolish the driving certificates that in the past have been issued to illegal aliens, and we will continue to increase the training of our state employees to deal with illegal immigrants who try to take advantage of state funded health and social services programs.

One of the things of the utmost concern to Tennesseans is the concept of those who are here illegally benefiting from programs such as workers compensation and healthcare programs like TennCare and Cover Tennessee. Ironically, these are areas in which we have had a difficult time because the Federal government or the Federal Courts have tied our hands.

The State of Tennessee does not have a border patrol or an Immigration and Naturalization Service (INS). We clearly have a problem, but it cannot be solved by each of the 50 states enacting statutes to deal with it. I also do not believe that the problem can be dealt with by tens of thousands of local ordinances in our cities and counties. The problem of illegal immigration can only be effectively addressed in Washington D.C.



REP. JASON MUMPOWER
House Minority Leader
R - Bristol
District 3 - Johnson and part of Sullivan Counties

Immigration reform will be a key issue this year in our 105th Tennessee General Assembly, as it will be in most state capitols nationwide. Although immigration is looked at by some lawmakers as a federal issue, states cannot ignore the fact that immigration is not just a national problem when so many policy decisions affecting the issue are made at the state level. Some of these decisions include proof of citizenship before voting, proof of legal residency before a driver's license can be issued, or requirements that only citizens should be able to receive public benefits provided by the state.

In addition to the strain illegal immigration places on our social services, there are other financial repercussions on state and local governments like those placed on our education and criminal justice systems. However, one of the most important reasons for addressing this issue is the new level of attention that must be paid to homeland security due to the terrorist attacks on 9-11.

With an estimated twelve million illegal aliens residing in the U.S., it is essential that states cooperate with the federal government to work together as we face the challenges of this new era. That's exactly what 32 other states have done with approval of 84 new laws on immigration reform adopted last year. I expect further reforms to be passed nationwide this year, including several key initiatives in Tennessee. The General Assembly will take up a bill to require Tennessee Highway Patrol to be trained to assist federal officials in detaining illegals when they are pulled over. States like Alabama, Massachusetts and Florida have already given local and state law enforcement all the tools they need to work with federal authorities on this issue. Arizona, Georgia, Illinois, Kansas and Rhode Island have requirements to show citizenship or legal immigrant status for social service benefits or state supported healthcare benefits. I expect this proposal will also be debated in Tennessee this year. Other states have also implemented strict driver's license requirements as we cannot forget that 19 people used state-issued driver's licenses to board four airplanes and turn them into weapons of mass destruction. These are a few of the key reform proposals I expect our General Assembly to consider.

Tennesseans, whether they are small business owners, employers, retired citizens or from any walk of life expect their government to provide protection and enforce their laws. At the same time, we welcome those who are here legally, or have taken a legal path to citizenship, to enjoy the freedoms we have in this great nation and state. These are the two guiding principles we should have in mind in considering any immigration reform proposals before us in our 2007 legislative session.

Doug Dojan

Residential Construction Services - Charleston, SC

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LIMELIGHT



RCHBA Honors Brenda Sharp as Life Director

The Rutherford County Home Builders Association (RCHBA) recently honored Brenda Sharp, naming her a Life Director of the organization. The recognition was announced recently at their Annual Membership Meeting.

"Brenda has served over 10 years as a director of the RCHBA, including three terms as Associate Vice President; serving on nearly every committee of the organization. Currently, she serves as co-chair of the Member Services committee, as she has for the last several years," according to Karyn Beaty, RCHBA executive director.

Most recently, Sharp was acclaimed 2002 RCHBA Associate of the Year.

Sharp serves the association and the industry as a Home Builder Association of Tennessee State Director, attending spring, summer and fall state board meetings; as well as representing the RCHBA at the National Association of Home Builders' winter board meeting and the International Builders Show, annually.

"Her tireless work for the RCHBA strengthens the 'Do Business with a Member' philosophy by continually seeking to improve networking opportunities among members and industry professionals," Beaty said. "Brenda is respected as a consummate professional among her peers, and she serves as an excellent role model

and advisor for those entering the home building industry."

Long time sales representative for Atmos Energy, Brenda Sharp will celebrate her 20th anniversary with the company in March. She serves both Murfreesboro and Shelbyville communities, primarily using her expertise to bring gas lines to new residential neighborhoods, often working directly with the homeowners themselves.

Sheriff, Top Local Official

Shelby County Sheriff Mark H. Luttrell Jr. has been honored as "Local Official of the Year" by the National Association

of Home Builders.

Luttrell received the "Local Official of the Year" award at a ceremony during the International Builders Show on Feb. 7 in Orlando.

Luttrell was nominated by the Memphis Area Home Builders Association, which applauded him for his efforts to prevent construction theft.

More than 150 suspects have been arrested and more than \$1 million in stolen goods recovered during the past several years.

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MURFREESBORO, TENNESSEE – Middle Tennessee State University's Construction Management Technology team placed first out of thirty-nine teams at the Centex National Association of Homebuilders (NAHB) Student Competition.

Team members were Clint Evers, Lawrenceburg; Kendall Lee, Jamestown; Matt

McKee, Chattanooga; Michael Phillips, Nashville; Devin Frederick, Dyersburg; Stewart Knowles, Lebanon.

The Construction Management Technology team from the Department of Engineering and Industrial Studies spent more than 400 hours each developing a proposal for East Lakes at Fairlakes Condos in Fairfax, Virginia.

"The proposed project manual for the Virginia Centex project that the team put together showed teamwork and dedication, which are major requirements in the Construction Program and industry," said David Hatfield Construction Management Technology Programs Director and Professor.

Team Leader Clint Evers said, "I could not be more proud to be associated with the members of this team and everyone who helped us. The win was a great reward for a lot of hard work and will help place our program and school in the same class as some of the most recognizable names in the country."

MTSU's construction management program is affiliated with the Rutherford County Home Builders Association, Home Builders Association of Tennessee and the National Home Builders Student Association. ♦



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2007—

Spring Meeting

March 4 – 7, 2007

Hilton Suites Downtown
Nashville, TN

Summer Meeting

July 15 – 18, 2007

Hilton Sandestin Beach Golf Resort & Spa
Destin, FL

Fall Meeting

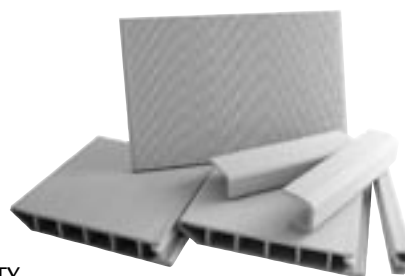
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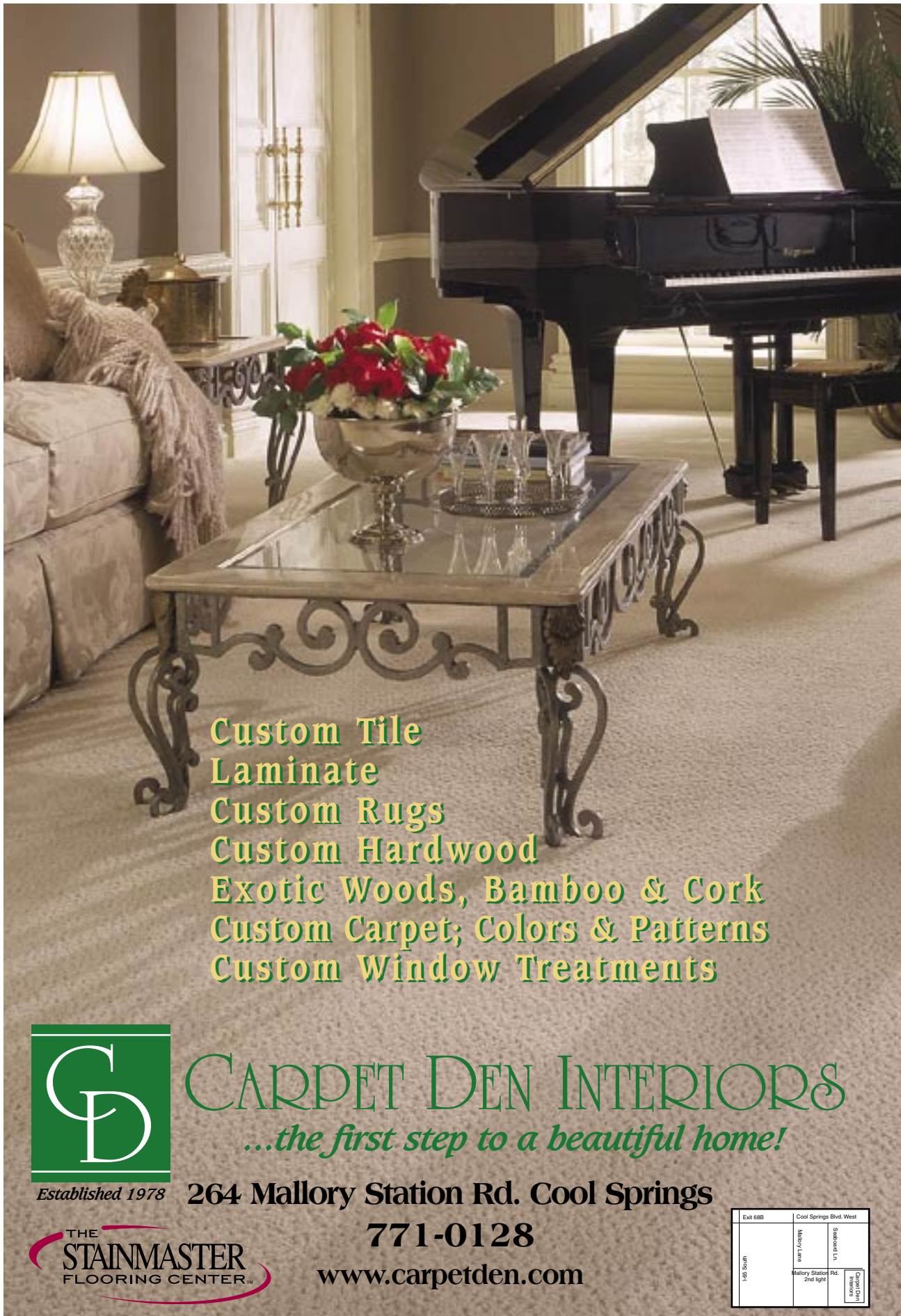
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